

2013 DRAFTING REQUEST

Bill

Received: **10/16/2012** Received By: **rkite**
 Wanted: **As time permits** Same as LRB:
 For: **Joseph Leibham (608) 266-2056** By/Representing: **Lucas Moench**
 May Contact: Drafter: **rkite**
 Subject: **Nat. Res. - boats snomos ATVs** Addl. Drafters:
 Extra Copies:

Submit via email: **YES**
 Requester's email: **Sen.Leibham@legis.wisconsin.gov**
 Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Creation of an off-road vehicle council

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 10/23/2012	scalvin 10/29/2012		_____			
/P1	rkite 11/12/2012		phenry 10/29/2012	_____	mbarman 10/29/2012		
/1	rkite 12/4/2012	scalvin 11/14/2012	jfrantze 11/14/2012	_____	mbarman 11/14/2012		
/2		scalvin	rschlue	_____	lparisi	srose	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
		12/4/2012	12/4/2012	_____	12/4/2012	2/5/2013	

FE Sent For:

*Not
Needed*

<END>

2013 DRAFTING REQUEST

Bill

Received: **10/16/2012** Received By: **rkite**
Wanted: **As time permits** Same as LRB:
For: **Joseph Leibham (608) 266-2056** By/Representing: **Lucas Moench**
May Contact: Drafter: **rkite**
Subject: **Nat. Res. - boats snomos ATVs** Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **Sen.Leibham@legis.wisconsin.gov**
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Creation of an off-road vehicle council

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 10/23/2012	scalvin 10/29/2012		_____			
/P1	rkite 11/12/2012		phenry 10/29/2012	_____	mbarman 10/29/2012		
/1	rkite 12/4/2012	scalvin 11/14/2012	jfrantze 11/14/2012	_____	mbarman 11/14/2012		
/2		scalvin	rschluet	_____	lparisi		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
		12/4/2012	12/4/2012	_____	12/4/2012		

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: **10/16/2012** Received By: **rkite**
Wanted: **As time permits** Same as LRB:
For: **Joseph Leibham (608) 266-2056** By/Representing: **Lucas Moench**
May Contact: Drafter: **rkite**
Subject: **Nat. Res. - boats snomos ATVs** Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **Sen.Leibham@legis.wisconsin.gov**
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Creation of an off-road vehicle council

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 10/23/2012	scalvin 10/29/2012		_____			
/P1	rkite 11/12/2012		phenry 10/29/2012	_____	mbarman 10/29/2012		
/1		scalvin 11/14/2012	jfrantze 11/14/2012	_____	mbarman 11/14/2012		
FE Sent For:		1/2 sac 12/04/12	1/2 sac 12/04/12				

<END>

Handwritten signature and initials
JM

2013 DRAFTING REQUEST

Bill

Received: **10/16/2012** Received By: **rkite**
Wanted: **As time permits** Companion to LRB:
For: **Joseph Leibham (608) 266-2056** By/Representing: **Lucas Moench**
May Contact: Drafter: **rkite**
Subject: **Nat. Res. - boats snomos ATVs** Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **Sen.Leibham@legis.wisconsin.gov**
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

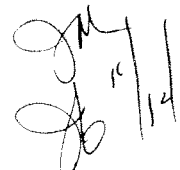
Creation of an off-road vehicle council

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 10/23/2012	scalvin 10/29/2012		_____			
/P1			10/29/2012	_____	mbarman 10/29/2012		
		11 sac 11/14/12	11 sac 11/14/12				

FE Sent For: 

<END>

2013 DRAFTING REQUEST

Bill

Received: 10/16/2012 Received By: rkite
 Wanted: As time permits Companion to LRB:
 For: Joseph Leibham (608) 266-2056 By/Representing: Lucas Moench
 May Contact: Drafter: rkite
 Subject: Nat. Res. - boats snomos ATVs Addl. Drafters:
 Extra Copies:

Submit via email: YES
 Requester's email: Sen.Leibham@legis.wisconsin.gov
 Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Creation of an off-road vehicle council

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>
1/2	rkite	/PI sac 10/29/12	/PI sac 10/29/12	LQ 1/29 ph/ sm			

FE Sent For:

<END>

Kite, Robin

From: Moench, Lucas
Sent: Tuesday, October 16, 2012 11:14 AM
To: Kite, Robin
Subject: Drafting Request

Robin-

We'd like to get started on some drafting requests for the 2013-14 session related to ATVs. After all your work for us on this issue last session, I totally understand if you want to take a rest and hand this off to another attorney that drafts in the area, but I thought I would start with you since you will be familiar with this (and other) issues. It should be much less work this session compared to last.

