

## 2011 DRAFTING REQUEST

### Bill

Received: 11/15/2011

Received By: agary

Wanted: As time permits

Companion to LRB:

For: Andre Jacque (608) 266-9870

By/Representing: Michael Murphy

May Contact:

Drafter: agary

Subject: Transportation - motor vehicles

Addl. Drafters:

Extra Copies: EVM

Submit via email: YES

Requester's email: Rep.Jacque@legis.wi.gov

Carbon copy (CC:) to: aaron.gary@legis.wisconsin.gov

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### Pre Topic:

No specific pre topic given

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### Topic:

Choose Life special plates

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### Instructions:

See attached

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### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			State
/P1	agary 11/18/2011	kfollett 11/30/2011	rschluet 11/30/2011	_____	lparisi 11/30/2011		State
/P2	agary 12/09/2011	kfollett 12/13/2011	phenry 12/14/2011	_____	mbarman 12/14/2011		State
/1	agary 01/18/2012	jdyer 01/18/2012	rschluet 01/18/2012	_____	sbasford 01/18/2012		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	agary 01/23/2012	kfollett 01/23/2012	phenry 01/24/2012	_____	ggodwin 01/24/2012	mbarman 02/06/2012	

FE Sent For:

*At intro  
2/21/2012*

<END>

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*12kf*  
*1/203*

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

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11/31/2011

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12/13  
12/14 ph

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/?	agary			_____			
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FE Sent For:

<END>

## Gary, Aaron

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**From:** Gary, Aaron  
**Sent:** Tuesday, November 15, 2011 8:51 AM  
**To:** Murphy, Michael  
**Subject:** RE: Draft Request for Specialty License Plate - "Choose Life"

Hi Michael,

I can draft a "Choose Life" plate along the lines of AB-330 or AB-372 ("In God We Trust" plates); however, because members of the authorized special group are the ones who are allowed to obtain the plates, identifying the authorized special group as the unborn poses certain practical problems. In AB-330, the authorized special group was "Persons interested in obtaining a plate supporting the Wisconsin Chapter of the Amyotrophic Lateral Sclerosis Association."

In AB-372, the authorized special group was "Persons interested in obtaining registration plates with the words "In God We Trust" on them."

Please let me know how you want your authorized special group identified.

Also, I'm assuming that you want the words "Choose Life" to appear on the plate. Are there any trademark/service mark issues that you know of associated with that term (i.e. will DOT need permission from Choose Life America or another organization to use that term on the plate? FYI, in a quick PTO search, I see that Choose Life appears to be a registered trade mark of Choose Life, Inc., but only for the specialty clothing goods category).

Thanks. Aaron

Aaron R. Gary  
*Attorney, Legislative Reference Bureau*  
608.261.6926 (voice)  
608.264.6948 (fax)  
aaron.gary@legis.state.wi.us

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**From:** Murphy, Michael  
**Sent:** Monday, November 14, 2011 4:21 PM  
**To:** Gary, Aaron  
**Subject:** Draft Request for Specialty License Plate - "Choose Life"

Hello Aaron,

Could you draft a bill along the lines of AB 330 below that will designate the unborn (via "Choose Life) as an authorized special group, with a similar stipulation of donation to Choose Life America?

<http://choose-life.org/newsletter.php>

Thanks!

Michael P. Murphy  
Office of Representative André Jacqué  
2nd Assembly District

9 West  
P.O. Box 8952  
Madison, WI 53708

1st page of "link" - no AB-330 in here

# Choose Life America, Inc

Everything you need to know about the Choose Life License Tag

- [Home](#)
- [About Us](#)
  - [About Us](#)
  - [Choose Life Story](#)
  - [Purpose](#)
  - [Benefits](#)
  - [Bill](#)
- [News](#)
- [Newsletter](#)
- [Testimonies](#)
  - [In the Media](#)
  - [FAQ](#)
- [How To Apply](#)
- [Other States](#)
- [Donate Now](#)
- [Product Store](#)
  - [Links](#)
- [Contact Us](#)
- [Send This to a Friend](#)

## Newsletter

This page was last updated September 22, 2011

**NOTE-NOTE-NOTE: This newsletter contains information about the national Choose Life efforts now being handled by Choose Life America. If you want information about the Florida Choose Life efforts, go to [www.flchoose-life.org](http://www.flchoose-life.org).**

PLEASE EMAIL THIS TO EVERYONE YOU THINK MAY BE INTERESTED! ([CLICK HERE](#))

**HISTORICAL NEWS ITEMS (See the Scrolling News on our homepage for news updates.)**

To read previous newsletters online, [Click Here](#).

### News Flash!

The New Jersey Choose Life Plate went on sale December 8, 2010 and has already sold over 357 plates, raising over \$7,140. For more information go to [www.njchoose-life.org](http://www.njchoose-life.org).

### The Choose Life Plate sales pass the \$14 million mark!

The total reported Choose Life license plate sales/renewals nationally is **691,035** and they have raised **\$14,760,098** as of 9-22-2011.

#### States Where Choose Life Plates Are Available

**Alabama:** 46,465 sold/renewed from 7-1-2003 through 3-31-2011, raising \$1,916,681. (State Cost \$50/year of which \$41.25 goes to the cause)

The plates are now at the Probate Offices (DMVS) throughout the state. Go to <http://www.aplcef.org> for information on how to get the Choose Life plate for your vehicle.

