



2011 ASSEMBLY BILL 667

March 6, 2012 - Introduced by Representatives C. TAYLOR, ZAMARRIPA, POCAN, CLARK, TURNER, BERCEAU, E. COGGS, HULSEY, PASCH, ZEPNICK and SINICKI. 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) (ei), 25.40 (1) (a) 30., 341.14 (6r) (b) 15., 341.14 (6r) (f) 62.
3 and 341.14 (10) of the statutes; **relating to:** special distinguishing registration
4 plates displaying the words Support Planned Parenthood and making an
5 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 license 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 that display the words "Support Planned Parenthood." In addition to the regular vehicle registration fee, special group members are required to pay a \$15 fee for issuance or reissuance of the

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special plates and a \$25 annual fee that provides funds to Planned Parenthood of Wisconsin, Inc., to be used only for funding cervical and breast cancer screenings and family planning services, including birth control. However, DOT may not issue these special plates until DOT has obtained authority to use, without fee, any applicable trademark or service mark associated with these "Support Planned Parenthood" special plates.

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

2 20.395 (5) (ei) *Payments to Planned Parenthood of Wisconsin.* From the general
3 fund, all moneys received under s. 341.14 (6r) (b) 15. for payments to Planned
4 Parenthood of Wisconsin, Inc., under s. 341.14 (10).

5 **SECTION 2.** 25.40 (1) (a) 30. of the statutes is created to read:

6 25.40 (1) (a) 30. Moneys received under s. 341.14 (6r) (b) 15. that are deposited
7 into the general fund and credited to the appropriation account under s. 20.395 (5)
8 (ei).

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
17 special group. The department may not issue any special group plates under par. (f)
18 55., 60., or 61r. until 6 months after the department has received information

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1 sufficient for the department to determine that any approvals required for use of any
2 logo, trademark, trade name or other commercial symbol designating the
3 professional football team or professional baseball team or associated with
4 Harley-Davidson, Inc., have been obtained. Subject to ~~sub.~~ subs. (9) (d) and (10) (d),
5 the department may not issue any special group plates under par. (f) 61m. or 62. until
6 the department has received information sufficient for the department to determine
7 that any license or other approval required for use of any logo, trademark or service
8 mark, trade name or other commercial symbol to be used on or in association with
9 these plates has been obtained. Notwithstanding s. 341.12 (2), if the department of
10 corrections does not have flat-plate technology available for use in manufacturing
11 license plates at quality and cost comparable to that available from the state of
12 Minnesota, the department of transportation may not issue any special group plates
13 under par. (f) 59. unless the department of transportation purchases the plates from
14 the state of Minnesota. Sections 16.70, 16.71, 16.72, 16.75, 16.752 to 16.755, 16.765,
15 16.77, and 16.82 do not apply to purchases of plates issued under par. (f) 59. from the
16 state of Minnesota.

17 **SECTION 4.** 341.14 (6r) (b) 15. of the statutes is created to read:

18 341.14 **(6r)** (b) 15. Subject to sub. (10) (d), a fee of \$25 that is in addition to the
19 fee under subd. 2. shall be charged for the issuance or renewal of a plate issued on
20 an annual basis for the special group specified under par. (f) 62. Subject to sub. (10)
21 (d), a fee of \$50 that is in addition to the fee under subd. 2. shall be charged for the
22 issuance or renewal of a plate issued on the biennial basis for the special group
23 specified under par. (f) 62. if the plate is issued or renewed during the first year of
24 the biennial registration period or \$25 for the issuance or renewal if the plate is
25 issued or renewed during the 2nd year of the biennial registration period. All moneys

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1 received under this subdivision, in excess of \$23,700 for the initial cost of production
2 of the special group plate under par. (f) 62., shall be deposited into the general fund
3 and credited to the appropriation under s. 20.395 (5) (ei). To the extent permitted
4 under ch. 71, the fee under this subdivision is deductible as a charitable contribution
5 for purposes of the taxes under ch. 71.

6 **SECTION 5.** 341.14 (6r) (c) of the statutes, as affected by 2011 Wisconsin Act 32,
7 is amended to read:

8 341.14 **(6r)** (c) Special group plates shall display the word “Wisconsin”, the
9 name of the applicable authorized special group, a symbol representing the special
10 group, not exceeding one position, and identifying letters or numbers or both, not
11 exceeding 6 positions and not less than one position. Except as provided in this
12 paragraph, the department shall specify the design for special group plates, but the
13 department shall consult the president of the University of Wisconsin System before
14 specifying the word or symbol used to identify the special groups under par. (f) 35.
15 to 47., the secretary of natural resources before specifying the word or symbol used
16 to identify the special groups under par. (f) 50. and 59., the chief executive officer of
17 the professional football team and an authorized representative of the league of
18 professional football teams described in s. 229.823 to which that team belongs before
19 specifying the design for the applicable special group plate under par. (f) 55., the chief
20 trademark officer of Harley-Davidson Michigan, LLC before specifying the design
21 for the applicable special group plate under par. (f) 61r., the department of veterans
22 affairs before specifying the design for the special group plates under par. (f) 49d.,
23 49h., and 49s., and the department of tourism and chief executive officer of the
24 organization specified in par. (f) 55m. before specifying the design and word or
25 symbol used to identify the special group name for special group plates under par.

