

2003 DRAFTING REQUEST

Bill

Received: **02/18/2003**

Received By: **tfast**

Wanted: **Soon**

Identical to LRB:

For: **Fred Risser (608) 266-1627**

By/Representing: **Sarah Briganti (aide)**

This file may be shown to any legislator: **NO**

Drafter: **tfast**

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**

Extra Copies: **ARG, PJH, MES - 1**

Submit via email: **YES**

Requester's email: **Sen.Risser@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Billboard elimination grant program

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>
/?	tfast 02/18/2003	csicilia 02/19/2003		_____			S&L
/1			jfrantze 02/20/2003	_____	mbarman 02/20/2003		S&L
/2	tfast	csicilia	jfrantze	_____	lemery	amentkow	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	03/23/2003	03/24/2003	03/25/2003	_____	03/25/2003	05/08/2003	

FE Sent For: *At intro*

<END>

2003 DRAFTING REQUEST

Bill

Received: **02/18/2003**

Received By: **tfast**

Wanted: **Soon**

Identical to LRB:

For: **Fred Risser (608) 266-1627**

By/Representing: **Sarah Briganti (aide)**

This file may be shown to any legislator: **NO**

Drafter: **tfast**

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**

Extra Copies: **ARG, PJH, MES - 1**

Submit via email: **YES**

Requester's email: **Sen.Risser@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Billboard elimination grant program

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>
/?	tfast 02/18/2003	csicilia 02/19/2003		_____			S&L
/1			jfrantze 02/20/2003	_____	mbarman 02/20/2003		S&L
/2	tfast	csicilia	jfrantze	_____	lemery		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	03/23/2003	03/24/2003	03/25/2003	_____	03/25/2003		

FE Sent For:

<END>

2003 DRAFTING REQUEST

Bill

Received: 02/18/2003

Received By: tfast

Wanted: Soon

Identical to LRB:

For: Fred Risser (608) 266-1627

By/Representing: Sarah Briganti (aide)

This file may be shown to any legislator: NO

Drafter: tfast

May Contact:

Addl. Drafters:

Subject: Transportation - highways

Extra Copies: ARG, PJH, MES - 1

Submit via email: YES

Requester's email: Sen.Risser@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Billboard elimination grant program

Instructions:

See Attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	tfast 02/18/2003	csicilia 02/19/2003					S&L

/1		1/2 cjs 3/24	jfrantze 02/20/2003		mbarman 02/20/2003		
----	--	--------------	------------------------	--	-----------------------	--	--

Handwritten notes and signatures:

03/24
3/24
JFR
3/25

FE Sent For:

<END>

2003 DRAFTING REQUEST

Bill

Received: **02/18/2003**

Received By: **tfast**

Wanted: **Soon**

Identical to LRB:

For: **Fred Risser (608) 266-1627**

By/Representing: **Sarah Briganti (aide)**

This file may be shown to any legislator: **NO**

Drafter: **tfast**

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**

Extra Copies: **ARG, PJH, MES - 1**

Submit via email: **YES**

Requester's email: **Sen.Risser@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Billboard elimination grant program

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>
/?	tfast	1 rj's 2/19 03	J 2/19	J/Rs 2/19			

FE Sent For:

<END>

Fast, Timothy

From: Briganti, Sarah
Sent: Monday, February 10, 2003 3:16 PM
To: Fast, Timothy
Subject: Drafting request

Tim,

Senator Risser has requested that 2001 Senate Bill 219 be drafted for introduction this session. This bill relates to the regulation and elimination of billboards in Wisconsin. Senator Risser was the second author on last sessions bill.

Thank you.

Sarah Briganti
Office of Senator Fred Risser
266-1627

2003

Date (time) needed SOON
(turned in 2/18)

LRB - 208311

BILL

TNF: ys : _____

★ P.W.F. AS INDICATED ★

Use the appropriate components and routines developed for bills.

AN ACT . . . [generate catalog] *to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ;* and *to create . . .* of the statutes; relating to:

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

*SAJ
x-ref of
new matter*

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: create → anal: → title: → head

For the subheading, execute: create → anal: → title: → sub

For the sub-subheading, execute: create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: create → anal: → text

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

SECTION #.

