2015 SENATE BILL 685

February 1, 2016 – Introduced by Senators HARRIS DODD, L. TAYLOR and C. LARSON, cosponsored by Representatives BOWEN, BROSTOFF, JOHNSON, OHNSTAD, KAHL, BERCEAU, CONSIDINE, WACHS, GOYKE, SINICKI and BARNES. Referred to Committee on Transportation and Veterans Affairs.

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) (fg), 20.395 (5) (fh), 20.395 (5) (fi), 20.395 (5) (fj), 25.40 (1) (a) 32., 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 appropriations.

Analysis by the Legislative Reference Bureau

This bill allows persons interested in expressing their support of the Milwaukee Bucks to obtain special registration plates.

Under current law, members of certain designated special groups may obtain special registration plates for certain vehicles 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.

This bill establishes an authorized special group specifically enumerated in state law for persons interested in obtaining special plates expressing support for certain professional basketball teams. 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 to annually include a voluntary payment of $25. Funds from the voluntary payment are retained by DOT until DOT recovers the lesser of $23,700 or the amount of the initial costs of production of these special plates. After this, the voluntary payment is divided into equal payments to the Milwaukee Bucks Foundation, the city of Milwaukee, Milwaukee County, and a certain local exposition.
SENATE BILL 685

district. The bill requires that the special plates’ design be approved by the president of the Milwaukee Bucks. DOT may not issue these special plates until DOT has obtained authority to use any applicable trademark or service mark associated with the professional basketball team.

For further information see the state and local 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) (fg) of the statutes is created to read:

20.395 (5) (fg) Basketball plate payments to the Milwaukee Bucks Foundation.

From the general fund, all moneys received under s. 341.14 (6r) (b) 17. a. for payments to the Milwaukee Bucks Foundation.

SECTION 2. 20.395 (5) (fh) of the statutes is created to read:

20.395 (5) (fh) Basketball plate payments to the city of Milwaukee. From the general fund, all moneys received under s. 341.14 (6r) (b) 17. c. for payments to the city of Milwaukee.

SECTION 3. 20.395 (5) (fi) of the statutes is created to read:

20.395 (5) (fi) Basketball plate payments to Milwaukee County. From the general fund, all moneys received under s. 341.14 (6r) (b) 17. c. for payments to Milwaukee County.

SECTION 4. 20.395 (5) (fj) of the statutes is created to read:

20.395 (5) (fj) Basketball plate payments to local exposition district. From the general fund, all moneys received under s. 341.14 (6r) (b) 17. d. for payments to the local exposition district created under subch. II of ch. 229.

SECTION 5. 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 and credited to the appropriation accounts under s. 20.395 (5) (fg), (fh), (fi), and (fj).

SECTION 6. 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 7. 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. For each professional basketball team for which plates are produced under par. (f) 65., all moneys received under this subdivision, in excess of $23,700, for the initial costs of production for each team’s special group plates, shall be deposited into the general fund and credited as follows:

a. Twenty-five percent shall be credited to the appropriation account under s. 20.395 (5) (fg).

b. Twenty-five percent shall be credited to the appropriation account under s. 20.395 (5) (fh).

c. Twenty-five percent shall be credited to the appropriation account under s. 20.395 (5) (fi).
d. Twenty-five percent shall be credited to the appropriation account under s. 20.395 (5) (fj).

SECTION 8. 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 9. 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 10.** 341.14 (6r) (f) 65. of the statutes is created to read:

341.14 (6r) (f) 65. Persons interested in expressing their support of 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 11.** 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., 61., 61m., 61r., and 62. and 63. and, 64. and 65.

**SECTION 12.** 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) (fg),

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) 1. 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.

2. The department may make payments to the Milwaukee Bucks Foundation under this subsection only if the department determines that the payments will be used for charitable purposes in the city of Milwaukee.

(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.

(END)