



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-2996/1
EVM:emw

2015 ASSEMBLY BILL 505

November 13, 2015 - Introduced by Representatives KITCHENS, TITTL, NOVAK, A. OTT, MILROY, HORLACHER, KLEEFISCH, SKOWRONSKI, R. BROOKS and WACHS, cosponsored by Senator LASEE. Referred to Committee on Transportation.

1 **AN ACT to amend** 341.14 (6r) (b) 1., 341.14 (6r) (c) and 341.14 (6r) (fm) 7.; and
2 **to create** 20.395 (5) (eL), 25.40 (1) (a) 32., 341.14 (6r) (b) 1m. c., 341.14 (6r) (b)
3 17., 341.14 (6r) (f) 65. and 341.14 (11) of the statutes; **relating to:** special
4 registration plates associated with Whitetails Unlimited and making an
5 appropriation.

Analysis by the Legislative Reference Bureau

This bill allows persons who are interested in supporting Whitetails Unlimited to obtain special motor vehicle registration plates.

Under current law, a group or organization that meets certain criteria 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 registration plates for certain vehicles, including automobiles and motor homes, that are owned or leased by special group members. 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. 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.

This bill establishes an authorized special group specifically enumerated in state law for persons interested in obtaining special plates expressing support for

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Whitetails Unlimited. 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 to annually include payment of \$25 that provides funds to Whitetails Unlimited. The bill requires the special plates to display a logo or symbol associated with Whitetails Unlimited. DOT may not issue these special plates until DOT has obtained authority to use any applicable trademark or service mark associated with Whitetails Unlimited on these special plates and until DOT receives a contribution from any interested person or group in the amount of the initial costs of production of these special plates or \$23,700, whichever is less.

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) (eL) of the statutes is created to read:

2 20.395 (5) (eL) *Payments to Whitetails Unlimited.* From the general fund, all
3 moneys received under s. 341.14 (6r) (b) 17. for payments to Whitetails Unlimited
4 under s. 341.14 (11) (a).

5 **SECTION 2.** 25.40 (1) (a) 32. of the statutes is created to read:

6 25.40 (1) (a) 32. Moneys received under s. 341.14 (6r) (b) 17. that are deposited
7 into the general fund and credited to the appropriation account under s. 20.395 (5)
8 (eL).

9 **SECTION 3.** 341.14 (6r) (b) 1. of the statutes is amended to read:

10 341.14 (6r) (b) 1. Subject to subd. 1m., upon application to register an
11 automobile or motor home, or a motor truck, dual purpose motor home or dual
12 purpose farm truck which has a gross weight of not more than 8,000 pounds, or a
13 farm truck which has a gross weight of not more than 12,000 pounds, by any person
14 who is a resident of this state and a member of an authorized special group, the
15 department shall issue to the person special plates whose colors and design shall
16 indicate that the vehicle is owned by a person who is a member of the applicable

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1 special group. The department may not issue any special group plates under par. (f)
2 55., 60., or 61r. until 6 months after the department has received information
3 sufficient for the department to determine that any approvals required for use of any
4 logo, trademark, trade name or other commercial symbol designating the
5 professional football team or professional baseball team or associated with
6 Harley-Davidson, Inc., have been obtained. Subject to subs. (9) (d) ~~and~~, (10) (d), and
7 (11) (d), the department may not issue any special group plates under par. (f) 61m.
8 ~~or~~, 63., or 65. until the department has received information sufficient for the
9 department to determine that any license or other approval required for use of any
10 logo, trademark or service mark, trade name or other commercial symbol to be used
11 on or in association with these plates has been obtained. Notwithstanding s. 341.12
12 (2), if the department of corrections does not have flat-plate technology available for
13 use in manufacturing license plates at quality and cost comparable to that available
14 from the state of Minnesota, the department of transportation may not issue any
15 special group plates under par. (f) 59. unless the department of transportation
16 purchases the plates from the state of Minnesota. Sections 16.70, 16.71, 16.72, 16.75,
17 16.752 to 16.755, 16.765, 16.77, and 16.82 do not apply to purchases of plates issued
18 under par. (f) 59. from the state of Minnesota.

