

2011 DRAFTING REQUEST

Bill

Received: 10/20/2011

Received By: rkite

Wanted: As time permits

Companion to LRB:

For: Luther Olsen (608) 266-0751

By/Representing: Suzanne

May Contact:

Drafter: rkite

Subject: Nat. Res. - boats snomos ATVs

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Sen.Olsen@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Snowmobile registration, trail use stickers, and gas tax formula

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>
/?	rkite 11/16/2011	jdyer 11/17/2011		_____			S&L
/P1			lparisi 11/17/2011	_____	ggodwin 11/17/2011		S&L
/1	rkite 12/06/2011	jdyer 12/07/2011	phenry 12/09/2011	_____	lparisi 12/09/2011	mbarman 12/20/2011	

FE Sent For:

At into
1/5/2012

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FE Sent For:

ph

<END>

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/?

rkite

PI 11/17 JLD

FE Sent For:

<END>

Suzanne - Olson

6-0751

Bill -

SB-406 - snowmobile

Same as ~~Sections~~ Analysis items:
 delete 4, 5, 7

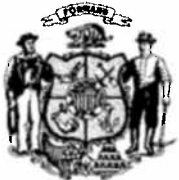
251-5001 - Bob Jentz - lobbyist -
 called + left message

Per Bob Jentz - Suzanne references were
 to Analysis + not bill sections
 Can call -
 Tim Speerschneider

Redraft SB-406 & only include the
 items referred to in Analysis as
 items 1, 2, & 6

wanted: mon. 11/24

Rm not run



State of Wisconsin
2009 - 2010 LEGISLATURE

~~CORRECTED COPY~~
-3295/P
LRB-3172/3
RNK:jld:ph

2011 BILL

2009 SENATE BILL 406

↑
keep

LPS
PWF

IN
11/16

November 20, 2009 - Introduced by Senators HOLPERIN, WIRCH, LEHMAN, COWLES, TAYLOR, ERPENBACH, PLALE, LASSA, SCHULTZ, OLSEN, MILLER, HANSEN and GROTHMAN, cosponsored by Representatives DANOU, RADCLIFFE, ZEPNICK, RIPP, LEMAHIEU, HEBL, STEINBRINK, BIES, KESTELL, A. OTT, M. WILLIAMS, KERKMAN, TURNER, VAN ROY and HILGENBERG. Referred to Committee on Transportation, Tourism, Forestry, and Natural Resources.

X

reger cat

1 AN ACT *to repeal* 350.12 (3j) (d); *to renumber* 350.12 (3j) (b); *to renumber and*

2 *amend* 25.29 (1) (d) 1.; *to amend* 20.370 (1) (mq), 20.370 (3) (aq), 20.370 (3)

3 (aq), 350.10 (1) (gm), 350.101 (1) (c), 350.11 (3) (a) (title), 350.11 (3) (a) 4., 350.12

4 (3) (a) (intro.), 350.12 (3j) (a) 2., 350.12 (3m) (d) and 350.12 (4) (bg) 2.; and *to*

5 *create* 25.29 (1) (d) 1. a., 25.29 (1) (d) 1. b., 350.01 (9j), 350.11 (3) (a) 5., 350.12

6 (3j) (b) 1., 350.12 (3j) (b) 3., 350.12 (3j) (b) 4., 350.12 (3j) (bg), 350.12 (4) (ar) and

7 350.12 (4) (at) of the statutes; **relating to:** snowmobile registration, trail use

8 sticker requirements, ~~intoxicated snowmobiling, snowmobile speed limits,~~

9 calculating the estimated snowmobile gas tax payment, ~~funding for alcohol~~

10 ~~education programs and state trails, providing penalties, and making~~

11 ~~appropriations.~~ supplemental snowmobile trail aids

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Analysis by the Legislative Reference Bureau

This bill makes the following changes relating to the regulation of snowmobile operation in this state:

A. 1. Current law prohibits a person from operating a snowmobile in this state unless the snowmobile is covered by a public-use or private-use registration issued

SENATE BILL 406

by the Department of Natural Resources (DNR) or is exempt from registration. A person who owns a snowmobile is generally exempt from snowmobile registration requirements in this state if the snowmobile is covered by a valid registration in another state or country. A public-use registration is valid for two years and a private-use registration is valid until ownership of the snowmobile is transferred. This bill eliminates the two-year registration period for a public-use registration and provides that a public-use registration is valid until ownership of the snowmobile is transferred. The bill also lowers the public-use registration fee from \$30 to \$15.

④ ② Under current law, a person who owns a snowmobile that is not registered in this state or is exempt from registration must display a trail use sticker issued by DNR on the snowmobile. The fee for this sticker is ~~\$35~~ ^{\$34.25}. This bill requires all snowmobiles to display a trail use sticker, regardless of whether the snowmobile is registered in this state. The bill provides that the fee for a trail use sticker issued for a snowmobile that is registered in this state is \$14.25 if the snowmobile is owned by a snowmobile club member and \$34.25 if the owner does not belong to a snowmobile club.

3. Current law requires absolute sobriety for any person operating a snowmobile who is under the age of 19. This bill increases this age so that the absolute sobriety requirement applies to anyone under the age of 21.

4. The bill imposes increased penalties for operating a snowmobile under the influence of an intoxicant or with alcohol concentrations above specified levels if the snowmobile is operated with a passenger under 16 years of age.

5. Current law prohibits a person from operating a snowmobile at night at a rate of speed exceeding 55 miles per hour. Current law sunsets this provision on July 1, 2010. This bill repeals the sunset.

④ ⑥ Under current law, DNR provides funding from the snowmobile account in the conservation fund for snowmobile regulation purposes including aids to counties for activities such as snowmobile trail development and maintenance and law enforcement. Currently, these activities are funded by snowmobile fees and by moneys transferred from the transportation fund to the conservation fund. The amount of this transfer equals the estimated snowmobile gas tax formula. The estimated snowmobile gas tax formula amount is based on an estimate of the amount of excise tax paid on gasoline by operators of all snowmobiles registered in this state. This bill bases the estimated snowmobile gas tax formula on an estimate of the excise tax paid on gasoline by operators of registered snowmobiles in this state who are issued a trail use sticker.

