



1995 SENATE BILL 568

February 21, 1996 - Introduced by Senators ZIEN, FITZGERALD, BRESKE, WELCH, DRZEWIECKI, ANDREA and SHIBILSKI, cosponsored by Representatives SERATTI, FREESE, GREEN, KLUSMAN, HUTCHISON, KREIBICH, HUEBSCH, BOYLE, DOBYNS, WARD, PORTER, GUNDERSON, UNDERHEIM, SCHNEIDERS, AINSWORTH, LADWIG, GARD and LORGE. Referred to Committee on Business, Economic Development and Urban Affairs.

1 **AN ACT to repeal** 20.143 (1) (cm) and 20.143 (1) (dm); **to amend** 20.923 (6) (ak),
2 59.07 (8) and 560.065 (1) (intro.); and **to create** 15.07 (2) (c), 15.155 (6), 20.143
3 (1) (cm), 20.143 (1) (dm), 20.143 (1) (gm), 20.923 (6) (ak), 59.07 (156), 230.08 (2)
4 (yg), 560.06 and 560.065 of the statutes; **relating to:** creating a state promo-
5 tions board and giving that board exclusive authority over the commercial use
6 of certain state symbols and representations designed by the state or that are
7 affixed to state property, providing grants to statewide organizations repre-
8 senting counties for promotion of international trade, business and economic
9 development and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill does all of the following:

1. Authorizes the department of development (DOD) to award grants to statewide organizations that represent counties. The organization must use the grant proceeds to promote international trade, business and economic development in the state. An organization that receives a grant must submit to DOD, within 6 months after spending the full amount of the grant, a report that specifies how the proceeds were used.
2. Creates a state promotions board attached to DOD that consists of one member of the majority party and one member of the minority party in each house of the legislature who are appointed in the same manner as members of standing committees and, appointed by the governor for 3-year terms, 2 members who represent the public interest and 2 members who represent counties who are selected from a list

of names submitted by the Wisconsin Counties Association. The bill also creates a director of the state promotions board, who is appointed outside the classified service by the secretary of development.

The state promotions board is given exclusive authority over the commercial use of certain state symbols and certain representations designed by the state or that are affixed to state property. The state promotions board is authorized to enter into contracts for the use of any such symbol or representation or for the manufacture or marketing of any article of merchandise on which is affixed any such symbol or representation. Certain moneys received by the state promotions board are to be used to pay back to the state \$465,800 in start-up costs and to fund the awarding of grants to statewide organizations that represent counties for international trade, business and economic development.

3. Authorizes counties to produce and sell for a profit any article of merchandise that features the county seal or logo and grants county boards the exclusive rights to license the county seal or logo.

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

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

1 **SECTION 1.** 15.07 (2) (c) of the statutes is created to read:

2 15.07 (2) (c) The chairperson of the state promotions board shall be designated
3 biennially by the governor.

4 **SECTION 2.** 15.155 (6) of the statutes is created to read:

5 15.155 (6) STATE PROMOTIONS BOARD. There is created a state promotions board
6 which is attached to the department of development under s. 15.03. The state promo-
7 tions board shall consist of one member of the majority party and one member of the
8 minority party in each house of the legislature, appointed in the same manner as
9 members of standing committees; the secretary of administration, or his or her desig-
10 nee; the secretary of development, or his or her designee; and the following members
11 appointed for 3-year terms:

12 (a) Two members who represent the public interest.

1 (b) Two members who represent counties, selected from a list of names sub-
 2 mitted by the Wisconsin Counties Association.

3 **SECTION 3.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
 4 the following amounts for the purposes indicated:

			1995-96	1996-97
20.143 Development, department of				
(1) ECONOMIC AND COMMUNITY DEVELOPMENT				
(cm) State promotions board; start-up				
costs	GPR	A	61,200	104,600
(dm) Statewide organizations repre-				
senting counties; grants	GPR	A	100,000	200,000

11 **SECTION 4.** 20.143 (1) (cm) of the statutes is created to read:

12 20.143 (1) (cm) *State promotions board; start-up costs.* The amounts in the
 13 schedule for the start-up costs of the state promotions board to perform the duties
 14 under s. 560.06.

15 **SECTION 5.** 20.143 (1) (cm) of the statutes, as created by 1995 Wisconsin Act
 16 (this act), is repealed.

17 **SECTION 6.** 20.143 (1) (dm) of the statutes is created to read:

18 20.143 (1) (dm) *Statewide organizations representing counties; grants.* The
 19 amounts in the schedule for the purpose of making grants to statewide organizations
 20 representing counties to promote international trade, business and economic devel-
 21 opment under s. 560.065.

22 **SECTION 7.** 20.143 (1) (dm) of the statutes, as created by 1995 Wisconsin Act
 23 (this act), is repealed.

1 **SECTION 8.** 20.143 (1) (gm) of the statutes is created to read:

2 20.143 (1) (gm) *State promotions board and international trade, business and*
3 *economic development grants.* All moneys received from contracts or fees charged for
4 the sale or use of any state symbol or any representation designed by the state or that
5 is affixed to state property or articles of merchandise manufactured or marketed on
6 which is affixed such symbol or representation under s. 560.06 for the following pur-
7 poses:

8 1. The first \$104,600 or all moneys received, whichever is less, for the adminis-
9 tration of the state promotions board.

10 2. Beginning in the 2000-01 fiscal year, after deducting the amount appro-
11 priated under subd. 1., until \$465,800 has been lapsed to the general fund, \$200,000
12 or the remainder in each fiscal year, whichever is less, to be lapsed by the department
13 of development to the general fund.

14 3. After deducting the amount appropriated under subd. 1. and the amount
15 lapsed under subd. 2.:

16 a. One-half of the remainder for economic development promotion in the state.