2001 SENATE BILL 219

July 12, 2001 - Introduced by Senators BAUMGART and RISSER, cosponsored by Representatives BLACK, MILLER and BOYLE. Referred to Committee on Environmental Resources.

1 ~~AN ACT to amend 29.70 (2), 60.23 (29), 84.30 (2) (j), 84.30 (3) (e), 84.30 (10m)~~
2 ~~and 84.30 (17); and to create 20.395 (1) (j), 25.40 (1) (a), 84.30 (2) (am)~~
3 ~~84.30 (3m) and 84.305 of the statutes, relating to:~~ the billboard elimination
4 grant program, prohibiting the erection of new billboards, requiring the
5 exercise of rule-making authority, and making an appropriation.

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. DOT may remove signs that are improperly placed or that do not conform to applicable requirements but, for each sign removed, must pay just compensation to the owner of the sign and to the owner of the land on which the sign is located.

This bill prohibits the erection of new billboards but allows existing billboards to be maintained and to vary their advertising and informative displays, except that the height of any existing billboard may not be increased.

The bill also creates a billboard elimination grant program, administered by DOT, to provide grants of financial assistance to cities, villages, towns, and counties to acquire and eliminate billboards. The bill requires DOT to promulgate a rule

SENATE BILL 219

requiring payment of an annual permit fee for ^{each} ~~the~~ sign and provides that the fee must be at least \$200, of which \$200 from each fee is used to fund the grants. If a billboard is eliminated, and it meets the eligibility criteria for a specific information sign or a tourist-oriented directional sign, review of ~~the~~ application is expedited and, with respect to a specific information sign, the application is given priority over other applicants if all spaces for business signs on the specific information sign are currently being used. ^{an} and a space becomes available ^{for such a sign}

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 ~~XX~~ SECTION 1. 20.395 (1) (ij) of the statutes is created to read:

2 20.395 (1) (ij) [✓] *Billboard elimination grant program, state funds.* From the
 3 general fund, all moneys received from annual permit fees that are credited to this
 4 appropriation under s. 84.30 (10m), for the purpose of the billboard elimination grant
 5 program under s. 84.305.

6 ~~XX~~ SECTION 2. 25.40 (1) (a) ^{22.} 22 of the statutes is created to read:

7 25.40 (1) (a) ~~21~~ ²² Moneys received under s. 84.30 (10m) that are deposited in the
 8 general fund and credited to the appropriation under s. 20.395 (1) (ij).

9 ~~XX~~ SECTION 3. 59.70 (22) of the statutes is amended to read:

10 59.70 (22) BILLBOARD REGULATION. The board may regulate, by ordinance, the
 11 maintenance ~~and construction~~ of billboards and other similar structures on premises
 12 abutting on highways maintained by the county so as to promote the safety of public
 13 travel thereon. Such ordinances shall not apply within cities, villages, and towns
 14 which have enacted ordinances regulating the same subject matter. ✓

15 ~~XX~~ SECTION 4. 60.23 (29) of the statutes is amended to read:

16 60.23 (29) BILLBOARD REGULATION. Enact and enforce an ordinance, and provide
 17 a forfeiture for a violation of the ordinance, that regulates the maintenance and

P.W.F.
P.W.F.

SENATE BILL 219

1 ~~construction~~ of billboards and other similar structures on premises abutting on
2 highways in the town that are maintained by the town or by the county in which the
3 town is located so as to promote the safety of public travel on the highways.

P.W.F.

4 SECTION 5. 84.30 (2) (am) of the statutes is created to read:

5 84.30 (2) (am) "Billboard" means any structure, whether freestanding or
6 supported, that is designed or used for the principal purpose of having advertising
7 or informative content displayed upon it.

8 SECTION 6. 84.30 (2) (j) of the statutes is amended to read:

9 84.30 (2) (j) "Sign" means any outdoor advertising sign, display, device, notice,
10 figure, painting, drawing, message, placard, poster, billboard, or other thing, which
11 is designed, intended, or used to advertise or inform, any part of the advertising or
12 informative contents of which is visible from any place on the main-traveled way of
13 any portion of an interstate highway or primary highway.

P.W.F.

14 SECTION 7. 84.30 (3) (e) of the statutes is amended to read:

15 84.30 (3) (e) Signs, other than billboards, to be erected in business areas
16 subsequent to March 18, 1972, which when erected will comply with sub. (4).