19 **SECTION 4.** 341.14 (6r) (b) 1m. c. of the statutes is created to read:

20 341.14 **(6r)** (b) 1m. c. Upon receipt of a contribution totaling an amount equal
21 to the department's final estimate of the initial costs of production of the special
22 group plates under par. (f) 65. or \$23,700, whichever is less, from any person or group
23 interested in the special group plates under par. (f) 65., the department shall
24 commence any development work necessary to implement the provisions of par. (f)
25 65. and related provisions under this subsection and shall complete the development

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1 work within one year of its commencement. As soon as possible, the department
2 shall post notice on the department's Internet site of its final estimate of the initial
3 costs of production of the special group plates under par. (f) 65. The development
4 work under this subd. 1m. c. shall be funded only from the appropriation under s.
5 20.395 (4) (ch) from the contribution received by the department for purposes of this
6 subd. 1m. c. No contribution received by the department under this subd. 1m. c. may
7 be applied to any fee established under subd. 2. The department may not issue any
8 special group plates under par. (f) 65. until the department has completed the
9 development work specified in this subd. 1m. c.

10 **SECTION 5.** 341.14 (6r) (b) 17. of the statutes is created to read:

11 341.14 **(6r)** (b) 17. Subject to sub. (11) (d), a voluntary payment of \$25 that is
12 in addition to the fee under subd. 2. shall be collected in connection with the issuance
13 or renewal of a plate issued on an annual basis for the special group specified under
14 par. (f) 65. Subject to sub. (11) (d), a voluntary payment of \$50 that is in addition to
15 the fee under subd. 2. shall be collected in connection with the issuance or renewal
16 of a plate issued on a biennial basis for the special group specified under par. (f) 65.
17 if the plate is issued or renewed during the first year of the biennial registration
18 period or \$25 for the issuance or renewal if the plate is issued or renewed during the
19 2nd year of the biennial registration period. No plate may be issued for the special
20 group specified under par. (f) 65. unless the voluntary payment under this
21 subdivision is collected. All moneys received under this subdivision shall be
22 deposited into the general fund and credited to the appropriation under s. 20.395 (5)
23 (eL). To the extent permitted under ch. 71, the voluntary payment under this
24 subdivision is deductible as a charitable contribution for purposes of the taxes under
25 ch. 71.

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1 **SECTION 6.** 341.14 (6r) (c) of the statutes is amended to read:

2 341.14 (6r) (c) Special group plates shall display the word “Wisconsin”, the

3 name of the applicable authorized special group, a symbol representing the special

4 group, not exceeding one position, and identifying letters or numbers or both, not

5 exceeding 6 positions and not less than one position. Except as provided in this

6 paragraph, the department shall specify the design for special group plates, but the

7 department shall consult the president of the University of Wisconsin System before

8 specifying the word or symbol used to identify the special groups under par. (f) 35.

9 to 47., the secretary of natural resources before specifying the word or symbol used

10 to identify the special groups under par. (f) 50. and 59., the chief executive officer of

11 the professional football team and an authorized representative of the league of

12 professional football teams described in s. 229.823 to which that team belongs before

13 specifying the design for the applicable special group plate under par. (f) 55., the chief

14 trademark officer of Harley-Davidson Michigan, LLC before specifying the design

15 for the applicable special group plate under par. (f) 61r., the department of veterans

16 affairs before specifying the design for the special group plates under par. (f) 49d.,

17 49h., and 49s., and the department of tourism and chief executive officer of the

18 organization specified in par. (f) 55m. before specifying the design and word or

19 symbol used to identify the special group name for special group plates under par.