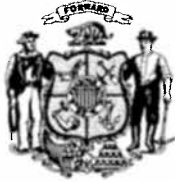
Here's the first request (I'll have a total of 3 over the next few weeks):

1. Start with 2011 LRB 2791/P1 as a baseline. ✓
2. Delete the gas tax material (Sections 3&4). We want to retain current law with respect to the gas tax under the new draft. ✓
3. Under Section 1 of the bill, delete the requirement that members of the Off-Road Vehicle Council receive Senate confirmation. Appointment by the Governor is sufficient. ✓
4. Revise the non-statutory provisions. Under the draft, we would like the Governor to be required to make initial appointments to the Council as follows: 2 individuals for terms ending 3/1/2015; 3 individuals for terms ending 3/1/2016; 2 individuals for terms ending 3/1/2017. Note that we would like terms to begin in March. After these initial appointments, there would then be three "classes" of appointees serving staggered terms. ✓
5. Under Section 2, we would like to require the ORV Council to provide "advice and recommendations...on all matters" to the legislature, governor, and DOT, in addition to the DNR as outlined in the current draft. However, "recommendations" made by the Council with respect to grants need only be made to DNR. (So keep the current language there) ✓
6. Also under Section 2, we like to NOT require that recommendations be made to DNR for grants awarded under s. 23.33 (5m), but instead that recommendations be made for grants awarded under s. 23.33(9)(b) and (bg). ✓
7. Draft these revisions as a preliminary.

Please let me know if you have any questions.

Thanks,

Lucas Moench
Office of State Senator Joe Leibham
9th Senate District
608-266-2056



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB 279/P1
RNK/jds

Sac

Rm not pu

0405

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

In 10/23

regen. cat.

1 AN ACT *to renumber and amend* 25.29 (1) (dm); and *to create* 15.347 (9),
2 23.178 and 25.29 (1) (dm) 2. of the statutes; **relating to:** creating an off-road
3 vehicle council and the estimated all-terrain vehicle gas tax formula.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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

4 SECTION 1. 15.347 (9)^x of the statutes is created to read:
5 15.347 (9) OFF-ROAD VEHICLE COUNCIL. (a) There is created in the department
6 of natural resources an off-road vehicle council consisting of 7 members nominated
7 appointed by the governor and with the advice and consent of the senate, appointed for 3-year
8 terms.

9 (b) Each member of the off-road vehicle council shall be a resident of this state,
10 shall be a member and represent the interests of an all-terrain vehicle or utility

projects eligible for funding

1 terrain vehicle user's group, and shall be knowledgeable about outdoor recreation
2 issues in this state and about trails used by operators of all-terrain vehicles and
3 utility terrain vehicles.

4 (c) The off-road vehicle council shall meet at least 3 times annually.

5 SECTION 2. 23.178 of the statutes is created to read:

6 **23.178 Off-road vehicle council.** The off-road vehicle council shall provide

7 advice and recommendations to the department on all matters relating to all-terrain
8 vehicle trails and all-terrain vehicle routes, including matters relating to activities
9 conducted on all-terrain vehicle trails and all-terrain vehicle routes by all-terrain
10 vehicle users and utility terrain vehicle users, and shall make recommendations to

11 the department on ^{of natural resources} ~~grants awarded~~ under s. 23.33 ~~(5m)~~ *(9)(b) and (b9)*

12 SECTION 3. 25.29 (1) (dm) of the statutes is renumbered 25.29 (1) (dm) (intro.)
13 and amended to read:

14 25.29 (1) (dm) (intro.) For fiscal year ~~1991-92~~ 2013-2014 and for each fiscal
15 year thereafter, an amount equal to the estimated all-terrain vehicle gas tax
16 payment. The estimated all-terrain vehicle gas tax payment is the sum of the
17 following amounts:

18 1. An amount calculated by multiplying the sum of the number of all-terrain
19 vehicles registered for public use under s. 23.33 (2) (c) or (2g) and the number of
20 reflectorized plates issued under s. 23.33 (2) (dm) on the last day of February of the
21 previous fiscal year by ~~25~~ 50 gallons and multiplying that product by the excise tax
22 imposed under s. 78.01 (1) on the last day of February of the previous fiscal year.

