

## 1999 SENATE BILL 36

February 10, 1999 – Introduced by Senators DRZEWIECKI, FITZGERALD, SCHULTZ, DARLING, FARROW, ROSENZWEIG, ROESSLER, WELCH, PANZER, HUELSMAN, ZIEN and WIRCH, cosponsored by Representatives MONTGOMERY, GARD, RYBA, URBAN, HUEBSCH, SYKORA, TURNER, AINSWORTH, F. LASEE, HAHN, HANDRICK, SERATTI and KREUSER. Referred to Committee on Insurance, Tourism, Transportation and Corrections.

1     **AN ACT to amend** 341.14 (6r) (b) 1., 341.14 (6r) (b) 3., 341.14 (6r) (c), 341.14 (6r)  
2           (e) and 341.14 (6r) (fm) 7.; and **to create** 16.25, 20.395 (5) (cL), 20.455 (2) (jp),  
3           20.505 (3) (j), 25.40 (1) (a) 18., 165.86 (3), 341.14 (6r) (b) 7., 341.14 (6r) (f) 54.  
4           and 341.14 (6r) (h) of the statutes; **relating to:** special distinguishing  
5           registration plates associated with the Green Bay Packers professional football  
6           team, payments to D.A.R.E. Wisconsin, Ltd., Boys and Girls Clubs of  
7           Wisconsin, the University of Wisconsin Children's Hospital and Clinics and the  
8           Children's Hospital of Wisconsin, Inc., and making appropriations.

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### *Analysis by the Legislative Reference Bureau*

Under current law, members of authorized special groups may obtain special distinguishing registration plates for certain vehicles registered with the department of transportation (DOT). Special plates may be obtained for automobiles, station wagons, motor homes and certain dual purpose motor homes, farm trucks and dual purpose farm trucks 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.

Members of authorized special groups related to certain campuses of the University of Wisconsin (UW) System or to the support of endangered or threatened

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species pay an additional annual fee as a tax deductible contribution to the UW System or to the endangered resources program administered by the department of natural resources.

This bill establishes an authorized special group for persons interested in obtaining special distinguishing registration plates expressing their support of the Green Bay Packers, a professional football team. Special group plates related to the Green Bay Packers may not be issued by DOT unless any approvals that are required for use of an applicable logo, trademark, trade name or commercial symbol designating the team have been obtained.

In addition to the regular vehicle registration fee, the special group members are required to pay a \$15 fee for issuance or reissuance of the special plates and an additional \$25 annual fee as a tax deductible contribution that, after payment of certain data processing and licensing fee costs, provides funds in equal amounts to D.A.R.E. Wisconsin, Ltd., a nonprofit corporation, for programs and activities relating to drug abuse resistance education and for the payment of marketing costs relating to the special group plates, to Boys and Girls Clubs of Wisconsin, to UW Children's Hospital and Clinics and to Children's Hospital of Wisconsin, Inc. Under the bill, D.A.R.E. Wisconsin, Ltd., is required to annually submit an audited financial statement of its use of the funds received from these tax deductible contributions. Funding to D.A.R.E. Wisconsin, Ltd., is discontinued if the nonprofit organization dissolves or loses its tax-exempt status under federal law.

Current law also prohibits enumerating special group license plates by legislative action. Instead, members of special groups desiring a special group license plate must apply to DOT for designation. This bill creates an exception to this administrative process.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 16.25 of the statutes is created to read:

2           **16.25 Contributions from proceeds of special license plates.** The  
3 secretary of administration shall make payments in equal amounts from the  
4 appropriation under s. 20.505 (3) (j) to the Boys and Girls Clubs of Wisconsin, to the  
5 University of Wisconsin Children's Hospital and Clinics and to the Children's  
6 Hospitals of Wisconsin, Inc.

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

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1           20.395 (5) (cL) *Licensing fees, state funds.* From the general fund, all moneys  
2 received under s. 341.14 (6r) (b) 7. a. for the purpose of making payments of licensing  
3 fees under s. 341.14 (6r) (h).

