



2013 ASSEMBLY BILL 528

November 25, 2013 – Introduced by Representatives C. TAYLOR, BARNES, BERCEAU, HESSELBEIN, HULSEY, KAHL, KESSLER, OHNSTAD and SARGENT, cosponsored by Senators HARRIS and RISSER. Referred to Committee on Transportation.

1 **AN ACT** *to amend* 341.14 (6r) (b) 1., 341.14 (6r) (c) and 341.14 (6r) (fm) 7.; and
2 *to create* 20.395 (5) (ei), 25.40 (1) (a) 30., 341.14 (6r) (b) 15., 341.14 (6r) (f) 62.
3 and 341.14 (10) of the statutes; **relating to:** special distinguishing registration
4 plates displaying the words Support Planned Parenthood 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 license plates for certain vehicles, including automobiles and motor homes, that are owned or leased by special group members. A fee, in addition to the regular registration fee for the particular kind of vehicle, is charged for the issuance or reissuance of most special plates.

Before October 2, 1998, authorized special groups whose members may obtain special plates were specifically enumerated in state law. With certain exceptions, current law provides that specific enumeration in state law of authorized special groups is limited to those special groups enumerated before October 2, 1998.

This bill establishes an authorized special group specifically enumerated in state law for persons interested in obtaining special plates that display the words "Support Planned Parenthood." In addition to the regular vehicle registration fee, special group members are required to pay a \$15 fee for issuance or reissuance of the

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special plates and to annually include payment of \$25 that provides funds to Planned Parenthood of Wisconsin, Inc., to be used only for funding cervical and breast cancer screenings and family planning services, including birth control. However, DOT may not issue these special plates until DOT has obtained authority to use, without fee, any applicable trademark or service mark associated with these "Support Planned Parenthood" 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 Planned Parenthood of Wisconsin.* From the general
3 fund, all moneys received under s. 341.14 (6r) (b) 15. for payments to Planned
4 Parenthood of Wisconsin, Inc., 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

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

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1 2nd year of the biennial registration period. No plate may be issued for the special
2 group specified under par. (f) 62. unless the voluntary payment under this
3 subdivision is collected. All moneys received under this subdivision in excess of
4 \$23,700 or of the initial cost of production of the special group plate under par. (f) 62.,
5 whichever is less, shall be deposited into the general fund and credited to the
6 appropriation under s. 20.395 (5) (ei). To the extent permitted under ch. 71, the
7 voluntary payment under this subdivision is deductible as a charitable contribution
8 for purposes of the taxes under ch. 71.

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

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

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

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

ASSEMBLY BILL 528**SECTION 7**

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.,
6 15m., 19m., 33m., 48m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., 58., 59., 60., 61., 61m.,
7 and 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 Planned Parenthood of Wisconsin, Inc.,
11 which payments shall be used only for funding cervical and breast cancer screenings
12 and family planning services, including birth control.

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

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

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

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

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

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

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

SECTION 9. Nonstatutory provisions.

13
14 (1) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes
15 effect in fiscal year 2014-15, in submitting information under section 16.42 of the
16 statutes for purposes of the 2015-17 biennial budget bill, the department of
17 transportation shall submit information concerning the appropriation under section
18 20.395 (5) (cq) of the statutes as though the total amount appropriated under section
19 20.395 (5) (cq) of the statutes for the 2014-15 fiscal year was \$23,700 less than the
20 total amount that was actually appropriated under section 20.395 (5) (cq) of the
21 statutes for the 2014-15 fiscal year.

SECTION 10. Fiscal changes.

22
23 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
24 to the department of transportation under section 20.395 (5) (cq) of the statutes, as
25 affected by the acts of 2013, the dollar amount is increased by \$23,700 for the fiscal

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SECTION 10

1 year in which this subsection takes effect to increase funding for special registration
2 plates displaying the words "Support Planned Parenthood."

3 **SECTION 11. Effective date.**

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

6 (END)