**Arizona:** 2,257 sold/renewed from 5-5-2009 through 4-30-2011, raising \$38,369. (State Cost \$27 the first year and \$25 annually thereafter, of which \$17 goes to the Arizona Life Coalition to provide life-affirming hope and resources to the women, men and children of Arizona through truthful and loving education, services, and public policy.) For more information, go to: [www.azchoose-life.org](http://www.azchoose-life.org)

**Arkansas:** 17,523 sold/renewed from 8-29-2003 through 7-31-2011, raising \$438,083. (State Cost \$35/year of which \$25 goes to the cause).

Arkansas plates are now at the Motor Vehicles Offices throughout the state. Contact [Rose Mimms](#), Arkansas Right to Life (800) 714-2785 for more information or [click here](#) to learn how to switch to the new Arkansas Choose Life license plate.

**Connecticut:** 1,302 sold/renewed through 12-31-10, raising \$23,965. (State DMV Cost: \$65 one-time fee; Initial Membership Fee: \$10; Yearly Membership Renewal Fee \$25 with \$20 going to support the cause).

The Connecticut "Choose Life" license plate has been approved and is now available. To request an Application Form for the Connecticut "Choose Life" license plate, please contact The Children First Foundation toll-free at 1-877-386-3236 or via e-mail at [info@thechildrenfirst.org](mailto:info@thechildrenfirst.org). Return the Application Form directly to The Children First Foundation (P.O. Box 326 / Eastchester, NY 10709) along with a \$10 check (payable to The Children First Foundation) for initial membership and a \$65 check (payable to the CT DMV) for the actual plate. CFF's president will verify your membership, co-sign your application form, and send your application and \$65 check to the Connecticut Department of Motor Vehicles. The DMV will mail CFF's Connecticut "Choose Life" license plate directly to you. **The State of Connecticut requires that you must be a member of The Children First Foundation in order to have CFF's Connecticut "Choose Life" license plate on your car or truck. Your \$25 yearly CFF membership renewal fee will support pro-life agencies in Connecticut that help women who choose life and adoption for unwanted pregnancies and newborns. For further information, please visit CFF's web site at [www.ctchoose-life.org](http://www.ctchoose-life.org).**

**Delaware:** 293 sold/renewed from 8-24-2010 through 7-31-2011, raising \$5,860. (State cost \$40, cause \$20). For more information on how to get a plate, go to [www.dechoose-life.org](http://www.dechoose-life.org) or email [Jim Cordie](#).

**Florida:** 404,027 sold/renewed from 8-11-2000 thru 8-31-2011, raising \$8,080,536. (State Cost \$25/year of which \$20 goes to the cause)

Go to your [local County tag office](#) with your registration and proof of insurance and ask them to switch you to the Choose Life license plate. Then email your name address, phone and the plate number to [Russ Amerling](#) and Choose Life, Inc. will mail you a free Choose Life license plate frame, white with red letters.

DMV official figures show the Choose Life plate in the #9 spot out of 114 plates on the road.

**Georgia:** 23,601 sold/renewed from 10-1-2007 thru 7-31-2011, raising \$236,010. (State Cost \$25 annually, of which \$10 goes to the cause) The Choose Life license is now available at your local motor vehicles office. If you want more information

Sign Up for the E-Newsletter Today!

\* required

First Name: \*

Last Name: \*

Email Address: \*

State:

Newsletter by  
VerticalResponse

**Gary, Aaron**

---

**From:** Murphy, Michael  
**Sent:** Tuesday, November 15, 2011 5:16 PM  
**To:** Gary, Aaron  
**Subject:** RE: Draft Request for Specialty License Plate - "Choose Life"

Aaron,

I have come a little further into "the know" on this now.

The next iteration of language will now be: **"Persons interested in obtaining registration plates with the words "Choose Life", from which proceeds would support adoption efforts of crisis pregnancy centers, maternity homes and not-for-profit adoption agencies through Choose Life Wisconsin."**

As I understand it, Choose Life America is only an advisory organization, and not in any way the "boots on the ground" for any part of this process – so they are no longer a consideration in this matter. So, DOT will have a new entity (still in formative stage) entitled "Choose Life Wisconsin" (for draft's sake) which will be the 501(c)3 initial recipient and administrator of the funds. Choose Life Wisconsin will have a review process in which potential end recipients (pregnancy care centers, maternity homes, etc.) will submit their case for funding, by means of an application, grant request, etc. Purchasers of the license plate will send their checks to "Choose Life Wisconsin" who in turn will be responsible for case review, funding distribution and providing audited financial statements.

I think this should get us to a rough draft stage, no?

Thanks for your patience!

Michael P. Murphy  
Office of Representative André Jacque  
2nd Assembly District

9 West  
P.O. Box 8952  
Madison, WI 53708  
608.266.9870

---

**From:** Gary, Aaron  
**Sent:** Tuesday, November 15, 2011 11:25 AM  
**To:** Murphy, Michael  
**Subject:** RE: Draft Request for Specialty License Plate - "Choose Life"

Thanks. With minor modification, I think your proposed language on the authorized special group should work fine.

As far as the question below, I think the bottom line is that DOT needs to know exactly who to make the payments to. Will they write the check to Choose Life America, Inc., or to Pro-Life Wisconsin? And if the money is sent to one organization for use by another, that will have to be specified in the bill. Also, all of these fund-raising license plate bills have some type of reporting requirement on use of the funds. (See, e.g., AB-330, bill section 7.) If you intend to include one of these standard provisions, I'll need to know exactly who has to submit the audited financial statement. Finally, Choose Life America, Inc. identifies itself as an IRC 501 (c) (3) organization. Do you know if Pro-Life Wisconsin is? Depending on how

the bill is drafted, that could be relevant to the language needed in the bill (see bill section 7 of AB-330).