7. This bill provides additional funding from the snowmobile account in the conservation fund in fiscal years 2010-11 to 2012-13 for alcohol education programs for snowmobilers, for law enforcement, and for the development and maintenance of state trails.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

④ = Beginning with fiscal year 2013-14, ✓

✓ **SENATE BILL 406**INS.
ANALYSIS

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. 20.370 (1) (mq) of the statutes is amended to read:~~

2 ~~20.370 (1) (mq) *General program operations — state snowmobile trails and*~~
3 ~~*areas.* The amounts in the schedule from the snowmobile account in the conservation~~
4 ~~fund for state snowmobile trails and areas, and beginning in fiscal year 2010–11 and~~
5 ~~ending in fiscal year 2012–13, for the development and maintenance of state trails~~
6 ~~under s. 23.175.~~

7 ~~SECTION 2. 20.370 (3) (aq) of the statutes, as affected by 2009 Wisconsin Act 28,~~
8 ~~section 270m, is amended to read:~~

9 ~~20.370 (3) (aq) *Law enforcement — snowmobile enforcement and safety.* The~~
10 ~~amounts in the schedule from the snowmobile account in the conservation fund for~~
11 ~~state law enforcement operations under ss. 350.055, 350.12 (4) (a) 2m., 3., and 3m.,~~
12 ~~and 350.155, for safety training and fatality reporting, ~~and~~ for the funding for a~~
13 ~~snowmobile rail crossing under 2009 Wisconsin Act 28, section 9137 (6x), and~~
14 ~~beginning in fiscal year 2010–11 and ending in fiscal year 2012–13, for alcohol~~
15 ~~education programs for snowmobilers under s. 350.108.~~

16 ~~SECTION 3. 20.370 (3) (aq) of the statutes, as affected by 2009 Wisconsin Act 28,~~
17 ~~section 270p, is amended to read:~~

18 ~~20.370 (3) (aq) *Law enforcement — snowmobile enforcement and safety*~~
19 ~~*training.* The amounts in the schedule from the snowmobile account in the~~
20 ~~conservation fund for state law enforcement operations under ss. 350.055, 350.12 (4)~~
21 ~~(a) 2m., 3., and 3m., and 350.155 ~~and~~, for safety training and fatality reporting, and~~

SENATE BILL 406

SECTION 3

~~beginning in fiscal year 2010-11 and ending in fiscal year 2012-13, for alcohol education programs for snowmobilers under s. 350.108.~~

SECTION 4. 25.29 (1) (d) 1. of the statutes is renumbered 25.29 (1) (d) 1. (intro.)

and amended to read:

~~25.29 (1) (d) 1. (intro.) An amount calculated by multiplying the number of snowmobiles registered under s. 350.12 or 350.122 on the last day of March of the previous fiscal year sum of the following by 50 gallons and multiplying that product by the excise tax imposed under s. 78.01 (1) on the last day of March of the previous fiscal year;~~

SECTION 5. 25.29 (1) (d) 1. a. of the statutes is created to read:

25.29 (1) (d) 1. a. The number of trail use stickers issued under s. 350.12 (3j) during the 12-month period before the last day of March of the previous fiscal year to owners of snowmobiles that are registered under s. 350.12 (3).

SECTION 6. 25.29 (1) (d) 1. b. of the statutes is created to read:

25.29 (1) (d) 1. b. The number of snowmobiles registered under s. 350.122 on the last day of March of the previous fiscal year.

SECTION 7. 350.01 (9j) of the statutes is created to read:

350.01 (9j) "Legal drinking age" has the meaning given in s. 125.02 (8m).

SECTION 8. 350.10 (1) (gm) of the statutes is amended to read:

350.10 (1) (gm) During the hours of darkness at a rate of speed exceeding 55 miles per hour. This paragraph does not apply after July 1, 2010.

SECTION 9. 350.101 (1) (c) of the statutes is amended to read:

350.101 (1) (c) *Operating with alcohol concentrations at specified levels; below the legal drinking age 19.* If a person has not attained the legal drinking age of 19,

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SENATE BILL 406

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the person may not engage in the operation of a snowmobile while he or she has an alcohol concentration of more than 0.0 but not more than 0.08.

SECTION 10. 350.11 (3) (a) (title) of the statutes is amended to read:

350.11 (3) (a) (title) *Penalties related to prohibited operation of a snowmobile; intoxicants; refusal; underage passengers.*

SECTION 11. 350.11 (3) (a) 4. of the statutes is amended to read:

350.11 (3) (a) 4. A person who violates s. 350.101 (1) (c) or 350.104 (5) and who has not attained the legal drinking age of 19 shall forfeit not more than \$50.

SECTION 12. 350.11 (3) (a) 5. of the statutes is created to read:

350.11 (3) (a) 5. If there is a passenger under 16 years of age on the snowmobile at the time of a violation that gives rise to a conviction under s. 350.101 (1) (a) or (b), the applicable minimum and maximum forfeitures, fines, and terms of imprisonment under subds. 1. to 3. for the conviction are doubled.

SECTION 13. 350.12 (3) (a) (intro.)^x of the statutes is amended to read:

350.12 (3) (a) (intro.) Except as provided under subs. (2) and (5) (cm), no person may operate and no owner may give permission for the operation of any snowmobile within this state unless the snowmobile is registered for public use or private use under this paragraph or s. 350.122 or as an antique under par. (b) and has the registration decals displayed as required under sub. (5) or s. 350.122 or unless the snowmobile has a reflectorized plate attached as required under par. (c) 3. A snowmobile that is not registered as an antique under par. (b) may be registered for public use. A snowmobile that is not registered as an antique under par. (b) and that is used exclusively on private property, as defined under s. 23.33 (1) (n), may be registered for private use. A snowmobile public-use[✓] registration certificate is valid for 2 years beginning on the July 1 prior to the date of application if registration is

SENATE BILL 406**SECTION 13**

1 ~~made prior to April 1 and beginning on the July 1 subsequent to the date of~~
2 ~~application if registration is made after April 1 and ending on June 30, 2 years~~
3 ~~thereafter. A snowmobile~~[✓] ~~or private-use registration certificate is valid from the~~
4 ~~date of issuance until ownership of the snowmobile is transferred. The fee for the~~
5 ~~issuance or renewal of a public-use registration certificate is \$30~~[✓] ~~\$15,~~ except that the
6 fee is \$5 if it is a snowmobile owned and operated by a political subdivision of this
7 state. There is no fee for the issuance of a private-use registration certificate or for
8 the issuance of a registration certificate to the state.

9 **SECTION 14.** 350.12 (3j) (a) 2.[✗] of the statutes is amended to read:

10 350.12 (3j) (a) 2. ~~Except as provided in par. (d), no~~[✓] ~~No~~ person who is the owner
11 of a snowmobile may operate, or give permission for another person to operate, a
12 snowmobile on a public snowmobile corridor in this state unless a trail use sticker
13 issued under this subsection is displayed on the snowmobile.

14 **SECTION 15.** 350.12 (3j) (b) of the statutes is renumbered 350.12 (3j) (b) 2.[✓]

15 **SECTION 16.** 350.12 (3j) (b) 1. of the statutes is created to read:

16 350.12 (3j) (b) 1. In this paragraph, "snowmobile club"[✓] means an association
17 organized in this state that is a member of the Association of Wisconsin Snowmobile
18 Clubs and that meets at least 3[✓] times per year, that has at least 10[✓] members, and that
19 promotes responsible snowmobiling.

20 **SECTION 17.** 350.12 (3j) (b) 3.[✗] of the statutes is created to read:

21 350.12 (3j) (b) 3. The fee for a trail use sticker issued for a snowmobile that is
22 registered under sub. (3)[✓] and that is owned by a person who is a member of a
23 snowmobile club is \$14.25.[✓]

24 **SECTION 18.** 350.12 (3j) (b) 4. of the statutes is created to read:

SENATE BILL 406

1 350.12 (3j) (b) 4. The fee for a trail use sticker issued for a snowmobile that is
2 registered under sub. (3) and that is owned by a person who is not a member of a
3 snowmobile club is \$34.25.

