

1999 DRAFTING REQUEST

Bill

Received: **0912311999**

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB:

For: **Jeffrey Plale (608) 266-0610**

By/Representing: **traci peloquinx**

This file may be shown to any legislator: NO

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Transportation - motor vehicles**

Extra Copies: **TNF, ISR**

Pre Topic:

No specific pre topic given

Topic:

Special group plates for hunting and fishing

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Resuired</u>
I?	nilsepe 09/23/1999	j geller 09/28/1999		_____			State
/1			mclark 09/28/1999	_____	lrb-docadmin 09/28/1999	lrb-docadmin 10/01/1999	

FE Sent For:

<END>

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I?	nilsepe	1 jlg 9/28	9/28 MRC	MRC/JK 9/28			

FE Sent For:

<END>

Nilsen, Paul

From: Nilsen, Paul
Sent: Wednesday, September 22, 1999 9:03 PM
To: Peloquinx, Traci
Subject: RE:



ivy.gif

I can draft this. Wisconsin currently has 53 distinctive plates. See s. 341 .14 (6r) (f), stats. By 1997 Act 255, the legislature enacted a prohibition against legislative enumeration of additional plates. Of course, this does not bind you or the legislature (change the law to avoid the prohibition), but your bill will need to address that prohibition. See, for example, 1999 Assembly Bill 276, Ducks Unlimited and wetlands/waterfowl conservation; and 1999 AB 140, Green Bay Packers.

Attorney Paul E. Nilsen
Wisconsin Legislative Reference Bureau
P.O. Box 2037
Madison, WI 53701-2307
Tel: (608) 261-6926
Fax: (608) 264-8522
Email: Paul.Nilsen@legis.state.wi.us

-----Original Message-----

From: Peloquinx, Traci
Sent: Wednesday, September 22, 1999 3:04 PM
To: Nilsen, Paul
Subject:

Hi Paul.

Representative Plale would like to have a bill drafted authorizing a new "Sportsman's" specialty license plate. Illinois currently has similar plates available, with six different designs from which to choose. They have a nice web page with pictures of all the choices.

<http://www.sos.state.il.us/depts/vehicles/comingpl.htm>

Jeff would like probably two different designs here in Wisconsin, perhaps one fishing and one hunting, although I don't know if that would have to be specified in the draft. He envisions it as similar to the current endangered resources plate, with the additional \$25 going to benefit the Conservation Fund.

Jeff would definitely like the draft to specify that DOT submit at least two choices for each plate and hold a contest so that residents of Wisconsin can vote for the designs they like best.

Please give me a call (6-0610) if you have any questions. Also, if this request should be handled by Tim Fast, who I understand is out of the office until Monday, just let me know, and I'll send it to

him next week.

Thanx!

Traci Peloquin
Representative Jeff Plale's office

-3656/1

PEN: jlg

1999 ASSEMBLY BILL 276

April 9, 1999 - Introduced by Representatives KREUSER, SERATTI, HANDRICK, STEINBRINK, TURNER, KREIBICH, PORTER, LASSA, HOVEN and HUTCHISON, cosponsored by Senators WIRCH and DRZEWIECKI. Referred to Committee on Transportation.

regen.
EST.

INSEAS

1 AN ACT *to* amend 341.14 (6r) (b) 3. and 341.14 (6r) (fm) 7.; and *to create* 20.370
2 (5) (at), 23.0965, 25.40 (1) (a) 18., 341.14 (6r) (b) 7., 341.14 (6r) (f) 54. and
3 341.145 (2m) of the statutes; **relating to:** special distinguishing registration
4 plates *expressing enthusiasm for hunting or fishing for sport* associated with Ducks Unlimited, Inc., and making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, any group or organization 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 distinguishing registration plates for certain vehicles they register with DOT. Special plates may be obtained for automobiles, station wagons, motor homes and certain dual purpose motor homes, farm trucks and dual purpose farm trucks that are owned or leased by special group members. A fee, in addition to the regular registration fee for the particular kind of vehicle, is assessed for the issuance or reissuance of most special plates.

