

State of Wisconsin



2013 Assembly Bill 173

Date of enactment: **April 16, 2014**
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2013 WISCONSIN ACT 266

AN ACT to renumber and amend 341.14 (6r) (b) 1m.; to amend 341.14 (6r) (b) 1., 341.14 (6r) (c) and 341.14 (6r) (fm) 7.; and to create 20.395 (5) (ei), 25.40 (1) (a) 30., 341.14 (6r) (b) 1m. b., 341.14 (6r) (b) 15., 341.14 (6r) (f) 62. and 341.14 (10) of the statutes; relating to: special distinguishing registration plates associated with Wisconsin Trout Unlimited and making an appropriation.

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

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

20.395 (5) (ei) *Payments to Wisconsin Trout Unlimited.* From the general fund, all moneys received under s. 341.14 (6r) (b) 15. for payments to Wisconsin Trout Unlimited, Inc., 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) 55., 60., or 61r. until 6 months after the department has received information sufficient for the department to determine that any approvals required for use of any logo, trademark, trade name or other commercial symbol designating the professional football team or professional baseball team or associated with Harley-Davidson, Inc., have been obtained. Subject to ~~sub.~~ subs. (9) (d) and (10) (d), the department may not issue any special group plates under par. (f) 61m. or 62. until the department has received information sufficient for the department to determine that any license or other approval required for use of any logo, trademark or service mark, trade name or other commercial symbol to be used on or in association with these plates has been obtained. Notwithstanding s. 341.12 (2), if the department of corrections does not have flat-plate technology available for use in manufacturing license plates at quality and cost comparable to that available from the state of Minnesota, the department of transportation may not issue any special group plates under par. (f) 59. unless the department of transportation purchases the plates from the state of Minnesota. Sections 16.70, 16.71, 16.72, 16.75, 16.752 to 16.755, 16.765, 16.77, and 16.82 do not

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

apply to purchases of plates issued under par. (f) 59. from the state of Minnesota.

SECTION 3g. 341.14 (6r) (b) 1m. of the statutes is renumbered 341.14 (6r) (b) 1m. a. and amended to read:

341.14 (6r) (b) 1m. a. Upon receipt of contributions totaling an amount equal to the initial costs of production of the special group plates under par. (f) 61. or \$11,800, whichever is less, from Marquette University or other persons interested in the special group plates under par. (f) 61., the department shall commence any development work necessary to implement the provisions of par. (f) 61. and related provisions under this subsection and shall complete the development work within 6 months of its commencement. The development work under this ~~subdivision~~ subd. 1m. a. shall be funded only from the appropriation under s. 20.395 (4) (ch) from contributions received by the department for purposes of this ~~subdivision~~ subd. 1m. a. If the department does not receive, by June 30, 2013, sufficient contributions to commence development work under this ~~subdivision~~ subd. 1m. a., the department may not commence development work under this ~~subdivision~~ subd. 1m. a. and shall promptly return to each contributor all contributions, less a transaction fee of no more than \$2.50 per contributor for costs associated with the return of contributions, received by the department for purposes of this ~~subdivision~~ subd. 1m. a. If the department receives contributions in excess of the amount necessary to commence development work under this ~~subdivision~~ subd. 1m. a., the department shall discontinue receiving contributions under this ~~subdivision~~ subd. 1m. a. and promptly return to each contributor all contributions, less a transaction fee of no more than \$2.50 per contributor for costs associated with the return of contributions, received by the department after the department had received sufficient contributions. No contribution received by the department under this ~~subdivision~~ subd. 1m. a. may be applied to any fee established under subd. 2. The department may not issue any special group plates under par. (f) 61. until the department has completed the development work specified in this ~~subdivision~~ subd. 1m. a.