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1 (f) 55m. Special group plates under par. (f) 50. shall be as similar as possible to
2 regular registration plates in color and design. Special group plates issued under
3 par. (f) 62. shall display the words "Support Planned Parenthood". The department
4 shall make available 2 designs for the special group plates under par. (f) 60. The
5 department may not specify any design for the special group plates under par. (f) 60.
6 unless the design is approved by the executive vice president of the Milwaukee
7 Brewers Baseball Club LP. The word or symbol used to identify the special group
8 under par. (f) 59. shall be different from the word or symbol used to identify the
9 special group under par. (f) 50. and the design shall cover the entire plate. Special
10 group plates under par. (f) 61m. shall display a logo or image of the lion associated
11 with the Lions Clubs International. Special group plates under par. (f) 61r. shall
12 display a bar and shield logo associated with Harley-Davidson, Inc., on the left
13 portion of the plates and the words "share the road" on the bottom portion of the
14 plates. Notwithstanding par. (e), special group plates under par. (f) 33m. and 48m.
15 shall be the same color and design that was specified by the department for special
16 group plates under par. (f) 33. and 48., respectively, immediately prior to January 1,
17 2007. The design for special group plates under par. (f) 33. and 48. shall be different
18 from the design of special group plates under par. (f) 33m. and 48m., respectively.

19 **SECTION 6.** 341.14 (6r) (f) 62. of the statutes is created to read:

20 341.14 (6r) (f) 62. Persons interested in obtaining registration plates that
21 display the words "Support Planned Parenthood."

22 **SECTION 7.** 341.14 (6r) (fm) 7. of the statutes, as affected by 2011 Wisconsin Act
23 32, is amended to read:

24 341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups
25 may only be special groups designated by the department under this paragraph. The

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1 authorized special groups enumerated in par. (f) shall be limited solely to those
2 special groups specified under par. (f) on October 1, 1998. This subdivision does not
3 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m., 15m.,
4 19m., 33m., 48m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., 58., 59., 60., 61., 61m., and
5 61r., and 62.

6 **SECTION 8.** 341.14 (10) of the statutes is created to read:

7 341.14 (10) (a) Subject to par. (c), from the appropriation under s. 20.395 (5)
8 (ei), the department shall make payments to Planned Parenthood of Wisconsin, Inc.,
9 which payments shall be used only for funding cervical and breast cancer screenings
10 and family planning services, including birth control.

11 (b) For each year in which the department makes payments under par. (a),
12 Planned Parenthood of Wisconsin, Inc., shall submit to the presiding officer of each
13 house of the legislature an audited financial statement of its use of the payments
14 under this subsection, prepared in accordance with generally accepted accounting
15 principles.

16 (c) The department shall discontinue payments to Planned Parenthood of
17 Wisconsin, Inc., under this subsection if Planned Parenthood of Wisconsin, Inc.,
18 dissolves, becomes insolvent, files a petition for bankruptcy, or is no longer exempt
19 from taxation under section 501 (a) of the Internal Revenue Code.

20 (d) 1. The department may not issue any plates under sub. (6r) (f) 62. unless
21 the approval specified in sub. (6r) (b) 1. for these plates provides for all of the
22 following:

23 a. That the approval is provided without fee and as a condition of receiving
24 payments under par. (a).

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1 b. That the approval is irrevocable with respect to all plates issued for vehicles
2 after the plates are issued for these vehicles.

3 c. That, if the approval is withdrawn, the department may continue to renew
4 the registration of vehicles previously issued plates under sub. (6r) (f) 62., without
5 replacing those plates, but the department shall discontinue charging the fee
6 specified in sub. (6r) (b) 15. with respect to these renewals.

7 2. Notwithstanding sub. (6r) (b) 1. and (f) (intro.), if the approval specified in
8 sub. (6r) (b) 1. for plates issued under sub. (6r) (f) 62. is withdrawn, the department
9 shall discontinue issuing plates under sub. (6r) (f) 62. unless additional approval, as
10 specified in sub. (6r) (b) 1. and this paragraph, is obtained by the department.

SECTION 9. Nonstatutory provisions.

11
12 (1) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes
13 effect in fiscal year 2012-13, in submitting information under section 16.42 of the
14 statutes for purposes of the 2013-15 biennial budget bill, the department of
15 transportation shall submit information concerning the appropriation under section
16 20.395 (5) (cq) of the statutes as though the total amount appropriated under section
17 20.395 (5) (cq) of the statutes for the 2012-13 fiscal year was \$23,700 less than the
18 total amount that was actually appropriated under section 20.395 (5) (cq) of the
19 statutes for the 2012-13 fiscal year.

SECTION 10. Fiscal changes.

20
21 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
22 to the department of transportation under section 20.395 (5) (cq) of the statutes, as
23 affected by the acts of 2011, the dollar amount is increased by \$23,700 for the fiscal
24 year in which this subsection takes effect to increase funding for special registration
25 plates displaying the words "Support Planned Parenthood."

