

2013 DRAFTING REQUEST

Bill

Received: 10/3/2013 Received By: agary
Wanted: As time permits Same as LRB:
For: Janet Bewley (608) 266-7690 By/Representing: Joe Hoey
May Contact: Drafter: agary
Subject: Transportation - motor vehicles Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Rep.Bewley@legis.wisconsin.gov
Carbon copy (CC) to: aaron.gary@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Special plate honoring Wisconsin's connection to the US Olympic Committee

Instructions:

Companion for SB-305

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 10/4/2013	evinz 10/4/2013		_____			
/1			rschluet 10/7/2013	_____	sbasford 10/7/2013	lparisi 10/7/2013	State

FE Sent For:

*at intro
10/18*

<END>

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/?	agary	1 eev 10/4/13	1 eev 10/4/13	=====			
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FE Sent For:


<END>
10/4/13 JK

Gary, Aaron

From: Hoey, Joseph
Sent: Thursday, October 03, 2013 3:34 PM
To: Gary, Aaron
Subject: RE:

Aaron,

Please roll the amendment into the bill. I think that will make it easier in the long run.

Thanks,

Joe

*Joseph P. Hoey
Office of State Representative Janet Bewley
74th Assembly District
(608) 266-7690 / (888) 534-0074*

From: Gary, Aaron
Sent: Thursday, October 03, 2013 3:25 PM
To: Hoey, Joseph
Subject: RE:

Hi Joe,

I entered this request as LRB-3338. I am drafting an amendment to SB-305 (it includes two pieces, one of which corrects a drafting mistake). Do you want your bill to be identical to SB-305 and then you can do an identical amendment? Or do you want me to roll the amendment that I'm doing for SB-305 into your bill so that it doesn't have to be amended later?

Thanks. Aaron

Aaron R. Gary
*Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us*

From: Hoey, Joseph
Sent: Thursday, October 03, 2013 2:06 PM
To: Gary, Aaron
Subject:

Aaron,

Could you please draft an assembly companion to 2013 SB 305 (LRB-0036/1) for Representative Bewley?

Thanks,

Joe

Joseph P. Hoey
Office of State Representative Janet Bewley
74th Assembly District
(608) 266-7690 / (888) 534-0074



State of Wisconsin
2013 - 2014 LEGISLATURE

in 10/4

Wanted
by 10/8



LRB-~~00000~~-3338/1
ARG:eev&ac:rs

R M N R

D-Note

2013 ~~SENATE~~ BILL 305

September 24, 2013 - Introduced by Senators JAUCH, L. TAYLOR and HANSEN, cosponsored by Representatives BEWLEY, KAHL, SPIROS, OHNSTAD, RINGHAND, POPE and WRIGHT. Referred to Committee on Transportation, Public Safety, and Veterans and Military Affairs.

regln

1 **AN ACT** *to renumber and amend* 341.14 (6r) (b) 1m.; *to amend* 341.14 (6r) (b)
2 1., 341.14 (6r) (c) and 341.14 (6r) (fm) 7.; and *to create* 20.395 (5) (ei), 25.40 (1)
3 (a) 30., 341.14 (6r) (b) 1m. b., 341.14 (6r) (b) 15., 341.14 (6r) (f) 63. and 341.14
4 (10) of the statutes; **relating to:** special registration plates honoring this state's
5 support of the United States Olympic Committee and making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, a group or organization that meets certain criteria may apply to the Department of Transportation (DOT) for designation as an authorized special group. If the application is approved, members of the authorized special group may obtain special registration plates for certain vehicles, including automobiles and motor homes, that are owned or leased by special group members. Before October 2, 1998, authorized special groups whose members may obtain special plates were specifically enumerated in state law. With certain exceptions, current law provides that specific enumeration in state law of authorized special groups is limited to those special groups enumerated before October 2, 1998. A fee, in addition to the regular registration fee for the particular kind of vehicle, is charged for the issuance or reissuance of most special plates.

