

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: 06/21/2001

Received By: agary

Wanted: Soon

Identical to LRB:

For: Assembly Republican Caucus 267-0898

By/Representing: Hartsough

This file may be shown to any legislator: NO

Drafter: agary

May Contact: LFB

Addl. Drafters:

Subject: **Transportation - highways**

Extra Copies: **TNF, PJH**

Submit via email: NO

Requester's email:

Pre Topic:

ARC:.....Hartsough - AM13,

Topic:

Waiver of fees for non-profit entities for outdoor advertising signs

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>Required</u>
/1	agary 06/27/2001	wjackson 06/27/2001	pgreensl 06/27/2001	_____	lrb_docadmin 06/27/2001		

FE Sent For:

<END>

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/1	agary		6/27 P8	6/27 P8 + [initials]			

FE Sent For:

<END>

Provision #25, Eight Foot Sign Rule

Statement of Intent:

Motion to amend ss. 84.30 so that no fee may be charged for any off-premises advertising on private land if the sign is owned by a not-profit entity. People who have removed signs that remain on the Department of Transportation databases are not responsible for payment of fees for the signs.

ARC: /:....
WJ
a TNF

ARC:.....Hartsough - AM13, Waiver of fees for non-profit entities for outdoor advertising signs

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

Insert 1-3

(Intro.) and amended to read:

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 868, line 2: after that line insert:

please fix comp ->

3 SECTION 2308r. 84.30 (10m) of the statutes is renumbered 84.30 (10m) (a)

4 SECTION 2308s. 84.30 (10m) (b) of the statutes is created to read:

5 84.30 (10m) ~~(b) Notwithstanding par. (a), the department may not require the~~
6 ~~payment of an annual permit fee for any of the following signs:~~

7 ~~Any sign erected or maintained on private property and controlled by the~~
8 ~~department under this section that is owned by a nonprofit organization.~~

(a) off An off-premises advertising sign

¶ (b) A

1 ~~sign previously erected or maintained under this section~~ that has been
2 permanently removed by the owner, even if the department was not notified of the
3 sign's removal.”

(END)

of the sign

Insert 1-3

~~Section # 84.30 (10m) of the statutes is renumbered 84.30 (10m) (intro) and amended to read:~~

84.30 (10m) (intro.) ANNUAL PERMIT FEE REQUIREMENT. The department may promulgate a rule requiring persons specified in the rule to pay annual permit fees for signs. If the department establishes an annual permit fee under this subsection, failure to pay the fee within 2 months after the date on which payment is due is evidence that the sign has been abandoned for the purposes of s. TRANS 201.10 (2) (f), Wis. Adm. Code. ^Y

History: 1971 c. 197; 1975 c. 196, 340, 418; 1977 c. 29 ss. 946, 1654 (1), (8) (a); 1977 c. 43, 273; 1977 c. 418 s. 924 (48); 1979 c. 90 s. 24; 1979 c. 154, 253; 1981 c. 347; 1983 a. 92, 189, 463; 1989 a. 56; 1991 a. 316; 1993 a. 16, 112, 357; 1997 a. 27; 1999 a. 9, 185.

Not

This subsection does not apply to any of the following:

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

LRBb1414/1dn

ARG:./:...

Wlj

The attached draft prohibits the department of transportation (DOT) from collecting outdoor advertising sign fees under specified circumstances. Is this consistent with your intent?

The attached draft treats only the annual permit fees assessed per sign under authority of s. 84.30 (10m), stats. The attached draft does not treat the annual license fee imposed on entities engaged in the business of outdoor advertising, which is assessed under s. 84.30 (10), stats., on a per entity rather than per sign basis. Is this consistent with your intent?

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

TNF

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1414/1dn
ARG&TNF:wlj:pg

June 27, 2001

The attached draft prohibits the department of transportation (DOT) from collecting outdoor advertising sign fees under specified circumstances. Is this consistent with your intent?

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Aaron R. Gary
Legislative Attorney
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Timothy N. Fast
Senior Legislative Attorney
Phone: (608) 266-9739
E-mail: tim.fast@legis.state.wi.us

Gary, Aaron

From: Gary, Aaron
Sent: Thursday, June 28, 2001 1:40 PM
To: Hartsough, Melanie
Cc: Fast, Timothy
Subject: RE: LRB Draft: 01b1414/1 Waiver of fees for non-profit entities for outdoor advertising signs

I reviewed CR00-152 and believe the draft we prepared (01b1414/1) works. Please let me know if you need any redrafting on this one. Thanks. Aaron

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

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

From: Hanaman, Cathlene
Sent: Thursday, June 28, 2001 10:10 AM
To: Gary, Aaron; Fast, Timothy; Hurley, Peggy
Subject: FW: LRB Draft: 01b1414/1 Waiver of fees for non-profit entities for outdoor advertising signs

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

From: Hartsough, Melanie
Sent: Thursday, June 28, 2001 10:07 AM
To: Hanaman, Cathlene
Subject: LRB Draft: 01b1414/1 Waiver of fees for non-profit entities for outdoor advertising signs

The department has already promulgated rules related to outdoor advertising annual fees. The rule(s) that are causing problems (and that we are trying to correct w/this motion) was passed this year as CR 00-152.

I think that may change the draft a little bit.

ARC:.....Hartsough – AM13, Waiver of fees for non–profit entities for outdoor advertising signs

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 868, line 2: after that line insert:

3 “SECTION 2308r. 84.30 (10m) of the statutes is renumbered 84.30 (10m) (intro.)

4 and amended to read:

5 84.30 (10m) ANNUAL PERMIT FEE REQUIREMENT. The department may

6 promulgate a rule requiring persons specified in the rule to pay annual permit fees

7 for signs. If the department establishes an annual permit fee under this subsection,

8 failure to pay the fee within 2 months after the date on which payment is due is

9 evidence that the sign has been abandoned for the purposes of s. TRANS 201.10 (2)

10 (f), Wis. Adm. Code. This subsection does not apply to any of the following:

1 **SECTION 2308s. 84.30 (10m) (a) and (b) of the statutes are created to read:**

2 **84.30 (10m) (a) An off-premises advertising sign that is owned by a nonprofit**
3 **organization.**

4 **(b) A sign that has been permanently removed by the owner of the sign, even**
5 **if the department was not notified of the sign's removal.”.**

6 **(END)**