4 SECTION 19. 350.12 (3j) (bg) of the statutes is created to read:

5 350.12 (3j) (bg) A trail use sticker issued for a snowmobile for which a fee is
6 charged under this subsection may be issued only by the department and persons
7 appointed by the department and expires on June 30 of each year.

8 SECTION 20. 350.12 (3j) (d) of the statutes is repealed.

9 SECTION 21. 350.12 (3m) (d) of the statutes is amended to read:

10 350.12 (3m) (d) *Estimate.* On July 1 of each even-numbered year, the
11 department shall estimate as accurately as possible the total registration trail use
12 sticker receipts for a 2-year period and adjust the estimate periodically to reflect
13 actual receipts.

14 SECTION 22. 350.12 (4) (ar) of the statutes is created to read:

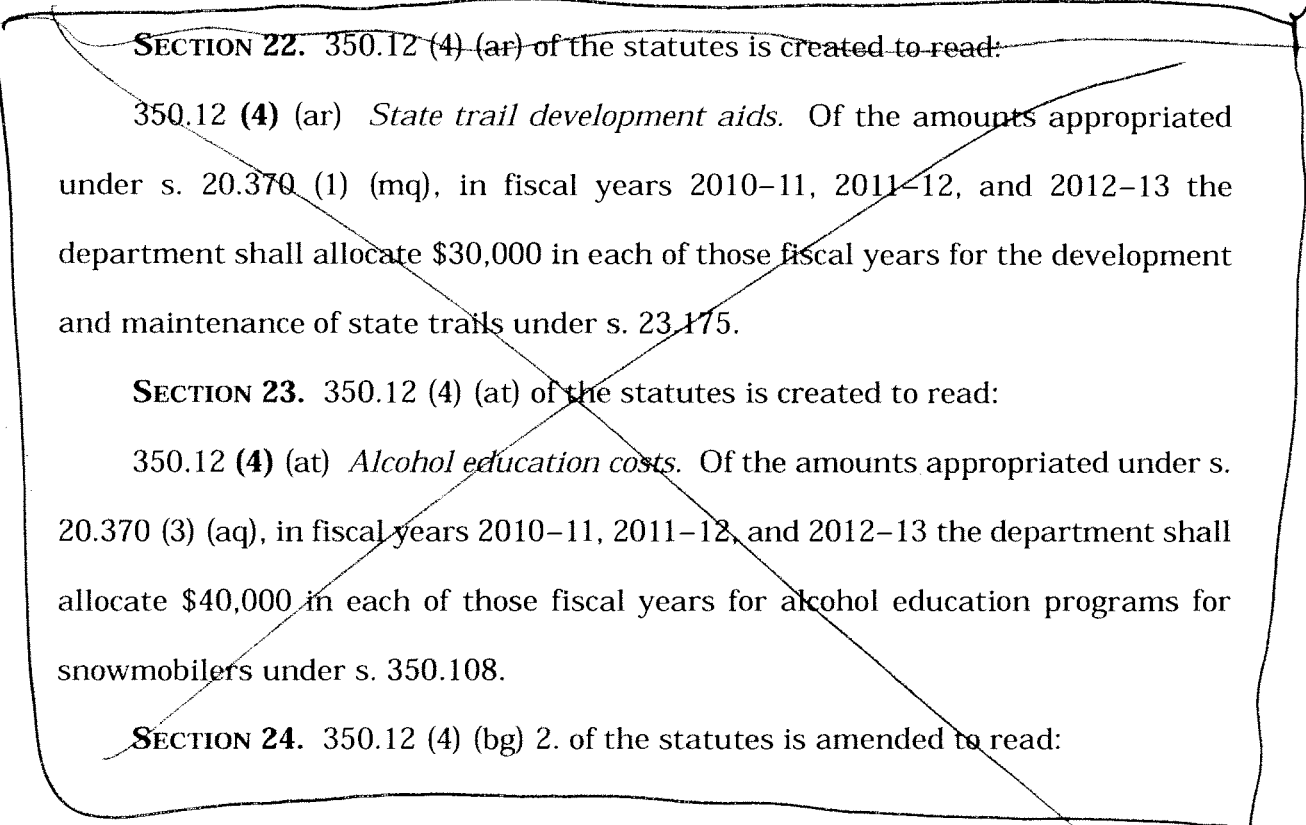
15 350.12 (4) (ar) *State trail development aids.* Of the amounts appropriated
16 under s. 20.370 (1) (mq), in fiscal years 2010-11, 2011-12, and 2012-13 the
17 department shall allocate \$30,000 in each of those fiscal years for the development
18 and maintenance of state trails under s. 23.175.

19 SECTION 23. 350.12 (4) (at) of the statutes is created to read:

20 350.12 (4) (at) *Alcohol education costs.* Of the amounts appropriated under s.
21 20.370 (3) (aq), in fiscal years 2010-11, 2011-12, and 2012-13 the department shall
22 allocate \$40,000 in each of those fiscal years for alcohol education programs for
23 snowmobilers under s. 350.108.

24 SECTION 24. 350.12 (4) (bg) 2. of the statutes is amended to read:

INS.
7-8



SENATE BILL 406

SECTION 24

350.12 (4) (b) 2. For fiscal year ~~2001-02~~ 2009-10 ²⁰¹³⁻¹⁴ and for each fiscal year thereafter, the department shall calculate an amount equal to the number of trail use stickers issued under sub. (3j) in the previous fiscal year to owners of snowmobiles that are exempt from registration under sub. (2) multiplied by \$15 ~~\$34.25~~ and shall credit this amount to the appropriation account under s. 20.370 (5) (cw). From the appropriation account under s. 20.370 (5) (cw), the department shall make payments to the department or a county for the purposes specified in par. (b). The department shall make payments under par. (bm) for trail maintenance costs that were incurred in the previous fiscal year and that exceed the maximum specified under par. (b) 1. before making payments for any of the other purposes specified in par. (b).

SECTION 25. Nonstatutory provisions.

(1) (a) In this subsection, "snowmobile club" has the meaning given in section 350.12 (3j) (b) 1. of the statutes, as created by this act.

(b) Notwithstanding the fees specified under section 350.12 (3j) (b) of the statutes, as affected by this act, in fiscal year ~~2010-11~~ ²⁰¹²⁻¹³, the following fees apply for a trail use sticker issued for a snowmobile that has a registration under section 350.12 (3) of the statutes, as affected by this act, that expires on June 30, ~~2011~~ ²⁰¹³:

1. If the snowmobile is owned by a person who is a member of a snowmobile club, there is no fee.

2. If the snowmobile is owned by a person who is not a member of a snowmobile club, the fee is \$19.25.

SECTION 26. Fiscal changes.

(1) ~~GENERAL PROGRAM OPERATIONS~~ — STATE SNOWMOBILE TRAILS AND AREAS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (1) ~~(m)~~ of the statutes, as

INS. 8-10

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SENATE BILL 406

1 affected by the acts of 2009, the dollar amount is increased by \$30,000 for the second
2 fiscal year of the fiscal biennium in which this subsection takes effect to appropriate
3 funding for the development and maintenance of state trails under section 23.175 of
4 the statutes.