This bill establishes an authorized special group specifically enumerated in state law for persons interested in obtaining special plates honoring this state's support of the United States Olympic Committee. In addition to the regular vehicle registration fee, special group members are required to pay a \$15 fee for issuance or

SENATE BILL 305

reissuance of the special plates and to annually include payment of \$25 that provides funds in equal amounts to Pettit National Ice Center, Inc., the Central Cross Country Ski Association, and the United States Olympic Committee. The bill requires the special plates to display a logo or symbol associated with the United States Olympic Committee. DOT may not specify a design for the plates unless the design is approved by the United States Olympic Committee. DOT may not issue these special plates until DOT has obtained authority to use any applicable trademark or service mark associated with the United States Olympic Committee on these special plates and until DOT receives contributions from interested persons in the amount of ~~the~~ initial costs of production of these special plates or \$11,800, whichever is less.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

DOT's final estimated

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.395 (5) (ei) of the statutes is created to read:

2 20.395 (5) (ei) *Payments related to United States Olympic Committee plates.*

3 From the general fund, all moneys received under s. 341.14 (6r) (b) 15. for payments
4 as provided in s. 341.14 (10) (a). ²

5 **SECTION 2.** 25.40 (1) (a) ²30. of the statutes is created to read:

6 25.40 (1) (a) ²30. Moneys received under s. 341.14 (6r) (b) 15. that are deposited
7 into the general fund and credited to the appropriation account under s. 20.395 (5)
8 (ei).

9 **SECTION 3.** 341.14 (6r) (b) 1. of the statutes is amended to read:

10 341.14 (6r) (b) 1. Subject to subd. 1m., upon application to register an
11 automobile or motor home, or a motor truck, dual purpose motor home or dual
12 purpose farm truck which has a gross weight of not more than 8,000 pounds, or a
13 farm truck which has a gross weight of not more than 12,000 pounds, by any person
14 who is a resident of this state and a member of an authorized special group, the
15 department shall issue to the person special plates whose colors and design shall

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1 indicate that the vehicle is owned by a person who is a member of the applicable
2 special group. The department may not issue any special group plates under par. (f)
3 55., 60., or 61r. until 6 months after the department has received information
4 sufficient for the department to determine that any approvals required for use of any
5 logo, trademark, trade name or other commercial symbol designating the
6 professional football team or professional baseball team or associated with
7 Harley-Davidson, Inc., have been obtained. Subject to ~~sub.~~ subs. (9) (d) and (10) (d),
8 the department may not issue any special group plates under par. (f) 61m. or 63. until
9 the department has received information sufficient for the department to determine
10 that any license or other approval required for use of any logo, trademark or service
11 mark, trade name or other commercial symbol to be used on or in association with
12 these plates has been obtained. Notwithstanding s. 341.12 (2), if the department of
13 corrections does not have flat-plate technology available for use in manufacturing
14 license plates at quality and cost comparable to that available from the state of
15 Minnesota, the department of transportation may not issue any special group plates
16 under par. (f) 59. unless the department of transportation purchases the plates from
17 the state of Minnesota. Sections 16.70, 16.71, 16.72, 16.75, 16.752 to 16.755, 16.765,
18 16.77, and 16.82 do not apply to purchases of plates issued under par. (f) 59. from the
19 state of Minnesota.

20 **SECTION 4.** 341.14 (6r) (b) 1m. of the statutes is renumbered 341.14 (6r) (b) 1m.
21 a. and amended to read:

22 341.14 (6r) (b) 1m. a. Upon receipt of contributions totaling an amount equal
23 to the initial costs of production of the special group plates under par. (f) 61. or
24 \$11,800, whichever is less, from Marquette University or other persons interested
25 in the special group plates under par. (f) 61., the department shall commence any