P.W.F.

17 SECTION 8. 84.30 (3m) of the statutes is created to read:

18 84.30 (3m) ERECTION OF BILLBOARDS PROHIBITED. No billboard that is visible
19 from the main-traveled way of any interstate highway or primary highway may be
20 erected on or after the effective date of this subsection [revisor inserts date]. This
21 subsection does not prohibit the maintenance of a billboard, or the varying of the
22 advertising or informative contents of a billboard, that was lawfully erected before
23 the effective date of this subsection [revisor inserts date], except that the height
24 of any such billboard may not be increased after the effective date of this subsection
25 [revisor inserts date].

✓

SENATE BILL 219

SECTION 9

1 SECTION 9. 84.30 (10m) of the statutes is amended to read:

2 84.30 (10m) ANNUAL PERMIT FEE REQUIREMENT. The department ~~may~~ shall

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

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

5 ~~failure to pay the fee~~ The fee for the annual permit shall be not less than \$200. From

6 each annual permit fee collected under this subsection, \$200 shall be deposited in the

7 general fund and credited to the appropriation under s. 20.395 (1) (ij). Failure to pay

8 an annual permit fee under this subsection within 2 months after the date on which

9 payment is due is evidence that the sign has been abandoned for the purposes of s.

10 TRANS 201.10 (2) (f), Wis. Adm. Code.

11 SECTION 10. 84.30 (17) of the statutes is amended to read:

12 84.30 (17) TRANSPORTATION FUND. ~~All~~ Except as provided in sub. (10m), all fees

13 collected for the issuance of permits provided for under this section shall be paid into

14 the transportation fund.

15 SECTION 11. 84.305 of the statutes is created to read:

16 **84.305 Billboard elimination grant program.** (1) In this section, "political

17 subdivision" means a city, village, town, or county.

18 (2) The department shall administer the billboard elimination grant program

19 to award grants of assistance to political subdivisions to acquire and eliminate

20 billboards. Grants under this section shall be paid from the appropriation under s.

21 20.395 (1) (ij). The department shall prescribe by rule the procedure and criteria for

22 selecting grant recipients under this section. The criteria shall consider the physical

23 condition, age, and proximity to a highway of the billboard that the political

24 subdivision proposes to acquire and eliminate. Grants under this section shall be

25 awarded annually, beginning in ~~2003~~, from applications submitted on or before

P.W.F.

Insert 4-10

2005

SENATE BILL 219

1 February 1 of each year. If the amounts available for awards under this section are
 2 insufficient to award grants to all qualified applicants, the department shall give
 3 priority in awarding grants under this section in the following year to political
 4 subdivisions that applied for but, because of insufficient funds, did not receive a
 5 grant under this section during ~~the~~ previous year. *that* ✓

6 (3) If the advertising or informative content of any billboard eliminated under
 for 7 sub. (2) is a motorist service, as defined in s. 86.195 (1) (c), for purposes of a specific
 8 information sign under s. 86.195 or is a tourist-related business, service, or activity,
 9 as defined in s. 86.196 (1) (b), for purposes of a tourist-oriented directional sign under
 10 s. 86.196, the department shall expedite review of any application of a person with
 11 respect to such advertising or informative content for a specific information sign or
 12 a tourist-oriented directional sign at a location reasonably close to the location of the
 13 billboard ~~elimination~~ under sub. (2). If space for a business sign is not available for
 14 an applicant under this subsection on a specific information sign under s. 86.195 (5)
 15 (b), the department shall give priority to an applicant under this subsection over
 16 other applicants whenever space for the business sign is available on the specific
 17 information sign. *eliminated* ✓

SECTION 12. Initial applicability. ✓

19 (1) The treatment of section 84.30 (3m) of the statutes first applies to billboards
 20 for which a license is not issued under section 84.30 (10) of the statutes before the
 21 effective date of this subsection. ✓

22 (2) The treatment of section 84.30 (10m) of the statutes first applies to
 23 applications for licenses submitted on the effective date of this subsection. ✓

SECTION 13. Effective date.

