



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-4607/1
EVM:kjf

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.

1 **AN ACT to amend** 341.14 (6r) (b) 1., 341.14 (6r) (c), 341.14 (6r) (e) and 341.14 (6r)
2 (fm) 7.; and **to create** 20.395 (5) (fg), 20.395 (5) (fh), 20.395 (5) (fi), 20.395 (5)
3 (fj), 25.40 (1) (a) 32., 341.14 (6r) (b) 17., 341.14 (6r) (f) 65. and 341.14 (11) of the
4 statutes; **relating to:** special registration plates associated with certain
5 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

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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:

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

2 20.395 (5) (fg) *Basketball plate payments to the Milwaukee Bucks Foundation.*

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

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

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

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

10 20.395 (5) (fi) *Basketball plate payments to Milwaukee County.* From the
11 general fund, all moneys received under s. 341.14 (6r) (b) 17. c. for payments to
12 Milwaukee County.

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

14 20.395 (5) (fj) *Basketball plate payments to local exposition district.* From the
15 general fund, all moneys received under s. 341.14 (6r) (b) 17. d. for payments to the
16 local exposition district created under subch. II of ch. 229.

17 **SECTION 5.** 25.40 (1) (a) 32. of the statutes is created to read:

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1 25.40 (1) (a) 32. Moneys received under s. 341.14 (6r) (b) 17. that are deposited
2 into the general fund and credited to the appropriation accounts under s. 20.395 (5)
3 (fg), (fh), (fi), and (fj).

4 **SECTION 6.** 341.14 (6r) (b) 1. of the statutes is amended to read:

5 341.14 (6r) (b) 1. Subject to subd. 1m., upon application to register an
6 automobile or motor home, or a motor truck, dual purpose motor home or dual
7 purpose farm truck which has a gross weight of not more than 8,000 pounds, or a
8 farm truck which has a gross weight of not more than 12,000 pounds, by any person
9 who is a resident of this state and a member of an authorized special group, the
10 department shall issue to the person special plates whose colors and design shall
11 indicate that the vehicle is owned by a person who is a member of the applicable
12 special group. The department may not issue any special group plates under par. (f)
13 55., 60., or 61r. until 6 months after the department has received information
14 sufficient for the department to determine that any approvals required for use of any
15 logo, trademark, trade name or other commercial symbol designating the
16 professional football team or professional baseball team or associated with
17 Harley-Davidson, Inc., have been obtained. Subject to subs. (9) (d) ~~and~~, (10) (d), and
18 (11) (d), the department may not issue any special group plates under par. (f) 61m.
19 ~~or~~, 63., or 65. until the department has received information sufficient for the
20 department to determine that any license or other approval required for use of any
21 logo, trademark or service mark, trade name or other commercial symbol to be used
22 on or in association with these plates has been obtained. Notwithstanding s. 341.12
23 (2), if the department of corrections does not have flat-plate technology available for
24 use in manufacturing license plates at quality and cost comparable to that available
25 from the state of Minnesota, the department of transportation may not issue any

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1 special group plates under par. (f) 59. unless the department of transportation
2 purchases the plates from the state of Minnesota. Sections 16.70, 16.71, 16.72, 16.75,
3 16.752 to 16.755, 16.765, 16.77, and 16.82 do not apply to purchases of plates issued
4 under par. (f) 59. from the state of Minnesota.