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1 development work necessary to implement the provisions of par. (f) 61. and related
2 provisions under this subsection and shall complete the development work within 6
3 months of its commencement. The development work under this ~~subdivision~~ subd.
4 1m. a. shall be funded only from the appropriation under s. 20.395 (4) (ch) from
5 contributions received by the department for purposes of this ~~subdivision~~ subd. 1m.
6 a. If the department does not receive, by June 30, 2013, sufficient contributions to
7 commence development work under this ~~subdivision~~ subd. 1m. a., the department
8 may not commence development work under this ~~subdivision~~ subd. 1m. a. and shall
9 promptly return to each contributor all contributions, less a transaction fee of no
10 more than \$2.50 per contributor for costs associated with the return of contributions,
11 received by the department for purposes of this ~~subdivision~~ subd. 1m. a. If the
12 department receives contributions in excess of the amount necessary to commence
13 development work under this ~~subdivision~~ subd. 1m. a., the department shall
14 discontinue receiving contributions under this ~~subdivision~~ subd. 1m. a. and
15 promptly return to each contributor all contributions, less a transaction fee of no
16 more than \$2.50 per contributor for costs associated with the return of contributions,
17 received by the department after the department had received sufficient
18 contributions. No contribution received by the department under this ~~subdivision~~
19 subd. 1m. a. may be applied to any fee established under subd. 2. The department
20 may not issue any special group plates under par. (f) 61. until the department has
21 completed the development work specified in this ~~subdivision~~ subd. 1m. a.

22 SECTION 5. 341.14 (6r) (b) 1m. b. of the statutes is created to read:

23 341.14 (6r) (b) 1m. b. Upon receipt of contributions totaling an amount equal
24 to the initial costs of production of the special group plates under par. (f) 63. or
25 \$11,800, whichever is less, from persons interested in the special group plates under

insert 4-24

insert 5-3

SENATE BILL 305

1 par. (f) 63., the department shall commence any development work necessary to
2 implement the provisions of par. (f) 63. and related provisions under this subsection
3 and shall complete the development work within one year of its commencement. The
4 development work under this subd. 1m. b. shall be funded only from the
5 appropriation under s. 20.395 (4) (ch) from contributions received by the department
6 for purposes of this subd. 1m. b. If the department does not receive, by June 30, 2017,
7 sufficient contributions to commence development work under this subd. 1m. b., the
8 department may not commence development work under this subd. 1m. b. and shall
9 promptly return to each contributor all contributions, less a transaction fee of no
10 more than \$2.50 per contributor for costs associated with the return of contributions,
11 received by the department for purposes of this subd. 1m. b. If the department
12 receives contributions in excess of the amount necessary to commence development
13 work under this subd. 1m. b., the department shall discontinue receiving
14 contributions under this subd. 1m. b. and promptly return to each contributor all
15 contributions, less a transaction fee of no more than \$2.50 per contributor for costs
16 associated with the return of contributions, received by the department after the
17 department had received sufficient contributions. No contribution received by the
18 department under this subd. 1m. b. may be applied to any fee established under
19 subd. 2. The department may not issue any special group plates under par. (f) 63.
20 until the department has completed the development work specified in this subd. 1m.
21 b.

SECTION 6. 341.14 (6r) (b) 15. of the statutes is created to read:

22 341.14 (6r) (b) 15. Subject to sub. (10) (d), a voluntary payment of \$25 that is
23 in addition to the fee under subd. 2. shall be collected in connection with the issuance
24 or renewal of a plate issued on an annual basis for the special group specified under
25

SENATE BILL 305

SECTION 6

1 par. (f) 63. Subject to sub. (10) (d), a voluntary payment of \$50 that is in addition to
2 the fee under subd. 2. shall be collected in connection with the issuance or renewal
3 of a plate issued on a biennial basis for the special group specified under par. (f) 63.
4 if the plate is issued or renewed during the first year of the biennial registration
5 period or \$25 for the issuance or renewal if the plate is issued or renewed during the
6 2nd year of the biennial registration period. No plate may be issued for the special
7 group specified under par. (f) 63. unless the voluntary payment under this
8 subdivision is collected. All moneys received under this subdivision in excess of the
9 initial costs of production of the special group plate under par. (f) 63. or \$11,800,
10 whichever is less, shall be deposited into the general fund and credited to the
11 appropriation under s. 20.395 (5) (ei). To the extent permitted under ch. 71, the
12 voluntary payment under this subdivision is deductible as a charitable contribution
13 for purposes of the taxes under ch. 71.