5 (2) LAW ENFORCEMENT - SNOWMOBILE ENFORCEMENT AND SAFETY TRAINING. In the
6 schedule under section 20.005 (3) of the statutes for the appropriation to the
7 department of natural resources under section 20.370 (3) (aq) of the statutes, as
8 affected by the acts of 2009, the dollar amount is increased by \$64,600 for the second
9 fiscal year of the fiscal biennium in which this subsection takes effect to appropriate
10 funding for the purpose for which the appropriation is made.

11 ^{Fix components} SECTION 27. Effective dates. This act takes effect on July 1, 2010 ²⁰¹² ~~2010~~ ^{except as}

12 ^(follows) (1)

(A) (#)

13 (1) The treatment of section 20.370 (3) (aq) (by SECTION 3) of the statutes takes
14 effect on July 1, 2011.

15 (END)

or on the day after publication, whichever is later ✓

D-note
↓

2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3295/P1ins.
RNK:.....

INSERT ANALYSIS

Current law also requires DNR to calculate an amount equal to the number of trail use stickers issued by DNR in the previous fiscal year multiplied by \$32 and to credit this amount to an appropriation account that funds aids to counties for activities such as trail development and maintenance. This bill the basis on which DNR must calculate the amount to be credited to that appropriation. Under the bill, DNR must credit an amount equal to the number of trail use stickers issued in the previous fiscal year to owners of snowmobiles that are exempt from registration multiplied by \$34.25. *changes*

INSERT 4-9

1

~~SECTION 1. 25.29 (1) (d) 1. of the statutes is amended to read:~~

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(intro.)
25.29 (1) (d) 1. An For fiscal years 2011-12 and 2012-13, an amount calculated

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by multiplying the number of snowmobiles registered under s. 350.12 or 350.122 on

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the last day of March of the previous fiscal year by 50 gallons and multiplying that

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product by the excise tax imposed under s. 78.01 (1) on the last day of March of the

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previous fiscal year. For fiscal year 2013-14, and for each fiscal year thereafter, an

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amount calculated by multiplying the sum of the following by 50 gallons and

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multiplying that product by the excise tax imposed under s. 78.01 on the last day of

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March of the previous fiscal year:

History: 1971 c. 125; 1973 c. 90; 1977 c. 29; 1977 c. 418 ss. 244, 245, 929 (37); 1979 c. 34 ss. 707v, 2102 (39) (a); 1979 c. 221; 1979 c. 361 s. 113; 1983 a. 27 ss. 636m, 637, 2202 (38); 1985 a. 29 ss. 638g, 3202 (39); 1985 a. 135; 1987 a. 27; 1987 a. 312 s. 17; 1989 a. 31; 1991 a. 39, 269; 1995 a. 27; 1995 a. 257 s. 3; 1997 a. 1, 27, 248; 1999 a. 9; 2001 a. 16, 56, 105; 2003 a. 166; 2007 a. 204; 2009 a. 28.

INSERT 7-8

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~~SECTION 2. 350.12 (3j) (e) 2. of the statutes is amended to read:~~

11

350.12 (3j) (e) 2. Any person, including the department, who issues a trail use

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sticker shall collect in addition to the fee under par. (b) 3. or 4. an issuing fee of 75



1 cents. The agent may retain 50 cents of the issuing fee to compensate the agent for
2 the agent's services in issuing the sticker.

History: 1971 c. 211, 277; 1973 c. 298; 1975 c. 39 ss. 693g to 693m, 734; 1975 c. 224; 1977 c. 29, 402; 1979 c. 32; 1979 c. 34 ss. 1072, 2102 (39) (a); 1979 c. 221; 1981 c. 20, 294, 295; 1983 a. 27 ss. 1709, 1710, 2202 (38); 1983 a. 36, 405; 1985 a. 29 s. 3202 (39); 1985 a. 68, 322; 1985 a. 332 ss. 211, 253; 1987 a. 27, 129, 399; 1989 a. 31, 270, 336; 1991 a. 39, 269, 316; 1993 a. 16, 405, 436; 1995 a. 27, 225; 1997 a. 27, 237; 1999 a. 9; 2001 a. 16; 2003 a. 166, 321; 2005 a. 25, 481; 2007 a. 226; 2011 a. 32.

INSERT 8-10

as affected by
2011 Wisconsin ACT
32)

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SECTION 3. 350.12 (4) (bg) 2. of the statutes is renumbered 350.12 (4) (bg) 2. a.

4 and amended to read:

5 350.12 (4) (bg) 2. a. For fiscal year years 2011-12, and for each fiscal year
6 thereafter 2012-13, the department shall calculate an amount equal to the number
7 of trail use stickers issued under sub. (3j) in the previous fiscal year multiplied by
8 \$32 and shall credit this amount to the appropriation account under s. 20.370 (5)
9 (cw). From the appropriation account under s. 20.370 (5) (cw), the department shall
10 make payments to the department or a county for the purposes specified in par. (b).
11 The department shall make payments under par. (bm) for trail maintenance costs
12 that were incurred in the previous fiscal year and that exceed the maximum specified
13 under par. (b) 1. before making payments for any of the other purposes specified in
14 par. (b).

History: 1971 c. 211, 277; 1973 c. 298; 1975 c. 39 ss. 693g to 693m, 734; 1975 c. 224; 1977 c. 29, 402; 1979 c. 32; 1979 c. 34 ss. 1072, 2102 (39) (a); 1979 c. 221; 1981 c. 20, 294, 295; 1983 a. 27 ss. 1709, 1710, 2202 (38); 1983 a. 36, 405; 1985 a. 29 s. 3202 (39); 1985 a. 68, 322; 1985 a. 332 ss. 211, 253; 1987 a. 27, 129, 399; 1989 a. 31, 270, 336; 1991 a. 39, 269, 316; 1993 a. 16, 405, 436; 1995 a. 27, 225; 1997 a. 27, 237; 1999 a. 9; 2001 a. 16; 2003 a. 166, 321; 2005 a. 25, 481; 2007 a. 226; 2011 a. 32.

15

SECTION 4. 350.12 (4) (bg) 3. b. of the statutes is created to read:

16

350.12 (4) (bg) 3. b. For fiscal year 2013-14, and for each fiscal year thereafter,
17 the department shall calculate an amount equal to the number of trail use stickers
18 issued under sub. (3j) in the previous fiscal year to owners of snowmobiles that are
19 exempt from registration under sub. (2) multiplied by \$34.25 and shall credit this
20 amount to the appropriation account under s. 20.370 (5) (cw). From the



1 appropriation account under s. 20.370 (5) (cw)[✓], the department shall make payments
2 to the department or a county for the purposes specified in par. (b)[✓]. The department
3 shall make payments under par. (bm)[✓] for trail maintenance costs that were incurred
4 in the previous fiscal year and that exceed the maximum specified under par. (b) 1.[✓]
5 before making payments for any of the other purposes specified in par. (b)[✓].