5 **SECTION 7.** 341.14 (6r) (b) 17. of the statutes is created to read:

6 341.14 **(6r)** (b) 17. A voluntary payment of \$25 that is in addition to the fee
7 under subd. 2. shall be collected in connection with the issuance or renewal of a plate
8 issued on an annual basis for the special group specified under par. (f) 65. A
9 voluntary payment of \$50 that is in addition to the fee under subd. 2. shall be
10 collected in connection with the issuance or renewal of a plate issued on a biennial
11 basis for the special group specified under par. (f) 65. if the plate is issued or renewed
12 during the first year of the biennial registration period or \$25 for the issuance or
13 renewal if the plate is issued or renewed during the 2nd year of the biennial
14 registration period. No plate may be issued for the special group specified under par.
15 (f) 65. unless the voluntary payment under this subdivision is collected. For each
16 professional basketball team for which plates are produced under par. (f) 65., all
17 moneys received under this subdivision, in excess of \$23,700, for the initial costs of
18 production for each team's special group plates, shall be deposited into the general
19 fund and credited as follows:

20 a. Twenty-five percent shall be credited to the appropriation account under s.
21 20.395 (5) (fg).

22 b. Twenty-five percent shall be credited to the appropriation account under s.
23 20.395 (5) (fh).

24 c. Twenty-five percent shall be credited to the appropriation account under s.
25 20.395 (5) (fi).

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1 d. Twenty-five percent shall be credited to the appropriation account under s.
2 20.395 (5) (fj).

3 **SECTION 8.** 341.14 (6r) (c) of the statutes is amended to read:

4 341.14 (6r) (c) Special group plates shall display the word "Wisconsin", the
5 name of the applicable authorized special group, a symbol representing the special
6 group, not exceeding one position, and identifying letters or numbers or both, not
7 exceeding 6 positions and not less than one position. Except as provided in this
8 paragraph, the department shall specify the design for special group plates, but the
9 department shall consult the president of the University of Wisconsin System before
10 specifying the word or symbol used to identify the special groups under par. (f) 35.
11 to 47., the secretary of natural resources before specifying the word or symbol used
12 to identify the special groups under par. (f) 50. and 59., the chief executive officer of
13 the professional football team and an authorized representative of the league of
14 professional football teams described in s. 229.823 to which that team belongs before
15 specifying the design for the applicable special group plate under par. (f) 55., the chief
16 trademark officer of Harley-Davidson Michigan, LLC before specifying the design
17 for the applicable special group plate under par. (f) 61r., the department of veterans
18 affairs before specifying the design for the special group plates under par. (f) 49d.,
19 49h., and 49s., and the department of tourism and chief executive officer of the
20 organization specified in par. (f) 55m. before specifying the design and word or
21 symbol used to identify the special group name for special group plates under par.
22 (f) 55m. Special group plates under par. (f) 50. shall be as similar as possible to
23 regular registration plates in color and design. Special group plates issued under
24 par. (f) 62. shall display the words "In God We Trust". The department shall make
25 available 2 designs for the special group plates under par. (f) 60. The department

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1 may not specify any design for the special group plates under par. (f) 60. unless the
2 design is approved by the executive vice president of the Milwaukee Brewers
3 Baseball Club LP. The department may not specify any design for the special group
4 plates under par. (f) 65. unless the design is approved by the president of the
5 Milwaukee Bucks. The word or symbol used to identify the special group under par.
6 (f) 59. shall be different from the word or symbol used to identify the special group
7 under par. (f) 50. and the design shall cover the entire plate. Special group plates
8 under par. (f) 61m. shall display a logo or image of the lion associated with the Lions
9 Clubs International. Special group plates under par. (f) 61r. shall display a bar and
10 shield logo associated with Harley-Davidson, Inc., on the left portion of the plates
11 and the words "share the road" on the bottom portion of the plates. Special group
12 plates under par. (f) 63. shall display the words "Trout Unlimited." Notwithstanding
13 par. (e), special group plates under par. (f) 33m. and 48m. shall be the same color and
14 design that was specified by the department for special group plates under par. (f)
15 33. and 48., respectively, immediately prior to January 1, 2007. The design for
16 special group plates under par. (f) 33. and 48. shall be different from the design of
17 special group plates under par. (f) 33m. and 48m., respectively.