23 SECTION 4. 25.29 (1) (dm) 2. of the statutes is created to read:

24 25.29 (1) (dm) 2. An amount equal to 40 percent of the amount calculated under
25 subd. 1.

*of natural resources, the department of transportation, the
governor, and the legislature*

Kite, Robin

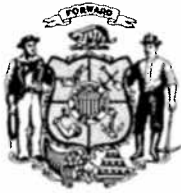
From: Moench, Lucas
Sent: Monday, November 12, 2012 12:37 PM
To: Kite, Robin
Subject: LRB 0405/P1

Robin-

LRB 0405/P1 can now be drafted in introducible form as a /1. No changes needed from the preliminary draft.

Thanks,

Lucas Moench
Office of State Senator Joe Leibham
9th Senate District
608-266-2056



State of Wisconsin
2013 - 2014 LEGISLATURE



Rin
NLS

LRB-0405/PI

RNK:sac:phs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

2013 BILL

In
11/12

D-Note

regen cat

1 AN ACT to create 15.347 (9) and 23.178 of the statutes; relating to: creating an
2 off-road vehicle council.

Analysis by the Legislative Reference Bureau

~~This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.~~

INS
Analysis

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

3 SECTION 1. 15.347 (9) of the statutes is created to read:
4 15.347 (9) OFF-ROAD VEHICLE COUNCIL. (a) There is created in the department
5 of natural resources an off-road vehicle council consisting of 7 members appointed
6 by the governor for 3-year terms, expiring March 1
7 (b) Each member of the off-road vehicle council shall be a resident of this state,
8 shall be a member and represent the interests of an all-terrain vehicle or utility
9 terrain vehicle user's group, and shall be knowledgeable about outdoor recreation

1 issues in this state and about trails used by operators of all-terrain vehicles and
2 utility terrain vehicles.

3 (c) The off-road vehicle council shall meet at least 3 times annually.

4 **SECTION 2.** 23.178 of the statutes is created to read:

5 **23.178 Off-road vehicle council.** The off-road vehicle council shall provide
6 advice and ^{make} recommendations to the department of natural resources, the
7 department of transportation, the governor, and the legislature on all matters
8 relating to all-terrain vehicle trails and all-terrain vehicle routes, including matters
9 relating to activities conducted on all-terrain vehicle trails and all-terrain vehicle
10 routes by all-terrain vehicle users and utility terrain vehicle users, and shall make
11 recommendations to the department of natural resources on projects eligible for
12 funding under s. 23.33 (9) (b) and (bg).

13 **SECTION 3. Nonstatutory provisions.**

14 (1) Notwithstanding the length of terms specified in section 15.347 (9) (a) of the
15 statutes, as created by this act, the governor shall appoint the initial members of the
16 off-road vehicle council for the following terms:

17 (a) Two members appointed under section 15.347 (9) of the statutes, as created
18 by this act, for terms expiring on March 1, 2015.

19 (b) Three members appointed under section 15.347 (9) of the statutes, as
20 created by this act, for terms expiring on March 1, 2016.

21 (c) Two members appointed under section 15.347 (9) of the statutes, as created
22 by this act, for terms expiring on March 1, 2017.

23 (END)

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0405/lins
RNK:.....

INSERT ANALYSIS

1 This bill creates an off-road vehicle council in the Department of Natural
2 Resources (DNR), consisting of ^{seven}7 members appointed by the governor for ^{three}3-year
3 terms. The bill requires that each member of the council represent the interests of
4 an all-terrain vehicle (ATV) or utility terrain vehicle (UTV) user's group and that
5 each member be knowledgeable about outdoor recreation issues and about trails
6 used by ATV and UTV operators.

7 Under this bill, the off-road vehicle council must provide advice and
8 ^{make} recommendations to DNR, the Department of Transportation, the governor, and the
9 legislature on matters relating to ATV trails and routes and must provide
10 recommendations to DNR concerning ATV and UTV projects that are eligible for
11 state funding.

^{make}

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0405/1dn

RNK:.)....

