

2011 DRAFTING REQUEST

Bill

Received: **07/28/2011**

Received By: **agary**

Wanted: **As time permits**

Companion to LRB:

For: **Dale Schultz (608) 266-0703**

By/Representing: **Tom Jackson**

May Contact:

Drafter: **agary**

Subject: **Transportation - motor vehicles**

Addl. Drafters:

Extra Copies: **EVM**

Submit via email: **YES**

Requester's email: **Sen.Schultz@legis.wisconsin.gov**

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

Pre Topic:

No specific pre topic given

Topic:

Special plates for Shriners Hospital for Children

Instructions:

See attached

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 08/19/2011	kfollett 09/06/2011	jfrantze 09/06/2011	_____	sbasford 09/06/2011		State
/P2	agary 09/19/2011	kfollett 09/20/2011	jfrantze 09/20/2011	_____	ggodwin 09/20/2011		State
/P3	agary 11/29/2011	kfollett 11/29/2011	phenry 11/30/2011	_____	sbasford 11/30/2011		State

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/P4	agary 12/01/2011	kfollett 12/01/2011	rschluet 12/02/2011	_____	sbasford 12/02/2011		State
/1	agary 01/09/2012	mduchek 01/09/2012	rschluet 01/09/2012	_____	ggodwin 01/09/2012	ggodwin 01/10/2012	

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FE Sent For:

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Gary, Aaron

From: Jackson, Tom
Sent: Monday, August 15, 2011 5:28 PM
To: Gary, Aaron
Cc: Dave Bomkamp
Subject: Shriners Hospital for Children fundraising license plate in Wisconsin, 15Aug11
Importance: High

Aaron –

Below are Senator Schultz's answers to your questions on his bill draft request for a fundraising WI license plate for Shriners Hospital for Children.

The responses were provided by Dale's contact for this initiative, Dave Bomkamp.

Please be in touch with any questions raised by the responses and with any additional information needed for a bill draft.

Bomkamp has provided a proposed design (logo), which I can forward you if I didn't already.

Thank you.

- Tom Jackson

 On August 14, 2011, Dave Bomkamp dbomkamp@charter.net wrote Tom Jackson re Shriners Hospital for Children fundraising license plate in WI:

See responses below in RED. I am available for phone conversations between 3-10 pm except Tuesday.

Dave Bomkamp

608/225-3631

I support Shriner's Hospital for Children

Columbus Masonic Lodge #75

 From Jackson, Tom Tom.Jackson@legis.wisconsin.gov
 Sent July 28, 2011
 To Dave Bomkamp
 Re Shriners Hospital for Children fundraising license plate in Wisconsin, 28July11

Dave –

Please review the below and attached and email your responses and info, or give me a call.

Thank you.

- Tom Jackson

Office of Senator Dale Schultz

tjackson@legis.wi.gov

 From Gary, Aaron
 Sent Thursday, July 28, 2011
 To Jackson, Tom
 Re Shriners license plates

Tom,

I'll give you a call later today, but I thought it might be helpful for you to see this bill from last

8/16/2011

session creating Lions plates.
Your bill will be quite similar.

Information I need:

In the attached bill, section 3, there is an extra fee of \$25 that is the fund-raising amount.
This is the standard amount for this fee.

Is this amount OK with you? YES

In the attached bill, section 5, it identifies the organization for whom the plates are intended to support.
I'll need the exact name you want included.

SHRINERS HOSPITAL FOR CHILDREN®

In the attached bill, section 7, there are provisions identifying where the money goes.
I'll need to know the exact legal name of the recipient of the fund-raising moneys.

SHRINERS HOSPITAL FOR CHILDREN®

Sections 2 and 4 of the attached bill are only necessary if you want to require a certain service mark or logo to appear on the plate.

WE DO WANT A LOGO

New plates like this cost DOT money.

DOT usually insists that those costs be covered.

Section 9 of the bill provides DOT with \$23,700 to cover its costs, which is a pretty standard amount (at least for last session - their estimate might be a little different this session).

You can respond to this e-mail or I will call you later today.

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



Soon



in 8/19

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

D-Notes

Gen

- 1 AN ACT ...; relating to: special distinguishing registration plates associated with
- 2 Shriners Hospital for Children 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 registration 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 supporting Shriners Hospital for Children. 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 Shriners Hospital for Children. The bill requires the special plates to display a logo or image associated with Shriners Hospital for Children and the words "I support Shriners Hospital for Children". However, DOT may not issue these special plates until DOT has obtained authority to use any applicable trademark or service mark associated with Shriners Hospital for Children on these special plates.

X

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 the Shriners Hospital for Children.* From the
3 general fund, all moneys received under s. 341.14 (6r) (b) 15. for payments to the
4 Shriners Hospital for Children under s. 341.14 (10).

5 **SECTION 1m.** 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 2.** 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
20 logo, trademark, trade name or other commercial symbol designating the
21 professional football team or professional baseball team or associated with

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

NOTE: NOTE: Subd. 1. is shown as affected by 2009 Wisconsin Acts 159, 224, and 226 and as merged by the legislative reference bureau under s. 13.92 (2) (i). The cross-references to par. (f) 61r. and 61m. were changed by the legislative reference bureau under s. 13.92 (1) (bm) 2. to reflect the renumbering under s. 13.92 (1) (bm) 2. of s. 341.14 (6r) (f) 61., as created by 2009 Wis. Act 226, to s. 341.14 (6r) (f) 61r. and of s. 341.14 (6r) (f) 61., as created by 2009 Wis. Act 224, to 341.14 (6r) (f) 61m. NOTE:

History: 1971 c. 164 s. 83; 1971 c. 299; 1975 c. 384, 417; 1977 c. 16; 1977 c. 29 ss. 1417, 1418, 1654 (7) (a), (e); 1977 c. 43, 183, 292, 418, 447; 1979 c. 236; 1981 c. 255; 1983 a. 227, 430, 511; 1985 a. 29, 55; 1985 a. 87 ss. 1, 5; 1985 a. 124, 202; 1985 a. 332 ss. 191, 251 (4); 1987 a. 19, 64, 112, 145, 315, 399, 403; 1989 a. 31, 54, 56, 137, 302, 304, 312, 359; 1991 a. 2, 39, 100, 240; 1993 a. 16, 291, 303, 415, 491; 1995 a. 147, 253, 255, 445; 1997 a. 27, 67, 252, 255; 1999 a. 9, 32, 80, 92, 167, 186; 2001 a. 16, 38, 103, 109; 2003 a. 83, 184; 2005 a. 22, 25, 109, 199, 260, 319, 472; 2007 a. 38, 97, 107, 120, 160, 194; 2009 a. 28, 135, 159, 182, 195, 224, 226, 230, 246, 340; 2011 a. 32; s. 13.92 (1) (bm) 2., (2) (i).

