

# State of Wisconsin



2009 Senate Bill 17

Date of enactment: **April 21, 2010**

Date of publication\*: **May 5, 2010**

## 2009 WISCONSIN ACT 195

**AN ACT** to create 341.08 (2) (f) and 341.14 (6m) (d) of the statutes; **relating to:** special distinguishing registration plates for certain vehicles owned by members of the national guard, providing an exemption from emergency rule procedures, granting rule-making authority, and making an appropriation.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 341.08 (2) (f) of the statutes is created to read:

341.08 (2) (f) If the application is for registration of a vehicle under s. 341.14 (6m), an opportunity for the applicant to identify himself or herself as a member or former member of a Wisconsin national guard unit identified by the department of military affairs under s. 341.14 (6m) (d) 5.

**SECTION 2.** 341.14 (6m) (d) of the statutes is created to read:

341.14 (6m) (d) 1. If an applicant for initial issuance of special plates under this subsection identifies himself or herself in the application as a member or former member of a Wisconsin national guard unit identified by the department of military affairs under subd. 5., the department shall provide to the applicant, to be affixed to one of the plates issued under this subsection, a decal that includes a symbol associated with the unit of which the applicant is or was a member and instructions for placement of the decal on the special plate.

2. Upon receiving any application for renewal of registration of a vehicle for which special plates have been issued under this subsection, if the applicant identifies himself or herself in the application as a member or for-

mer member of a Wisconsin national guard unit identified by the department of military affairs under subd. 5. and if the department has not previously provided a decal under subd. 1. or 3., the department shall provide a decal described in subd. 1. to the applicant, with instructions for placement of the decal on one of the special plates.

3. Notwithstanding subd. 2., upon receiving any application for renewal of registration of a vehicle for which special plates have been issued under this subsection, if the applicant identifies himself or herself in the application as a member or former member of a Wisconsin national guard unit identified by the department of military affairs under subd. 5. and if the department is required under s. 341.135 (2) to issue new registration plates for the vehicle, the department shall provide to the applicant, to be affixed to one of these plates, a decal described in subd. 1. and instructions for placement of the decal on the plate.

4. This paragraph also applies to personalized registration plates issued under s. 341.145 (1g) (a).

5. The department of military affairs shall, by rule, identify each Wisconsin national guard unit for which a decal is available under this paragraph.

6. The department shall charge a fee of \$20 for each decal provided to an applicant under this paragraph.

**SECTION 3. Nonstatutory provisions.**

\* Section 991.11, WISCONSIN STATUTES 2007-08 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

(1) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes effect in fiscal year 2010–11, in submitting information under section 16.42 of the statutes for purposes of the 2011–13 biennial budget bill, the department of transportation shall submit information concerning the appropriation under section 20.395 (5) (cq) of the statutes as though the total amount appropriated under section 20.395 (5) (cq) of the statutes for the 2010–11 fiscal year was \$15,800 less than the total amount that was actually appropriated under section 20.395 (5) (cq) for the 2010–11 fiscal year.

(2) The department of military affairs shall submit in proposed form the rules required under section 341.14 (6m) (d) 5. of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than the first day of the 4th month beginning after the effective date of this subsection.

(3) Using the emergency rules procedure under section 227.24 of the statutes, the department of military affairs shall promulgate the rules required under section 341.14 (6m) (d) 5. of the statutes, as created by this act, for the period before the effective date of the rules submitted under subsection (2). The department shall promulgate these emergency rules no later than the first day of the 4th month beginning after the effective date of this subsection. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, these emergency rules may remain in effect until July 1, 2011, or the date on which permanent

rules take effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

**SECTION 4. Fiscal changes.**

(1) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.395 (5) (cq) of the statutes, as affected by the acts of 2009, the dollar amount is increased by \$15,800 for the fiscal year in which this subsection takes effect to increase funding for decals for special registration plates issued to members and retired members of the national guard.

**SECTION 5. Initial applicability.**

(1) This act first applies to applications for original or renewal vehicle registration received by the department of transportation on the effective date of this subsection.

**SECTION 6m. Effective dates.** This act takes effect on the first day of the 4th month beginning after publication, except as follows:

(1) SECTION 3 (2) and (3) of this act takes effect on the day after publication.

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