14 SECTION 7. 341.14 (6r) (c) of the statutes is amended to read:

15 341.14 (6r) (c) Special group plates shall display the word "Wisconsin", the
16 name of the applicable authorized special group, a symbol representing the special
17 group, not exceeding one position, and identifying letters or numbers or both, not
18 exceeding 6 positions and not less than one position. Except as provided in this
19 paragraph, the department shall specify the design for special group plates, but the
20 department shall consult the president of the University of Wisconsin System before
21 specifying the word or symbol used to identify the special groups under par. (f) 35.
22 to 47., the secretary of natural resources before specifying the word or symbol used
23 to identify the special groups under par. (f) 50. and 59., the chief executive officer of
24 the professional football team and an authorized representative of the league of
25 professional football teams described in s. 229.823 to which that team belongs before

SENATE BILL 305

1 specifying the design for the applicable special group plate under par. (f) 55., the chief
2 trademark officer of Harley-Davidson Michigan, LLC before specifying the design
3 for the applicable special group plate under par. (f) 61r., the department of veterans
4 affairs before specifying the design for the special group plates under par. (f) 49d.,
5 49h., and 49s., and the department of tourism and chief executive officer of the
6 organization specified in par. (f) 55m. before specifying the design and word or
7 symbol used to identify the special group name for special group plates under par.
8 (f) 55m. Special group plates under par. (f) 50. shall be as similar as possible to
9 regular registration plates in color and design. The department shall make available
10 2 designs for the special group plates under par. (f) 60. The department may not
11 specify any design for the special group plates under par. (f) 60. unless the design is
12 approved by the executive vice president of the Milwaukee Brewers Baseball Club
13 LP. The word or symbol used to identify the special group under par. (f) 59. shall be
14 different from the word or symbol used to identify the special group under par. (f) 50.
15 and the design shall cover the entire plate. Special group plates under par. (f) 61m.
16 shall display a logo or image of the lion associated with the Lions Clubs
17 International. Special group plates under par. (f) 61r. shall display a bar and shield
18 logo associated with Harley-Davidson, Inc., on the left portion of the plates and the
19 words "share the road" on the bottom portion of the plates. Special group plates
20 under par. (f) 63. shall display a logo or symbol associated with the United States
21 Olympic Committee and the department may not specify any design for the special
22 group plates under par. (f) 63. unless the design is approved by the United States
23 Olympic Committee, with a new approval required for each new design of these
24 plates under s. 341.135. Notwithstanding par. (e), special group plates under par.
25 (f) 33m. and 48m. shall be the same color and design that was specified by the

SENATE BILL 305**SECTION 7**

1 department for special group plates under par. (f) 33. and 48., respectively,
2 immediately prior to January 1, 2007. The design for special group plates under par.
3 (f) 33. and 48. shall be different from the design of special group plates under par. (f)
4 33m. and 48m., respectively.

5 **SECTION 8.** 341.14 (6r) (f) 63. of the statutes is created to read:

6 341.14 (6r) (f) 63. Persons interested in obtaining a plate honoring this state's
7 support of the United States Olympic Committee.

8 **SECTION 9.** 341.14 (6r) (fm) 7. of the statutes is amended to read:

9 341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups
10 may only be special groups designated by the department under this paragraph. The
11 authorized special groups enumerated in par. (f) shall be limited solely to those
12 special groups specified under par. (f) on October 1, 1998. This subdivision does not
13 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m.,
14 15m., 19m., 33m., 48m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., 58., 59., 60., 61., 61m.,
15 and 61r., and 63.

