

**2009 DRAFTING REQUEST**

**Assembly Substitute Amendment (ASA-AB465)**

Received: 12/02/2009

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **David Cullen (608) 267-9836**

By/Representing: **Ritch Williams**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Cullen@legis.wisconsin.gov**

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

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Special plates for Lions Clubs, without requiring agreement

---

**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>
/?	agary 12/02/2009	jdye 12/02/2009		_____			
/1			rschluet 12/02/2009	_____	mbarman 12/02/2009	mbarman 12/02/2009	

FE Sent For:

<END>

**2009 DRAFTING REQUEST**

**Assembly Substitute Amendment (ASA-AB465)**

Received: 12/02/2009

Received By: agary

Wanted: As time permits

Identical to LRB:

For: David Cullen (608) 267-9836

By/Representing: Ritch Williams

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: Transportation - motor vehicles

Extra Copies:

Submit via email: YES

Requester's email: Rep.Cullen@legis.wisconsin.gov

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

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Special plates for Lions Clubs, without requiring agreement

---

**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>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

/?

agary

1 12/2 jld  
12/29

FE Sent For:

<END>

## Gary, Aaron

---

**From:** Burri, Lance  
**Sent:** Wednesday, December 02, 2009 11:26 AM  
**To:** Gary, Aaron  
**Cc:** Williams, Ritch  
**Subject:** FW: Sub Amendment for AB 465

Aaron, yes, we've shared LRBz0178/P2 with the Cullen office and are on board with them having an Assembly version drafted. Thanks.

Lance Burri  
Office of Sen. Mary Lazich  
608-266-5400 or 800-334-1442

---

**From:** Williams, Ritch  
**Sent:** Wednesday, December 02, 2009 11:25 AM  
**To:** Gary, Aaron  
**Subject:** RE: Sub Amendment for AB 465

I am trying to have that happen.

## Ritch Williams

*Clerk, Committee on Insurance*  
Office of Rep. David Cullen  
216 North, State Capitol  
(608) 267-9836

---

**From:** Gary, Aaron  
**Sent:** Wednesday, December 02, 2009 11:20 AM  
**To:** Williams, Ritch  
**Subject:** RE: Sub Amendment for AB 465

Ritch,  
I believe I can get the assembly sub out to you today if you can either have the Lazich office give me the OK or confirm for me that you have a complete copy of LRBs0178/P2 (since it is still unIntroduced).

Thanks. Aaron

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

---

**From:** Williams, Ritch  
**Sent:** Wednesday, December 02, 2009 11:17 AM  
**To:** Gary, Aaron  
**Subject:** Sub Amendment for AB 465

Aaron –

The Lazich office had a substitute amendment drafted for introduction to SB 307, relating to special distinguishing license

plates for the Lions Clubs. That LRB number is LRBs0178.

We'd like to have the same thing drafted for introduction to the Assembly companion bill...which is up for a public hearing tomorrow in the Transportation Committee. Any chance you can change some numbers around and get that to me today? I really apologize for the ridiculously short notice – all my fault.

Thanks in advance for any assistance in getting the sub drafted and sent over. I'll get it to the committee clerk as soon as I have it.

**Ritch Williams**

*Clerk, Committee on Insurance*

Office of Rep. David Cullen

216 North, State Capitol

(608) 267-9836



State of Wisconsin  
2009 - 2010 LEGISLATURE

TODAY

50200/1  
LRBS 0178/P2  
ARG fld ph stays

in 12/2

RMNR

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

Assembly ~~SENATE~~ SUBSTITUTE AMENDMENT,  
TO 2009 ~~SENATE~~ <sup>Assembly</sup> BILL ~~807~~ 465

X

Regen

1 AN ACT *to amend* 341.14 (6r) (b) 1., 341.14 (6r) (c) and 341.14 (6r) (fm) 7.; and  
2 *to create* 20.395 (5) (eq), 341.14 (6r) (b) 14., 341.14 (6r) (f) 61. and 341.14 (9)  
3 of the statutes; **relating to:** special distinguishing registration plates  
4 associated with the Lions Clubs of Wisconsin 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 substitute amendment establishes an authorized special group specifically enumerated in state law for persons interested in obtaining special

plates supporting the Lions Clubs of Wisconsin. In addition to the regular vehicle registration fee, special group members are required to pay a \$15 fee for issuance or reissuance of the special plates and a \$25 annual fee that provides funds to the Wisconsin Lions Foundation, Inc. The substitute amendment requires the special plates to display a logo or image of the lion associated with the Lions Clubs International. However, DOT may not issue these special plates until DOT has obtained authority to use any applicable trademark or service mark associated with the Lions Clubs on these special plates.