Before October 2, 1998, authorized special groups whose members may obtain special distinguishing registration plates were specifically enumerated in state law. Current law provides specific enumeration in state law of authorized special groups is limited to those special groups enumerated before October 2, 1998.

Members of authorized special groups related to certain campuses of the University of Wisconsin (UW) System or to the support of endangered or threatened species pay an additional annual fee as a tax deductible contribution to the UW

ASSEMBLY BILL 276

expressing their enthusiasm for hunting for sport or for fishing for sport

System or to the endangered resources program administered by the department of natural resources.

This bill establishes ^{two} authorized special groups specifically enumerated in state law for persons interested in obtaining special distinguishing registration plates ~~supporting Ducks Unlimited, Inc. and its conservation efforts in the United States, Canada and Mexico.~~ In addition to the regular vehicle registration fee, special group members are required to pay a ~~\$10~~ fee for issuance or reissuance of the special plates and an additional \$25 annual fee as a tax deductible contribution ~~that provides funds to Ducks Unlimited, Inc., a nonprofit corporation, for its conservation efforts in the United States, Canada and Mexico.~~ Under the bill, Ducks Unlimited, Inc., is required to annually submit an audited financial statement of its use of the funds received from these tax deductible contributions. ~~Funding to Ducks Unlimited, Inc., is discontinued if the nonprofit organization dissolves or loses its tax-exempt status under federal law.~~

The bill also provides that, for the first year of plate issuance, up to 350 registration plates with certain registration numbers may not be issued without the prior approval of Ducks Unlimited, Inc., if the special group notifies DOT within 30 days of its designation as an authorized special group of the registration numbers subject to its prior approval.

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

to this state's conservation fund!

WFO-Fix component FE-3

\$10

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

SECTION 1. 20.370 (5) (at) of the statutes is created to read:

20.370 (5) (at) *Resource aids — Ducks Unlimited, Inc., payments.* All moneys received under s. 341.14 (6r) (b) 7. for payments to Ducks Unlimited, Inc., under s. 23.0965 (1).

SECTION 2. 23.0965 of the statutes is created to read:

23.0965 Payments to Ducks Unlimited, Inc. (1) The department of natural resources shall enter into an agreement with Ducks Unlimited, Inc., to make payments from the appropriation under s. 20.370 (5) (at) to Ducks Unlimited, Inc., to fund its conservation efforts in the United States, Canada and Mexico.

(2) The agreement under sub. (1) shall require that Ducks Unlimited, Inc., annually submit to the attorney general and the presiding officer of each house of the

ASSEMBLY BILL 276

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

3 (3) Payments to Ducks Unlimited, Inc., under sub. (1) shall be discontinued by
4 the department if Ducks Unlimited, Inc., dissolves or is no longer exempt from
5 taxation under section 501 (c) of the Internal Revenue Code.

6 SECTION 3. 25.40 (1) (a) ^{10m.} of the statutes is created to read:

7 25.40 (1) (a) ^{10m.} ~~Moneys~~ received under s. 341.14 (6r) (b) ^{5.} that are deposited
8 in the conservation fund ~~and credited to the appropriation account under s. 20.370~~

from the sale of
special group plates
under
s. 341.14
(6r) 54.
and 55.

insert
3-9

9 ~~SECTION 4.~~ SECTION 4. 341.14 (6r) (b) 3. of the statutes is amended to read:
10

