

State of Wisconsin



2009 Senate Bill 307

Date of enactment: **May 5, 2010**
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2009 WISCONSIN ACT 224

AN ACT *to amend* 341.14 (6r) (b) 1., 341.14 (6r) (c) and 341.14 (6r) (fm) 7.; and *to create* 20.395 (5) (eg), 25.40 (1) (a) 28., 341.14 (6r) (b) 14., 341.14 (6r) (f) 61. and 341.14 (9) of the statutes; **relating to:** special distinguishing registration plates associated with the Lions Clubs of Wisconsin and making an appropriation.

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

SECTION 1. 20.395 (5) (eg) of the statutes is created to read:

20.395 (5) (eg) *Payments to the Wisconsin Lions Foundation.* From the general fund, all moneys received under s. 341.14 (6r) (b) 14. for payments to the Wisconsin Lions Foundation, Inc., under s. 341.14 (9).

SECTION 1m. 25.40 (1) (a) 28. of the statutes is created to read:

25.40 (1) (a) 28. Moneys received under s. 341.14 (6r) (b) 14. that are deposited into the general fund and credited to the appropriation account under s. 20.395 (5) (eg).

SECTION 2. 341.14 (6r) (b) 1. of the statutes, as affected by [2009 Wisconsin Act 28](#), section [2811](#), is amended to read:

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

who is a member of the applicable special group. The department may not issue any special group plates under par. (f) 55. or 60. until 6 months after the department has received information sufficient for the department to determine that any approvals required for use of any logo, trademark, trade name or other commercial symbol designating, respectively, the professional football team or the professional baseball team have been obtained. Subject to sub. (9) (d), the department may not issue any special group plates under par. (f) 61. until the department has received information sufficient for the department to determine that any license or other approval required for use of any logo, trademark or service mark, trade name or other commercial symbol to be used on or in association with these plates has been obtained. Notwithstanding s. 341.12 (2), if the department of corrections does not have flat-plate technology available for use in manufacturing license plates at quality and cost comparable to that available from the state of Minnesota, the department of transportation may not issue any special group plates under par. (f) 59. unless the department of transportation purchases the plates from the state of Minnesota. Sections 16.70, 16.71, 16.72, 16.75, 16.752 to 16.755, 16.765, 16.77, and 16.82 do not apply to purchases of plates issued under par. (f) 59. from the state of Minnesota.

* 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].

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

341.14 (6r) (b) 14. Subject to sub. (9) (d), a fee of \$25 that is in addition to the fee under subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual basis for the special group specified under par. (f) 61. Subject to sub. (9) (d), a fee of \$50 that is in addition to the fee under subd. 2. shall be charged for the issuance or renewal of a plate issued on the biennial basis for the special group specified under par. (f) 61. if the plate is issued or renewed during the first year of the biennial registration period or \$25 for the issuance or renewal if the plate is issued or renewed during the 2nd year of the biennial registration period. All moneys received under this subdivision, in excess of \$23,700 for the initial costs of production of the special group plate under par. (f) 61., shall be deposited into the general fund and credited to the appropriation under s. 20.395 (5) (eg). To the extent permitted under ch. 71, the fee under this subdivision is deductible as a charitable contribution for purposes of the taxes under ch. 71.

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

341.14 (6r) (c) Special group plates shall display the word "Wisconsin", the name of the applicable authorized special group, a symbol representing the special group, not exceeding one position, and identifying letters or numbers or both, not exceeding 6 positions and not less than one position. The department shall specify the design for special group plates, but the department shall consult the president of the University of Wisconsin System before specifying the word or symbol used to identify the special groups under par. (f) 35. to 47., the secretary of natural resources before specifying the word or symbol used to identify the special groups under par. (f) 50. and 59., the chief executive officer of the professional football team and an authorized representative of the league of professional football teams described in s. 229.823 to which that team belongs before specifying the design for the applicable special group plate under par. (f) 55., the department of veterans affairs before specifying the design for the special group plates under par. (f) 49d., 49h., and 49s., and the department of tourism and chief executive officer of the organization specified in par. (f) 55m. before specifying the design and word or symbol used to identify the special group name for special group plates under par. (f) 55m. Special group plates under par. (f) 50. shall be as similar as possible to regular registration plates in color and design. The department shall make available 2 designs for the special group plates under par. (f) 60. The department may not specify any design for the special group plates under par. (f) 60. unless the design is approved by the executive vice president of the Milwaukee Brewers Baseball Club LP. The word or symbol used to identify the special group under

par. (f) 59. shall be different from the word or symbol used to identify the special group under par. (f) 50. and the design shall cover the entire plate. Special group plates under par. (f) 61. shall display a logo or image of the lion associated with the Lions Clubs International.

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

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

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

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

SECTION 7. 341.14 (9) of the statutes is created to read:

341.14 (9) (a) Subject to par. (c), from the appropriation under s. 20.395 (5) (eg), the department shall make payments to the Wisconsin Lions Foundation, Inc.

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

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

(d) 1. The department may not issue any plates under sub. (6r) (f) 61. unless the approval specified in sub. (6r) (b) 1. provides for all of the following:

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

b. That, if the approval is withdrawn, the department may continue to renew the registration of vehicles previously issued plates under sub. (6r) (f) 61., without replacing those plates, but the department shall discontinue charging the fee specified in sub. (6r) (b) 14. with respect to these renewals.

2. Notwithstanding sub. (6r) (b) 1. and (f) (intro.), if the approval specified in sub. (6r) (b) 1. is withdrawn, the department shall discontinue issuing plates under sub. (6r) (f) 61. unless additional approval, as specified in sub. (6r) (b) 1. and this paragraph, is obtained by the department.

SECTION 8. Nonstatutory provisions.

(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 \$23,700 less than the total amount that was actually appropriated under section 20.395 (5) (cq) of the statutes for the 2010–11 fiscal year.

SECTION 9. 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 \$23,700 for the fiscal year in which this subsection takes effect to increase funding for special registration plates associated with the Lions Clubs of Wisconsin.

SECTION 10. Effective date.

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