Thanks. Aaron

Aaron R. Gary  
Attorney, Legislative Reference Bureau  
608.261.6926 (voice)  
608.264.6948 (fax)  
aaron.gary@legis.state.wi.us

---

**From:** Murphy, Michael  
**Sent:** Tuesday, November 15, 2011 11:12 AM  
**To:** Gary, Aaron  
**Subject:** RE: Draft Request for Specialty License Plate - "Choose Life"

Hello Aaron,

Thanks for getting back to us on this. I believe we would want the authorized special group to be: **“Persons interested in obtaining registration plates with the words “Choose Life”, from which proceeds would support adoption efforts of crisis pregnancy centers, maternity homes and not-for-profit adoption agencies through Choose Life America.”** I am pulling most of that from their mission statement below.

*Choose Life America, Inc. is an IRC 501(c)(3) organization and donations are tax deductible. Contributions and profits from the sale of promotional items are used to help Choose Life America, Inc. promote the sale of the real **Choose Life** License Plate which raises funds to support adoption efforts of Crisis Pregnancy Centers, Maternity Homes and not-for-profit adoption agencies. Please consider supporting us. Everyone is a volunteer; no salaries are paid to anyone.*

My understanding is that Pro-Life Wisconsin is the Wisconsin state administrator for the “Choose Life” license plate. All state administrating organizations serve in a voluntary capacity with all proceeds, as stated above going to the program efforts of aforementioned CPCs, etc. Would Pro-Life Wisconsin need to be mentioned, as they are really only a pass-through?

<http://www.choose-life.org/other-states.php?state=Wisconsin>

(From the Choose Life “How to Apply” page)

Each state has its own procedures for applying for a specialty plate. Some have the plates available at the local license plate office and others require you to apply to the non-profit group that sponsored the plate.

Let me know if you think this will work.

Thanks!

Michael P. Murphy  
Office of Representative André Jacque  
2nd Assembly District

9 West



State of Wisconsin  
2011 - 2012 LEGISLATURE

500w  
11/30  
waited  
by  
12/1  
end of day  
RB 3486/P1  
AGG.....  
D-note

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

Gen

- 1 AN ACT ...; relating to: special distinguishing registration plates displaying the
- 2 words Choose Life and making an appropriation.

***Analysis by the Legislative Reference Bureau***

Under current law, any group or organization may apply to the Department of Transportation 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 "Choose Life" and the proceeds from which support adoption efforts of crisis pregnancy centers, maternity homes, and nonprofit adoption agencies through Choose Life 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 Choose Life Wisconsin.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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***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 Choose Life Wisconsin*. From the general fund, all  
3 moneys received under s. 341.14 (6r) (b) 15. for payments to Choose Life Wisconsin  
4 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) 15. of the statutes is created to read:

10          341.14 (6r) (b) 15. A fee of \$25 that is in addition to the fee under subd. 2. shall  
11 be charged for the issuance or renewal of a plate issued on an annual basis for the  
12 special group specified under par. (f) 62. A fee of \$50 that is in addition to the fee  
13 under subd. 2. shall be charged for the issuance or renewal of a plate issued on the  
14 biennial basis for the special group specified under par. (f) 62. if the plate is issued  
15 or renewed during the first year of the biennial registration period or \$25 for the  
16 issuance or renewal if the plate is issued or renewed during the 2nd year of the  
17 biennial registration period. All moneys received under this subdivision, in excess  
18 of \$23,700 for the initial costs of production of the special group plate under par. (f)  
19 62., shall be deposited into the general fund and credited to the appropriation under  
20 s. 20.395 (5) (ei). To the extent permitted under ch. 71, the fee under this subdivision  
21 is deductible as a charitable contribution for purposes of the taxes under ch. 71.

1           **SECTION 4.** 341.14 (6r) (c) of the statutes, as affected by 2011 Wisconsin Act 32,  
2 is amended to read:

3           341.14 **(6r)** (c) Special group plates shall display the word "Wisconsin", the  
4 name of the applicable authorized special group, a symbol representing the special  
5 group, not exceeding one position, and identifying letters or numbers or both, not  
6 exceeding 6 positions and not less than one position. Except as provided in this  
7 paragraph, the department shall specify the design for special group plates, but the  
8 department shall consult the president of the University of Wisconsin System before  
9 specifying the word or symbol used to identify the special groups under par. (f) 35.  
10 to 47., the secretary of natural resources before specifying the word or symbol used  
11 to identify the special groups under par. (f) 50. and 59., the chief executive officer of  
12 the professional football team and an authorized representative of the league of  
13 professional football teams described in s. 229.823 to which that team belongs before  
14 specifying the design for the applicable special group plate under par. (f) 55., the chief  
15 trademark officer of Harley-Davidson Michigan, LLC before specifying the design  
16 for the applicable special group plate under par. (f) 61r., the department of veterans  
17 affairs before specifying the design for the special group plates under par. (f) 49d.,  
18 49h., and 49s., and the department of tourism and chief executive officer of the  
19 organization specified in par. (f) 55m. before specifying the design and word or  
20 symbol used to identify the special group name for special group plates under par.  
21 (f) 55m. Special group plates under par. (f) 50. shall be as similar as possible to  
22 regular registration plates in color and design. Special group plates issued under  
23 par. (f) 62. shall display the words "Choose Life". The department shall make  
24 available 2 designs for the special group plates under par. (f) 60. The department  
25 may not specify any design for the special group plates under par. (f) 60. unless the

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

14 **SECTION 5.** 341.14 (6r) (f) 62. of the statutes<sup>✓</sup> is created to read:

15 341.14 (6r) (f) 62. Persons interested in obtaining registration plates that  
16 display the words "Choose Life" and the proceeds from which support adoption  
17 efforts of crisis pregnancy centers, maternity homes, and nonprofit adoption  
18 agencies through Choose Life Wisconsin.