14 **SECTION 3.** 341.14 (6r) (b) 15. of the statutes is created to read:
 15 341.14 (6r) (b) 15. Subject to sub. (10) (d), a fee of \$25 that is in addition to the
 16 fee under subd. 2. shall be charged for the issuance or renewal of a plate issued on
 17 an annual basis for the special group specified under par. (f) 62. Subject to sub. (10)
 18 (d), a fee of \$50 that is in addition to the fee under subd. 2. shall be charged for the
 19 issuance or renewal of a plate issued on the biennial basis for the special group
 20 specified under par. (f) 62. if the plate is issued or renewed during the first year of
 21 the biennial registration period or \$25 for the issuance or renewal if the plate is
 22 issued or renewed during the 2nd year of the biennial registration period. All moneys

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

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

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

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

History: 1971 c. 164 s. 83; 1971 c. 299; 1975 c. 384, 417; 1977 c. 16; 1977 c. 29 ss. 1417, 1418, 1654 (7) (a), (e); 1977 c. 43, 183, 292, 418, 447; 1979 c. 236; 1981 c. 255; 1983 a. 227, 430, 511; 1985 a. 29, 55; 1985 a. 87 ss. 1, 5; 1985 a. 124, 202; 1985 a. 332 ss. 191, 251 (4); 1987 a. 19, 64, 112, 145, 315, 399, 403; 1989 a. 31, 54, 56, 137, 302, 304, 312, 359; 1991 a. 2, 39, 100, 240; 1993 a. 16, 291, 303, 415, 491; 1995 a. 147, 253, 255, 445; 1997 a. 27, 67, 252, 255; 1999 a. 9, 32, 80, 92, 167, 186; 2001 a. 16, 38, 103, 109; 2003 a. 83, 184; 2005 a. 22, 25, 109, 199, 260, 319, 472; 2007 a. 38, 97, 107, 120, 160, 194; 2009 a. 28, 135, 159, 182, 195, 224, 226, 230, 246, 340; 2011 a. 32; s. 13.92 (1) (bm) 2., (2) (i).

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

21 341.14 (6r) (f) 6^{e 2}. Persons interested in obtaining a plate supporting Shriners
 22 Hospital for Children.

1 **SECTION 6.** 341.14 (6r) (fm) 7. of the statutes, as affected by 2011 Wisconsin Act
2 32, is amended to read:

3 341.14 **(6r)** (fm) 7. After October 1, 1998, additional authorized special groups
4 may only be special groups designated by the department under this paragraph. The
5 authorized special groups enumerated in par. (f) shall be limited solely to those
6 special groups specified under par. (f) on October 1, 1998. This subdivision does not
7 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m., 15m.,
8 19m., 33m., 48m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., 58., 59., 60., 61., 61m., and
9 61r., and 62.

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

11 341.14 **(10)** (a) Subject to par. (c), from the appropriation under s. 20.395 (5)
12 (ei), the department shall make payments to Shriners Hospital for Children.

13 (b) For each year in which the department makes payments under par. (a),
14 Shriners Hospital for Children shall submit to the presiding officer of each house of
15 the legislature an audited financial statement of its use of the payments under this
16 subsection, prepared in accordance with generally accepted accounting principles.

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

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

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

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

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

9 **SECTION 8. Nonstatutory provisions.**

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

18 **SECTION 9. Fiscal changes.**

19 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
20 to the department of transportation under section 20.395 (5) (cq) of the statutes, as
21 affected by the acts of 2011, the dollar amount is increased by \$23,700 for the fiscal
22 year in which this subsection takes effect to increase funding for special registration
23 plates associated with Shriners Hospital for Children.

24 **SECTION 10. Effective date.**

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

LRB-2483/P1dn

ARG: *ejf*

Date

ATTN: Tom Jackson

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

The attached draft reflects the information provided by Mr. Bomkamp. However, based on my internet searches to ascertain further information about Shriners Hospital for Children, I believe the information supplied might be insufficient. It appears that there are numerous Shriners Hospitals For Children, none of which seem to be located in Wisconsin. While the name "Shriners Hospital for Children" may be the subject of federal service mark registration (although I did not check the PTO database to confirm this), I doubt that the applicable legal name we need in the statute is Shriners Hospital for Children. Those administering this law will need to know where to direct the money and how to make it payable. This probably means identifying a specific Shriners Hospital for Children (Chicago? Minneapolis?) or identifying the umbrella group, Shriners International. You may wish to look into this issue further. If necessary, I can revise the language of this draft.

The attached draft requires DOT to include a logo on these special plates but does not specify the logo. It is not customary for the statutes to specify a logo; instead, the special group usually works with DOT to come up with a design satisfactory to all. You may wish to consult with DOT further on this issue, as DOT is sensitive to attempts to statutorily mandate a specific design for special plates. Also, if the required words on the plates described in this draft ("I support Shriners Hospital for Children") are not what you intended, please let me know

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.wisconsin.gov

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

LRB-2483/P1dn
ARG:kjf:jf

September 6, 2011

ATTN: Tom Jackson

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

The attached draft reflects the information provided by Mr. Bomkamp. However, based on my internet searches to ascertain further information about Shriners Hospital for Children, I believe the information supplied might be insufficient. It appears that there are numerous Shriners Hospitals For Children, none of which seem to be located in Wisconsin. While the name "Shriners Hospital for Children" may be the subject of federal service mark registration (although I did not check the PTO database to confirm this), I doubt that the applicable legal name we need in the statute is Shriners Hospital for Children. Those administering this law will need to know where to direct the money and how to make it payable. This probably means identifying a specific Shriners Hospital for Children (Chicago? Minneapolis?) or identifying the umbrella group, Shriners International. You may wish to look into this issue further. If necessary, I can revise the language of this draft.

The attached draft requires DOT to include a logo on these special plates but does not specify the logo. It is not customary for the statutes to specify a logo; instead, the special group usually works with DOT to come up with a design satisfactory to all. You may wish to consult with DOT further on this issue, as DOT is sensitive to attempts to statutorily mandate a specific design for special plates. Also, if the required words on the plates described in this draft ("I support Shriners Hospital for Children") are not what you intended, please let me know.

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.wisconsin.gov

Gary, Aaron

From: Jackson, Tom
Sent: Monday, September 19, 2011 2:01 PM
To: Gary, Aaron
Cc: dbomkamp@charter.net
Subject: Shriners Hospital for Children plate: LRB 11-2483/P1 & drafter notes

Aaron -
Senator Schultz requests a /P2 using Bomkamp's input:

- Shriners Hospitals for Children, not Shriners International.
- Designating funds to the organization's Chicago & Minneapolis facilities.
- No registered trademark symbol (because it's not possible to do so).

Also, no 'adopting' executive agency.

After receiving the /P2, I'll contact McGinn.

