



**SENATE SUBSTITUTE AMENDMENT 1,
TO 2009 SENATE BILL 519**

April 7, 2010 - Offered by Senator HANSEN.

1 **AN ACT to amend** 341.14 (6r) (b) 1. and 341.14 (6r) (fm) 7.; and **to create** 20.395
2 (5) (ei), 25.40 (1) (a) 29., 341.14 (6r) (b) 15., 341.14 (6r) (f) 63. and 341.14 (10)
3 of the statutes; **relating to:** special distinguishing registration plates
4 associated with Eagle Scouts in the Boy Scouts of America 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 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 showing that the person or a member of the person's immediate family has achieved the rank of Eagle Scout in the Boy Scouts of America. 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 \$20 annual fee that provides funds to the Boy Scouts of America. DOT may not issue these special plates until DOT has obtained authority to use any applicable trademark or service mark associated with the Boy Scouts of America 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) (ei) of the statutes is created to read:

2 20.395 **(5)** (ei) *Payments to the Boy Scouts of America.* From the general fund,
3 all moneys received under s. 341.14 (6r) (b) 15. for payments to the Boy Scouts of
4 America under s. 341.14 (10).

5 **SECTION 2.** 25.40 (1) (a) 29. of the statutes is created to read:

6 25.40 **(1)** (a) 29. 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, as affected by 2009 Wisconsin Act
10 159, is amended to read:

11 341.14 **(6r)** (b) 1. Subject to subd. 1m., upon application to register an
12 automobile or motor home, or a motor truck, dual purpose motor home or dual
13 purpose farm truck which has a gross weight of not more than 8,000 pounds, or a
14 farm truck which has a gross weight of not more than 12,000 pounds, by any person
15 who is a resident of this state and a member of an authorized special group, the
16 department shall issue to the person special plates whose colors and design shall
17 indicate that the vehicle is owned by a person who is a member of the applicable
18 special group. The department may not issue any special group plates under par. (f)

1 55. or 60. until 6 months after the department has received information sufficient for
2 the department to determine that any approvals required for use of any logo,
3 trademark, trade name or other commercial symbol designating, respectively, the
4 professional football team or the professional baseball team have been obtained.
5 Subject to sub. (10) (d), the department may not issue any special group plates under
6 par. (f) 63. until the department has received information sufficient for the
7 department to determine that any license or other approval required for use of any
8 logo, trademark or service mark, trade name or other commercial symbol to be used
9 on or in association with these plates has been obtained. Notwithstanding s. 341.12
10 (2), if the department of corrections does not have flat-plate technology available for
11 use in manufacturing license plates at quality and cost comparable to that available
12 from the state of Minnesota, the department of transportation may not issue any
13 special group plates under par. (f) 59. unless the department of transportation
14 purchases the plates from the state of Minnesota. Sections 16.70, 16.71, 16.72, 16.75,
15 16.752 to 16.755, 16.765, 16.77, and 16.82 do not apply to purchases of plates issued
16 under par. (f) 59. from the 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 fee of \$20 that is in addition to the
19 fee under subd. 2. shall be charged for the issuance or renewal of a plate issued on
20 an annual basis for the special group specified under par. (f) 63. Subject to sub. (10)
21 (d), a fee of \$40 that is in addition to the fee under subd. 2. shall be charged for the
22 issuance or renewal of a plate issued on the biennial basis for the special group
23 specified under par. (f) 63. if the plate is issued or renewed during the first year of
24 the biennial registration period or \$20 for the issuance or renewal if the plate is
25 issued or renewed during the 2nd year of the biennial registration period. All moneys

1 received under this subdivision, in excess of \$23,700 for the initial costs of production
2 of the special group plate under par. (f) 63., shall be deposited into the general fund
3 and credited to the appropriation under s. 20.395 (5) (ei). To the extent permitted
4 under ch. 71, the fee under this subdivision is deductible as a charitable contribution
5 for purposes of the taxes under ch. 71.

6 **SECTION 5.** 341.14 (6r) (f) 63. of the statutes is created to read:

7 341.14 **(6r)** (f) 63. Persons interested in obtaining a plate showing that the
8 person or a member of the person's immediate family has achieved the rank of Eagle
9 Scout in the Boy Scouts of America.

10 **SECTION 6.** 341.14 (6r) (fm) 7. of the statutes, as affected by 2009 Wisconsin Act
11 159, is amended to read:

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

18 **SECTION 7.** 341.14 (10) of the statutes is created to read:

19 341.14 **(10)** (a) Subject to par. (c), from the appropriation under s. 20.395 (5)
20 (ei), the department shall make payments to the Boy Scouts of America.

21 (b) For each year in which the department makes payments under par. (a), the
22 Boy Scouts of America shall submit to the presiding officer of each house of the
23 legislature an audited financial statement of its use of the payments under this
24 subsection, prepared in accordance with generally accepted accounting principles.

1 (c) The department shall discontinue payments to the Boy Scouts of America
2 under this subsection if the Boy Scouts of America dissolves, becomes insolvent, files
3 a petition for bankruptcy, or is no longer exempt from taxation under section 501 (a)
4 of the Internal Revenue Code.

5 (d) 1. The department may not issue any plates under sub. (6r) (f) 63. unless
6 the approval specified in sub. (6r) (b) 1. provides for all of the following:

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

9 b. That, if the approval is withdrawn, the department may continue to renew
10 the registration of vehicles previously issued plates under sub. (6r) (f) 63., without
11 replacing those plates, but the department shall discontinue charging the fee
12 specified in sub. (6r) (b) 15. with respect to these renewals.

13 2. Notwithstanding sub. (6r) (b) 1. and (f) (intro.), if the approval specified in
14 sub. (6r) (b) 1. is withdrawn, the department shall discontinue issuing plates under
15 sub. (6r) (f) 63. unless additional approval, as specified in sub. (6r) (b) 1. and this
16 paragraph, is obtained by the department.

17 **SECTION 8. Nonstatutory provisions.**

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

