



2009 ASSEMBLY BILL 465

October 6, 2009 – Introduced by Representatives CULLEN, MOLEPSKE JR., NERISON, HONADEL, ZEPNICK, MILROY and JORGENSEN, cosponsored by Senators LAZICH, SULLIVAN, SCHULTZ, LASSA, COGGS and TAYLOR. Referred to Committee on Transportation.

1 **AN ACT** *to amend* 341.14 (6r) (c) and 341.14 (6r) (fm) 7.; and *to create* 20.395
2 (5) (eq), 85.109, 341.14 (6r) (b) 14. and 341.14 (6r) (f) 61. of the statutes;
3 **relating to:** special distinguishing registration plates associated with the
4 Lions Clubs of Wisconsin and making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, any group or organization may apply to the Department of Transportation (DOT) for designation as an authorized special group. If the application is approved, members of the authorized special group may obtain special distinguishing registration plates for certain vehicles, including automobiles and motor homes, that are owned or leased by special group members. A fee, in addition to the regular registration fee for the particular kind of vehicle, is charged for the issuance or reissuance of most special plates.

Before October 2, 1998, authorized special groups whose members may obtain special plates were specifically enumerated in state law. With certain exceptions, current law provides that specific enumeration in state law of authorized special groups is limited to those special groups enumerated before October 2, 1998.

This bill establishes an authorized special group specifically enumerated in state law for persons interested in obtaining special plates supporting the Lions Clubs of Wisconsin. In addition to the regular vehicle registration fee, special group members are required to pay a \$15 fee for issuance or reissuance of the special plates and a \$25 annual fee that provides funds to the Wisconsin Lions Foundation, Inc. The bill requires DOT to enter into an agreement with the Lions of Wisconsin,

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Multiple District 27, of the International Association of Lions Clubs, Inc., and the Wisconsin Lions Foundation, Inc., with respect to these funds, and the agreement must provide DOT with authority, without fee to DOT, to use any applicable trademark or service mark associated with the Lions Clubs on these special plates. The bill requires the special plates to display a logo or image of the lion associated with the Lions Clubs International.

For further information see the *state* 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.** 20.395 (5) (eq) of the statutes is created to read:

2 20.395 (5) (eq) *Payments to the Wisconsin Lions Foundation.* All moneys
3 received under s. 341.14 (6r) (b) 14., less \$43,200, for payments to the Wisconsin
4 Lions Foundation, Inc., under s. 85.109.

5 **SECTION 2.** 85.109 of the statutes is created to read:

6 **85.109 Payments to the Wisconsin Lions Foundation.** (1) The
7 department shall enter into an agreement with the Lions of Wisconsin, Multiple
8 District 27, of the International Association of Lions Clubs, Inc., and the Wisconsin
9 Lions Foundation, Inc., to make payments from the appropriation under s. 20.395
10 (5) (eq) to the Wisconsin Lions Foundation, Inc.

11 (2) The agreement under this section shall require that the Lions of Wisconsin,
12 Multiple District 27, of the International Association of Lions Clubs, Inc., and the
13 Wisconsin Lions Foundation, Inc., provide or arrange for another to provide, without
14 fee and as a condition of receiving payments specified under this section, any license
15 or other approval required for use of any logo, trademark, service mark, trade name,
16 word, or symbol to be used on or in association with special group registration plates
17 under s. 341.14 (6r) (f) 61.

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1 **(3)** The agreement under this section shall require that the Wisconsin Lions
2 Foundation, Inc., annually submit to the attorney general and the presiding officer
3 of each house of the legislature an audited financial statement of its use of the
4 payments under this section, prepared in accordance with generally accepted
5 accounting principles.

6 **(4)** Payments to the Wisconsin Lions Foundation, Inc., under this section shall
7 be discontinued by the department if the Wisconsin Lions Foundation, Inc.,
8 dissolves, becomes insolvent, files a petition for bankruptcy, or is no longer exempt
9 from taxation under section 501 (a) of the Internal Revenue Code.

