



2015 ASSEMBLY BILL 401

October 13, 2015 – Introduced by Representatives BRANDTJEN, R. BROOKS, EDMING, HORLACHER, KRUG, KULP, T. LARSON, MURPHY, BERCEAU, JOHNSON, SINICKI, C. TAYLOR and GENRICH, cosponsored by Senator STROEBEL. Referred to Committee on Transportation.

1 **AN ACT** *to amend* 341.14 (6r) (c) and 341.14 (6r) (fm) 7.; and *to create* 20.395
2 (5) (eL), 25.40 (1) (a) 32., 341.14 (6r) (b) 1m. e., 341.14 (6r) (b) 17., 341.14 (6r)
3 (f) 65. and 341.14 (11) of the statutes; **relating to:** special distinguishing
4 registration plates associated with childhood cancer and making an
5 appropriation.

Analysis by the Legislative Reference Bureau

This bill allows persons who are interested in supporting the efforts of Midwest Athletes Against Childhood Cancer to fund childhood cancer and related blood disorder research to obtain special motor vehicle registration plates.

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 bill establishes an authorized special group specifically enumerated in state law for persons interested in obtaining special plates supporting the efforts of

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Midwest Athletes Against Childhood Cancer to fund childhood cancer and related blood disorder research. 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 \$25 payment that provides funds to Midwest Athletes Against Childhood Cancer. DOT may not issue these special plates until DOT receives contributions from interested persons in the amount of DOT's final estimated initial costs of production of these special plates or \$23,700, whichever is less.

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) (eL) of the statutes is created to read:

2 20.395 (5) (eL) *Payment to Midwest Athletes Against Childhood Cancer.* From
3 the general fund, all moneys received under s. 341.14 (6r) (b) 17. for payments to
4 Midwest Athletes Against Childhood Cancer under s. 341.14 (11).

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

6 25.40 (1) (a) 32. Moneys received under s. 341.14 (6r) (b) 17. that are deposited
7 into the general fund and credited to the appropriation account under s. 20.395 (5)
8 (eL).

9 **SECTION 3.** 341.14 (6r) (b) 1m. e. of the statutes is created to read:

10 341.14 (6r) (b) 1m. e. Upon receipt of contributions totaling an amount equal
11 to the department's final estimate of the initial costs of production of the special
12 group plates under par. (f) 65. or \$23,700, whichever is less, from persons interested
13 in the special group plates under par. (f) 65., the department shall commence any
14 development work necessary to implement the provisions of par. (f) 65. and related
15 provisions under this subsection and shall complete the development work within
16 one year of its commencement. As soon as possible, the department shall post notice
17 on the department's Internet site of its final estimate of the initial costs of production

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1 of the special group plates under par. (f) 65. The development work under this subd.
2 1m. e. shall be funded only from the appropriation under s. 20.395 (4) (ch) from
3 contributions received by the department for purposes of this subd. 1m. e. If the
4 department does not receive, by June 30, 2019, sufficient contributions to commence
5 development work under this subd. 1m. e., the department may not commence
6 development work under this subd. 1m. e. and shall promptly return to each
7 contributor all contributions, less a transaction fee of no more than \$2.50 per
8 contributor for costs associated with the return of contributions, received by the
9 department for purposes of this subd. 1m. e. If the department receives contributions
10 in excess of the amount necessary to commence development work under this subd.
11 1m. e., the department shall discontinue receiving contributions under this subd.
12 1m. e. and promptly return to each contributor all contributions, less a transaction
13 fee of no more than \$2.50 per contributor for costs associated with the return of
14 contributions, received by the department after the department had received
15 sufficient contributions. No contribution received by the department under this
16 subd. 1m. e. may be applied to any fee established under subd. 2. The department
17 may not issue any special group plates under par. (f) 65. until the department has
18 completed the development work specified in this subd. 1m. e.