Thank you.
- Tom Jackson
Office of Senator Dale Schultz

From Gary, Aaron
Sent September 19, 2011
To Jackson, Tom
Re Shriners Hospital for Children plate: LRB 11-2483/P1 & drafter notes:
Shriners/Bomkamp reply 14Sep11

Hi Tom,
Is the approach by Mr. Bomkamp below OK with you?
If so, I will make the changes and get the redraft out to you.
Also, you had asked for the contact at DOT - it is Reed McGinn, info. below.
The logo is really something that should be worked out with DOT and not specifically described in the statute.
Reed would be the right person to start that process.
Aaron

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

From dbomkamp@charter.net
Sent September 16, 2011
To Gary, Aaron; Jackson, Tom; zortemp@chorus.net
Re Shriners Hospital for Children plate: LRB 11-2483/P1 & drafter notes:
Shriners/Bomkamp reply 14Sep11

Aaron
Shriners Hospitals for Children for the check.
Please earmark check for the Chicago & Minneapolis Children's Hospitals if possible. We understand the Trademark issue. I'm available for a call if needed after 3 pm at 608-225-3631. Dave

From Gary, Aaron Aaron.Gary@legis.wisconsin.gov
Date Sep 16, 2011
Re Shriners Hospital for Children plate: LRB 11-2483/P1 & drafter notes:
Shriners/Bomkamp reply 14Sep11

To Jackson, Tom Tom.Jackson@legis.wisconsin.gov
Cc Dave Bomkamp dbomkamp@charter.net

Hi Tom,

I'll follow up shortly with a phone call. I'm not quite sure how to read the e-mail below, so I do need a little more clarification.

On page 6, line 10 of the draft, I'm not exactly sure to whom the payments are made. Should this line say that payments are to Shriners International, or should it say they are to Shriners Hospitals for Children? Also, do you want the draft to specify that payments are for the benefit of the Shriners Hospital for Children - Chicago and the Shriners Hospital for Children - Minneapolis, or do you want the draft to remain silent on that?

Also, I cannot put the registered trademark symbol in the statutes, so the bill will generally refer to "Shriners Hospitals for Children."

Talk to you soon. Aaron

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

From Jackson, Tom
Sent September 14, 2011
To Gary, Aaron
Cc Dave Bomkamp
Re Shriners Hospital for Children plate: LRB 11-2483/P1 & drafter notes:
Shriners/Bomkamp reply 14Sep11

Aaron -

In response to your drafter notes, Senator Schultz submits Dave Bomkamp's below feedback. Please let me know any further answers/instruction you need.

Thank you.

- Tom Jackson

From Dave Bomkamp dbomkamp@charter.net Sent September 14, 2011 4:54 PM To
Jackson, Tom Cc 'Zor Shriners'
Re Special WI license plates for Shriners Hospital for Children: bill draft for yr
review: LRB 11-2483/P1
Tom,

As per the letter from Mr. Gary, see attached 'official' logo for Shriners Hospital for Children®. I have the required permission to use this logo from Shriners Hospital. The hospitals in Chicago and Minneapolis are the hospitals supported by Wisconsin Shriners, however the payment is sent to Shriners International in Tampa to be put into the hospital trust fund on behalf of the 2 previously mentioned Hospitals. Also, in Gary's letter he infers that our umbrella group is Shriners International. This is not correct. There are 2 distinct corporations: Shriners International which is the fraternal organization, and Shriners Hospitals for Children® which is the parent or "umbrella" group for the entire network of hospitals. Shriners International would not be the beneficiary of the license plate program. Finally, we are Shriners Hospital for Children® not Shriners Hospital for Children. Otherwise I say were good to go!

Thanks Tom,

Dave Bomkamp

Zor Divan

dbomkamp@charter.net

608/225-3631

www.beashrinernow.com

From Jackson, Tom Tom.Jackson@legis.wisconsin.gov Sent September 07, 2011 To
Dave Bomkamp

Re Special WI license plates for Shriners Hospital for Children: bill draft for yr
review: LRB 11-2483/P1

To Dave Bomkamp, dbomkamp@charter.net From Tom Jackson, Office of Senator Dale
Schultz
tjackson@legis.wi.gov, 608.266.0703

Date 7 September 2011

Re Shriners Hospital for Children preliminary bill draft review

Please forward this to the Shriners organization's person that should review it.
Thank you.

To Senator Dale Schultz, sen.schultz@legis.wi.gov From Aaron R. Gary,
Legislative Attorney
Wisconsin Legislative Reference Bureau
608.261.6926, aaron.gary@legis.wisconsin.gov Date September 6, 2011 Re
Draft review: LRB 11-2483/P1 Topic: Special plates for Shriners Hospital for Children

Attached: PDF of LRB bill draft 11-2483/P1 and drafter's note

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 registration 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 supporting Shriners Hospital for Children. 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 Shriners Hospital for Children.

The bill requires the special plates to display a logo or image associated with Shriners Hospital for Children and the words "I support Shriners Hospital for Children."

However, DOT may not issue these special plates until DOT has obtained authority to use any applicable trademark or service mark associated with Shriners Hospital for Children on these special plates.

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

To Senator Dale Schultz, attention: Tom Jackson From Aaron R. Gary, Legislative
Attorney (ARG)
Wisconsin Legislative Reference Bureau
608.261.6926, aaron.gary@legis.wisconsin.gov Date September 6, 2011 Re
Drafter's Note re LRB-2483/P1dn

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

The attached draft reflects the information provided by Mr. Bomkamp. However, based on my internet searches to ascertain further information about Shriners Hospital for Children, I believe the information supplied might be insufficient. It appears that there are

numerous Shriners Hospitals For Children, none of which seem to be located in Wisconsin.

While the name "Shriners Hospital for Children" may be the subject of federal service mark registration (although I did not check the PTO database to confirm this), I doubt that the applicable legal name we need in the statute is Shriners Hospital for Children.

Those administering this law will need to know where to direct the money and how to make it payable. This probably means identifying a specific Shriners Hospital for Children (Chicago? Minneapolis?) or identifying the umbrella group, Shriners International. You may wish to look into this issue further. If necessary, I can revise the language of this draft.

The attached draft requires DOT to include a logo on these special plates but does not specify the logo. It is not customary for the statutes to specify a logo; instead, the special group usually works with DOT to come up with a design satisfactory to all. You may wish to consult with DOT further on this issue, as DOT is sensitive to attempts to statutorily mandate a specific design for special plates. Also, if the required words on the plates described in this draft ("I support Shriners Hospital for Children") are not what you intended, please let me know.

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.

Gary, Aaron

From: Jackson, Tom
Sent: Thursday, September 15, 2011 12:16 PM
To: Gary, Aaron
Subject: Tom Jackson - Aaron Gary: It's Shriners Hospitals for Children, not Shriners Hospital for Children (LRB 11-2483/P1)
Importance: Low

Aaron –

This message is to correct a mistake.

The name of the organization reflects its multiple hospitals, so it is “Shriners Hospitals for Children”.

(Not Shriners Hospital for Children).

From dbomkamp@charter.net
Sent September 15, 2011 8:20 AM
To Jackson, Tom; zortemp@chorus.net
Re Special WI license plates for Shriners Hospital for Children: bill draft for yr review: LRB 11-2483/P1

Tom

See below and correct accordingly.

Sorry.

Dave

From "Zor Shriners" zortemp@chorus.net
Date Thu, Sep 15, 2011 8:03 am
Re Special WI license plates for Shriners Hospital for Children: bill draft for yr review: LRB 11-2483/P1
To "Dave Bomkamp" dbomkamp@charter.net

Finally, we are Shriners Hospital for Children® not Shriners Hospital for Children. Otherwise I say were good to go!