SAC

- date -

Lucas Moench:

(1)(a)
Please note that I have revised this draft to eliminate the language that specifies that the governor must appoint the members of the off-road vehicle council because current law specifies under s. 15.09, stats., that all members of councils are appointed by the governor unless otherwise provided by law.

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-0405/1dn
RNK:sac:jf

November 14, 2012

Lucas Moench:

Please note that I have revised this draft to eliminate the language that specifies that the governor must appoint the members of the off-road vehicle council because current law specifies under s. 15.09 (1) (a), stats., that all members of councils are appointed by the governor unless otherwise provided by law.

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

Kite, Robin

From: Moench, Lucas
Sent: Tuesday, December 04, 2012 11:15 AM
To: Kite, Robin
Subject: Revisions to LRB 0405/1

Robin-

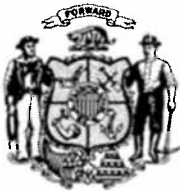
We are going to need a /2 for LRB 0405.

Section 2- We would like to add two cross references here in line 18. We would like to add 23.33 (9) (c) and 23.33 (5r) at the end of that line so those grant programs are included in the list of items the council established in the bill "shall make recommendations" on.

Let me know if you have questions.

Thanks,

Lucas Moench
Office of State Senator Joe Leibham
9th Senate District
608-266-2056



Rm
run
2
LRB-040519
RNK:sac/jf

LRB-040519

RNK:sac/jf

2013 BILL

In
12/4

- gen cat

1 AN ACT to create 15.347 (9) and 23.178 of the statutes; relating to: creating an
2 off-road vehicle council.

Analysis by the Legislative Reference Bureau

This bill creates an off-road vehicle council in the Department of Natural Resources (DNR), consisting of seven members appointed by the governor for three-year terms. The bill requires that each member of the council represent the interests of an all-terrain vehicle (ATV) or utility terrain vehicle (UTV) user's group and that each member be knowledgeable about outdoor recreation issues and about trails used by ATV and UTV operators.

Under this bill, the off-road vehicle council must provide advice and make recommendations to DNR, the Department of Transportation, the governor, and the legislature on matters relating to ATV trails and routes and must make recommendations to DNR concerning ATV and UTV projects ~~that are eligible for~~
~~state funding.~~

x
+

↑ requests for state funding for certain

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

3 SECTION 1. 15.347 (9) of the statutes is created to read:

BILL

1 15.347 (9) OFF-ROAD VEHICLE COUNCIL. (a) There is created in the department
2 of natural resources an off-road vehicle council consisting of 7 members appointed
3 for 3-year terms expiring March 1.

4 (b) Each member of the off-road vehicle council shall be a resident of this state,
5 shall be a member and represent the interests of an all-terrain vehicle or utility
6 terrain vehicle user's group, and shall be knowledgeable about outdoor recreation
7 issues in this state and about trails used by operators of all-terrain vehicles and
8 utility terrain vehicles.

9 (c) The off-road vehicle council shall meet at least 3 times annually.

10 **SECTION 2.** 23.178 of the statutes is created to read:

11 **23.178 Off-road vehicle council.** The off-road vehicle council shall provide
12 advice and make recommendations to the department of natural resources, the
13 department of transportation, the governor, and the legislature on all matters
14 relating to all-terrain vehicle trails and all-terrain vehicle routes, including matters
15 relating to activities conducted on all-terrain vehicle trails and all-terrain vehicle
16 routes by all-terrain vehicle users and utility terrain vehicle users, and shall make
17 recommendations to the department of natural resources on projects eligible for

18 funding under s. 23.33 (9) (b) and (bg), and (c)

with regard to
incentive payment
requests under
s. 23.33(5r) and requests

19 **SECTION 3. Nonstatutory provisions.**

20 (1) Notwithstanding the length of terms specified in section 15.347 (9) (a) of the
21 statutes, as created by this act, the governor shall appoint the initial members of the
22 off-road vehicle council for the following terms:

23 (a) Two members appointed under section 15.347 (9) of the statutes, as created
24 by this act, for terms expiring on March 1, 2015.

Rose, Stefanie

From: Moench, Lucas
Sent: Tuesday, February 05, 2013 9:57 AM
To: LRB.Legal
Subject: Draft Review: LRB -0405/2 Topic: Creation of an off-road vehicle council

Please Jacket LRB -0405/2 for the SENATE.