4           **SECTION 3.** 20.455 (2) (jp) of the statutes is created to read:

5           20.455 (2) (jp) *D.A.R.E. Wisconsin, Ltd., payments.* All moneys received under  
6 s. 341.14 (6r) (b) 7. b. for payments to D.A.R.E. Wisconsin, Ltd., under s. 165.86 (3)  
7 (a).

8           **SECTION 4.** 20.505 (3) (j) of the statutes is created to read:

9           20.505 (3) (j) *Contributions to charitable organizations.* All moneys received  
10 under s. 341.14 (6r) (b) 7. c. for payments under s. 16.25 to the Boys and Girls Clubs  
11 of Wisconsin, to the University of Wisconsin Children's Hospital and Clinics and to  
12 the Children's Hospital of Wisconsin, Inc.

13           **SECTION 5.** 25.40 (1) (a) 18. of the statutes is created to read:

14           25.40 (1) (a) 18. Moneys received under s. 341.14 (6r) (b) 7. that are deposited  
15 in the general fund and credited to the appropriations under ss. 20.395 (5) (cL),  
16 20.455 (2) (jp) and 20.505 (3) (j).

17           **SECTION 6.** 165.86 (3) of the statutes is created to read:

18           165.86 (3) (a) Enter into an agreement with D.A.R.E. Wisconsin, Ltd., to make  
19 payments from the appropriation under s. 20.455 (2) (jp) to D.A.R.E. Wisconsin, Ltd.,  
20 to fund any of the following:

21           1. Programs and activities relating to drug abuse resistance education,  
22 including law enforcement training to implement drug abuse resistance education  
23 programs in this state and to conduct public educational activities consistent with  
24 the purposes of D.A.R.E. Wisconsin, Ltd.

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1           2. Reasonable costs relating to marketing of the special group plate under s.  
2 341.14 (6r) (f) 54. D.A.R.E. Wisconsin, Ltd., may enter into a marketing agreement  
3 with any person to provide the services under this subdivision.

4           (b) The agreement under par. (a) shall require that D.A.R.E. Wisconsin, Ltd.,  
5 annually submit to the attorney general and the presiding officer of each house of the  
6 legislature an audited financial statement of its use of the payments under par. (a),  
7 prepared in accordance with generally accepted accounting principles.

8           (c) Payments to D.A.R.E. Wisconsin, Ltd., under par. (a) shall be discontinued  
9 by the department if D.A.R.E. Wisconsin, Ltd., dissolves or is no longer exempt from  
10 taxation under section 501 (c) of the Internal Revenue Code.

11           **SECTION 7.** 341.14 (6r) (b) 1. of the statutes is amended to read:

12           341.14 **(6r)** (b) 1. Upon application to register an automobile, station wagon or  
13 motor home, or a motor truck, dual purpose motor home or dual purpose farm truck  
14 which has a gross weight of not more than 8,000 pounds, or a farm truck which has  
15 a gross weight of not more than 12,000 pounds, by any person who is a resident of  
16 this state and a member of an authorized special group, the department shall issue  
17 to the person special plates whose colors and design shall indicate that the vehicle  
18 is owned by a person who is a member of the applicable special group. The  
19 department may not issue any special group plates under par. (f) 54. until 6 months  
20 after the department has received information sufficient for the department to  
21 determine that any approvals required for use of any logo, trademark, trade name  
22 or other commercial symbol designating the professional football team have been  
23 obtained.

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

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1           341.14 **(6r)** (b) 3. An additional fee of \$15 shall be charged for the issuance or  
2           reissuance of a plate issued on an annual basis for a special group specified under  
3           par. (f) 35. to 47. ~~or~~ 53. or 54. or designated by the department under par. (fm). An  
4           additional fee of \$15 shall be charged for the issuance or reissuance of a plate issued  
5           on a biennial basis for a special group specified under par. (f) 35. to 47. ~~or~~ 53. or 54.  
6           or designated by the department under par. (fm) if the plate is issued during the first  
7           year of the biennial registration period or \$15 for the issuance or reissuance if the  
8           plate is issued during the 2nd year of the biennial registration period. The  
9           department shall deposit in the general fund and credit to the appropriation account  
10          under s. 20.395 (5) (c) all fees collected under this subdivision for the issuance or  
11          reissuance of a plate for a special group designated by the department under par.  
12          (fm).