Dave, we are Shriners Hospitals for Children®, not Shriners Hospital for Children®.

You are missing the "s" after hospital! Lisa

From Dave Bomkamp
To Jackson, Tom
Cc Zor Shriners
Sent Wednesday, September 14, 2011 4:53 PM
Re Special WI license plates for Shriners Hospital for Children: bill draft for yr review: LRB 11-2483/P1

9/15/2011

Logo
sent





State of Wisconsin
2011 - 2012 LEGISLATURE

Wanted
by
9/22
in 9/19
LRB-2483/12 PZ
ARG:kjf:jf
RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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 associated with Shriners Hospital^s for Children and making an
5 appropriation.

Analysis by the Legislative Reference Bureau

Under current law, any group or organization may apply to the Department of Transportation (DOT) for designation as an authorized special group. If the application is approved, members of the authorized special group may obtain special distinguishing registration 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 supporting Shriners Hospital^s for Children. 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

Insert
AGIAL

* plates and a \$25 annual fee that provides funds to Shriners Hospital^s for Children. The bill requires the special plates to display a logo or image associated with Shriners Hospital^s for Children and the words "I support Shriners Hospital^s for Children." However, DOT may not issue these special plates until DOT has obtained authority to use any applicable trademark or service mark associated with Shriners Hospital^s for Children on these 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 the Shriners Hospital^s for Children.* From the
 3 general fund, all moneys received under s. 341.14 (6r) (b) 15. for payments to the
 4 Shriners Hospital^s for Children 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

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

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

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

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

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

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

1 (f) 55m. Special group plates under par. (f) 50. shall be as similar as possible to
2 regular registration plates in color and design. The department shall make available
3 2 designs for the special group plates under par. (f) 60. The department may not
4 specify any design for the special group plates under par. (f) 60. unless the design is
5 approved by the executive vice president of the Milwaukee Brewers Baseball Club
6 LP. The word or symbol used to identify the special group under par. (f) 59. shall be
7 different from the word or symbol used to identify the special group under par. (f) 50.
8 and the design shall cover the entire plate. Special group plates under par. (f) 61m.
9 shall display a logo or image of the lion associated with the Lions Clubs
10 International. Special group plates under par. (f) 61r. shall display a bar and shield
11 logo associated with Harley-Davidson, Inc., on the left portion of the plates and the
12 words "share the road" on the bottom portion of the plates. Special group plates
13 under par. (f) 62. shall display a logo or image associated with Shriners Hospital^S for
14 Children and the words "I support Shriners Hospital^S for Children¹."
15 Notwithstanding par. (e), special group plates under par. (f) 33m. and 48m. shall be
16 the same color and design that was specified by the department for special group
17 plates under par. (f) 33. and 48., respectively, immediately prior to January 1, 2007.
18 The design for special group plates under par. (f) 33. and 48. shall be different from
19 the design of special group plates under par. (f) 33m. and 48m., respectively.

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

21 341.14 (6r) (f) 62. Persons interested in obtaining a plate supporting Shriners
22 Hospital^S for Children.

23 **SECTION 7.** 341.14 (6r) (fm) 7. of the statutes, as affected by 2011 Wisconsin Act
24 32, is amended to read:

1 341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups
2 may only be special groups designated by the department under this paragraph. The
3 authorized special groups enumerated in par. (f) shall be limited solely to those
4 special groups specified under par. (f) on October 1, 1998. This subdivision does not
5 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m., 15m.,
6 19m., 33m., 48m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., 58., 59., 60., 61., 61m., and
7 61r., and 62.

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

9 341.14 (10) (a) Subject to par. (c), from the appropriation under s. 20.395 (5)
10 (ei), the department shall make payments to Shriners Hospital^s for Children. insert
to-10

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

15 (c) The department shall discontinue payments to Shriners Hospital^s for
16 Children under this subsection if Shriners Hospital^s for Children dissolves, becomes
17 insolvent, files a petition for bankruptcy, or is no longer exempt from taxation under
18 section 501 (a) of the Internal Revenue Code.

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

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

24 b. 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~~1~~³ 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 associated with Shriners Hospital^S for Children.

22 **SECTION 11. Effective date.**

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

25 (END)

2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2483/P2ins
ARG:.....

1

2 **INSERT ANAL:**

3 (no ¶) for the benefit of the Shriners Hospital for Children - Chicago and the Shriners
Hospital for Children - Minneapolis

3

4 **INSERT 6-10:**

5 (no ¶) , which payments shall be for the benefit of the Shriners Hospital for Children
6 - Chicago and the Shriners Hospital for Children - Minneapolis

- 3101 →

6-0703

Tom Jackson → 10/29

• final draft → shivers

• no /P

• make changes in Nov. 9 Rob
Marchant e-mail

- audited financial statement go
to chief clerk & then go
to committee

- notarized letter for CEO is
good enough

- DOT - name & TM logo at
no cost needs to be in
there

Gary, Aaron

From: Jackson, Tom
Sent: Monday, October 03, 2011 3:45 PM
To: Gary, Aaron
Subject: Shriners plate slogan, 3Oct11

Aaron –

For the bill draft (not preliminary), please use **Support Shriners Hospitals** instead of “I support Shriners Hospitals for Children” (page 5, lines 13-15).

Thank you for catching the inconsistency.

- tj

From Jackson, Tom
Sent October 01, 2011
To McGinn, Reed - DOT; Rondou, Mary - DOT; Bergum, Megan M - DOT
Cc Dave Bomkamp; Gary, Aaron
Re Shriners Hospitals special WI license plate design proposal, 1Oct11

Reed, Mary and Megan –

Any concerns or comment on the attached design proposal for the special license plate that would be created under a bill to be introduced by Senator Schultz?

Thank you.

- Tom Jackson

Office of Senator Dale Schultz
tjackson@legis.wi.gov

From Dave Bomkamp dbomkamp@charter.net
Sent September 29, 2011
To apasmas@shrinenet.org
Cc Jackson, Tom; 'Zor Shriners'; 'Mark Severson'; 'Steven Peterson'
Re Wisconsin PROPOSED Shrine Hospital Plate

AJ,

See attached. The caption at bottom of the plate would read SUPPORT SHRINERS HOSPITALS. I request that anyone at Imperial who has an issue w the design to please contact me before next Wed, 5 October.

This is the PROPOSED design and may change as we progress, but the text would stay the same. We decided ‘Support Shriners Hospitals for Children’ was entirely too long and wouldn’t be readable.

Thank you!

Dave Bomkamp
Zor Divan
dbomkamp@charter.net
608/225-3631
www.beashrinernow.com

Gary, Aaron

From: Gary, Aaron
Sent: Monday, October 03, 2011 9:01 AM
To: Jackson, Tom
Subject: RE: Shriners Hospitals special WI license plate design proposal, 1Oct11

Hi Tom,

I am just following along and waiting to see where this discussion ends up on the service mark stuff. I did want to note, however, that the proposed logo attached here is not consistent with the bill draft (p. 5, lines 13-15), so it seems that provision of the bill draft either needs to be taken out or changed.