(end ins 8-10)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3295/P1dn

RNK:.....

date

JLd

This is a redraft of 2009 Senate Bill 406. ✓ Please review this draft closely, particularly in connection with the fiscal years specified for the changes to the gas tax formula and to the calculation of the amounts that are credited to the appropriation under s. 20.370 (5) (cw), stats. I have drafted some of the provisions in this draft differently than they were drafted in 2009 SB 406 to ensure that the changes in the gas tax formula and the calculation for the credit to the appropriated under s. 20.370 (5) (cw), stats., coincide with other substantive changes in the draft. I have also advanced the effective date of the draft by ^{two} years. For these reasons, I have prepared this draft in preliminary form. If any of these differences are inconsistent with your intent, please feel free to contact me.

*

*

*

appropriation

Robin N. Kite
Senior Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.wisconsin.gov

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

LRB-3295/P1dn
RNK:jld:imp

November 17, 2011

This is a redraft of 2009 Senate Bill 406. Please review this draft closely, particularly in connection with the fiscal years specified for the changes to the gas tax formula and to the calculation of the amounts that are credited to the appropriation under s. 20.370 (5) (cw), stats. I have drafted some of the provisions in this draft differently than they were drafted in 2009 SB-406 to ensure that the changes in the gas tax formula and the calculation for the credit to the appropriation under s. 20.370 (5) (cw), stats., coincide with other substantive changes in the draft. I have also advanced the effective date of the draft by two years. For these reasons, I have prepared this draft in preliminary form. If any of these differences are inconsistent with your intent, please feel free to contact me.

Robin N. Kite
Senior Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.wisconsin.gov

Kite, Robin

From: Kite, Robin
Sent: Monday, December 05, 2011 12:55 PM
To: Pettack, Dee
Subject: RE: LRB 3295/1

Dee:

I'll prepare a redraft to make these changes.

Robin

From: Pettack, Dee
Sent: Monday, December 05, 2011 12:22 PM
To: Kite, Robin
Subject: LRB 3295/1

Robin,

Could you please review the attached changes for LRB 3295/1. Please let me know if you have any concerns or questions about any of the changes.

Thanks,

Dee

From: Timm P. Speerschneider [mailto:tps@dewittross.com]
Sent: Wednesday, November 30, 2011 3:10 PM
To: Staudenmayer, Suzanne; Pettack, Dee
Cc: Kite, Robin; Bob Jentz
Subject:

Suzanne and Dee---Attached is a document which provides the changes that the Association of Wisconsin Snowmobile Clubs recommends with regard to LRB Draft 3295/P1—Please note that LRB Attorney Robin Kite is cced on this message---Should you agree to these recommended changes , I ask that you contact Robin directly in order to authorize revisions to the legislation—Also if Robin has any questions, she should feel free to contact me—Thanks Timm

Timm P. Speerschneider
DeWitt Ross & Stevens S.C.
2 E. Mifflin Street, Suite 600
Madison, WI 53703
608.252.9319
608.252.9243 (facsimile)
tps@dewittross.com



PRELIMINARY DRAFT – NOT READY FOR INTRODUCTION

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1 AN ACT *to repeal* 350.12 (3j) (d); *to renumber* 350.12 (3j) (b); *to renumber and*
2 *amend* 25.29 (1) (d) 1. and 350.12 (4) (bg) 2.; *to amend* 350.12 (3) (a) (intro.),
3 350.12 (3j) (a) 2., 350.12 (3j) (e) 2. and 350.12 (3m) (d); and *to create* 25.29 (1)
4 (d) 1. a., 25.29 (1) (d) 1. b., 350.12 (3j) (b) 1., 350.12 (3j) (b) 3., 350.12 (3j) (b)
5 4., 350.12 (3j) (bg) and 350.12 (4) (bg) 2. b. of the statutes; **relating to:**
6 snowmobile registration, trail use sticker requirements, calculating the estimated
7 snowmobile gas tax payment, and funding for supplemental snowmobile trail
8 aids.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from operating a snowmobile in this state unless the snowmobile is covered by a public-use or private-use registration issued by the Department of Natural Resources (DNR) or is exempt from registration. A person who owns a snowmobile is generally exempt from snowmobile registration requirements in this state if the snowmobile is covered by a valid registration in another state or country. A public-use registration is valid for two years and a private-use registration is valid until ownership of the snowmobile is transferred. This bill eliminates the two-year registration period for a public-use registration

and provides that a public-use registration is valid until ownership of the snowmobile is transferred. The bill also lowers the public-use registration fee from \$30 to \$15.

Under current law, a person who owns a snowmobile that is not registered in this state or is exempt from registration must display a trail use sticker issued by DNR on the snowmobile. The fee for this sticker is \$34.25. This bill requires all snowmobiles to display a trail use sticker, regardless of whether the snowmobile is registered in this state. The bill provides that the fee for a trail use sticker issued for a snowmobile that is registered in this state is \$14.25 if the snowmobile is owned by a snowmobile club member and \$34.25 if the owner does not belong to a snowmobile club.

Under current law, DNR provides funding from the snowmobile account in the conservation fund for snowmobile regulation purposes including aids to counties for activities such as snowmobile trail development and maintenance and law enforcement. Currently, these activities are funded by snowmobile fees and by moneys transferred from the transportation fund to the conservation fund. The amount of this transfer equals the estimated snowmobile gas tax formula. The estimated snowmobile gas tax formula amount is based on an estimate of the amount of excise tax paid on gasoline by operators of all snowmobiles registered in this state. Beginning with fiscal year 2013-14, this bill bases the estimated snowmobile gas tax formula on an estimate of the excise tax paid on gasoline by operators of registered snowmobiles in this state who are issued a trail use sticker.

Current law also requires DNR to calculate an amount equal to the number of trail use stickers issued by DNR in the previous fiscal year multiplied by \$32 and to credit this amount to an appropriation account that funds aids to counties for activities such as trail development and maintenance. This bill changes the basis on which DNR must calculate the amount to be credited to that appropriation. Under the bill, DNR must credit an amount equal to the number of trail use stickers issued in the previous fiscal year to owners of snowmobiles that are exempt from registration multiplied by \$34.25.

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 the senate and assembly, do enact as follows:

1 **SECTION 1.** 25.29 (1) (d) 1. of the statutes is renumbered 25.29 (1) (d) 1. (intro.)
2 and amended to read:

3 25.29 (1) (d) 1. (intro.) ~~For fiscal years 2011–12 and 2012–13, an amount~~
4 calculated by multiplying the number of snowmobiles registered under s. 350.12 or
5 350.122 on the last day of March of the previous fiscal year by 50 gallons and
6 multiplying that product by the excise tax imposed under s. 78.01 (1) on the last day of
7 March of the previous fiscal year. For fiscal year 2013–14, and for each fiscal year
8 thereafter, an amount calculated by multiplying the sum of the following by 50 gallons
9 and multiplying that product by the excise tax imposed under s. 78.01 on the last day of
10 March of the previous fiscal year:

11 **SECTION 2.** 25.29 (1) (d) 1. a. of the statutes is created to read:

12 25.29 (1) (d) 1. a. The number of trail use stickers issued under s. 350.12 (3j)
13 during the 12–month period before the last day of March of the previous fiscal year to
14 owners of snowmobiles that are registered under s. 350.12 (3).

