

HOUSE BILL No. 4553

March 23, 2005, Introduced by Reps. Stahl, Sak, Stewart, Gillard, Baxter, Meyer, Sheen, Nofs, Moore, Garfield, Gosselin, Vander Veen, Gaffney, Pearce, Brown, Polidori, Gonzales, Walker, Moolenaar, Hummel, Spade, Brandenburg, Robertson, Casperson, Caswell, Marleau, Farhat, Palsrok, Pastor, Shaffer, Elsenheimer, Ball, Schuitmaker, LaJoy, Rocca, Palmer, Hoogendyk, Wenke, Hansen and Lemmons, III 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 section 811m; 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 Michigan
2 university fund-raising registration plate as described in this
3 section, and a matching Michigan university collector plate as
4 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 Michigan
8 university.

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

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

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

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

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

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

1 to or obtain for the secretary of state both of the following
2 pursuant to a written agreement between the parties:

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

8 (b) The authority to merchandise the registration plate or an
9 image of the registration plate.

10 (6) In using or employing a design, trade name, trademark,
11 service mark, emblem, symbol, logo, or other image on and in
12 conjunction with the marketing, promotion, sale, copyrighting, or
13 merchandising of a registration plate or image of the registration
14 plate, the secretary of state may alter the size of the design,
15 trade name, trademark, service mark, emblem, symbol, logo, or other
16 image but shall not change the color or design of the design, trade
17 name, trademark, service mark, emblem, symbol, logo, or other image
18 without the prior written consent of the respective Michigan
19 university or sponsoring person or entity. The secretary of state
20 shall not use or employ a design, trade name, trademark, service
21 mark, emblem, symbol, logo, or other image on and in conjunction
22 with the marketing, promotion, sale, copyrighting, or merchandising
23 of a registration plate or an image of the registration plate in
24 any manner that is offensive to the Michigan university or
25 sponsoring person or entity that complies with subsection (5).

26 (7) As used in this section, "Michigan university fund-raising
27 registration plate" means a fund-raising registration plate that is

1 issued under this section at the request of a Michigan university.

2 SEC. 811M. (1) THE SECRETARY OF STATE SHALL DEVELOP UNDER
3 SECTION 811E AND MAY ISSUE UNDER SECTION 811F A FUND-RAISING PLATE
4 AND A MATCHING COLLECTOR PLATE UNDER SECTION 811G. THE WORDS "DUCKS
5 UNLIMITED" SHALL BE INSCRIBED ON THE PLATES. THE SECRETARY OF STATE
6 SHALL TRANSFER THE FUND-RAISING DONATIONS RECEIVED FROM THE SALE OF
7 THE PLATES DESCRIBED IN THIS SECTION TO THE STATE TREASURER, WHO
8 SHALL CREDIT THE DONATION MONEY TO THE DUCKS UNLIMITED FUND
9 ESTABLISHED UNDER SUBSECTION (2).

10 (2) THE DUCKS UNLIMITED FUND IS CREATED WITHIN THE STATE
11 TREASURY. 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 SHALL
14 CREDIT TO THE FUND INTEREST AND EARNINGS FROM FUND INVESTMENTS.
15 MONEY IN THE FUND AT THE CLOSE OF THE FISCAL YEAR SHALL REMAIN IN
16 THE FUND AND SHALL NOT LAPSE TO THE GENERAL FUND. THE STATE
17 TREASURER SHALL DISBURSE MONEY IN THE FUND ON A QUARTERLY BASIS TO
18 THE MICHIGAN CHAPTER OF DUCKS UNLIMITED, INCORPORATED. THE MONEY
19 CREDITED TO THE MICHIGAN CHAPTER OF DUCKS UNLIMITED, INCORPORATED
20 SHALL ONLY BE EXPENDED TO PROTECT, ENHANCE, RESTORE, MANAGE, AND
21 ACQUIRE WETLANDS AND ASSOCIATED UPLANDS IN THIS STATE.

22 (3) THE MICHIGAN CHAPTER OF DUCKS UNLIMITED, INCORPORATED
23 SHALL ANNUALLY REPORT TO THE DEPARTMENT OF TREASURY AN ACCOUNTING
24 OF MONEY RECEIVED AND USED UNDER SUBSECTION (2).

25 (4) THIS SECTION IS REPEALED SEPTEMBER 30, 2007.