Insert 4-10

Section #. 84.30 (10m) of the statutes is amended to read:

84.30 (10m) ANNUAL PERMIT FEE REQUIREMENT. The department ~~may~~^{shall} promulgate a rule requiring persons specified in the rule to pay annual permit fees for signs. The rule shall specify that no permit fee may be charged for an off-premises advertising sign that is owned by a nonprofit organization. ~~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.

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; 2001 a. 109.

Insert A

~~SECTION 9. 84.30 (10m) of the statutes is amended to read:~~

~~84.30 (10m) ANNUAL PERMIT FEE REQUIREMENT. The department may shall 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.~~ The fee for the annual permit shall be not less than \$200. From each annual permit fee collected under this subsection, \$200 shall be deposited in the general fund and credited to the appropriation under s. 20.395 (1) (ij). Failure to pay an annual permit fee under this subsection ~~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)(D) Wis Adm Code.~~

SECTION 10. 84.30 (17) of the statutes is amended to read:

84.30 (17) TRANSPORTATION FUND. All Except as provided in sub. (10m) all fees collected for the issuance of permits provided for under this section shall be paid into the transportation fund.

SECTION 11. 84.305 of the statutes is created to read:

84.305 Billboard elimination grant program. (1) In this section, "political subdivision" means a city, village, town, or county.

(2) The department shall administer the billboard elimination grant program to award grants of assistance to political subdivisions to acquire and eliminate billboards. Grants under this section shall be paid from the appropriation under s. 20.395 (1) (ij). The department shall prescribe by rule the procedure and criteria for selecting grant recipients under this section. The criteria shall consider the physical condition, age, and proximity to a highway of the billboard that the political subdivision proposes to acquire and eliminate. Grants under this section shall be awarded annually, beginning in 2003, from applications submitted on or before

Fast, Timothy

From: Briganti, Sarah
Sent: Monday, March 10, 2003 10:36 AM
To: Fast, Timothy
Subject: Submitted: LRB 03-2083/1 Topic: Billboard elimination grant program?body=



Billboard Bill
030303.doc

Tim,

After meeting with members of Citizens for a Scenic Wisconsin, we've changed direction a bit on the draft of LRB 2083. Could you please redraft with the above changes?

Thanks!

Sarah Briganti
Office of Senator Risser

3 March 2003

2003 BILL

AN ACT to amend 84.30 (3) (e) of the statutes; relating to: prohibiting the erection of new off-premise signs ("billboards"), requiring the exercise of rule-making authority.

Analysis

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 the DOT has promulgated a rule requiring payment of an annual permit fee for the sign, he or she has paid the fee.

This bill prohibits the erection of new off-premises advertising signs (commonly referred to as billboards) visible from the highways, but allows advertising and/or informative messages on existing signs to be varied at the discretion of the owners of the signs. New signs which may advertise activities conducted on the property on which they are located remain allowed.

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

SECTION 1. Amendments to 84.30 (3)

84.30 (3) SIGNS PROHIBITED. No sign visible from the main-traveled way of any interstate or federal-aid highway may be erected or maintained, except the following:

- (a) Directional or other official signs . . .
- (b) Signs advertising the sale or lease of property . . .
- (c) Signs advertising activities conducted on the property on which they are located . . .
- (d) Signs located in business areas on March 18, 1972.

84.30 (3) (e) of the statutes is eliminated:

- ~~(e) Signs to be erected in business areas subsequent to March 18, 1972, which when erected will comply with sub. (4).~~
- (f) Signs located in urban areas outside the adjacent area.
- (g) Landmark signs . . .
- (h) Signs outside the adjacent area. . .not being read from the main-traveled way. . .
- (i) Signs on farm buildings . . . to promote a Wisconsin agricultural product . . .
- (j) Signs erected by the Crime Stoppers . . .

SECTION 2. Effective Date

This act takes effect on January 1, 2004, or on the first day of the first month beginning after publication.