19 **SECTION 4.** 341.14 (6r) (b) 17. of the statutes is created to read:

20 341.14 (6r) (b) 17. A voluntary payment of \$25 that is in addition to the fee
21 under subd. 2. shall be collected in connection with the issuance or renewal of a plate
22 issued on an annual basis for the special group specified under par. (f) 65. A
23 voluntary payment of \$50 that is in addition to the fee under subd. 2. shall be
24 collected in connection with the issuance or renewal of a plate issued on a biennial
25 basis for the special group specified under par. (f) 65. if the plate is issued or renewed

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1 during the first year of the biennial registration period or \$25 for the issuance or
2 renewal if the plate is issued or renewed during the 2nd year of the biennial
3 registration period. No plate may be issued for the special group specified under par.
4 (f) 65. unless the voluntary payment under this subdivision is collected. All moneys
5 received under this subdivision shall be deposited into the general fund and credited
6 to the appropriation under s. 20.395 (5) (eL). To the extent permitted under ch. 71,
7 the voluntary payment under this subdivision is deductible as a charitable
8 contribution for purposes of the taxes under ch. 71.

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

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

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1 organization specified in par. (f) 55m. before specifying the design and word or
2 symbol used to identify the special group name for special group plates under par.
3 (f) 55m. Special group plates under par. (f) 50. shall be as similar as possible to
4 regular registration plates in color and design. Special group plates issued under
5 par. (f) 62. shall display the words "In God We Trust". The department shall make
6 available 2 designs for the special group plates under par. (f) 60. The department
7 may not specify any design for the special group plates under par. (f) 60. unless the
8 design is approved by the executive vice president of the Milwaukee Brewers
9 Baseball Club LP. The word or symbol used to identify the special group under par.
10 (f) 59. shall be different from the word or symbol used to identify the special group
11 under par. (f) 50. and the design shall cover the entire plate. Special group plates
12 under par. (f) 61m. shall display a logo or image of the lion associated with the Lions
13 Clubs International. Special group plates under par. (f) 61r. shall display a bar and
14 shield logo associated with Harley-Davidson, Inc., on the left portion of the plates
15 and the words "share the road" on the bottom portion of the plates. Special group
16 plates under par. (f) 63. shall display the words "Trout Unlimited." Special group
17 plates under par. (f) 65. shall display the words "Help Cure Childhood Cancer" in
18 purple lettering and a symbol comprised of a purple handprint superimposed upon
19 a red heart superimposed upon a gold ribbon. Notwithstanding par. (e), special group
20 plates under par. (f) 33m. and 48m. shall be the same color and design that was
21 specified by the department for special group plates under par. (f) 33. and 48.,
22 respectively, immediately prior to January 1, 2007. The design for special group
23 plates under par. (f) 33. and 48. shall be different from the design of special group
24 plates under par. (f) 33m. and 48m., respectively.

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

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1 341.14 **(6r)** (f) 65. Persons interested in obtaining a plate supporting the efforts
2 of Midwest Athletes Against Childhood Cancer to fund childhood cancer and related
3 blood disorder research.

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

5 341.14 **(6r)** (fm) 7. After October 1, 1998, additional authorized special groups
6 may only be special groups designated by the department under this paragraph. The
7 authorized special groups enumerated in par. (f) shall be limited solely to those
8 special groups specified under par. (f) on October 1, 1998. This subdivision does not
9 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m.,
10 15m., 15n., 15o., 15p., 15q., 19m., 33m., 48m., 49d., 49h., 49s., 54., 55., 55m., 56., 57.,
11 58., 59., 60., 61., 61m., 61r., ~~and 62. and, 63. and, 64., and 65.~~

12 **SECTION 8.** 341.14 (11) of the statutes is created to read:

13 341.14 **(11)** (a) Subject to par. (c), from the appropriation under s. 20.395 (5)
14 (eL), the department shall make payments to Midwest Athletes Against Childhood
15 Cancer, if the department issues special group plates under sub. (6r) (f) 65.

16 (b) For each year in which the department makes payments under par. (a),
17 Midwest Athletes Against Childhood Cancer shall submit to the presiding officer of
18 each house of the legislature an audited financial statement of its use of the
19 payments under this subsection, prepared in accordance with generally accepted
20 accounting principles.

21 (c) The department may make payments to Midwest Athletes Against
22 Childhood Cancer under this subsection only if Midwest Athletes Against Childhood
23 Cancer is eligible for the exemption from taxation under section 501 (a) of the
24 Internal Revenue Code. The department shall discontinue payments to Midwest
25 Athletes Against Childhood Cancer under this subsection if Midwest Athletes