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

341.14 (6r) (b) 1m. b. Upon receipt of contributions totaling an amount equal to the department's final estimate of the initial costs of production of the special group plates under par. (f) 62. or \$23,700, whichever is less, from persons interested in the special group plates under par. (f) 62., the department shall commence any development work necessary to implement the provisions of par. (f) 62. and related provisions under this subsection and shall complete the development work within one year of its commencement. As soon as possible, the department shall post notice on the department's Internet site of its final estimate of the initial costs of production of the special group plates under par. (f) 62. The development

work under this subd. 1m. b. shall be funded only from the appropriation under s. 20.395 (4) (ch) from contributions received by the department for purposes of this subd. 1m. b. If the department does not receive, by June 30, 2017, sufficient contributions to commence development work under this subd. 1m. b., the department may not commence development work under this subd. 1m. b. and shall promptly return to each contributor all contributions, less a transaction fee of no more than \$2.50 per contributor for costs associated with the return of contributions, received by the department for purposes of this subd. 1m. b. If the department receives contributions in excess of the amount necessary to commence development work under this subd. 1m. b., the department shall discontinue receiving contributions under this subd. 1m. b. and promptly return to each contributor all contributions, less a transaction fee of no more than \$2.50 per contributor for costs associated with the return of contributions, received by the department after the department had received sufficient contributions. No contribution received by the department under this subd. 1m. b. may be applied to any fee established under subd. 2. The department may not issue any special group plates under par. (f) 62. until the department has completed the development work specified in this subd. 1m. b.

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

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

SECTION 5. 341.14 (6r) (c) of the statutes is amended to read:

341.14 (6r) (c) Special group plates shall display the word "Wisconsin", the name of the applicable authorized special group, a symbol representing the special group, not exceeding one position, and identifying letters or numbers or both, not exceeding 6 positions and not less than one position. Except as provided in this paragraph, the department shall specify the design for special group plates, but the department shall consult the president of the University of Wisconsin System before specifying the word or symbol used to identify the special groups

under par. (f) 35. to 47., the secretary of natural resources before specifying the word or symbol used to identify the special groups under par. (f) 50. and 59., the chief executive officer of the professional football team and an authorized representative of the league of professional football teams described in s. 229.823 to which that team belongs before specifying the design for the applicable special group plate under par. (f) 55., the chief trademark officer of Harley-Davidson Michigan, LLC before specifying the design for the applicable special group plate under par. (f) 61r., the department of veterans affairs before specifying the design for the special group plates under par. (f) 49d., 49h., and 49s., and the department of tourism and chief executive officer of the organization specified in par. (f) 55m. before specifying the design and word or symbol used to identify the special group name for special group plates under par. (f) 55m. Special group plates under par. (f) 50. shall be as similar as possible to regular registration plates in color and design. The department shall make available 2 designs for the special group plates under par. (f) 60. The department may not specify any design for the special group plates under par. (f) 60. unless the design is approved by the executive vice president of the Milwaukee Brewers Baseball Club LP. The word or symbol used to identify the special group under par. (f) 59. shall be different from the word or symbol used to identify the special group under par. (f) 50. and the design shall cover the entire plate. Special group plates under par. (f) 61m. shall display a logo or image of the lion associated with the Lions Clubs International. Special group plates under par. (f) 61r. shall display a bar and shield logo associated with Harley-Davidson, Inc., on the left portion of the plates and the words "share the road" on the bottom portion of the plates. Special group plates under par. (f) 62. shall display the words "Trout Unlimited." Notwithstanding par. (e), special group plates under par. (f) 33m. and 48m. shall be the same color and design that was specified by the department for special group plates under par. (f) 33. and 48., respectively, immediately prior to January 1, 2007. The design for special group plates under par. (f) 33. and 48. shall be different from the design of special group plates under par. (f) 33m. and 48m., respectively.

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

341.14 (6r) (f) 62. Persons interested in obtaining a plate supporting Wisconsin Trout Unlimited.

SECTION 7. 341.14 (6r) (fm) 7. of the statutes is amended to read:

341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups may only be special groups

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

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

341.14 (10) (a) Subject to par. (c), from the appropriation under s. 20.395 (5) (ei), the department shall make payments to Wisconsin Trout Unlimited, Inc., if the department issues special group plates under sub. (6r) (f) 62.

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

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

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

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

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

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

SECTION 11. Effective date.

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