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

19 341.14 **(6r)** (e) The department shall specify one combination of colors for
20 special group plates for groups or organizations which are not military in nature and
21 not special group plates under par. (f) 35. to 47., 50., and 59., for each professional
22 football team under par. (f) 55., and for each professional baseball team under par.
23 (f) 60., and for each professional basketball team under par. (f) 65. The department
24 shall specify one combination of colors for special group plates under par. (f) 35. to
25 47. Subject to par. (c), the department shall specify the word or words comprising the

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1 special group name and the symbol to be displayed upon special group plates for a
2 group or organization which is not military in nature after consultation with the
3 chief executive officer in this state of the group or organization. The department
4 shall require that the word or words and symbol for a university specified under par.
5 (f) 35. to 47. be a registration decal or tag and affixed to the special group plate and
6 be of the colors for a university specified under par. (f) 35. to 47. that the president
7 of the University of Wisconsin System specifies. The department shall consult the
8 chief trademark officer of Harley-Davidson Michigan, LLC before specifying the
9 colors for the special group plate under par. (f) 61r.

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

11 341.14 **(6r)** (f) 65. Persons interested in expressing their support of a
12 professional basketball team that has entered into, or whose affiliate has entered
13 into, a development agreement with a local exposition district under s. 229.461.

14 **SECTION 11.** 341.14 (6r) (fm) 7. of the statutes is amended to read:

15 341.14 **(6r)** (fm) 7. After October 1, 1998, additional authorized special groups
16 may only be special groups designated by the department under this paragraph. The
17 authorized special groups enumerated in par. (f) shall be limited solely to those
18 special groups specified under par. (f) on October 1, 1998. This subdivision does not
19 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m.,
20 15m., 15n., 15o., 15p., 15q., 19m., 33m., 48m., 49d., 49h., 49s., 54., 55., 55m., 56., 57.,
21 58., 59., 60., 61., 61m., 61r., and 62. and, 63. and, 64., and 65.

22 **SECTION 12.** 341.14 (11) of the statutes is created to read:

23 341.14 **(11)** (a) Subject to par. (c), from the appropriation under s. 20.395 (5) (fg),
24 the department shall make payments to the Milwaukee Bucks Foundation, if the
25 department issues special group plates under sub. (6r) (f) 65.

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1 (b) For each year in which the department makes payments under par. (a), the
2 Milwaukee Bucks Foundation shall submit to the presiding officer of each house of
3 the legislature an audited financial statement of its use of the payments under this
4 subsection, prepared in accordance with generally accepted accounting principles.

5 (c) 1. The department may make payments to the Milwaukee Bucks
6 Foundation under this subsection only if the Milwaukee Bucks Foundation is eligible
7 for the exemption from taxation under section 501 (a) of the Internal Revenue Code.
8 The department shall discontinue payments to the Milwaukee Bucks Foundation
9 under this subsection if the Milwaukee Bucks Foundation dissolves, becomes
10 insolvent, files a petition for bankruptcy, or is no longer exempt from taxation under
11 section 501 (a) of the Internal Revenue Code.

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

15 (d) 1. If the special group plates under sub. (6r) (f) 65. will display any logo,
16 trademark or service mark, trade name, or other commercial symbol associated with
17 the Milwaukee Bucks, the department may not issue any plates under sub. (6r) (f)
18 65. unless the approval specified in sub. (6r) (b) 1. for these plates provides for all of
19 the following:

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

22 b. That, if the approval is withdrawn, the department may continue to renew
23 the registration of vehicles previously issued plates under sub. (6r) (f) 65., without
24 replacing those plates, but the department shall discontinue collecting the voluntary
25 payment specified in sub. (6r) (b) 17. with respect to these renewals.

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1 2. Notwithstanding sub. (6r) (b) 1. and (f) (intro.), if the approval specified in
2 sub. (6r) (b) 1. for plates issued under sub. (6r) (f) 65. is withdrawn, the department
3 shall discontinue issuing plates under sub. (6r) (f) 65. unless additional approval, as
4 specified in this paragraph and sub. (6r) (b) 1., is obtained by the department.

5

(END)