Aaron

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

From: Jackson, Tom
Sent: Saturday, October 01, 2011 12:06 AM
To: McGinn, Reed - DOT; Rondou, Mary - DOT; Bergum, Megan M - DOT
Cc: Dave Bomkamp; Gary, Aaron
Subject: Shriners Hospitals special WI license plate design proposal, 1Oct11
Importance: High

Reed, Mary and Megan –

Any concerns or comment on the attached design proposal for the special license plate that would be created under a bill to be introduced by Senator Schultz?

Thank you.

- Tom Jackson

Office of Senator Dale Schultz

tjackson@legis.wi.gov

From Dave Bomkamp dbomkamp@charter.net
Sent September 29, 2011
To apasmas@shrinenet.org
Cc Jackson, Tom; 'Zor Shriners'; 'Mark Severson'; 'Steven Peterson'
Re Wisconsin PROPOSED Shrine Hospital Plate

AJ,

See attached. The caption at bottom of the plate would read SUPPORT SHRINERS HOSPITALS. I request that anyone at Imperial who has an issue w the design to please contact me before next Wed, 5 October.

This is the PROPOSED design and may change as we progress, but the text would stay the

10/3/2011

Gary, Aaron

From: Jackson, Tom
Sent: Tuesday, November 08, 2011 7:19 PM
To: Gary, Aaron
Cc: apasmas@shrinenet.org; Dave Bomkamp; Marchant, Robert
Subject: Audited financial statement of funds from special WI license plate for Shriners Hospitals for Children 8Nov11

Aaron -

For Shriners Hospitals for Children, a provision mandating audited financial statements is problematic as I explained below to Senate Chief Clerk Rob Marchant.

Are you aware of any issue that would prevent Senator Schultz from changing the Shriners plate bill to incorporate Marchant's suggested resolution?

Thank you.

- Tom Jackson

Office of Senator Dale Schultz

tjackson@legis.wi.gov

From: Marchant, Robert
Sent: Tuesday, November 08, 2011 5:14 PM
To: Jackson, Tom
Re: Audited financial statement of funds from special WI license plate for Shriners Hospitals for Children 8Nov11

That doesn't surprise me at all. The audited statement always struck me as overkill, especially since it goes to the presiding officer. That office changes so frequently and I bet they have no idea what the purpose of the report is when they get it.

I would amend all these license plate reporting laws to say that all such reports should be submitted to the chief clerk for distribution to the appropriate standing committee.

And I would say that if the group's annual revenue from the plate is less than \$50,000, a signed, notarized statement by the CEO detailing the use of the funds will suffice.

Rob

On 8Nov11, "Jackson, Tom" <Tom.Jackson@legis.wisconsin.gov> wrote:

Rob -

I've discussed your answer below with my contact at Shriners Hospitals for Children (SHC). It's good to know a separate audited financial statement wouldn't be needed but a couple concerns remain.

SHC's annual budget of over \$800 million is audited annually by KPMG, however, the annual audit states amounts in the thousands (000's), so amounts under \$1000 don't appear. Based on funding other organizations have received from special license plates, the amount sent by the state to SHC could easily be less than \$1000 in any given year.

Further, KPMG might charge more to add lines in its annual audit than the amount received. Your thoughts please.

Thank you.

- Tom Jackson

Office of Senator Dale Schultz

tjackson@legis.wi.gov

A.J. Pasma MBA
Corporate Fundraising Coordinator
Shriners Hospitals for Children
Shriners International Headquarters
Office 813-281-8480
Fax 813-281-8460

From: Marchant, Robert
Sent: Monday, October 24, 2011 9:50 AM
To: Jackson, Tom
Cc: 'dbomkamp@charter.net'
Re: Submitting audited financial statement to the presiding officer of each house of the legislature 21Oct11

Tom—
The presiding officer of the Assembly is the Speaker of the Assembly. Hard copies should be sent to the Speaker at P.O. Box 8952, Madison, WI, 53708. The presiding officer of the Senate is the President of the Senate. Hard copies should be sent to the President at P.O. Box 7882, Madison, WI, 53707. It is up to the presiding officer whether they will accept email copies. To my knowledge, there is nothing prohibiting them from doing so.

By my reading of the proposed law, only one report is required annually. I agree with your description of what the report would include.

My only suggestion would be that, when the report is submitted, the cover letter indicates specifically that it is being submitted as required under s. 341.14 (10) (a) of the statutes.

Let me know if you need anything further.
Rob

From: Jackson, Tom
Sent: Friday, October 21, 2011 10:04 PM
To: Marchant, Robert
Cc: dbomkamp@charter.net
Re: Submitting audited financial statement to the presiding officer of each house of the legislature 21Oct11

To Rob Marchant, Chief Clerk, Wisconsin State Senate
From Tom Jackson, Office of Senator Dale Schultz
Date October 21, 2011
Re Submitting audited financial statement to the presiding officer of each house of the legislature

Senator Schultz is working on a bill to establish a Shriners Hospitals for Children special license plate (attached) with a provision: "Shriners Hospitals for Children 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."

Please email reply to me for Senator Schultz and to Shriner Dave Bomkamp information Shriners Hospitals for Children has requested:

- Who are the presiding officers of each house and how may/shall an annual audited financial statement be submitted (email/mail, name/title/address, etc.)?
 - Please confirm a separate audited financial statement is not required by Section 341.14 (10) (a) on page 6 of the draft statutes.
 - Please confirm the intent of the provision is for an annual audited Shriners Hospitals for Children financial statement to include line(s) showing the amount of money received from DOT and "its use" (that is, what the money is spent on and, if more than one thing, how much is spent on each thing).
 - Please provide any other specifics Shriners Hospitals for Children will need relating to submitting it annual audited financial statement.
- Thank you.

Gary, Aaron

From: Gary, Aaron
Sent: Friday, September 30, 2011 2:09 PM
To: Jackson, Tom
Subject: RE: Shriners Hospitals for Children WI license plates, LRB 11-2483/P2, 30Sep11

Hi Tom,

The provision in yellow wouldn't work in this draft, so I assume all they want is what is stated in the e-mail text - identification of who they would be working with. Or was it there intent to have the statute say licensing rights must be provided for free?

I checked the US Patent and Trademark office (I used to actually practice in the area of trademark law) and the service mark seems to be registered to Shriners Hospitals for Children, a Colorado nonprofit corporation located in Tampa, Florida. I have no idea why they would need this set forth in the statute - unlike s. 85.109, there is no required agreement here and in the past DOT has suggested that it doesn't want statutory language requiring such an agreement. I strongly suggest that Mr. Bomkamp verify with his sources that I have properly identified the right place for DOT to go to obtain licensing rights to the service mark. Assuming he does, why would this info. have to be in the statute - an e-mail and 2-minute check of the USPTO database would give DOT the answer it wants. On the other hand, if the issue is really making sure they have free licensing rights, that's another story.

Aaron

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

From: Jackson, Tom
Sent: Friday, September 30, 2011 12:48 PM
To: Gary, Aaron
Subject: Shriners Hospitals for Children WI license plates, LRB 11-2483/P2, 30Sep11

Aaron –

For the Shriners Hospitals plate bill, do you have enough information now to write a pp comparable to the one highlighted below?