15 **SECTION 3.** 25.29 (1) (d) 1. b. of the statutes is created to read:

16 25.29 (1) (d) 1. b. The number of snowmobiles registered under s. 350.122 on
17 the last day of March of the previous fiscal year.

18 **SECTION 4.** 350.12 (3) (a) (intro.) of the statutes is amended to read:

19 350.12 (3) (a) (intro.) ~~[no intro in existing statute]~~ Except as provided under
20 subs. (2) and (5) (cm), no person may operate and no owner may give permission for
21 the operation of any snowmobile within this state unless the snowmobile is registered
22 for public use or private use under this paragraph or s. 350.122 or as an antique under
23 par. (b) and has the registration decals displayed as required under sub. (5) or s.
24 350.122 or unless the snowmobile has a reflectorized plate attached as required under
25 par. (c) 3. A snowmobile that is not registered as an antique under par. (b) may be
26 registered for public use. A snowmobile that is not registered as an antique under par.

1 (b) and that is used exclusively on private property, as defined under s. 23.33 (1) (n),
2 may be registered for private use. A snowmobile public-use ~~registration certificate is~~
3 ~~valid for 2 years beginning on the July 1 prior to the date of application if registration is~~
4 ~~made prior to April 1 and beginning on the July 1 subsequent to the date of application~~
5 ~~if registration is made after April 1 and ending on June 30, 2 years thereafter. A~~
6 ~~snowmobile or~~ private-use registration certificate is valid from the date of issuance
7 until ownership of the snowmobile is transferred. The fee for the issuance or renewal of
8 a public-use registration certificate is ~~\$30~~ \$15, except that the fee is \$5 if it is a
9 snowmobile owned and operated by a political subdivision of this state. There is no fee
10 for the issuance of a private-use registration certificate or for the issuance of a
11 registration certificate to the state.

12 SECTION 5. 350.12 (3j) (a) 2. of the statutes is amended to read:

13 350.12 (3j) (a) 2. ~~Except as provided in par. (d), no~~ No person who is the owner
14 of a snowmobile may operate, or give permission for another person to operate, a
15 snowmobile on a public snowmobile corridor in this state unless a trail use sticker
16 issued under this subsection is displayed on the snowmobile.

17 SECTION 6. 350.12 (3j) (b) of the statutes is renumbered 350.12 (3j) (b) 2.

18 SECTION 7. 350.12 (3j) (b) 1. of the statutes is created to read:

19 350.12 (3j) (b) 1. In this paragraph, "snowmobile club" means an association
20 organized in this state whose members are members of the Association of Wisconsin
21 Snowmobile Club and that meets at least 3 times per year, that has at least 10 members,
22 and that promotes responsible snowmobiling.

23 SECTION 8. 350.12 (3j) (b) 3. of the statutes is created to read:

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1 350.12 (3j) (b) 3. The fee for a trail use sticker issued for a snowmobile that is
2 registered under sub. (3) and that is owned by a person who is a member of a
3 snowmobile club is \$14.25.

4 SECTION 9. 350.12 (3j) (b) 4. of the statutes is created to read:

5 350.12 (3j) (b) 4. The fee for a trail use sticker issued for a snowmobile that is
6 registered under sub. (3) and that is owned by a person who is not a member of a
7 snowmobile club is \$34.25.

8 SECTION 10. 350.12 (3j) (bg) of the statutes is created to read:

9 350.12 (3j) (bg) A trail use sticker issued for a snowmobile for which a fee is
10 charged under this subsection may be issued only by the department and persons
11 appointed by the department and expires on June 30 of each year.

12 SECTION 11. 350.12 (3j) (d) of the statutes is repealed.

13 SECTION 12. 350.12 (3j) (e) 2. of the statutes is amended to read:

14 350.12 (3j) (e) 2. Any person, including the department, who issues a trail use
15 sticker shall collect in addition to the fee under par. (b) 2., 3. or 4. an issuing fee of 75
16 cents. The agent may retain 50 cents of the issuing fee to compensate the agent for the
17 agent's services in issuing the sticker.

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18 SECTION 13. 350.12 (3m) (d) of the statutes is amended to read:

19 350.12 (3m) (d) Estimate. On July 1 of each even-numbered year, the
20 department shall estimate as accurately as possible the total registration trail use sticker
21 receipts for a 2-year period and adjust the estimate periodically to reflect actual
22 receipts.

23 SECTION 14. 350.12 (4) (bg) 2. of the statutes, as affected by 2011 Wisconsin
24 Act 32, is renumbered 350.12 (4) (bg) 2. a. and amended to read:

1 350.12 (4) (bg) 2. a. For fiscal year years 2011-12, and ~~for each fiscal year~~
2 ~~thereafter~~ 2012-13, the department shall calculate an amount equal to the number of
3 trail use stickers issued under sub. (3j) in the previous fiscal year multiplied by \$32 and
4 shall credit this amount to the appropriation account under s. 20.370 (5) (cw). From the
5 appropriation account under s. 20.370 (5) (cw), the department shall make payments to
6 the department or a county for the purposes specified in par. (b). The department shall
7 make payments under par. (bm) for trail maintenance costs that were incurred in the
8 previous fiscal year and that exceed the maximum specified under par. (b) 1. before
9 making payments for any of the other purposes specified in par. (b).

10 SECTION 15. 350.12 (4) (bg) 2. b. of the statutes is created to read: 350.12 (4)
11 (bg) 2. b. For fiscal year 2013-14, and for each fiscal year thereafter, the department
12 shall calculate an amount equal to the number of trail use stickers issued under sub. (3j)
13 in the previous fiscal year to owners of snowmobiles that are exempt from registration
14 under sub. (2) multiplied by \$34.25 and shall credit this amount to the appropriation
15 account under s. 20.370 (5) (cw). From the appropriation account under s. 20.370 (5)
16 (cw), the department shall make payments to the department or a county for the
17 purposes specified in par. (b). The department shall make payments under par. (bm) for
18 trail maintenance costs that were incurred in the previous fiscal year and that exceed the
19 maximum specified under par. (b) 1. before making payments for any of the other
20 purposes specified in par. (b).

21 SECTION 16. Nonstatutory provisions.

22 (1) (a) In this subsection, "snowmobile club" has the meaning given in section
23 350.12 (3j) (b) 1. of the statutes, as created by this act.

24 (b) Notwithstanding the fees specified under section 350.12 (3j) (b) of the
25 statutes, as affected by this act, in fiscal year 2012-13, the following fees apply for a

1 trail use sticker issued for a snowmobile that has a registration under section 350.12 (3)
2 of the statutes, as affected by this act, that expires on June 30, 2013:

3 1. If the snowmobile is owned by a person who is a member of a snowmobile
4 club, there is no fee.

5 2. If the snowmobile is owned by a person who is not a member of a
6 snowmobile club, the fee is \$19.25.

7 SECTION 17. Effective date.

8 (1) This act takes effect on July 1, 2012, or on the day after publication,
9 whichever is later.