19 **SECTION 6.** 341.14 (6r) (fm) 7. of the statutes, as affected by 2011 Wisconsin Act  
20 32, is amended to read:

21 341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups  
22 may only be special groups designated by the department under this paragraph. The  
23 authorized special groups enumerated in par. (f) shall be limited solely to those  
24 special groups specified under par. (f) on October 1, 1998. This subdivision does not  
25 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m., 15m.,

1 19m., 33m., 48m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., 58., 59., 60., 61., 61m., and  
2 61r., and 62.

3 SECTION 7. 341.14 (10) of the statutes is created to read:

4 341.14 (10) (a) Subject to par. (c), from the appropriation under s. 20.395 (5)  
5 (ei), the department shall make payments to Choose Life Wisconsin.

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

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

14 SECTION 8. Nonstatutory provisions.

15 (1) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes  
16 effect in fiscal year 2012-13, in submitting information under section 16.42 of the  
17 statutes for purposes of the 2013-15 biennial budget bill, the department of  
18 transportation shall submit information concerning the appropriation under section  
19 20.395 (5) (cq) of the statutes as though the total amount appropriated under section  
20 20.395 (5) (cq) of the statutes for the 2012-13 fiscal year was \$23,700 less than the  
21 total amount that was actually appropriated under section 20.395 (5) (cq) of the  
22 statutes for the 2012-13 fiscal year.

23 SECTION 9. Fiscal changes.

24 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation  
25 to the department of transportation under section 20.395 (5) (cq) of the statutes, as

1 affected by the acts of 2011, the dollar amount is increased by \$23,700 for the fiscal  
2 year in which this subsection takes effect to increase funding for special registration  
3 plates displaying the words "Choose Life."

4 **SECTION 10. Effective date.**

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

7 (END)

*D-Note*

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-3486/P1dn

ARG:..

leg

Date

ATTN: Michael Murphy

Please review the attached draft carefully to ensure that it is consistent with your intent.

The attached draft includes certain provisions that are customary in "special plate" drafts, such as funding for DOT to cover its cost for the new plate and a delayed effective date. I did not include any provision relating to trademark or service mark approval in connection with using "Choose Life" on these registration plates, as it appears that no approval would be necessary.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "1" draft.

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: aaron.gary@legis.state.wi.us

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-3486/P1dn  
ARG:kjfrs

November 30, 2011

ATTN: Michael Murphy

Please review the attached draft carefully to ensure that it is consistent with your intent.

The attached draft includes certain provisions that are customary in "special plate" drafts, such as funding for DOT to cover its cost for the new plate and a delayed effective date. I did not include any provision relating to trademark or service mark approval in connection with using "Choose Life" on these registration plates, as it appears that no approval would be necessary.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: [aaron.gary@legis.state.wi.us](mailto:aaron.gary@legis.state.wi.us)

- 3486

**Gary, Aaron**

---

**From:** Murphy, Michael  
**Sent:** Thursday, December 08, 2011 4:10 PM  
**To:** Gary, Aaron  
**Subject:** Draft Request for Specialty License Plate - "Choose Life"

Hello Aaron,

After conferring with one of the future Choose Life Wisconsin board members, we have a change and a couple of questions.

The section below should now read:

341.14 (6r) (f) 62. Persons interested in obtaining registration plates that display the words "Choose Life" and the proceeds from which support the purposes and bylaws of Choose Life Wisconsin.

It turns out that Choose Life America does have a trademark on the logo we wish to use. They will be sending a letter granting us permission to use the logo but need to know first what sort of language is required in such a letter for the state to accept certification or authorization for use. They will draft it as is necessary.

Lastly, Choose Life America would need the State of Wisconsin template for their graphic designer to create the plate. Do I call DOT on this?

Thanks again!

Michael P. Murphy  
Office of Representative André Jacque  
2nd Assembly District

9 West  
P.O. Box 8952  
Madison, WI 53708  
608.266.9870

---

**From:** Gary, Aaron  
**Sent:** Wednesday, November 30, 2011 9:19 AM  
**To:** Murphy, Michael  
**Subject:** RE: Draft Request for Specialty License Plate - "Choose Life"

Hi Michael,

The draft has been in editing for a while. I'm told you will have it sometime this week, probably tomorrow. Aaron

Aaron R. Gary  
*Attorney, Legislative Reference Bureau*  
608.261.6926 (voice)  
608.264.6948 (fax)



State of Wisconsin  
2011 - 2012 LEGISLATURE

Soon



LRB-3486/11 P2  
ARG:kjf:rs

in  
12/9

RMK

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

Regen

1 AN ACT to amend 341.14 (6r) (c) and 341.14 (6r) (fm) 7.; and to create 20.395  
2 (5) (ei), 25.40 (1) (a) 30., 341.14 (6r) (b) 15., 341.14 (6r) (f) 62. and 341.14 (10)  
3 of the statutes; relating to: special distinguishing registration plates  
4 displaying the words Choose Life and making an appropriation.

