

HOUSE BILL No. 5633

March 10, 2004, Introduced by Reps. Sak, O'Neil, Kooiman, Plakas, Voorhees, Sheen, Gleason, DeRossett, Murphy, Anderson, Huizenga, Hunter, McConico, Farhat and Smith and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811e (MCL 257.811e), as amended by 2001 PA 124, and by adding sections 811p and 811q; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 811e. (1) The secretary of state may develop a
2 Michigan university fund-raising ~~registration~~ plate as
3 described in this section ~~—~~ and a matching Michigan university
4 collector plate as described in section 811g.

5 (2) The secretary of state may develop 1 or more limited term
6 registration plates to recognize a state-sponsored event, a
7 Michigan university, or an accomplishment or occasion of a
8 Michigan university.

9 (3) The secretary of state may ~~—, at any 1 time,~~ develop

1 ~~not more than 7 different state-sponsored~~ fund-raising
2 ~~registration~~ plates as described in this section ~~—~~ and
3 matching ~~state-sponsored~~ collector plates as described in
4 section 811g. As used in this section, ~~"state-sponsored~~
5 "fund-raising ~~registration~~ plate" means a fund-raising
6 ~~registration~~ plate authorized by a public act to raise funds
7 for a ~~state-sponsored~~ **specified** goal. The public act shall, at
8 a minimum, do all of the following:

9 (a) Identify the purpose of the ~~state-sponsored~~
10 fund-raising ~~registration~~ plate.

11 (b) Create a fund or designate an existing fund to receive
12 the money raised through the sale of ~~state-sponsored~~
13 fund-raising ~~registration~~ plates and matching collector
14 plates.

15 (c) If a fund is created, name the person or entity
16 responsible for administering the fund.

17 (4) The secretary of state may develop, promote, and market
18 the fund-raising ~~registration~~ plates and matching collector
19 plates issued under this section with the funds available through
20 service fees.

21 (5) If the design or logo of a Michigan university
22 fund-raising ~~registration~~ plate, ~~or~~ a state-sponsored
23 fund-raising ~~registration~~ plate, **or a professional sports team**
24 **fund-raising plate** uses 1 or more designs, trade names,
25 trademarks, service marks, emblems, symbols, or other images that
26 are owned by the Michigan university that is requesting the
27 Michigan university fund-raising plate, the person or entity that

1 is sponsoring a ~~state-sponsored~~ fund-raising plate,
2 **professional sports team**, or any other person or entity, the
3 Michigan university, ~~or~~ sponsoring person or entity, **or**
4 **professional sports team** shall grant to or obtain for the
5 secretary of state both of the following pursuant to a written
6 agreement between the parties:

7 (a) A nonexclusive worldwide license to use those designs,
8 trade names, trademarks, service marks, emblems, symbols, or
9 other images on and in conjunction with the marketing, promotion,
10 sale, or copyrighting of the registration plate or image of the
11 registration plate.

12 (b) The authority to merchandise the registration plate or an
13 image of the registration plate.

14 (6) In using or employing a design, trade name, trademark,
15 service mark, emblem, symbol, logo, or other image on and in
16 conjunction with the marketing, promotion, sale, copyrighting, or
17 merchandising of a ~~registration~~ **fund-raising** plate or image of
18 the ~~registration~~ **fund-raising** plate, the secretary of state may
19 alter the size of the design, trade name, trademark, service
20 mark, emblem, symbol, logo, or other image but shall not change
21 the color or design of the design, trade name, trademark, service
22 mark, emblem, symbol, logo, or other image without the prior
23 written consent of the respective Michigan university, ~~or~~
24 sponsoring person or entity, **or professional sports team**. The
25 secretary of state shall not use or employ a design, trade name,
26 trademark, service mark, emblem, symbol, logo, or other image on
27 and in conjunction with the marketing, promotion, sale,

1 copyrighting, or merchandising of a ~~registration~~ **fund-raising**
2 plate or an image of the ~~registration~~ **fund-raising** plate in any
3 manner that is offensive to the Michigan university or sponsoring
4 person or entity that complies with subsection (5).

5 (7) As used in this section, "Michigan university
6 fund-raising ~~registration~~ plate" means a fund-raising
7 ~~registration~~ plate that is issued under this section at the
8 request of a Michigan university.

9 **Sec. 811p. (1) The secretary of state may develop under**
10 **section 811e and, upon application, may issue under section 811f**
11 **a professional sports team fund-raising plate and a matching**
12 **professional sports team fund-raising collector plate as provided**
13 **under section 811g. The plate shall be of a design as determined**
14 **by the secretary of state that includes a logo of 1 of the**
15 **following professional sports teams:**

- 16 (a) Grand Rapids Griffins hockey team.
17 (b) Grand Rapids Rampage football team.
18 (c) West Michigan Whitecaps baseball team.

19 (2) A professional sports team that enters into a written
20 agreement with the secretary of state for the development of a
21 fund-raising plate under this section shall agree that the
22 service fees derived from the sale of a fund-raising plate
23 bearing its logo and matching collector plate shall be deposited
24 in the professional sports team fund created in section 811q to
25 be disbursed as provided in section 811q.

26 (3) Professional sports team fund-raising plate service fees
27 collected under this section by the secretary of state shall be

1 identified and segregated by the secretary of state into a
2 separate account. The secretary of state shall on a quarterly
3 basis transfer the balance of the professional sports team
4 fund-raising plate service fees to the state treasurer, who shall
5 credit the fee money to the professional sports team fund created
6 in section 811q. The money credited to the professional sports
7 team fund shall only be expended as provided in section 811q.

8 (4) This section is repealed September 30, 2005.

9 Sec. 811q. (1) The professional sports team fund is created
10 within the state treasury.

11 (2) The state treasurer may receive money or other assets
12 from any source for deposit into the fund. The state treasurer
13 shall direct the investment of the fund. The state treasurer
14 shall credit to the fund interest and earnings from fund
15 investments.

16 (3) Money in the fund at the close of the fiscal year shall
17 remain in the fund and shall not lapse to the general fund.

18 (4) The department of treasury shall disburse money in the
19 fund on a quarterly basis as follows:

20 (a) The money received from the sale of the Grand Rapids
21 Griffins hockey team plates to the Grand Rapids Griffins Youth
22 Foundation.

23 (b) The money received from the sale of the Grand Rapids
24 Rampage football team plates to the Grand Rapids Griffins Youth
25 Foundation.

26 (c) The money received from the sale of the West Michigan
27 Whitecaps plates to the Y.M.C.A. intercity youth baseball and

1 softball programs.

2 (5) Beginning not later than February 1, 2005, and annually
3 after that, an organization receiving money under this section
4 shall report to the state treasurer. A report under this
5 subsection shall include a summary of expenditures during the
6 preceding year of the money received under this section.