10 (END)

Kite, Robin

From: Pettack, Dee
Sent: Monday, December 05, 2011 12:22 PM
To: Kite, Robin
Subject: LRB 3295/1
Attachments: Legislature - act to repeal - Revised 11-30-11 (00459835).docx

Robin,

Could you please review the attached changes for LRB 3295/1. Please let me know if you have any concerns or questions about any of the changes.

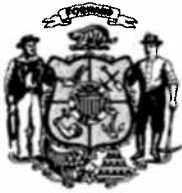
Thanks,

Dee

From: Timm P. Speerschneider [mailto:tps@dewittross.com]
Sent: Wednesday, November 30, 2011 3:10 PM
To: Staudenmayer, Suzanne; Pettack, Dee
Cc: Kite, Robin; Bob Jentz
Subject:

Suzanne and Dee---Attached is a document which provides the changes that the Association of Wisconsin Snowmobile Clubs recommends with regard to LRB Draft 3295/P1—Please note that LRB Attorney Robin Kite is cced on this message---Should you agree to these recommended changes , I ask that you contact Robin directly in order to authorize revisions to the legislation—Also if Robin has any questions, she should feel free to contact me—Thanks Timm

Timm P. Speerschneider
DeWitt Ross & Stevens S.C.
2 E. Mifflin Street, Suite 600
Madison, WI 53703
608.252.9319
608.252.9243 (facsimile)
tps@dewittross.com



State of Wisconsin
2011 - 2012 LEGISLATURE



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LRB-3295/P1
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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

2011 BILL

In
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1 AN ACT *to repeal* 350.12 (3j) (d); *to renumber* 350.12 (3j) (b); *to renumber and*
2 *amend* 25.29 (1) (d) 1. and 350.12 (4) (bg) 2.; *to amend* 350.12 (3) (a) (intro.),
3 350.12 (3j) (a) 2., 350.12 (3j) (e) 2. and 350.12 (3m) (d); and *to create* 25.29 (1)
4 (d) 1. a., 25.29 (1) (d) 1. b., 350.12 (3j) (b) 1., 350.12 (3j) (b) 3., 350.12 (3j) (b) 4.,
5 350.12 (3j) (bg) and 350.12 (4) (bg) 2. b. of the statutes; **relating to:** snowmobile
6 registration, trail use sticker requirements, calculating the estimated
7 snowmobile gas tax payment, and funding for supplemental snowmobile trail
8 aids. ✓

Analysis by the Legislative Reference Bureau

Current law prohibits a person from operating a snowmobile in this state unless the snowmobile is covered by a public-use or private-use registration issued by the Department of Natural Resources (DNR) or is exempt from registration. A person who owns a snowmobile is generally exempt from snowmobile registration requirements in this state if the snowmobile is covered by a valid registration in another state or country. A public-use registration is valid for two years and a private-use registration is valid until ownership of the snowmobile is transferred. This bill eliminates the two-year registration period for a public-use registration and provides that a public-use registration is valid until ownership of the

snowmobile is transferred. The bill also lowers the public-use registration fee from \$30 to \$15.

Under current law, a person who owns a snowmobile that is not registered in this state or is exempt from registration must display a trail use sticker issued by DNR on the snowmobile. The fee for this sticker is \$34.25. This bill requires all snowmobiles to display a trail use sticker, regardless of whether the snowmobile is registered in this state. The bill provides that the fee for a trail use sticker issued for a snowmobile that is registered in this state is \$14.25 if the snowmobile is owned by a snowmobile club member and \$34.25 if the owner does not belong to a snowmobile club.

Under current law, DNR provides funding from the snowmobile account in the conservation fund for snowmobile regulation purposes including aids to counties for activities such as snowmobile trail development and maintenance and law enforcement. Currently, these activities are funded by snowmobile fees and by moneys transferred from the transportation fund to the conservation fund. The amount of this transfer equals the estimated snowmobile gas tax formula. The estimated snowmobile gas tax formula amount is based on an estimate of the amount of excise tax paid on gasoline by operators of all snowmobiles registered in this state. Beginning with fiscal year 2013-14, this bill bases the estimated snowmobile gas tax formula on an estimate of the excise tax paid on gasoline by operators of registered snowmobiles in this state who are issued a trail use sticker.

Current law also requires DNR to calculate an amount equal to the number of trail use stickers issued by DNR in the previous fiscal year multiplied by \$32 and to credit this amount to an appropriation account that funds aids to counties for activities such as trail development and maintenance. This bill changes the basis on which DNR must calculate the amount to be credited to that appropriation. Under the bill, DNR must credit an amount equal to the number of trail use stickers issued in the previous fiscal year to owners of snowmobiles that are exempt from registration multiplied by \$34.25.

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.** 25.29 (1) (d) 1. of the statutes is renumbered 25.29 (1) (d) 1. (intro.)
2 and amended to read:
3 25.29 (1) (d) 1. (intro.) An For fiscal years 2011-12 and 2012-13, an amount
4 calculated by multiplying the number of snowmobiles registered under s. 350.12 or
5 350.122 on the last day of March of the previous fiscal year by 50 gallons and

1 multiplying that product by the excise tax imposed under s. 78.01 (1) on the last day
2 of March of the previous fiscal year. For fiscal year 2013-14, and for each fiscal year
3 thereafter, an amount calculated by multiplying the sum of the following by 50
4 gallons and multiplying that product by the excise tax imposed under s. 78.01 on the
5 last day of March of the previous fiscal year:

6 SECTION 2. 25.29 (1) (d) 1. a. of the statutes is created to read:

7 25.29 (1) (d) 1. a. The number of trail use stickers issued under s. 350.12 (3j)
8 during the 12-month period before the last day of March of the previous fiscal year
9 to owners of snowmobiles that are registered under s. 350.12 (3).

10 SECTION 3. 25.29 (1) (d) 1. b. of the statutes is created to read:

11 25.29 (1) (d) 1. b. The number of snowmobiles registered under s. 350.122 on
12 the last day of March of the previous fiscal year.

(renumbered 350.12(3)(a) 1. and

13 SECTION 4. 350.12 (3) (a) (intro.) of the statutes is amended to read:

14 350.12 (3) (a) (intro.) Except as provided under subs. (2) and (5) (cm), no person
15 may operate and no owner may give permission for the operation of any snowmobile
16 within this state unless the snowmobile is registered for public use or private use
17 under this paragraph or s. 350.122 or as an antique under par. (b) and has the
18 registration decals displayed as required under sub. (5) or s. 350.122 or unless the
19 snowmobile has a reflectorized plate attached as required under par. (c) 3. A
20 snowmobile that is not registered as an antique under par. (b) may be registered for
21 public use. A snowmobile that is not registered as an antique under par. (b) and that
22 is used exclusively on private property, as defined under s. 23.33 (1) (n), may be
23 registered for private use. A snowmobile public-use registration certificate is valid
24 for 2 years beginning on the July 1 prior to the date of application if registration is
25 made prior to April 1 and beginning on the July 1 subsequent to the date of

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1 application if registration is made after April 1 and ending on June 30, 2 years
2 thereafter. A snowmobile or private-use registration certificate is valid from the
3 date of issuance until ownership of the snowmobile is transferred. The fee for the
4 issuance or renewal of a public-use registration certificate is \$30 \$15, except that the
5 fee is \$5 if it is a snowmobile owned and operated by a political subdivision of this
6 state. There is no fee for the issuance of a private-use registration certificate or for
7 the issuance of a registration certificate to the state.