WANTED TUES.
3/25

2003 BILL

off-premises outdoor advertising signs (commonly referred to as

off-premises outdoor advertising signs

Repeal

1 AN ACT to amend 59.70 (22), 60.23 (29), 84.30 (2) (j), 84.30 (3) (e), 84.30 (10m)
 2 and 84.30 (17); and to create 20.395 (1) (ij), 25.40 (1) (a) 22., 84.30 (2) (am),
 3 84.30 (3m) and 84.305 of the statutes; relating to: ~~the Billboard Elimination~~
 4 ~~Grant Program~~ prohibiting the erection of new billboards requiring the
 5 ~~exercise of rule-making authority, and making an appropriation.~~

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. ~~DOT may remove signs that are improperly placed or that do not conform to applicable requirements but, for each sign removed, must pay just compensation to the owner of the sign and to the owner of the land on which the sign is located.~~

This bill prohibits the erection of new billboards but allows existing billboards to be maintained and to vary their advertising and informative displays. ~~Except that the height of any existing billboard may not be increased.~~

~~The bill also creates a Billboard Elimination Grant Program, administered by DOT, to provide grants of financial assistance to cities, villages, towns, and counties to acquire and eliminate billboards. The bill requires DOT to promulgate a rule~~

wa9 This prohibition does not affect provisions of current law relating to on-property signs (outdoor advertising signs that advertise activities conducted on the property on which the signs are located).

BILL

~~requiring payment of an annual permit fee for each sign and provides that the fee must be at least \$200, of which \$200 from each fee is used to fund the grants. If a billboard is eliminated, and it meets the eligibility criteria for a specific information sign or artist-oriented directional sign, review of an application for such a sign is expedited and, with respect to a specific information sign, the application is given priority over other applicants if all spaces for business signs on the specific information sign are currently being used and a space becomes available.~~

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:

SECTION 1. 20.395 (1) (ij) of the statutes is created to read:

20.395 (1) (ij) *Billboard Elimination Grant Program, state funds.* From the general fund, all moneys received from annual permit fees that are credited to this appropriation under s. 84.30 (10m), for the purpose of the Billboard Elimination Grant Program under s. 84.305.

SECTION 2. 25.40 (1) (a) 22. of the statutes is created to read:

25.40 (1) (a) 22. Moneys received under s. 84.30 (10m) that are deposited in the general fund and credited to the appropriation under s. 20.395 (1) (ij).

SECTION 3. 59.70 (22) of the statutes is amended to read:

59.70 (22) **BILLBOARD REGULATION.** The board may regulate, by ordinance, the maintenance and construction of billboards and other similar structures on premises abutting on highways maintained by the county so as to promote the safety of public travel thereon. Such ordinances shall not apply within cities, villages, and towns which have enacted ordinances regulating the same subject matter.

SECTION 4. 60.23 (29) of the statutes is amended to read:

60.23 (29) **BILLBOARD REGULATION.** Enact and enforce an ordinance, and provide a forfeiture for a violation of the ordinance, that regulates the maintenance and

BILL

Insert 3-14

1 ~~construction of billboards and other similar structures on premises abutting on~~
 2 ~~highways in the town that are maintained by the town or by the county in which the~~
 3 ~~town is located so as to promote the safety of public travel on the highways.~~

4 **SECTION 5.** 84.30 (2) (am) of the statutes is created to read:

5 84.30 (2) (am) "Billboard" means any structure, whether freestanding or
 6 supported, that is designed or used for the principal purpose of having advertising
 7 or informative content displayed upon it.

8 **SECTION 6.** 84.30 (2) (j) of the statutes is amended to read:

9 84.30 (2) (j) "Sign" means any outdoor advertising sign, display, device, notice,
 10 figure, painting, drawing, message, placard, poster, billboard, or other thing, which
 11 is designed, intended, or used to advertise or inform, any part of the advertising or
 12 informative contents of which is visible from any place on the main-traveled way of
 13 any portion of an interstate highway or primary highway.

14 **SECTION 7.** 84.30 (3) (e) of the statutes is amended to read:

15 84.30 (3) (e) Signs, other than billboards, to be erected in business areas
 16 subsequent to March 18, 1972, which when erected will comply with sub. (4).

17 **SECTION 8.** 84.30 (3m) of the statutes is created to read:

18 84.30 (3m) ERECTION OF BILLBOARDS PROHIBITED. No billboard that is visible
 19 from the main-traveled way of any interstate highway or primary highway may be
 20 erected on or after the effective date of this subsection [revisor inserts date]. This
 21 subsection does not prohibit the maintenance of a billboard, or the varying of the
 22 advertising or informative contents of a billboard, that was lawfully erected before
 23 the effective date of this subsection [revisor inserts date], except that the height
 24 of any such billboard may not be increased after the effective date of this subsection
 25 [revisor inserts date].