(DOT) **Analysis by the Legislative Reference Bureau**

X Under current law, any group or organization may apply to the Department of Transportation 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 "Choose Life" and the proceeds from which support ~~adoption efforts of crisis pregnancy centers, foster homes and nonprofit adoption agencies through~~ Choose Life 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 Choose Life Wisconsin.

the purposes and bylaws of

\*  
\*  
\*

insert ANAL

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<sup>✓</sup> is created to read:

2           20.395 (5) (ei) *Payments to Choose Life Wisconsin.* From the general fund, all  
3           moneys received under s. 341.14 (6r) (b) 15. for payments to Choose Life Wisconsin  
4           under s. 341.14 (10).<sup>✓</sup>

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).<sup>✓</sup>

9           **SECTION 3.** 341.14 (6r) (b) 15. of the statutes is created<sup>✓</sup> to read:

10           341.14 (6r) (b) 15. <sup>a</sup>~~A~~ fee of \$25 that is in addition to the fee under subd. 2. shall  
11           be charged for the issuance or renewal of a plate issued on an annual basis for the  
12           special group specified under par. (f) 62. <sup>a</sup>~~A~~ fee of \$50 that is in addition to the fee  
13           under subd. 2. shall be charged for the issuance or renewal of a plate issued on the  
14           biennial basis for the special group specified under par. (f) 62. if the plate is issued  
15           or renewed during the first year of the biennial registration period or \$25 for the  
16           issuance or renewal if the plate is issued or renewed during the 2nd year of the  
17           biennial registration period. All moneys received under this subdivision, in excess  
18           of \$23,700 for the initial costs of production of the special group plate under par. (f)  
19           62., shall be deposited into the general fund and credited to the appropriation under  
20           s. 20.395 (5) (ei). To the extent permitted under ch. 71, the fee under this subdivision  
21           is deductible as a charitable contribution for purposes of the taxes under ch. 71.

Subject to sub. (10) (d)<sup>✓</sup>

Insert  
2-8

1           **SECTION 4.** 341.14 (6r) (c) of the statutes, as affected by 2011 Wisconsin Act 32,  
2 is amended to read:

3           341.14 **(6r)** (c) Special group plates shall display the word "Wisconsin", the  
4 name of the applicable authorized special group, a symbol representing the special  
5 group, not exceeding one position, and identifying letters or numbers or both, not  
6 exceeding 6 positions and not less than one position. Except as provided in this  
7 paragraph, the department shall specify the design for special group plates, but the  
8 department shall consult the president of the University of Wisconsin System before  
9 specifying the word or symbol used to identify the special groups under par. (f) 35.  
10 to 47., the secretary of natural resources before specifying the word or symbol used  
11 to identify the special groups under par. (f) 50. and 59., the chief executive officer of  
12 the professional football team and an authorized representative of the league of  
13 professional football teams described in s. 229.823 to which that team belongs before  
14 specifying the design for the applicable special group plate under par. (f) 55., the chief  
15 trademark officer of Harley-Davidson Michigan, LLC before specifying the design  
16 for the applicable special group plate under par. (f) 61r., the department of veterans  
17 affairs before specifying the design for the special group plates under par. (f) 49d.,  
18 49h., and 49s., and the department of tourism and chief executive officer of the  
19 organization specified in par. (f) 55m. before specifying the design and word or  
20 symbol used to identify the special group name for special group plates under par.  
21 (f) 55m. Special group plates under par. (f) 50. shall be as similar as possible to  
22 regular registration plates in color and design. Special group plates issued under  
23 par. (f) 62. shall display the words "Choose Life". The department shall make  
24 available 2 designs for the special group plates under par. (f) 60. The department  
25 may not specify any design for the special group plates under par. (f) 60. unless the

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

14 **SECTION 5.** 341.14 (6r) (f) 62. of the statutes is created to read:

15 341.14 (6r) (f) 62. Persons interested in obtaining registration plates that  
 16 display the words "Choose Life" and the proceeds from which support ~~adoption~~  
 17 ~~efforts of crisis pregnancy centers, maternity homes, and nonprofit adoption~~  
 18 ~~agencies through~~ Choose Life Wisconsin. *the purposes and bylaws of*

19 **SECTION 6.** 341.14 (6r) (fm) 7. of the statutes, as affected by 2011 Wisconsin Act  
 20 32, is amended to read:

21 341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups  
 22 may only be special groups designated by the department under this paragraph. The  
 23 authorized special groups enumerated in par. (f) shall be limited solely to those  
 24 special groups specified under par. (f) on October 1, 1998. This subdivision does not  
 25 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m., 15m.,

1 19m., 33m., 48m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., 58., 59., 60., 61., 61m., and  
2 61r., and 62.

3 **SECTION 7.** 341.14 (10) of the statutes is created to read: ✓

4 341.14 (10) (a) Subject to par. (c), from the appropriation under s. 20.395 (5)  
5 (ei), the department shall make payments to Choose Life Wisconsin.

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

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

14 **SECTION 8. Nonstatutory provisions.**

15 (1) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes  
16 effect in fiscal year 2012-13, in submitting information under section 16.42 of the  
17 statutes for purposes of the 2013-15 biennial budget bill, the department of  
18 transportation shall submit information concerning the appropriation under section  
19 20.395 (5) (cq) of the statutes as though the total amount appropriated under section  
20 20.395 (5) (cq) of the statutes for the 2012-13 fiscal year was \$23,700 less than the  
21 total amount that was actually appropriated under section 20.395 (5) (cq) of the  
22 statutes for the 2012-13 fiscal year.

23 **SECTION 9. Fiscal changes.**

24 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation  
25 to the department of transportation under section 20.395 (5) (cq) of the statutes, as

insert  
5-13  
→

1 affected by the acts of 2011, the dollar amount is increased by \$23,700 for the fiscal  
2 year in which this subsection takes effect to increase funding for special registration  
3 plates displaying the words "Choose Life."

4 **SECTION 10. Effective date.**

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

7 (END)

**2011-2012 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-3486/P2ins  
ARG:.....

1           **INSERT ANAL:**

(w) (f) 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 "Choose Life" special plates.