17 b. One-half of the remainder for the purpose of making grants to statewide or-
18 ganizations representing counties to promote international trade, business and eco-
19 nomic development under s. 560.065.

20 **SECTION 9.** 20.923 (6) (ak) of the statutes, as created by 1995 Wisconsin Act
21 (this act), is created to read:

22 20.923 (6) (ak) Development, department of; state promotions board: director.

23 **SECTION 10.** 20.923 (6) (ak) of the statutes, as created by 1995 Wisconsin Act
24 (this act), is amended to read:

1 20.923 (6) (ak) ~~Development~~ Commerce, department of; state promotions
2 board: director.

3 **SECTION 11.** 59.07 (8) of the statutes is amended to read:

4 59.07 (8) (title) ~~OFFICIAL SEALS;~~ OFFICIAL LOGOS. Provide an official seal or one
5 or more official logos for the county and the county officers required to have one; and
6 an official seal for the circuit court, with such inscription and devices as that court
7 requires.

8 **SECTION 12.** 59.07 (156) of the statutes is created to read:

9 59.07 (156) SALE OF ITEMS WITH COUNTY SEAL OR LOGO. Produce or otherwise ob-
10 tain, and sell for a profit, any article of merchandise that features the county seal or
11 one or more county logos. A board shall have exclusive rights to license the county
12 seal or one or more county logos. Any revenue that is raised from sales under this
13 subsection shall be placed in the county's general fund.

14 **SECTION 13.** 230.08 (2) (yg) of the statutes is created to read:

15 230.08 (2) (yg) The director of the state promotions board.

16 **SECTION 14.** 560.06 of the statutes is created to read:

17 **560.06 State promotions board. (1)** (a) Subject to par. (b), the state promo-
18 tions board shall have exclusive rights and authority over the commercial use of any
19 state symbol or any representation designed by the state or that is affixed to state
20 property.

21 (b) The state promotions board may not have any rights and authority over the
22 commercial use of any state symbol or any representation designed by the state or
23 that is affixed to state property if that symbol or representation relates to the Univer-
24 sity of Wisconsin System or any institution thereof or if the state does not possess the
25 rights and authority.

1 (2) The state promotions board may enter into a contract with one or more per-
2 sons for the purpose of using any state symbol or any representation designed by the
3 state or that is affixed to state property over which the board has exclusive rights and
4 authority for commercial purposes or for the purpose of manufacturing or marketing
5 any article of merchandise on which is affixed such symbol or representation over
6 which the board has exclusive rights and authority for commercial purposes. The
7 state promotions board may determine on which articles of merchandise such symbol
8 or representation may be affixed and establish standards to be used to promote or
9 limit the use of such symbol or representation to preserve its marketing value and
10 significance.

11 (3) Any moneys received by the state promotions board from contracts entered
12 into under sub. (2) shall be credited to the appropriation account under s. 20.143 (1)
13 (gm).

14 (4) The secretary shall appoint a director of the state promotions board, who
15 shall assist the board in performing its duties under this section.

16 **SECTION 15.** 560.065 of the statutes is created to read:

17 **560.065 International trade, business and economic development**
18 **grants.** (1) In each fiscal year, the department shall allocate the funds appropriated
19 under s. 20.143 (1) (dm) and (gm) as grants to statewide organizations representing
20 counties to promote international trade, business and economic development in the
21 state if all of the following apply:

22 (a) The organization is a statewide organization created for the purpose of pro-
23 tecting county interests and promoting better county government.

24 (b) The organization has promoted international trade, business and economic
25 development before the effective date of this paragraph [revisor inserts date].

1 (c) The organization enters into a written agreement with the department that
2 specifies the conditions for use of the grant proceeds, including reporting and audit-
3 ing requirements.

4 (d) The organization agrees in writing to submit to the department the report
5 required under sub. (2) by the time required under sub. (2).

6 **(2)** An organization receiving a grant under this subsection shall submit to the
7 department, within 6 months after spending the full amount of the grant, a report
8 detailing how the grant proceeds were used.

9 **SECTION 16.** 560.065 (1) (intro.) of the statutes, as created by 1995 Wisconsin
10 Act (this act), is amended to read:

11 560.065 (1) (intro.) In each fiscal year, the department shall allocate the funds
12 appropriated under s. 20.143 (1) (~~dm~~) and (gm) as grants to statewide organizations
13 representing counties to promote international trade, business and economic devel-
14 opment in the state if all of the following apply:

15 **SECTION 17. Nonstatutory provisions.**

16 (1) STATE PROMOTIONS BOARD; INITIAL MEMBERSHIP. Notwithstanding the length
17 of terms specified for the members of the state promotions board under section
18 15.155 (6) (intro.) of the statutes, as created by this act, the following initial members
19 of the board shall be appointed for the following terms:

20 (a) Two members specified under section 15.155 (6) (b) of the statutes, as
21 created by this act, for terms expiring on May 1, 1999.

22 (b) Two members specified under section 15.155 (6) (a) of the statutes, as
23 created by this act, for terms expiring on May 1, 2000.

24 (2) POSITION AUTHORIZATIONS. The authorized FTE positions for the depart-
25 ment of development are increased by 1.5 GPR positions, for the administration of

1 the state promotions board, to be funded from the appropriation under section 20.143
2 (1) (cm) of the statutes, as created by this act.

3 **SECTION 18. Effective dates.** This act takes effect on the day after publica-
4 tion, except as follows:

5 (1) The amendment of section 560.065 (1) (intro.) of the statutes and the repeal
6 of section 20.143 (1) (cm) and (dm) of the statutes take effect on July 1, 1997.

7 (2) The amendment of section 20.923 (6) (ak) of the statutes takes effect on July
8 1, 1996, or on the day after publication, whichever is later.

9 (END)