BILL**SECTION 9**

1 **SECTION 9.** 84.30 (10m) of the statutes is amended to read:

2 **84.30 (10m) ANNUAL PERMIT FEE REQUIREMENT.** The department ~~may~~ shall
3 promulgate a rule requiring persons specified in the rule to pay annual permit fees
4 for signs. The rule shall specify that no permit fee may be charged for an
5 off-premises advertising sign that is owned by a nonprofit organization. ~~If the~~
6 ~~department establishes an annual permit fee under this subsection, failure to pay~~
7 ~~the fee~~ The fee for the annual permit shall be not less than \$200. From each annual
8 permit fee collected under this subsection, \$200 shall be deposited in the general
9 fund and credited to the appropriation under s. 20.395 (1) (ij). Failure to pay an
10 annual permit fee under this subsection within 2 months after the date on which
11 payment is due is evidence that the sign has been abandoned for the purposes of s.
12 Trans 201.10 (2) (f), Wis. Adm. Code.

13 **SECTION 10.** 84.30 (17) of the statutes is amended to read:

14 **84.30 (17) TRANSPORTATION FUND.** ~~All~~ Except as provided in sub. (10m), all fees
15 collected for the issuance of permits provided for under this section shall be paid into
16 the transportation fund.

17 **SECTION 11.** 84.305 of the statutes is created to read:

18 **84.305 Billboard Elimination Grant Program.** (1) In this section,
19 “political subdivision” means a city, village, town, or county.

20 (2) The department shall administer the Billboard Elimination Grant Program
21 to award grants of assistance to political subdivisions to acquire and eliminate
22 billboards. Grants under this section shall be paid from the appropriation under s.
23 20.395 (1) (ij). The department shall prescribe by rule the procedure and criteria for
24 selecting grant recipients under this section. The criteria shall consider the physical
25 condition, age, and proximity to a highway of the billboard that the political

BILL

1 subdivision proposes to acquire and eliminate. Grants under this section shall be
2 awarded annually, beginning in 2005, from applications submitted on or before
3 February 1 of each year. If the amounts available for awards under this section are
4 insufficient to award grants to all qualified applicants, the department shall give
5 priority in awarding grants under this section in the following year to political
6 subdivisions that applied for but, because of insufficient funds, did not receive a
7 grant under this section during that previous year.

8 (3) If the advertising or informative content of any billboard eliminated under
9 sub. (2) is for a motorist service, as defined in s. 86.195 (1) (c), for purposes of a specific
10 information sign under s. 86.195 or is for a tourist-related business, service, or
11 activity, as defined in s. 86.196 (1) (b), for purposes of a tourist-oriented directional
12 sign under s. 86.196, the department shall expedite review of any application of a
13 person with respect to such advertising or informative content for a specific
14 information sign or a tourist-oriented directional sign at a location reasonably close
15 to the location of the billboard eliminated under sub. (2). If space for a business sign
16 is not available for an applicant under this subsection on a specific information sign
17 under s. 86.195 (5) (b), the department shall give priority to an applicant under this
18 subsection over other applicants whenever space for the business sign is available
19 on the specific information sign.

SECTION 12. Initial applicability.

20
21 (1) The treatment of section 84.30 (3m) of the statutes first applies to billboards
22 for which a license is not issued under section 84.30 (10) of the statutes before the
23 effective date of this subsection.

24 (2) The treatment of section 84.30 (10m) of the statutes first applies to
25 applications for licenses submitted on the effective date of this subsection.

Insert 3-14

~~Section # 84.30 (3) (e) of the statutes is amended to read:~~

84.30 (3) (e) Signs ~~to be~~ erected in business areas subsequent to March 18, 1972 ~~which when~~
~~erected will~~ comply with sub. (4).

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; 2001 a. 109.

, but before the effective date of this paragraph
[revisor inserts date], that



Mentkowski, Annie

From: Briganti, Sarah
Sent: Thursday, May 08, 2003 11:30 AM
To: LRB.Legal
Subject: Draft review: LRB 03-2083/2 Topic: Billboard elimination grant program

It has been requested by <Briganti, Sarah> that the following draft be jacketed for the SENATE:

Draft review: LRB 03-2083/2 Topic: Billboard elimination grant program