8 **SECTION 5.** 350.12 (3j) (a) 2. of the statutes is amended to read:

9 350.12 (3j) (a) 2. ~~Except as provided in par. (d), no~~ No person who is the owner
10 of a snowmobile may operate, or give permission for another person to operate, a
11 snowmobile on a public snowmobile corridor in this state unless a trail use sticker
12 issued under this subsection is displayed on the snowmobile.

13 **SECTION 6.** 350.12 (3j) (b) of the statutes is renumbered 350.12 (3j) (b) 2.

14 **SECTION 7.** 350.12 (3j) (b) 1. of the statutes is created to read:

15 350.12 (3j) (b) 1. In this paragraph, "snowmobile club" means an association
16 organized in this state ~~that is a member~~ ^{of which are members} of the Association of Wisconsin Snowmobile
17 Clubs and that meets at least 3 times per year, that has at least 10 members, and that
18 promotes responsible snowmobiling.

19 **SECTION 8.** 350.12 (3j) (b) 3. of the statutes is created to read:

20 350.12 (3j) (b) 3. The fee for a trail use sticker issued for a snowmobile that is
21 registered under sub. (3) and that is owned by a person who is a member of a
22 snowmobile club is \$14.25.

23 **SECTION 9.** 350.12 (3j) (b) 4. of the statutes is created to read:

1 350.12 (3j) (b) 4. The fee for a trail use sticker issued for a snowmobile that is
2 registered under sub. (3) and that is owned by a person who is not a member of a
3 snowmobile club is \$34.25.

4 **SECTION 10.** 350.12 (3j) (bg) of the statutes is created to read:

5 350.12 (3j) (bg) A trail use sticker issued for a snowmobile for which a fee is
6 charged under this subsection may be issued only by the department and persons
7 appointed by the department and expires on June 30 of each year.

8 **SECTION 11.** 350.12 (3j) (d) of the statutes is repealed.

9 **SECTION 12.** 350.12 (3j) (e) 2. of the statutes is amended to read:

10 350.12 (3j) (e) 2. Any person, including the department, who issues a trail use
11 sticker shall collect in addition to the fee under par. (b) [✓] ~~3.~~ ^{3. or 4.} an issuing fee of 75
12 cents. The agent may retain 50 cents of the issuing fee to compensate the agent for
13 the agent's services in issuing the sticker.

14 **SECTION 13.** 350.12 (3m) (d) of the statutes is amended to read:

15 350.12 (3m) (d) *Estimate.* On July 1 of each even-numbered year, the
16 department shall estimate as accurately as possible the total ~~registration~~ trail use
17 sticker receipts for a 2-year period and adjust the estimate periodically to reflect
18 actual receipts.

19 **SECTION 14.** 350.12 (4) (bg) 2. [✓] of the statutes, as affected by 2011 Wisconsin Act
20 32, is renumbered 350.12 (4) (bg) 2. a. and amended to read:

21 350.12 (4) (bg) 2. a. For fiscal year years 2011-12, and ~~for each fiscal year~~
22 ~~thereafter~~ 2012-13, the department shall calculate an amount equal to the number
23 of trail use stickers issued under sub. (3j) in the previous fiscal year multiplied by
24 \$32 and shall credit this amount to the appropriation account under s. 20.370 (5)
25 (cw). From the appropriation account under s. 20.370 (5) (cw), the department shall

1 make payments to the department or a county for the purposes specified in par. (b).
2 The department shall make payments under par. (bm) for trail maintenance costs
3 that were incurred in the previous fiscal year and that exceed the maximum specified
4 under par. (b) 1. before making payments for any of the other purposes specified in
5 par. (b).

6 **SECTION 15.** 350.12 (4) (bg) 2. b. of the statutes is created to read:

7 350.12 (4) (bg) 2. b. For fiscal year 2013-14, and for each fiscal year thereafter,
8 the department shall calculate an amount equal to the number of trail use stickers
9 issued under sub. (3j) in the previous fiscal year to owners of snowmobiles that are
10 exempt from registration under sub. (2) multiplied by \$34.25 and shall credit this
11 amount to the appropriation account under s. 20.370 (5) (cw). From the
12 appropriation account under s. 20.370 (5) (cw), the department shall make payments
13 to the department or a county for the purposes specified in par. (b). The department
14 shall make payments under par. (bm) for trail maintenance costs that were incurred
15 in the previous fiscal year and that exceed the maximum specified under par. (b) 1.
16 before making payments for any of the other purposes specified in par. (b).

17 **SECTION 16. Nonstatutory provisions.**

18 (1) (a) In this subsection, "snowmobile club" has the meaning given in section
19 350.12 (3j) (b) 1. of the statutes, as created by this act.

20 (b) Notwithstanding the fees specified under section 350.12 (3j) (b) of the
21 statutes, as affected by this act, in fiscal year 2012-13, the following fees apply for
22 a trail use sticker issued for a snowmobile that has a registration under section
23 350.12 (3) of the statutes, as affected by this act, that expires on June 30, 2013:

24 1. If the snowmobile is owned by a person who is a member of a snowmobile
25 club, there is no fee.

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SECTION 1. 350.12 (1) of the statutes is amended to read:

350.12 (1) REGISTRATION REQUIREMENT. After January 1, 1970, no person shall operate, and no owner shall give permission for the operation of any snowmobile within this state unless the operation of the snowmobile complies with sub. (3) (a) (~~intro.~~) 1[✓] or (5) (cm) or is exempt from registration. No political subdivision shall have authority to register or license snowmobiles.

History: 1971 c. 211, 277; 1973 c. 298; 1975 c. 39 ss. 693g to 693m, 734; 1975 c. 224; 1977 c. 29, 402; 1979 c. 32; 1979 c. 34 ss. 1072, 2102 (39) (a); 1979 c. 221; 1981 c. 20, 294, 295; 1983 a. 27 ss. 1709, 1710, 2202 (38); 1983 a. 36, 405; 1985 a. 29 s. 3202 (39); 1985 a. 68, 322; 1985 a. 332 ss. 211, 253; 1987 a. 27, 129, 399; 1989 a. 31, 270, 336; 1991 a. 39, 269, 316; 1993 a. 16, 405, 436; 1995 a. 27, 225; 1997 a. 27, 237; 1999 a. 9; 2001 a. 16; 2003 a. 166, 321; 2005 a. 25, 481; 2007 a. 226; 2011 a. 32.

Barman, Mike

From: Pettack, Dee
Sent: Tuesday, December 20, 2011 1:52 PM
To: LRB.Legal
Subject: Draft Review: LRB 11-3295/1 Topic: Snowmobile registration, trail use stickers, and gas tax formula

Please Jacket LRB 11-3295/1 for the SENATE.