20 (f) 55m. Special group plates under par. (f) 50. shall be as similar as possible to

21 regular registration plates in color and design. Special group plates issued under

22 par. (f) 62. shall display the words “In God We Trust”. The department shall make

23 available 2 designs for the special group plates under par. (f) 60. The department

24 may not specify any design for the special group plates under par. (f) 60. unless the

25 design is approved by the executive vice president of the Milwaukee Brewers

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1 Baseball Club LP. The word or symbol used to identify the special group under par.
2 (f) 59. shall be different from the word or symbol used to identify the special group
3 under par. (f) 50. and the design shall cover the entire plate. Special group plates
4 under par. (f) 61m. shall display a logo or image of the lion associated with the Lions
5 Clubs International. Special group plates under par. (f) 61r. shall display a bar and
6 shield logo associated with Harley-Davidson, Inc., on the left portion of the plates
7 and the words "share the road" on the bottom portion of the plates. Special group
8 plates under par. (f) 63. shall display the words "Trout Unlimited." Special group
9 plates under par. (f) 65. shall display a logo or symbol associated with Whitetails
10 Unlimited. Notwithstanding par. (e), special group plates under par. (f) 33m. and
11 48m. shall be the same color and design that was specified by the department for
12 special group plates under par. (f) 33. and 48., respectively, immediately prior to
13 January 1, 2007. The design for special group plates under par. (f) 33. and 48. shall
14 be different from the design of special group plates under par. (f) 33m. and 48m.,
15 respectively.

16 **SECTION 7.** 341.14 (6r) (f) 65. of the statutes is created to read:

17 341.14 (6r) (f) 65. Persons interested in obtaining a plate expressing support
18 for Whitetails Unlimited.

19 **SECTION 8.** 341.14 (6r) (fm) 7. of the statutes is amended to read:

20 341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups
21 may only be special groups designated by the department under this paragraph. The
22 authorized special groups enumerated in par. (f) shall be limited solely to those
23 special groups specified under par. (f) on October 1, 1998. This subdivision does not
24 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m.,

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1 15m., 15n., 15o., 15p., 15q., 19m., 33m., 48m., 49d., 49h., 49s., 54., 55., 55m., 56., 57.,
2 58., 59., 60., 61., 61m., 61r., and 62. and, 63. and, 64., and 65.

3 **SECTION 9.** 341.14 (11) of the statutes is created to read:

4 341.14 (11) (a) Subject to par. (c), from the appropriation under s. 20.395 (5)
5 (eL), the department shall make payments to Whitetails Unlimited.

6 (b) For each year in which the department makes payments under par. (a),
7 Whitetails Unlimited shall submit to the presiding officer of each house of the
8 legislature a financial statement of its use of the payments received under par. (a),
9 prepared in accordance with generally accepted accounting principles.

10 (c) The department shall discontinue payments to Whitetails Unlimited under
11 par. (a) if Whitetails Unlimited dissolves, becomes insolvent, files a petition for
12 bankruptcy, or is no longer exempt from taxation under section 501 (a) of the Internal
13 Revenue Code.

14 (d) 1. If the special group plates under sub. (6r) (f) 65. will display any logo,
15 trademark or service mark, trade name, or other commercial symbol associated with
16 Whitetails Unlimited, the department may not issue any plates under sub. (6r) (f)
17 65. unless the approval specified in sub. (6r) (b) 1. for these plates provides for all of
18 the following:

19 a. That the approval is irrevocable with respect to all plates issued for vehicles
20 after the plates are issued for these vehicles.

21 b. That, if the approval is withdrawn, the department may continue to renew
22 the registration of vehicles previously issued plates under sub. (6r) (f) 65., without
23 replacing those plates, but the department shall discontinue collecting the voluntary
24 payment specified in sub. (6r) (b) 17. with respect to these renewals.

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1 2. Notwithstanding sub. (6r) (b) 1. and (f) (intro.), if the approval specified in
2 sub. (6r) (b) 1. for plates issued under sub. (6r) (f) 65. is withdrawn, the department
3 shall discontinue issuing plates under sub. (6r) (f) 65. unless additional approval, as
4 specified in this paragraph and sub. (6r) (b) 1., is obtained by the department.

5

(END)