Whatever additional info you need, please email me.

Thank you.

- tj

From McGinn, Reed - DOT Reed.McGinn@dot.wi.gov
Sent September 30, 2011 12:12 PM
To Jackson, Tom

9/30/2011

Cc dbomkamp@charter.net; McGinn, Reed - DOT
 Re Shriners Hospitals for Children WI license plates, LRB 11-2483/P2, 21Sep11

Hi Tom, thanks for letting us review this.

I spoke with the program area, and they had only one concern. They would like it spelled out exactly who we will be working with to obtain the approval for design and trademark usage. I found an example from the Lions plate.

SECTION 2. 85.109 of the statutes is created to read:

85.109 Payments to the Wisconsin Lions Foundation. (1) The department shall enter into an agreement with the Lions of Wisconsin, Multiple District 27, of the International Association of Lions Clubs, Inc., and the Wisconsin Lions Foundation, Inc., to make payments from the appropriation under s. 20.395 (5) (eq) to the Wisconsin Lions Foundation, Inc.

(2) The agreement under this section shall require that the Lions of Wisconsin, Multiple District 27, of the International Association of Lions Clubs, Inc., and the Wisconsin Lions Foundation, Inc., provide or arrange for another to provide, without fee and as a condition of receiving payments specified under this section, any license or other approval required for use of any logo, trademark, service mark, trade name, word, or symbol to be used on or in association with special group registration plates under s. 341.14 (6r) (f) 61.

Please let me know if you have any questions.

Thanks,

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

 From Jackson, Tom Tom.Jackson@legis.wisconsin.gov
 Sent September 21, 2011
 To McGinn, Reed - DOT
 Cc dbomkamp@charter.net
 Re Shriners Hospitals for Children WI license plates, LRB 11-2483/P2, 21Sep11

To Reed McGinn, Legislative Liaison, WisDOT DMV
 266-7857, Reed.McGinn@dot.wi.gov
 Cc Dave Bomkamp, dbomkamp@charter.net
 From Tom Jackson, Office of Senator Dale Schultz
 Date September 21, 2011
 Re **Attached LRB 11-2483/P2**, preliminary draft for a Special Wisconsin license plate for Shriners Hospitals for Children bill

Senator Schultz is a Mason and as such was contacted by Dave Bomkamp with a request to develop the

9/30/2011

attached legislative proposal.

I am sending this to you on the recommendation of Aaron Gary, LRB drafting attorney we've worked with for the bill.

Please review it and email reply to me, for Senator Schultz, any comments by the department by September 30 if possible.

Thank you.

- Tom Jackson

Office of Senator Dale Schultz

tjackson@legis.wi.gov

608.266.0703



State of Wisconsin
2011 - 2012 LEGISLATURE

~~seen~~
in
11/29



LRB-2483/14 P3
ARG:kjf:jf

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Wanted by
12/1 end
of day

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 associated with Shriners Hospitals for Children and making an
5 appropriation.

Analysis by the Legislative Reference Bureau

Under current law, any group or organization may apply to the Department of Transportation (DOT) for designation as an authorized special group. If the application is approved, members of the authorized special group may obtain special distinguishing registration 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 supporting Shriners Hospitals for Children. 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 Shriners Hospitals for Children for the benefit of the Shriners Hospital for Children - Chicago and the Shriners Hospital for Children - Minneapolis. The bill requires the special plates to display a logo or image associated with Shriners Hospitals for Children and the words "Support Shriners Hospitals ~~for Children~~." However, DOT may not issue these special plates until DOT has obtained authority to use any applicable trademark or service mark associated with Shriners Hospitals for Children on these 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:

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

20.395 (5) (ei) *Payments to Shriners Hospitals for Children*. From the general fund, all moneys received under s. 341.14 (6r) (b) 15. for payments to Shriners Hospitals for Children under s. 341.14 (10).

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

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

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

341.14 (6r) (b) 1. Subject to subd. 1m., 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)

1 55., 60., or 61r. until 6 months after the department has received information
2 sufficient for the department to determine that any approvals required for use of any
3 logo, trademark, trade name or other commercial symbol designating the
4 professional football team or professional baseball team or associated with
5 Harley-Davidson, Inc., have been obtained. Subject to ~~sub.~~ subs. (9) (d) and (10) (d),
6 the department may not issue any special group plates under par. (f) 61m. or 62. until
7 the department has received information sufficient for the department to determine
8 that any license or other approval required for use of any logo, trademark or service
9 mark, trade name or other commercial symbol to be used on or in association with
10 these plates has been obtained. Notwithstanding s. 341.12 (2), if the department of
11 corrections does not have flat-plate technology available for use in manufacturing
12 license plates at quality and cost comparable to that available from the state of
13 Minnesota, the department of transportation may not issue any special group plates
14 under par. (f) 59. unless the department of transportation purchases the plates from
15 the state of Minnesota. Sections 16.70, 16.71, 16.72, 16.75, 16.752 to 16.755, 16.765,
16 16.77, and 16.82 do not apply to purchases of plates issued under par. (f) 59. from the
17 state of Minnesota.

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

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

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

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

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

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

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

22 341.14 (6r) (f) 62. Persons interested in obtaining a plate supporting Shriners
23 Hospitals for Children.

24 **SECTION 7.** 341.14 (6r) (fm) 7. of the statutes, as affected by 2011 Wisconsin Act
25 32, is amended to read:

1 341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups
 2 may only be special groups designated by the department under this paragraph. The
 3 authorized special groups enumerated in par. (f) shall be limited solely to those
 4 special groups specified under par. (f) on October 1, 1998. This subdivision does not
 5 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m., 15m.,
 6 19m., 33m., 48m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., 58., 59., 60., 61., 61m., and
 7 61r., and 62.

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

9 341.14 (10) (a) Subject to par. (c), from the appropriation under s. 20.395 (5)
 10 (ei), the department shall make payments to Shriners Hospitals for Children, which
 11 payments shall be for the benefit of the Shriners Hospital for Children - Chicago and
 12 the Shriners Hospital for Children - Minneapolis.

13 (b) For each year in which the department makes payments under par. (a),
 14 Shriners Hospitals for Children shall submit to the presiding officer of each house
 15 of the legislature an audited financial statement of its use of the payments under this
 16 subsection, prepared in accordance with generally accepted accounting principles.

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

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

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

Ms. T
6-14

Insert
6-24

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

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

9 **SECTION 9. Nonstatutory provisions.**

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

18 **SECTION 10. Fiscal changes.**

19 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
20 to the department of transportation under section 20.395 (5) (cq) of the statutes, as
21 affected by the acts of 2011, the dollar amount is increased by \$23,700 for the fiscal
22 year in which this subsection takes effect to increase funding for special registration
23 plates associated with Shriners Hospitals for Children.

24 **SECTION 11. Effective date.**

insert
7-17

2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2483/P3ins
ARG:.....

1 **INSERT 6-14:**

2 (no ~~¶~~) chief clerk of each house of the legislature for distribution to the appropriate
3 standing committees of the legislature one of the following:

4 1. If the department has made payments under par. (a) for that year of at least
5 \$50,000, an audited financial statement of Shriners Hospitals for Children's use of
6 the payments under par. (a), prepared in accordance with generally accepted
7 accounting principles.

