



2005 SENATE BILL 282

August 10, 2005 - Introduced by Senators KAPANKE, BROWN, DARLING, JAUCH, LASSA, ROBSON, ROESSLER and HANSEN, cosponsored by Representatives SHILLING, STRACHOTA, ALBERS, BALLWEG, BERCEAU, DAVIS, FREESE, GIELOW, HINES, HUNDERTMARK, KRAWCZYK, LOTHIAN, MCCORMICK, MONTGOMERY, MUSSER, PETTIS, TRAVIS, VRAKAS and WASSERMAN. Referred to Committee on Natural Resources and Transportation.

1 **AN ACT to amend** 341.14 (6r) (fm) 7.; and **to create** 20.395 (5) (eq), 85.109, 341.14
2 (6r) (b) 9. and 341.14 (6r) (f) 56. of the statutes; **relating to:** special
3 distinguishing registration plates associated with the Wisconsin Women's
4 Health Foundation 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 license 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 assessed for the issuance or reissuance of most special plates.

Before October 2, 1998, authorized special groups whose members may obtain special distinguishing license plates were specifically enumerated in state law. Current law provides that specific enumeration in state law of authorized special groups is limited to those special groups enumerated before October 2, 1998. Members of six special groups enumerated in state law pay an additional annual fee as a tax-deductible contribution.

This bill establishes an authorized special group specifically enumerated in state law for persons interested in obtaining special distinguishing registration plates supporting the efforts of the Wisconsin Women's Health Foundation, Inc. (Foundation), to provide women's health outreach and education programs and

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support for women’s health research that improves the quality of life for women and families in this state. 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 an additional \$25 annual fee that provides funds to the Foundation. The bill requires DOT to enter into an agreement with the Foundation with respect to these funds, and the agreement must grant DOT authority, without fee to DOT, to use any applicable trademark of the Foundation with respect to the special plates. The bill also requires the Foundation to annually submit an audited financial statement of its use of these funds, and requires DOT to discontinue funding if the Foundation dissolves or loses its tax-exempt status under federal law.

For further information see the *state* 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) (eq) of the statutes is created to read:

2 20.395 (5) (eq) *Payments to the Wisconsin Women’s Health Foundation.* All
3 moneys received under s. 341.14 (6r) (b) 9., less \$27,600, for payments to the
4 Wisconsin Women’s Health Foundation, Inc., under s. 85.109.

5 **SECTION 2.** 85.109 of the statutes is created to read:

6 **85.109 Payments to the Wisconsin Women’s Health Foundation.** (1) The
7 department shall enter into an agreement with the Wisconsin Women’s Health
8 Foundation, Inc., to make payments from the appropriation under s. 20.395 (5) (eq)
9 to the Wisconsin Women’s Health Foundation, Inc., to be used by the Wisconsin
10 Women’s Health Foundation, Inc., to fund its efforts to provide women’s health
11 outreach and education programs and support for women’s health research that
12 improves the quality of life for women and families in this state.

13 (2) The agreement under this section shall require that the Wisconsin Women’s
14 Health Foundation, Inc., provide, without fee and as a condition of receiving
15 payments specified under this section, any license or other approval required for use

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1 of any logo, trademark, trade name, word, or symbol to be used on or in association
2 with special group registration plates under s. 341.14 (6r) (f) 56.

3 (3) The agreement under this section shall require that the Wisconsin Women's
4 Health Foundation, Inc., annually submit to the attorney general and the presiding
5 officer of each house of the legislature an audited financial statement of its use of the
6 payments under this section, prepared in accordance with generally accepted
7 accounting principles.

8 (4) Payments to the Wisconsin Women's Health Foundation, Inc., under this
9 section shall be discontinued by the department if the Wisconsin Women's Health
10 Foundation, Inc., dissolves or is no longer exempt from taxation under section 501
11 (a) of the Internal Revenue Code.

12 **SECTION 3.** 341.14 (6r) (b) 9. of the statutes is created to read:

13 341.14 (6r) (b) 9. An additional fee of \$25 that is in addition to the fee under
14 subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual
15 basis for the special group specified under par. (f) 56. An additional fee of \$50 that
16 is in addition to the fee under subd. 2. shall be charged for the issuance or renewal
17 of a plate issued on the biennial basis for the special group specified under par. (f) 56.
18 if the plate is issued or renewed during the first year of the biennial registration
19 period or \$25 for the issuance or renewal if the plate is issued or renewed during the
20 2nd year of the biennial registration period. All moneys received under this
21 subdivision, in excess of \$27,600 for the initial costs of production of the special group
22 plate under par. (f) 56., shall be credited to the appropriation under s. 20.395 (5) (eq).
23 To the extent permitted under ch. 71, the fee under this subdivision is deductible as
24 a charitable contribution for purposes of the taxes under ch. 71.

25 **SECTION 4.** 341.14 (6r) (f) 56. of the statutes is created to read:

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1 341.14 (6r) (f) 56. Persons interested in obtaining a plate supporting the efforts
2 of the Wisconsin Women’s Health Foundation, Inc., to provide women’s health
3 outreach and education programs and support for women’s health research that
4 improves the quality of life for women and families in this state.

5 **SECTION 5.** 341.14 (6r) (fm) 7. of the statutes is amended to read:

6 341.14 (6r) (fm) 7. ~~Except for the authorized special group enumerated under~~
7 ~~par. (f) 55.,~~ after After October 1, 1998, additional authorized special groups may
8 only be special groups designated by the department under this paragraph. The
9 authorized special groups enumerated in par. (f) shall be limited solely to those
10 special groups specified under par. (f) on October 1, 1998, ~~except for the authorized~~
11 ~~special group enumerated under par. (f) 55.~~ This subdivision does not apply to the
12 special group groups specified under par. (f) 54., 55., and 56.

13 **SECTION 6. Nonstatutory provisions.**

14 (1) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes
15 effect in fiscal year 2006–07, in submitting information under section 16.42 of the
16 statutes for purposes of the 2007–09 biennial budget bill, the department of
17 transportation shall submit a dollar amount for the appropriation under section
18 20.395 (5) (cq) of the statutes that is \$27,600 less than the total amount appropriated
19 under section 20.395 (5) (cq) of the statutes for the 2006–07 fiscal year, before
20 submitting any information relating to any increase or decrease in the dollar amount
21 for that appropriation for the 2007–09 fiscal biennium.

22 **SECTION 7. Appropriation changes.**

23 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
24 to the department of transportation under section 20.395 (5) (cq) of the statutes, as
25 affected by the acts of 2005, the dollar amount is increased by \$27,600 for the fiscal

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1 year in which this subsection takes effect to increase funding for special
2 distinguishing registration plates associated with the Wisconsin Women's Health
3 Foundation, Inc.

4 **SECTION 8. Effective date.**

5 (1) This act takes effect on the first day of the 7th month beginning after
6 publication.

7 (END)