---

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

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

2           20.395 (5) (eq) *Payments to the Wisconsin Lions Foundation.* All moneys  
3 received under s. 341.14 (6r) (b) 14., less \$23,700, for payments to the Wisconsin  
4 Lions Foundation, Inc., under s. 341.14 (9).

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

7           341.14 (6r) (b) 1. Upon application to register an automobile or motor home,  
8 or a motor truck, dual purpose motor home or dual purpose farm truck which has a  
9 gross weight of not more than 8,000 pounds, or a farm truck which has a gross weight  
10 of not more than 12,000 pounds, by any person who is a resident of this state and a  
11 member of an authorized special group, the department shall issue to the person  
12 special plates whose colors and design shall indicate that the vehicle is owned by a  
13 person who is a member of the applicable special group. The department may not  
14 issue any special group plates under par. (f) 55. or 60. until 6 months after the  
15 department has received information sufficient for the department to determine that  
16 any approvals required for use of any logo, trademark, trade name or other  
17 commercial symbol designating, respectively, the professional football team or the  
18 professional baseball team have been obtained. Subject to sub. (9) (d), the

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

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

14 341.14 **(6r)** (b) 14. Subject to sub. (9) (d), a fee of \$25 that is in addition to the  
15 fee under subd. 2. shall be charged for the issuance or renewal of a plate issued on  
16 an annual basis for the special group specified under par. (f) 61. Subject to sub. (9)  
17 (d), a fee of \$50 that is in addition to the fee under subd. 2. shall be charged for the  
18 issuance or renewal of a plate issued on the biennial basis for the special group  
19 specified under par. (f) 61. if the plate is issued or renewed during the first year of  
20 the biennial registration period or \$25 for the issuance or renewal if the plate is  
21 issued or renewed during the 2nd year of the biennial registration period. All moneys  
22 received under this subdivision, in excess of \$23,700 for the initial costs of production  
23 of the special group plate under par. (f) 61., shall be credited to the appropriation  
24 under s. 20.395 (5) (eq). To the extent permitted under ch. 71, the fee under this

1 subdivision is deductible as a charitable contribution for purposes of the taxes under  
2 ch. 71.

3 **SECTION 4.** 341.14 (6r) (c) <sup>x</sup> of the statutes, as affected by 2009 Wisconsin Act 28,  
4 section 2818, is amended to read:

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



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

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

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

8 **SECTION 6.** 341.14 (6r) (fm) 7. <sup>X</sup> of the statutes, as affected by 2009 Wisconsin Act  
9 28, section 2824, is amended to read:

10 341.14 **(6r)** (fm) 7. After October 1, 1998, additional authorized special groups  
11 may only be special groups designated by the department under this paragraph. The  
12 authorized special groups enumerated in par. (f) shall be limited solely to those  
13 special groups specified under par. (f) on October 1, 1998. This subdivision does not  
14 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m.,  
15 19m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., 58., 59., ~~and 60.~~ and 61.

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

17 341.14 **(9)** (a) Subject to par. (c), from the appropriation under s. 20.395 (5) (eq),  
18 the department shall make payments to the Wisconsin Lions Foundation, Inc.

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

23 (c) The department shall discontinue payments to the Wisconsin Lions  
24 Foundation, Inc., under this subsection if the Wisconsin Lions Foundation, Inc.,

1 dissolves, becomes insolvent, files a petition for bankruptcy, or is no longer exempt  
2 from taxation under section 501 (a) of the Internal Revenue Code.

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

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

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

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

15 **SECTION 8. Nonstatutory provisions.**

16 (1) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes  
17 effect in fiscal year 2010–11, in submitting information under section 16.42 of the  
18 statutes for purposes of the 2011–13 biennial budget bill, the department of  
19 transportation shall submit information concerning the appropriation under section  
20 20.395 (5) (cq) of the statutes as though the total amount appropriated under section  
21 20.395 (5) (cq) of the statutes for the 2010–11 fiscal year was \$23,700 less than the  
22 total amount that was actually appropriated under section 20.395 (5) (cq) of the  
23 statutes for the 2010–11 fiscal year.

24 **SECTION 9. Fiscal changes.**