8 2. If the department has made payments under par. (a) for that year of less than
9 \$50,000, a statement describing Shriners Hospitals for Children's use of the
10 payments under par. (a), signed and notarized by the chief executive officer or chief
11 operating officer of Shriners Hospitals for Children.

12 **INSERT 6-24:**

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

15 **INSERT 7-17:**

16 ~~¶~~ Upon request by the department of transportation, Shriners Hospitals for
17 Children shall provide to the department of transportation any information
18 determined by the department to be necessary for the department to obtain the
19 approval specified in section 341.14 (6r) (b) 1. of the statutes, as affected by this act,
20 for special plates to be issued under section 341.14 (6r) (f) 62. of the statutes, as
21 created by this act, including the name and location of the owner of any applicable
22 service mark registration.

*KT: NS: sub

Gary, Aaron

From: Jackson, Tom
Sent: Thursday, December 01, 2011 3:33 PM
To: Gary, Aaron
Subject: RE: p 5, line 15 "and the words "Shriners...Helping Kids".
 Let's do /P4

From: Gary, Aaron
Sent: Thursday, December 01, 2011 8:48 AM
To: Jackson, Tom
Subject: RE: p 5, line 15 "and the words "Shriners...Helping Kids".

Thanks. I'll change the language to that stated below. As far as the period goes, I agree with you but I got overruled by our editors.
 Do you want this draft as an introducible "/1" now, or as a /P4 as you said in your voice mail?

Aaron

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

From: Jackson, Tom
Sent: Wednesday, November 30, 2011 5:04 PM
To: Gary, Aaron
Subject: p 5, line 15 "and the words "Shriners...Helping Kids".
Importance: High

LRB standards may disagree, but I submit the close quote ought go before the period.

The phrase "Shriners...Helping Kids" was proposed by DOT as fitting within the space limit, so I'm assuming DOT won't have an objection.

From: Dave Bomkamp [mailto:dbomkamp@charter.net]
Sent: Wednesday, November 23, 2011 3:05 PM
To: 'Al Heinkel'; Bob Giesler; Bob Gorsuch; Charles Miller; Dave Bomkamp; Larry Hanson; Larry Riemenschneider; Monte and Ann Steiber; Steven Peterson; Wally Trouten
Cc: 'Steve Davidson'; Steve Livernash; john.sage@optimatcp.com; bobflowers@ymail.com; Bob Strader; Joe Thompson; Debbi Thorstad; 'Zor Shriners'; Jackson, Tom; 'Michael DeWolf'; GBergenske@aol.com; apasmas@shrinenet.org; Tom Nelson; Mark Severson
Subject: Wisconsin Shrine Plates
Importance: High

All,

See attached 'final' Wisconsin Shriner Plate design. The design has been approved by



State of Wisconsin
2011 - 2012 LEGISLATURE

in 12/1
wanted by 12/5
LRB-2483/28 P4
ARC:kjf:ph
kma

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

two changes - pp. 2, 5

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 associated with Shriners Hospitals for Children and making an
5 appropriation.

Analysis by the Legislative Reference Bureau

Under current law, any group or organization may apply to the Department of Transportation (DOT) for designation as an authorized special group. If the application is approved, members of the authorized special group may obtain special distinguishing registration 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 supporting Shriners Hospitals for Children. 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

Helping Kids
plates and a \$25 annual fee that provides funds to Shriners Hospitals for Children for the benefit of the Shriners Hospital for Children - Chicago and the Shriners Hospital for Children - Minneapolis. The bill requires the special plates to display a logo or image associated with Shriners Hospitals for Children and the words "~~Support Shriners Hospitals~~." However, DOT may not issue these special plates until DOT has obtained authority to use any applicable trademark or service mark associated with Shriners Hospitals for Children on these 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 Shriners Hospitals for Children.* From the general
3 fund, all moneys received under s. 341.14 (6r) (b) 15. for payments to Shriners
4 Hospitals for Children 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)

1 55., 60., or 61r. until 6 months after the department has received information
2 sufficient for the department to determine that any approvals required for use of any
3 logo, trademark, trade name or other commercial symbol designating the
4 professional football team or professional baseball team or associated with
5 Harley-Davidson, Inc., have been obtained. Subject to ~~sub. subs.~~ (9) (d) and (10) (d),
6 the department may not issue any special group plates under par. (f) 61m. or 62. until
7 the department has received information sufficient for the department to determine
8 that any license or other approval required for use of any logo, trademark or service
9 mark, trade name or other commercial symbol to be used on or in association with
10 these plates has been obtained. Notwithstanding s. 341.12 (2), if the department of
11 corrections does not have flat-plate technology available for use in manufacturing
12 license plates at quality and cost comparable to that available from the state of
13 Minnesota, the department of transportation may not issue any special group plates
14 under par. (f) 59. unless the department of transportation purchases the plates from
15 the state of Minnesota. Sections 16.70, 16.71, 16.72, 16.75, 16.752 to 16.755, 16.765,
16 16.77, and 16.82 do not apply to purchases of plates issued under par. (f) 59. from the
17 state of Minnesota.

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

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

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

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

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

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

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

22 341.14 (6r) (f) 62. Persons interested in obtaining a plate supporting Shriners
23 Hospitals for Children.

24 **SECTION 7.** 341.14 (6r) (fm) 7. of the statutes, as affected by 2011 Wisconsin Act
25 32, is amended to read:

1 341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups
2 may only be special groups designated by the department under this paragraph. The
3 authorized special groups enumerated in par. (f) shall be limited solely to those
4 special groups specified under par. (f) on October 1, 1998. This subdivision does not
5 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m., 15m.,
6 19m., 33m., 48m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., 58., 59., 60., 61., 61m., and
7 61r., and 62.

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

9 341.14 (10) (a) Subject to par. (c), from the appropriation under s. 20.395 (5)
10 (ei), the department shall make payments to Shriners Hospitals for Children, which
11 payments shall be for the benefit of the Shriners Hospital for Children - Chicago and
12 the Shriners Hospital for Children - Minneapolis.

13 (b) For each year in which the department makes payments under par. (a),
14 Shriners Hospitals for Children shall submit to the chief clerk of each house of the
15 legislature for distribution to the appropriate standing committees of the legislature
16 one of the following:

17 1. If the department has made payments under par. (a) for that year of at least
18 \$50,000, an audited financial statement of Shriners Hospitals for Children's use of
19 the payments under par. (a), prepared in accordance with generally accepted
20 accounting principles.

21 2. If the department has made payments under par. (a) for that year of less than
22 \$50,000, a statement describing Shriners Hospitals for Children's use of the
23 payments under par. (a), signed and notarized by the chief executive officer or chief
24 operating officer of Shriners Hospitals for Children.

1 (c) The department shall discontinue payments to Shriners Hospitals for
2 Children under this subsection if Shriners Hospitals for Children dissolves, becomes
3 insolvent, files a petition for bankruptcy, or is no longer exempt from taxation under
4 section 501 (a) of the Internal Revenue Code.