10 **SECTION 3.** 341.14 (6r) (b) 14. of the statutes is created to read:

11 341.14 **(6r)** (b) 14. A fee of \$25 that is in addition to the fee under subd. 2. shall
12 be charged for the issuance or renewal of a plate issued on an annual basis for the
13 special group specified under par. (f) 61. A fee of \$50 that is in addition to the fee
14 under subd. 2. shall be charged for the issuance or renewal of a plate issued on the
15 biennial basis for the special group specified under par. (f) 61. if the plate is issued
16 or renewed during the first year of the biennial registration period or \$25 for the
17 issuance or renewal if the plate is issued or renewed during the 2nd year of the
18 biennial registration period. All moneys received under this subdivision, in excess
19 of \$43,200 for the initial costs of production of the special group plate under par. (f)
20 61., shall be credited to the appropriation under s. 20.395 (5) (eq). To the extent
21 permitted under ch. 71, the fee under this subdivision is deductible as a charitable
22 contribution for purposes of the taxes under ch. 71.

23 **SECTION 4.** 341.14 (6r) (c) of the statutes, as affected by 2009 Wisconsin Act 28,
24 section 2818, is amended to read:

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1 341.14 (6r) (c) Special group plates shall display the word “Wisconsin”, the
2 name of the applicable authorized special group, a symbol representing the special
3 group, not exceeding one position, and identifying letters or numbers or both, not
4 exceeding 6 positions and not less than one position. The department shall specify
5 the design for special group plates, but the department shall consult the president
6 of the University of Wisconsin System before specifying the word or symbol used to
7 identify the special groups under par. (f) 35. to 47., the secretary of natural resources
8 before specifying the word or symbol used to identify the special groups under par.
9 (f) 50. and 59., the chief executive officer of the professional football team and an
10 authorized representative of the league of professional football teams described in
11 s. 229.823 to which that team belongs before specifying the design for the applicable
12 special group plate under par. (f) 55., the department of veterans affairs before
13 specifying the design for the special group plates under par. (f) 49d., 49h., and 49s.,
14 and the department of tourism and chief executive officer of the organization
15 specified in par. (f) 55m. before specifying the design and word or symbol used to
16 identify the special group name for special group plates under par. (f) 55m. Special
17 group plates under par. (f) 50. shall be as similar as possible to regular registration
18 plates in color and design. The department shall make available 2 designs for the
19 special group plates under par. (f) 60. The department may not specify any design
20 for the special group plates under par. (f) 60. unless the design is approved by the
21 executive vice president of the Milwaukee Brewers Baseball Club LP. The word or
22 symbol used to identify the special group under par. (f) 59. shall be different from the
23 word or symbol used to identify the special group under par. (f) 50. and the design
24 shall cover the entire plate. Special group plates under par. (f) 61. shall display a logo
25 or image of the lion associated with the Lions Clubs International.

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1 **SECTION 5.** 341.14 (6r) (f) 61. of the statutes is created to read:

2 341.14 **(6r)** (f) 61. Persons interested in obtaining a plate supporting the Lions
3 Clubs of Wisconsin.

4 **SECTION 6.** 341.14 (6r) (fm) 7. of the statutes, as affected by 2009 Wisconsin Act
5 28, section 2824, is amended to read:

6 341.14 **(6r)** (fm) 7. After October 1, 1998, additional authorized special groups
7 may only be special groups designated by the department under this paragraph. The
8 authorized special groups enumerated in par. (f) shall be limited solely to those
9 special groups specified under par. (f) on October 1, 1998. This subdivision does not
10 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m.,
11 19m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., 58., 59., and 60., and 61.

12 **SECTION 7. Nonstatutory provisions.**

13 (1) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes
14 effect in fiscal year 2010-11, in submitting information under section 16.42 of the
15 statutes for purposes of the 2011-13 biennial budget bill, the department of
16 transportation shall submit information concerning the appropriation under section
17 20.395 (5) (cq) of the statutes as though the total amount appropriated under section
18 20.395 (5) (cq) of the statutes for the 2010-11 fiscal year was \$43,200 less than the
19 total amount that was actually appropriated under section 20.395 (5) (cq) of the
20 statutes for the 2010-11 fiscal year.

21 **SECTION 8. Fiscal changes.**

22 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
23 to the department of transportation under section 20.395 (5) (cq) of the statutes, as
24 affected by the acts of 2009, the dollar amount is increased by \$43,200 for the fiscal

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SECTION 8

1 year in which this subsection takes effect to increase funding for special registration
2 plates associated with the Lions Clubs of Wisconsin.

3 **SECTION 9. Effective date.**

4 (1) This act takes effect on the first day of the 7th month beginning after
5 publication.

6 (END)