2

3           **INSERT 2-8:**

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

5           341.14 (6r) (b) 1. Subject to subd. 1m., upon application to register an  
6           automobile or motor home, or a motor truck, dual purpose motor home or dual  
7           purpose farm truck which has a gross weight of not more than 8,000 pounds, or a  
8           farm truck which has a gross weight of not more than 12,000 pounds, by any person  
9           who is a resident of this state and a member of an authorized special group, the  
10          department shall issue to the person special plates whose colors and design shall  
11          indicate that the vehicle is owned by a person who is a member of the applicable  
12          special group. The department may not issue any special group plates under par. (f)  
13          55., 60., or 61r. until 6 months after the department has received information  
14          sufficient for the department to determine that any approvals required for use of any  
15          logo, trademark, trade name or other commercial symbol designating the  
16          professional football team or professional baseball team or associated with  
17          Harley-Davidson, Inc., have been obtained. Subject to ~~sub.~~ subs. (9) (d) and (10) (d),  
18          the department may not issue any special group plates under par. (f) 61m. or 62. until  
19          the department has received information sufficient for the department to determine  
20          that any license or other approval required for use of any logo, trademark or service  
21          mark, trade name or other commercial symbol to be used on or in association with  
22          these plates has been obtained. Notwithstanding s. 341.12 (2), if the department of

1 corrections does not have flat-plate technology available for use in manufacturing  
2 license plates at quality and cost comparable to that available from the state of  
3 Minnesota, the department of transportation may not issue any special group plates  
4 under par. (f) 59. unless the department of transportation purchases the plates from  
5 the state of Minnesota. Sections 16.70, 16.71, 16.72, 16.75, 16.752 to 16.755, 16.765,  
6 16.77, and 16.82 do not apply to purchases of plates issued under par. (f) 59. from the  
7 state of Minnesota.

8  
9 **INSERT 5-13:**

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

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

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

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

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

**Gary, Aaron**

---

**From:** Rep.Jacque  
**Sent:** Tuesday, January 17, 2012 7:24 PM  
**To:** Gary, Aaron  
**Cc:** Murphy, Michael  
**Subject:** FW: Draft review: LRB 11-3486/P2 Topic: Choose Life special plates  
**Attachments:** LRB-3486\_P2.pdf

Hi Aaron,

Thanks for your work on this. Could you put it into introducible form ASAP?

Thanks again,  
André

---

**From:** LRB.Legal  
**Sent:** Wednesday, December 14, 2011 9:04 AM  
**To:** Rep.Jacque  
**Subject:** Draft review: LRB 11-3486/P2 Topic: Choose Life special plates

**Following is the PDF version of draft LRB 11-3486/P2.**



TODAY



2011 Bill 1/18

RMR

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

No changes

X Regen

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 Choose Life 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 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 "Choose Life" and the proceeds from which support the purposes and bylaws of Choose Life 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 Choose Life Wisconsin. 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 "Choose Life" 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 Choose Life Wisconsin.* From the general fund, all  
3 moneys received under s. 341.14 (6r) (b) 15. for payments to Choose Life Wisconsin  
4 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  
19 sufficient for the department to determine that any approvals required for use of any

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

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

17 341.14 **(6r)** (b) 15. Subject to sub. (10) (d), a fee of \$25 that is in addition to the  
18 fee under subd. 2. shall be charged for the issuance or renewal of a plate issued on  
19 an annual basis for the special group specified under par. (f) 62. Subject to sub. (10)  
20 (d), a fee of \$50 that is in addition to the fee under subd. 2. shall be charged for the  
21 issuance or renewal of a plate issued on the biennial basis for the special group  
22 specified under par. (f) 62. if the plate is issued or renewed during the first year of  
23 the biennial registration period or \$25 for the issuance or renewal if the plate is  
24 issued or renewed during the 2nd year of the biennial registration period. All moneys  
25 received under this subdivision, in excess of \$23,700 for the initial costs of production

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

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

7 341.14 (6r) (c) Special group plates shall display the word "Wisconsin", the  
8 name of the applicable authorized special group, a symbol representing the special  
9 group, not exceeding one position, and identifying letters or numbers or both, not  
10 exceeding 6 positions and not less than one position. Except as provided in this  
11 paragraph, the department shall specify the design for special group plates, but the  
12 department shall consult the president of the University of Wisconsin System before  
13 specifying the word or symbol used to identify the special groups under par. (f) 35.  
14 to 47., the secretary of natural resources before specifying the word or symbol used  
15 to identify the special groups under par. (f) 50. and 59., the chief executive officer of  
16 the professional football team and an authorized representative of the league of  
17 professional football teams described in s. 229.823 to which that team belongs before  
18 specifying the design for the applicable special group plate under par. (f) 55., the chief  
19 trademark officer of Harley-Davidson Michigan, LLC before specifying the design  
20 for the applicable special group plate under par. (f) 61r., the department of veterans  
21 affairs before specifying the design for the special group plates under par. (f) 49d.,  
22 49h., and 49s., and the department of tourism and chief executive officer of the  
23 organization specified in par. (f) 55m. before specifying the design and word or  
24 symbol used to identify the special group name for special group plates under par.  
25 (f) 55m. Special group plates under par. (f) 50. shall be as similar as possible to

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

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

19 341.14 (6r) (f) 62. Persons interested in obtaining registration plates that  
20 display the words "Choose Life" and the proceeds from which support the purposes  
21 and bylaws of Choose Life Wisconsin.

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

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 Choose Life Wisconsin.