11 341.14 (6r) (b) 3. An additional fee of \$15 shall be charged for the issuance or
12 reissuance of a plate issued on an annual basis for a special group specified under
13 par. (f) 35. to 47. ~~or, 53.~~ or 54. or designated by the department under par. (fm). An
14 additional fee of \$15 shall be charged for the issuance or reissuance of a plate issued
15 on a biennial basis for a special group specified under par. (f) 35. to 47. or, 53 or 54.
16 or designated by the department under par. (fm) if the plate is issued during the first
17 year of the biennial registration period or \$15 for the issuance or reissuance if the
18 plate is issued during the 2nd year of the biennial registration period. The
19 department shall deposit in the general fund and credit to the appropriation account
20 under s. 20.395 (5) (cj) all fees collected under this subdivision for the issuance or
21 reissuance of a plate for a special group designated by the department under par.
22 (fm).

insert
3-22

23 SECTION 5. 341.14 (6r) (b) 7. of the statutes is created to read:

24 341.14 (6r) (b) 7. An additional fee of \$25 that is in addition to the fee under
25 subd. 3. shall be charged for the issuance or renewal of a plate issued on an annual

ASSEMBLY BILL 276

1 basis for the special group specified under par. (f) 54. An additional fee of \$50 that
 2 is in addition to the fee under subd. 3. shall be charged for the issuance or renewal
 3 of a plate issued on the biennial basis for the special group specified under par. (f) 54.
 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. All moneys received under this
 7 subdivision in excess of the initial costs of production of the special group plate under
 8 par. (f) 54. or \$35,000, whichever is less, shall be deposited in the conservation fund
 9 and credited to the appropriation under s. 20.370 (5) (at). To the extent permitted
 10 under ch. 71, the fee under this subdivision is deductible as a charitable contribution
 11 for purposes of the taxes under ch. 71.

insert
4-11

12 **SECTION 6.** 341.14 (6r) (f) 54. ^{and 55.} of the statutes ^{are} ~~is~~ created to read:

expressing their
enthusiasm for
hunting for sport.

13 341.14 (6r) (f) 54. Persons interested in obtaining a plate ~~supporting Ducks~~
 14 Unlimited, Inc., and its conservation efforts in the United States, Canada and
 15 Mexico ~~and its conservation efforts in the United States, Canada and Mexico~~

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

17 341.14 (6r) (fm) 7. ^{except for the authorized special groups enumerated under} After October 1, 1998, additional authorized special groups
 18 may only be special groups designated by the department under this paragraph. The
 19 authorized special groups enumerated in par. (Q) shall be limited solely to those
 20 special groups specified under par. (f) on October 1, 1998 ~~and 55.~~
 21 ~~of the special groups specified under par. (f) 54.~~ ^{authorized} ~~and 55.~~ plain

54. and
55.
after

22 **SECTION 8.** 341.145 (2m) of the statutes is created to read:

23 341.145 (2m) ~~Notwithstanding sub. (2) (c), Ducks Unlimited, Inc., may notify~~
 24 the department in writing within 30 days of the effective date of this subsection . . .
 25 [revisor inserts date], of not more than 350 registration numbers composed of letters

55. Persons interested in obtaining a plate expressing their enthusiasm
for fishing for sport.

ASSEMBLY BILL 276

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~~or numbers, or both, not exceeding 6 positions and not less than one position. The department may not issue a personalized registration plate containing a registration number specified in the notification to the department under this subsection without the prior approval of Ducks Unlimited, Inc. This subsection applies only during the first year of issuance of plates to members of the authorized special group specified under s. 341.14 (6r) (f) 54.~~

(END)

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insert
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SECTION 1. 25.29 (1) (f) of the statutes is created to read:

25.29 (1) (f) Moneys received under s. 341.14 (6r) (b) 5. ✓

SECTION 2. 25.40 (1) (a) 10. of the statutes is amended to read:

25.40 (1) (a) 10. Moneys received under s. 341.14 (6r) (b) 5. that are deposited in the conservation fund and ~~credited to the appropriation under s. 70.370 (1) (fs).~~ ✓

SECTION 3. 341.135 (2m) of the statutes is created to read:

341.135 (2m) **APPLICABILITY.** This section does not apply to special group plates under s. 341.14 (6r) (f) 54. and 55. ✓

