

State of Wisconsin



2015 Senate Bill 550

Date of enactment: **March 30, 2016**
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2015 WISCONSIN ACT 296

AN ACT to amend 341.14 (6r) (b) 1., 341.14 (6r) (c), 341.14 (6r) (e) and 341.14 (6r) (fm) 7.; and to create 20.395 (5) (eL), 25.40 (1) (a) 32., 341.14 (6r) (b) 1m. c., 341.14 (6r) (b) 17., 341.14 (6r) (f) 65. and 341.14 (11) of the statutes; relating to: special registration plates associated with certain professional basketball teams 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) (eL) of the statutes is created to read:

20.395 (5) (eL) *Basketball plate payments to the Milwaukee Bucks Foundation.* From the general fund, all moneys received under s. 341.14 (6r) (b) 17. b. for payments to the Milwaukee Bucks Foundation.

SECTION 2. 25.40 (1) (a) 32. of the statutes is created to read:

25.40 (1) (a) 32. Moneys received under s. 341.14 (6r) (b) 17. that are deposited into the general fund.

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 subs. (9) (d) ~~and~~, (10) (d), ~~and (11) (d)~~, the department may not issue any special group plates under par. (f) 61m. ~~or~~, 63., ~~or~~ 65. 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 apply to purchases of plates issued under par. (f) 59. from the state of Minnesota.

* 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."

SECTION 4. 341.14 (6r) (b) 1m. c. of the statutes is created to read:

341.14 (6r) (b) 1m. c. Upon receipt of a contribution totaling an amount equal to the department's final estimate of the initial costs of production of the special group plates under par. (f) 65. or \$23,700, whichever is less, from any person or group interested in the special group plates under par. (f) 65., the department shall commence any development work necessary to implement the provisions of par. (f) 65. 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) 65. The development work under this subd. 1m. c. shall be funded only from the appropriation under s. 20.395 (4) (ch) from the contribution received by the department for purposes of this subd. 1m. c. No contribution received by the department under this subd. 1m. c. may be applied to any fee established under subd. 2. The department may not issue any special group plates under par. (f) 65. until the department has completed the development work specified in this subd. 1m. c.

SECTION 5. 341.14 (6r) (b) 17. of the statutes is created to read:

341.14 (6r) (b) 17. A voluntary payment of \$25 that is in addition to the fee under subd. 2. shall be collected in connection with the issuance or renewal of a plate issued on an annual basis for the special group specified under par. (f) 65. A voluntary payment of \$50 that is in addition to the fee under subd. 2. shall be collected in connection with the issuance or renewal of a plate issued on a biennial basis for the special group specified under par. (f) 65. 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. No plate may be issued for the special group specified under par. (f) 65. unless the voluntary payment under this subdivision is collected. All moneys received under this subdivision shall be deposited and credited as follows:

a. Until 20 years after the effective date of this subd. 17. a. [LRB inserts date], 80 percent shall be deposited into the general fund.

b. Until 20 years after the effective date of this subd. 17. b. [LRB inserts date], 20 percent shall be deposited into the general fund and credited to the appropriation account under s. 20.395 (5) (eL). After 20 years after the effective date of this subd. 17. b. [LRB inserts date], 100 percent shall be deposited into the general fund and credited to the appropriation account under s. 20.395 (5) (eL). The department of transportation shall identify and record the percentage of moneys that are attributable to each professional basketball team represented by a plate under par. (f) 65.

SECTION 6. 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. Special group plates issued under par. (f) 62. shall display the words "In God We Trust". 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 department may not specify any design for the special group plates under par. (f) 65. unless the design is approved by the president of the Milwaukee Bucks. 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) 63. 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 7. 341.14 (6r) (e) of the statutes is amended to read:

341.14 (6r) (e) The department shall specify one combination of colors for special group plates for groups or organizations which are not military in nature and not special group plates under par. (f) 35. to 47., 50., and 59., for each professional football team under par. (f) 55., and for each professional baseball team under par. (f) 60., and for each professional basketball team under par. (f) 65. The department shall specify one combination of colors for special group plates under par. (f) 35. to 47. Subject to par. (c), the department shall specify the word or words comprising the special group name and the symbol to be displayed upon special group plates for a group or organization which is not military in nature after consultation with the chief executive officer in this state of the group or organization. The department shall require that the word or words and symbol for a university specified under par. (f) 35. to 47. be a registration decal or tag and affixed to the special group plate and be of the colors for a university specified under par. (f) 35. to 47. that the president of the University of Wisconsin System specifies. The department shall consult the chief trademark officer of Harley-Davidson Michigan, LLC before specifying the colors for the special group plate under par. (f) 61r.

SECTION 8. 341.14 (6r) (f) 65. of the statutes is created to read:

341.14 (6r) (f) 65. Persons interested in expressing support for a professional basketball team that has entered into, or whose affiliate has entered into, a development agreement with a local exposition district under s. 229.461.

SECTION 9. 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., 15n., 15o., 15p., 15q., 19m.,

33m., 48m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., 58., 59., 60., 61., 61m., 61r., ~~and 62. and 63. and 64., and 65.~~

SECTION 10. 341.14 (11) of the statutes is created to read:

341.14 (11) (a) Subject to par. (c), from the appropriation under s. 20.395 (5) (eL), the department shall make payments to the Milwaukee Bucks Foundation, if the department issues special group plates under sub. (6r) (f) 65.

(b) For each year in which the department makes payments under par. (a), the Milwaukee Bucks Foundation 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 may make payments to the Milwaukee Bucks Foundation under this subsection only if the Milwaukee Bucks Foundation is eligible for the exemption from taxation under section 501 (a) of the Internal Revenue Code. The department shall discontinue payments to the Milwaukee Bucks Foundation under this subsection if the Milwaukee Bucks Foundation 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. If the special group plates under sub. (6r) (f) 65. will display any logo, trademark or service mark, trade name, or other commercial symbol associated with the Milwaukee Bucks, the department may not issue any plates under sub. (6r) (f) 65. unless the approval specified in 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) 65., without replacing those plates, but the department shall discontinue collecting the voluntary payment specified in sub. (6r) (b) 17. 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) 65. is withdrawn, the department shall discontinue issuing plates under sub. (6r) (f) 65. unless additional approval, as specified in this paragraph and sub. (6r) (b) 1., is obtained by the department.