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

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

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

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

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

24 c. That, if the approval is withdrawn, the department may continue to renew  
25 the registration of vehicles previously issued plates under sub. (6r) (f) 62., without

1 replacing those plates, but the department shall discontinue charging the fee  
2 specified in sub. (6r) (b) 15. with respect to these renewals.

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

7 **SECTION 9. Nonstatutory provisions.**

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

16 **SECTION 10. Fiscal changes.**

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

22 **SECTION 11. Effective date.**

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

25 (END)



in  
1/23



LRB-3486/1 2  
ARG:kjf:rs

2011 BILL

wanted  
by 1/26

RMN

only changes - p. 3, 4, 7

Regen

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 Choose Life 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 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 "Choose Life" and the proceeds from which support the purposes and bylaws of Choose Life 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 Choose Life Wisconsin. However,

**BILL**

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 "Choose Life" special plates.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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*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 Choose Life Wisconsin*. From the general fund, all  
3 moneys received under s. 341.14 (6r) (b) 15. for payments to Choose Life Wisconsin  
4 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  
19 sufficient for the department to determine that any approvals required for use of any

**BILL**

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

16 **SECTION 4.** 341.14 (6r) (b) 15. of the statutes <sup>✓</sup> is created to read:

17 341.14 **(6r)** (b) 15. Subject to sub. (10) (d), a fee of \$25 that is in addition to the  
18 fee under subd. 2. shall be charged for the issuance or renewal of a plate issued on  
19 an annual basis for the special group specified under par. (f) 62. Subject to sub. (10)  
20 (d), a fee of \$50 that is in addition to the fee under subd. 2. shall be charged for the  
21 issuance or renewal of a plate issued on the biennial basis for the special group  
22 specified under par. (f) 62. if the plate is issued or renewed during the first year of  
23 the biennial registration period or \$25 for the issuance or renewal if the plate is  
24 issued or renewed during the 2nd year of the biennial registration period. All moneys  
25 received under this subdivision, in excess of \$23,700 <sup>or of</sup> for the initial costs of production

**BILL***whichever is less,*

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

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

7 341.14 (6r) (c) Special group plates shall display the word "Wisconsin", the  
8 name of the applicable authorized special group, a symbol representing the special  
9 group, not exceeding one position, and identifying letters or numbers or both, not  
10 exceeding 6 positions and not less than one position. Except as provided in this  
11 paragraph, the department shall specify the design for special group plates, but the  
12 department shall consult the president of the University of Wisconsin System before  
13 specifying the word or symbol used to identify the special groups under par. (f) 35.  
14 to 47., the secretary of natural resources before specifying the word or symbol used  
15 to identify the special groups under par. (f) 50. and 59., the chief executive officer of  
16 the professional football team and an authorized representative of the league of  
17 professional football teams described in s. 229.823 to which that team belongs before  
18 specifying the design for the applicable special group plate under par. (f) 55., the chief  
19 trademark officer of Harley-Davidson Michigan, LLC before specifying the design  
20 for the applicable special group plate under par. (f) 61r., the department of veterans  
21 affairs before specifying the design for the special group plates under par. (f) 49d.,  
22 49h., and 49s., and the department of tourism and chief executive officer of the  
23 organization specified in par. (f) 55m. before specifying the design and word or  
24 symbol used to identify the special group name for special group plates under par.  
25 (f) 55m. Special group plates under par. (f) 50. shall be as similar as possible to

**BILL**

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

18 **SECTION 6.** 341.14 (6r) (f) 62. of the statutes <sup>✓</sup>is created to read:

19 341.14 (6r) (f) 62. Persons interested in obtaining registration plates that  
20 display the words "Choose Life" and the proceeds from which support the purposes  
21 and bylaws of Choose Life Wisconsin.

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

**BILL**

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 Choose Life Wisconsin.

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

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

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

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

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

24 c. That, if the approval is withdrawn, the department may continue to renew  
25 the registration of vehicles previously issued plates under sub. (6r) (f) 62., without

**BILL**

1 replacing those plates, but the department shall discontinue charging the fee  
2 specified in sub. (6r) (b) 15. with respect to these renewals.

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

**SECTION 9. Nonstatutory provisions.**

7  
8 (1) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes  
9 effect in fiscal year 2012-13, in submitting information under section 16.42 of the  
10 statutes for purposes of the 2013-15 biennial budget bill, the department of  
11 transportation shall submit information concerning the appropriation under section  
12 20.395 (5) (cq) of the statutes as though the total amount appropriated under section  
13 20.395 (5) (cq) of the statutes for the 2012-13 fiscal year was \$23,700 less than the  
14 total amount that was actually appropriated under section 20.395 (5) (cq) of the  
15 statutes for the 2012-13 fiscal year.

**SECTION 10. Fiscal changes.**

16  
17 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation  
18 to the department of transportation under section 20.395 (5) (cq) of the statutes, as  
19 affected by the acts of 2011, the dollar amount is increased by \$23,700 for the fiscal  
20 year in which this subsection takes effect to increase funding for special registration  
21 plates displaying the words "Choose Life."

**SECTION 11. Effective date.**

22  
23 (1) This act takes effect on the first day of the 7<sup>th</sup> month beginning after  
24 publication.

25 (END)

**Gary, Aaron**

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**From:** Murphy, Michael  
**Sent:** Monday, January 23, 2012 12:52 PM  
**To:** Gary, Aaron  
**Subject:** RE: Co-Sponsorship of LRB 3486 - Choose Life Specialty License Plates  
Sorry about that, Aaron. Yes - please draft a /2.

Thanks!