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

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

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

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

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

20 **SECTION 9. Nonstatutory provisions.**

21 (1) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes
22 effect in fiscal year 2012-13, in submitting information under section 16.42 of the
23 statutes for purposes of the 2013-15 biennial budget bill, the department of
24 transportation shall submit information concerning the appropriation under section
25 20.395 (5) (cq) of the statutes as though the total amount appropriated under section

1 20.395 (5) (cq) of the statutes for the 2012-13 fiscal year was \$23,700 less than the
2 total amount that was actually appropriated under section 20.395 (5) (cq) of the
3 statutes for the 2012-13 fiscal year.

4 (2) Upon request by the department of transportation, Shriners Hospitals for
5 Children shall provide to the department of transportation any information
6 determined by the department to be necessary for the department to obtain the
7 approval specified in section 341.14 (6r) (b) 1. of the statutes, as affected by this act,
8 for special plates to be issued under section 341.14 (6r) (f) 62. of the statutes, as
9 created by this act, including the name and location of the owner of any applicable
10 service mark registration.

11 **SECTION 10. Fiscal changes.**

12 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
13 to the department of transportation under section 20.395 (5) (cq) of the statutes, as
14 affected by the acts of 2011, the dollar amount is increased by \$23,700 for the fiscal
15 year in which this subsection takes effect to increase funding for special registration
16 plates associated with Shriners Hospitals for Children.

17 **SECTION 11. Effective date.**

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

20 (END)



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-2483/22

ARG:kjfrs

1/9 - H/c w/ Tom - wants /1
PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

in 1/9
wanted by 1/10
end of day

RAN

Stang

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 associated with Shriners Hospitals for Children and making an
5 appropriation.

Analysis by the Legislative Reference Bureau

Under current law, any group or organization may apply to the Department of Transportation (DOT) for designation as an authorized special group. If the application is approved, members of the authorized special group may obtain special distinguishing registration 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 supporting Shriners Hospitals for Children. 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 Shriners Hospitals for Children for the benefit of the Shriners Hospital for Children - Chicago and the Shriners Hospital for Children - Minneapolis. The bill requires the special plates to display a logo or image associated with Shriners Hospitals for Children and the words "Shriners ... Helping Kids." However, DOT may not issue these special plates until DOT has obtained authority to use any applicable trademark or service mark associated with Shriners Hospitals for Children on these 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 Shriners Hospitals for Children.* From the general
3 fund, all moneys received under s. 341.14 (6r) (b) 15. for payments to Shriners
4 Hospitals for Children 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)

1 55., 60., or 61r. until 6 months after the department has received information
2 sufficient for the department to determine that any approvals required for use of any
3 logo, trademark, trade name or other commercial symbol designating the
4 professional football team or professional baseball team or associated with
5 Harley-Davidson, Inc., have been obtained. Subject to ~~sub.~~ subs. (9) (d) and (10) (d),
6 the department may not issue any special group plates under par. (f) 61m. or 62, until
7 the department has received information sufficient for the department to determine
8 that any license or other approval required for use of any logo, trademark or service
9 mark, trade name or other commercial symbol to be used on or in association with
10 these plates has been obtained. Notwithstanding s. 341.12 (2), if the department of
11 corrections does not have flat-plate technology available for use in manufacturing
12 license plates at quality and cost comparable to that available from the state of
13 Minnesota, the department of transportation may not issue any special group plates
14 under par. (f) 59. unless the department of transportation purchases the plates from
15 the state of Minnesota. Sections 16.70, 16.71, 16.72, 16.75, 16.752 to 16.755, 16.765,
16 16.77, and 16.82 do not apply to purchases of plates issued under par. (f) 59. from the
17 state of Minnesota.

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

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

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

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

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

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

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

22 341.14 (6r) (f) 62. Persons interested in obtaining a plate supporting Shriners
23 Hospitals for Children.

24 **SECTION 7.** 341.14 (6r) (fm) 7. of the statutes, as affected by 2011 Wisconsin Act
25 32, is amended to read:

1 341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups
2 may only be special groups designated by the department under this paragraph. The
3 authorized special groups enumerated in par. (f) shall be limited solely to those
4 special groups specified under par. (f) on October 1, 1998. This subdivision does not
5 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m., 15m.,
6 19m., 33m., 48m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., 58., 59., 60., 61., 61m., and
7 61r., and 62.

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

9 341.14 (10) (a) Subject to par. (c), from the appropriation under s. 20.395 (5)
10 (ei), the department shall make payments to Shriners Hospitals for Children, which
11 payments shall be for the benefit of the Shriners Hospital for Children - Chicago and
12 the Shriners Hospital for Children - Minneapolis.

13 (b) For each year in which the department makes payments under par. (a),
14 Shriners Hospitals for Children shall submit to the chief clerk of each house of the
15 legislature for distribution to the appropriate standing committees of the legislature
16 one of the following:

17 1. If the department has made payments under par. (a) for that year of at least
18 \$50,000, an audited financial statement of Shriners Hospitals for Children's use of
19 the payments under par. (a), prepared in accordance with generally accepted
20 accounting principles.

21 2. If the department has made payments under par. (a) for that year of less than
22 \$50,000, a statement describing Shriners Hospitals for Children's use of the
23 payments under par. (a), signed and notarized by the chief executive officer or chief
24 operating officer of Shriners Hospitals for Children.

1 (c) The department shall discontinue payments to Shriners Hospitals for
2 Children under this subsection if Shriners Hospitals for Children dissolves, becomes
3 insolvent, files a petition for bankruptcy, or is no longer exempt from taxation under
4 section 501 (a) of the Internal Revenue Code.

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

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

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

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

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

20 **SECTION 9. Nonstatutory provisions.**

21 (1) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes
22 effect in fiscal year 2012-13, in submitting information under section 16.42 of the
23 statutes for purposes of the 2013-15 biennial budget bill, the department of
24 transportation shall submit information concerning the appropriation under section
25 20.395 (5) (cq) of the statutes as though the total amount appropriated under section

1 20.395 (5) (cq) of the statutes for the 2012-13 fiscal year was \$23,700 less than the
2 total amount that was actually appropriated under section 20.395 (5) (cq) of the
3 statutes for the 2012-13 fiscal year.

4 (2) Upon request by the department of transportation, Shriners Hospitals for
5 Children shall provide to the department of transportation any information
6 determined by the department to be necessary for the department to obtain the
7 approval specified in section 341.14 (6r) (b) 1. of the statutes, as affected by this act,
8 for special plates to be issued under section 341.14 (6r) (f) 62. of the statutes, as
9 created by this act, including the name and location of the owner of any applicable
10 service mark registration.

11 **SECTION 10. Fiscal changes.**

12 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
13 to the department of transportation under section 20.395 (5) (cq) of the statutes, as
14 affected by the acts of 2011, the dollar amount is increased by \$23,700 for the fiscal
15 year in which this subsection takes effect to increase funding for special registration
16 plates associated with Shriners Hospitals for Children.

17 **SECTION 11. Effective date.**

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

20 (END)