16 **SECTION 10.** 341.14 (10) of the statutes is created to read:

17 341.14 (10) (a) Subject to par. (c), from the appropriation under s. 20.395 (5)
18 (ei), the department shall make payments to all of the following, in amounts as equal
19 as possible if the department issues special group plates under sub. (6r) (f) 63.:

- 20 1. Pettit National Ice Center, Inc.
- 21 2. The Central Cross Country Ski Association.
- 22 3. The United States Olympic Committee.

23 (b) For each year in which the department makes payments to it under par. (a),
24 Pettit National Ice Center, Inc., the Central Cross Country Ski Association, and the
25 United States Olympic Committee shall submit to the presiding officer of each house

SENATE BILL 305

1 of the legislature an audited financial statement of its use of the payments under this
2 subsection, prepared in accordance with generally accepted accounting principles.

3 (c) The department shall discontinue payments to any recipient identified in
4 this subsection if the recipient dissolves, becomes insolvent, files a petition for
5 bankruptcy, or is no longer exempt from taxation under section 501 (a) of the Internal
6 Revenue Code.

7 (d) 1. If the special group plates under sub. (6r) (f) 63. will display any logo,
8 trademark or service mark, trade name, or other commercial symbol associated with
9 the United States Olympic Committee, the department may not issue any plates
10 under sub. (6r) (f) 63. unless the approval specified in sub. (6r) (b) 1. for these plates
11 provides for all of the following:

12 a. That the approval is irrevocable with respect to all plates issued for vehicles
13 after the plates are issued for these vehicles.

14 b. That, if the approval is withdrawn, the department may continue to renew
15 the registration of vehicles previously issued plates under sub. (6r) (f) 63., without
16 replacing those plates, but the department shall discontinue charging the voluntary
17 payment specified in sub. (6r) (b) 15. with respect to these renewals. *collecting*

18 2. Notwithstanding sub. (6r) (b) 1. and (f) (intro.), if the approval specified in
19 sub. (6r) (b) 1. for plates issued under sub. (6r) (f) 63. is withdrawn, the department
20 shall discontinue issuing plates under sub. (6r) (f) 63. unless additional approval, as
21 specified in this paragraph and sub. (6r) (b) 1., is obtained by the department.

SECTION 11. Effective date.

22 (1) This act takes effect on the first day of the 7th month beginning after
23 publication.
24

25 (END)

D-Note

Gary, Aaron

From: Hoey, Joseph
Sent: Thursday, October 03, 2013 2:06 PM
To: Gary, Aaron

Aaron,

Could you please draft an assembly companion to 2013 SB 305 (LRB-0036/1) for Representative Bewley?

Thanks,

Joe

*Joseph P. Hoey
Office of State Representative Janet Bewley
74th Assembly District
(608) 266-7690 / (888) 534-0074*



SENATE AMENDMENT,
TO SENATE BILL 305

INSERTS

insert 4-24

1 At the locations indicated, amend the bill as follows:

2 ~~1. Page 2, line 5: on lines 5 and 6, delete "30." and substitute "32.7."~~

3 ~~2. Page 4, line 24: after "to the" insert "department's final estimate of the"~~

4 ~~3. Page 5, line 3: after "commencement." insert "As soon as possible, the"~~
5 department shall post notice on the department's Internet site of its final estimate
6 of the initial costs of production of the special group plates under par. (f) 63.

insert
5-3

7 ~~4. Page 6, line 8: delete the material beginning with "is" and ending with~~
8 "less," on line 10.

9 (END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3338/1dn

ARG:.....

Leev

date

ATTN: Joe Hoey

* This draft reflects 2013 SB-305 with the amendment LRBa0898/2 incorporated.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3338/1dn
ARG:eev:rs

October 4, 2013

ATTN: Joe Hoey

This draft reflects 2013 SB-305 with the amendment LRBa0898/2 incorporated.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

Parisi, Lori

From: Hoey, Joseph
Sent: Monday, October 07, 2013 10:41 AM
To: LRB.Legal
Subject: Draft Review: LRB -3338/1 Topic: Special plate honoring Wisconsin's connection to the US Olympic Committee

Please Jacket LRB -3338/1 for the ASSEMBLY.