Michael P. Murphy  
Office of Representative André Jacque  
2nd Assembly District

9 West  
P.O. Box 8952  
Madison, WI 53708  
608.266.9870

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**From:** Gary, Aaron  
**Sent:** Monday, January 23, 2012 12:22 PM  
**To:** Murphy, Michael  
**Subject:** RE: Co-Sponsorship of LRB 3486 - Choose Life Specialty License Plates

Hi Michael,

As far as I can tell, LRB-3486 has not yet been introduced. If I'm correct, did you want an amendment (for when it is introduced) or a redraft to a /2? Thanks. Aaron

Aaron R. Gary  
*Attorney, Legislative Reference Bureau*  
608.261.6926 (voice)  
608.264.6948 (fax)  
aaron.gary@legis.state.wi.us

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**From:** Murphy, Michael  
**Sent:** Monday, January 23, 2012 11:32 AM  
**To:** Gary, Aaron  
**Cc:** Jacque, Andre  
**Subject:** FW: Co-Sponsorship of LRB 3486 - Choose Life Specialty License Plates

Hello Aaron,

1/23/2012

My apologies if this email is a duplicate (having network problems today). Could you draft a simple amendment per Reed's direction below?

Thanks!

Michael P. Murphy  
Office of Representative André Jacque  
2nd Assembly District

9 West  
P.O. Box 8952  
Madison, WI 53708  
608.266.9870

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**From:** McGinn, Reed - DOT [mailto:Reed.McGinn@dot.wi.gov]  
**Sent:** Friday, January 20, 2012 8:51 AM  
**To:** Murphy, Michael  
**Subject:** FW: Co-Sponsorship of LRB 3486 - Choose Life Specialty License Plates

Hi Michael. I've been given the opportunity to review the Choose Life draft and have one concern, it only gives us 5 months after publication instead of the usual 7 months. We'd really like the 7 months per usual. This gives our program area enough time to get the plate right, update all our forms, and perform all the behind the scenes programming and critical system testing.

Also, I have some very good news regarding production costs. We've begun to realize some programming efficiencies. This is in part due to the standard template design preferred by law enforcement (white plate, red Wisconsin lettering, decal on left, group name on bottom). We've also realized some behind the scenes efficiencies relating to the programming. We would like the draft to reflect some flexibility to charge less than \$23,700, if actual production costs come in under that number.

Perhaps language like "not to exceed \$23,700 for the initial costs of production" or something to that effect. Hopefully we can touch base today and discuss some more. I should be here all day unless the snow gets way too bad.

Thanks!

*Reed McGinn*

**Legislative Liaison  
Division of Motor Vehicles  
Wisconsin Department of Transportation  
608-266-7857**

**From:** Krieser, Steven - DOT  
**Sent:** Thursday, January 19, 2012 11:34 AM  
**To:** McGinn, Reed - DOT  
**Cc:** Judd, Lynne - DOT; Warren, Mitchell - DOT  
**Subject:** FW: Co-Sponsorship of LRB 3486 - Choose Life Specialty License Plates  
**Importance:** High

Can you review this to see if it conforms to our usual template?

**Steve Krieser**  
Executive Assistant  
Wisconsin Department of Transportation  
Phone: 608-266-1114

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**From:** Handrick, Diane [mailto:Diane.Handrick@legis.wisconsin.gov]  
**Sent:** Thursday, January 19, 2012 11:19 AM  
**Subject:** FW: Co-Sponsorship of LRB 3486 - Choose Life Specialty License Plates  
**Importance:** High

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**From:** Jacque, Andre  
**Sent:** Thursday, January 19, 2012 11:16 AM  
**To:** \*Legislative Assembly Republicans; \*Legislative Assembly Independents; \*Legislative Assembly Democrats; \*Legislative Senate Republicans; \*Legislative Senate Democrats

**Subject:** Co-Sponsorship of LRB 3486 - Choose Life Specialty License Plates  
**Importance:** High

**TO:** All Legislators

**FROM:** Rep. André Jacque and Sen. Glenn Grothman

**DATE:** January 19, 2012

**RE:** Co-Sponsorship of LRB 3486 – “Choose Life” Specialty License Plates

We are introducing legislation to authorize the creation of a “Choose Life” specialty license plate to recognize and raise funds for Wisconsin pregnancy care and adoption assistance honored by the legislature with the passage of SJR 28 this past October. State-authorized “Choose Life” plates are currently available to residents in 25 states, and have proven to be very popular with the public, raising over \$12 Million for worthy charitable organizations since they first became available.

In addition to basic plate registration fees, license holders will be charged a one-time issuance fee of \$15. A \$25 annual fee will also be charged first to cover all DOT costs for plate creation. Once this cost is met through plate sales, the \$25 fee will then be provided to Choose Life Wisconsin (CLW), an organization currently filing for 501(c)3 status. LRB 3486 requires an annual audited financial statement from CLW on the use of any funds received. CLW has already gained trademark usage for the “Choose Life” logo and will serve as administrator of funds to life-affirming agencies that provide resources and education to Wisconsin women, men and children.

**If you would like to co-sponsor LRB 3486 and its senate companion, please reply to this email or call Rep. Jacque's office at 6-9870 or Sen. Grothman's office at 6-7513 by Wednesday, February 1<sup>st</sup>, at 5 p.m.**

<<11-34861.pdf>>

***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 "Choose Life" and the proceeds from which support the purposes and bylaws of Choose Life 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 Choose Life Wisconsin. 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 "Choose Life" special plates.

**Parisi, Lori**

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**From:** Jacque, Andre  
**Sent:** Friday, February 03, 2012 5:04 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 11-3486/2 Topic: Choose Life special plates

Please Jacket LRB 11-3486/2 for the ASSEMBLY.