

**2001 DRAFTING REQUEST**

**Bill**

Received: 07/02/2001

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Marlin Schneider (608) 266-0215

By/Representing: Cynthia Kieper (aide)

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**  
**Transportation - miscellaneous**

Extra Copies: **TNF, PJH**

Submit via email: NO

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Fees for outdoor advertising signs

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**Instructions:**

See Attached

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**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>
/1	agary 07/25/2001	wjackson 07/26/2001	pgreensl 07/26/2001	_____	lrb_docadmin 07/26/2001	lrb_docadminState 07/31/2001	

FE Sent For:

*None needed*

<END>

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Requester's email:

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1?	agary	1 WLJ 7/26	7/26 Pg	7/26 Self			

FE Sent For:

<END>

**Miller, Steve**

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**From:** Kieper, Cynthia L.  
**Sent:** Monday, July 02, 2001 2:51 PM  
**To:** \*Legislative Reference Bureau  
**Subject:** (3) Bill drafts

- 1) Request to author a bill draft to set aside the Thursday of Fire Prevention Week as an official State declared day to recognize all of the firefighters that have served Wisconsin.
  
- 2) Request to author a bill draft to increase the current Wisconsin Law of 21 days to return a renters security deposit to 45 days.
  
- 3) Request to author a bill draft to repeal a new State Law setting fees for outdoor advertising signs.

I apologize if this is incorrect. This is the first time I have sent a request for a bill draft. If you want these done differently or this is just wrong please have patience with me and give me a call at 6-0215 and I'll make the appropriate changes.

Cynthia L. Kieper  
Legislative Assistant for Representative Schneider  
266-0215

**2001 BILL**

D-Note

GEN

1 AN ACT ...; relating to: fees for outdoor advertising signs.

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*Analysis by the Legislative Reference Bureau*

Under current law, no person may erect or maintain an outdoor advertising sign visible from the main-traveled way of an interstate or federal-aid highway unless he or she possesses a license issued by the department of transportation (DOT), the sign complies with applicable regulations, and, if DOT has promulgated a rule requiring payment of an annual permit fee for the sign, the person has paid the annual permit fee. Also under current law, if DOT establishes by rule an annual permit fee, failure to pay the fee within two months after payment is due is evidence that the sign has been abandoned.

This bill repeals DOT's authority to promulgate a rule establishing annual permit fees for outdoor advertising signs, as well as DOT's authority to consider nonpayment of a fee as evidence of a sign's abandonment.

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

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

2 SECTION 1. 84.30 (10m) of the statutes is repealed.

3 SECTION 2. Initial applicability.



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

LRB-3478/1dn

ARG: /:....

WLJ

Section 84.30 (10m), stats., enacted as part of the 1999 Budget Bill (1999 Act 9), allows the department of transportation (DOT) to promulgate a rule establishing annual permit fees for outdoor advertising signs. I interpret your request as calling for repeal of this provision, and the attached draft has been prepared accordingly. Is this consistent with your intent?

Section 84.30 (10m), stats., also provides that failure to pay a permit fee within two months after its due date is evidence that the sign has been abandoned. This portion of s. 84.30 (10m) is dependent upon the fee provision and is therefore also repealed in the attached draft. Is this consistent with your intent?

Under Wis. Admin. Code, Trans ch. 201, DOT currently assesses an annual permit fee on most outdoor advertising signs. The permit duration appears to be a rolling one-year period (like vehicle registrations), rather than a calendar year. DOT rules preclude refunds of the permit fee for periods of less than a year. The attached draft includes an initial applicability provision such that the repeal of s. 84.30 (10m) first applies to permit applications or renewals submitted on the bill's effective date. Is this okay?

The attached draft also includes a delayed effective date to give DOT time to rescind its rule establishing annual permit fees and to prepare for any changes necessitated by the repeal of s. 84.30 (10m). Is this okay?

, stats  
Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: aaron.gary@legis.state.wi.us

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

LRB-3478/1dn  
ARG:wlj:pg

July 26, 2001

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E-mail: aaron.gary@legis.state.wi.us





# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET  
5TH FLOOR  
MADISON, WI 53701-2037

STEPHEN R. MILLER  
CHIEF

LEGAL SECTION: (608) 266-3561  
LEGAL FAX: (608) 264-6948

July 26, 2001

### MEMORANDUM

To: Representative Schneider

From: Aaron R. Gary, Attorney

Re: LRB-3478/1 Fees for outdoor advertising signs

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY  JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 261-6926 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.