SECTION 4. 341.14 (6r) (b) 2. of the statutes is amended to read:

341.14 (6r) (b) 2. An additional fee of \$10 shall be charged for the issuance or reissuance of the plates for special groups specified under par. (f) 1. to 34., 48., 49. and 51., 54. and 55. ✓

History: 1971 c. 164 s. 83; 1971 c. 299; 1975 c. 384.417; 1977 c. 16; 1977 c. 29 ss. 1417, 1418, 1654 (7)(a); ~~1977 c. 43, 183, 292, 418, 447; 1979 c. 236; 1981 c. 255; 1983 a. 227, 430, 511; 1985 a. 29, 55; 1985 a. 87 ss. 1.5; 1985 a. 124, 202; 1985 a. 332 ss. 191, 251 (4); 1987 a. 19, 64, 112, 145, 315, 399, 403; 1989 a. 31, 54, 56, 137, 302, 304, 312, 359; 1991 a. 2, 39, 100, 240; 1993 a. 16, 291, 303, 415, 491; 1994 a. 47, 253, 255, 445; 1997 a. 27, 67, 252, 255; s. 13.93 (2) (c).~~

SECTION 5. 341.14 (6r) (b) 5. of the statutes is amended to read:

341.14 (6r) (b) 5. An additional fee of \$25 that is in addition to the fee under subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual basis for ~~the a~~ special group specified under par. (f) 50., 54. or 55. ✓ An additional fee of \$50 that is in addition to the fee under subd. 2. shall be charged for the issuance or renewal of a plate issued on the biennial basis for the ~~a~~ special group specified under par. (f) 50., 54. or 55. ✓ if the plate is issued or renewed during the first year of the biennial registration period or \$25 for the issuance or renewal if the plate is issued or renewed during the 2nd year of the biennial registration period. All moneys received under this subdivision in excess of the initial costs of production of the

insert
3-22



ius
3-22
(cont.)

special group plate under par. (f) 50. or \$15,000, whichever is less, shall be deposited in the conservation fund and credited to the appropriation under s. 20.370 (1) (fs). All moneys received under this subdivision in excess of the initial costs of production of the special group plate under par. (f) 54. or \$15,000, whichever is less, shall be deposited in the conservation fund. All moneys received under this subdivision in excess of the initial costs of production of the special group plate under par. (f) 55. or \$15,000, whichever is less, shall be deposited in the conservation fund. To the extent permitted under ch. 71, the fee under this subdivision is deductible as a charitable contribution for purposes of the taxes under ch. 71.

(pending)
 History: 1971 c. 164 s. 83; 1971 c. 299; 1975 c. 384, 417; 1977 c. 16; 1977 c. 29 ss. 1417, 1418, 1654 (7) (a), (e); 1977 c. 43, 183, 292, 418, 447; 1979 c. 236; 1981 c. 255; 1983 a. 227, 430, 511; 1985 a. 29, 55; 1985 a. 87 ss. 1, 5; 1985 a. 124, 202; 1985 a. 332 ss. 191, 251 (4); 1987 a. 19, 64, 112, 145, 315, 399, 403; 1989 a. 31, 54, 56, 137, 302, 304, 312, 359, 1991 a. 2, 39, 100, 240; 1993 a. 16, 291, 303, 415, 491; 1994 a. 147, 253, 255, 445; 1997 a. 27, 67, 252, 255; s. 13.93 (2) (c).

~~SECTION 6. 341.14 (6r) (e)~~ of the statutes is amended to read:

Index
4-1

341.14 **(6r)** (e) The department shall specify one combination of colors for special group plates for groups or organizations which are not military in nature and not special group plates under par. (f) 35. to 47. ~~and, 50., 54. and 55.~~ The department, after consulting the president of the University of Wisconsin System, shall specify one combination of colors for special group plates under par. (Q) 35. to 47. The department shall specify the word or words comprising the special group name and the symbol to be displayed upon special group plates for a group or organization which is not military in nature after consultation with the chief executive officer in this state of the group or organization, except that the department may not specify the word or words or the symbol for special group plates under par. (f) 35. to 47. unless the word or words or symbol is approved in writing by the president of the University of Wisconsin System or, with respect to endangered resources, specify the word or words or the symbol for special group plates under par. (f) 50. unless the word or words or symbol is approved in writing by the secretary of natural resources or, with

↓

INS.
4-4
(cont.)

respect to child abuse and neglect prevention, specify any word or words other than "Children First" or the symbol for special group plates under par. (f) 53. unless the word or words or symbol is approved in writing by the child abuse and neglect prevention board. The president may not approve the word or words or symbol for a university specified under par. (f) 35. to 47. unless the chancellor of the university approves in writing the word or words or symbol. The department shall require that the word or words and symbol for a university specified under par. (f) 35. to 47. be a registration decal or tag and affixed to the special group plate and be of the colors for a university specified under par. (f) 35. to 47. that the president of the University of Wisconsin System specifies.

History: 1971 c. 164 s. 83; 1971 c. 299; 1975 c. 384,417; 1977 c. 16; 1977 c. 29 ss. 1417, 1418, 1654 (7) (a), (e); 1977 c. 43, 183, 292, 418, 447; 1979 c. 236, 1981 c. 255; 1983 a. 227,430, 511; 1985 a. 29, 55; 1985 a. 87 ss. 1.5; 1985 a. 124,202; 1985 a. 332 ss. 191,251 (4); 1987 a. 19, 64, 112, 145, 315, 399, 403; 1989 a. 31, 54, 56, 137, 302, 304, 312, 359; 1991 a. 2, 39, 100, 240; 1993 a. 16, 291, 303, 415, 491; 1995 a. 147, 253, 255, 445; 1997 a. 27, 67,252, 255; s. 13.93 (2) (c).

SECTION 7. Nonstatutory provisions.

insert
5-6

(1) The department of transportation may not specify a design under section 341.14 (6r) (c) of the statutes for the special group plate under section 341.14 (6r) (f) 54. or 55. of the statutes, as created by this act, unless the department proposes at least ² ~~two~~ distinct designs for each special group plate and allows residents of this state at least 2 months to vote for their favorite design. The department of transportation may not specify a design for the special group plates under section 341.14 (6r) (f) 54. or 55. of the statutes, as created by this act, unless the design receives the greatest number of favorable votes cast for the proposed designs. Section 341.14 (6r) (e) of the statutes does not apply to special group plates under section 341.14 (6r) (f) 54. and 55. of the statutes, as created by this act. This subsection does not apply after June 30, 2001.

History: 1971 c. 125,211; 1973 c. 90,333; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 199; 1977 c. 29, 274, 418, 447; 1979 c. 34; 1979 c. 361 s. 113; 1981 c. 20; 1981 c. 34, s. 80 (2), (4); 1983 a. 27,538; 1985 a. 16 s. 15; 1985 a. 29 ss. 638p, 3202 (51); 1985 a. 120 ss. 66, 3202 (56); 1985 a. 332; 1987 a. 3, 27, 110, 399, 403; 1989 a. 31, 102, 105, 359; 1991 a. 39, 104, 189, 269, 309, 315; 1993 a. 16, 123, 205, 253, 415, 437, 491; 1995 a. 27, 113,201, 269, 280,445; 1997 a. 27, 35, 41, 135, 237,255; s. 13.93 (1) (b).

(end insert)

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 09/28/1999

To: Representative Plale

Relating to LRB drafting number: LRB-3656

Topic

Special group plates for hunting and fishing

Subject(s)

Transportation - motor vehicles

1. **JACKET** the draft for introduction _____
in the Senate or the Assembly _____ (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____
A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____
If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-356 1. If you have any questions relating to the attached draft, please feel free to call me.

Paul E. Nilsen, Legislative Attorney
Telephone: (608) 26 1-6926