13           **SECTION 9.** 341.14 (6r) (b) 7. of the statutes is created to read:

14           341.14 **(6r)** (b) 7. An additional fee of \$25 that is in addition to the fee under  
15          subd. 3. shall be charged for the issuance or renewal of a plate issued on an annual  
16          basis for the special group specified under par. (f) 54. An additional fee of \$50 that  
17          is in addition to the fee under subd. 3. shall be charged for the issuance or renewal  
18          of a plate issued on the biennial basis for the special group specified under par. (f) 54.  
19          if the plate is issued or renewed during the first year of the biennial registration  
20          period or \$25 for the issuance or renewal if the plate is issued or renewed during the  
21          2nd year of the biennial registration period. To the extent permitted under ch. 71,  
22          the fee under this subdivision is deductible as a charitable contribution for purposes  
23          of the taxes under ch. 71. All moneys received under this subdivision in excess of the  
24          initial costs of data processing for the special group plate under par. (f) 54. or \$35,000,  
25          whichever is less, shall be deposited in the general fund and credited as follows:

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1 a. An amount equal to the costs of licensing fees under par. (h) shall be credited  
2 to the appropriation account under s. 20.395 (5) (cL).

3 b. One-fourth of the remainder after crediting the appropriation as provided  
4 in subd. 7. a. shall be credited to the appropriation account under s. 20.455 (2) (jp).

5 c. Three-fourths of the remainder after crediting the appropriation as provided  
6 in subd. 7. a. shall be credited to the appropriation account under s. 20.505 (3) (j).

7 **SECTION 10.** 341.14 (6r) (c) of the statutes is amended to read:

8 341.14 **(6r)** (c) Special group plates shall display the word “Wisconsin”, the  
9 name of the applicable authorized special group, a symbol representing the special  
10 group, not exceeding one position, and identifying letters or numbers or both, not  
11 exceeding 6 positions and not less than one position. The department shall specify  
12 the design for special group plates, but the department shall consult the president  
13 of the University of Wisconsin System before specifying the design for the special  
14 group plates under par. (f) 35. to 47., the secretary of natural resources before  
15 specifying the design for the special group plate under par. (f) 50. and the chief  
16 executive officer of the Green Bay Packers professional football team and an  
17 authorized representative of the National Football League before specifying the  
18 design for the applicable special group plate under par. (f) 53. 54. Special group  
19 plates under par. (f) 50. shall be as similar as possible to regular registration plates  
20 in color and design.

21 **SECTION 11.** 341.14 (6r) (e) of the statutes is amended to read:

22 341.14 **(6r)** (e) The department shall specify one combination of colors for  
23 special group plates for groups or organizations which are not military in nature and  
24 not special group plates under par. (f) 35. to 47. and 50. The department, after  
25 consulting the president of the university of Wisconsin system, shall specify one

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1 combination of colors for special group plates under par. (f) 35. to 47. The department  
2 shall specify the word or words comprising the special group name and the symbol  
3 to be displayed upon special group plates for a group or organization which is not  
4 military in nature after consultation with the chief executive officer in this state of  
5 the group or organization, except that the department may not specify the word or  
6 words or the symbol for special group plates under par. (f) 35. to 47. unless the word  
7 or words or symbol is approved in writing by the president of the university of  
8 Wisconsin system or, with respect to endangered resources, specify the word or words  
9 or the symbol for special group plates under par. (f) 50. unless the word or words or  
10 symbol is approved in writing by the secretary of natural resources or, with respect  
11 to the special group plate under par. (f) 54., specify the word or words or the symbol  
12 for the group unless the word or words and the symbol are approved in writing by  
13 the chief executive officer of the Green Bay Packers professional football team and  
14 an authorized representative of the National Football League or, with respect to child  
15 abuse and neglect prevention, specify any word or words other than “Children First”  
16 or the symbol for special group plates under par. (f) 53. unless the word or words or  
17 symbol is approved in writing by the child abuse and neglect prevention board. The  
18 president may not approve the word or words or symbol for a university specified  
19 under par. (f) 35. to 47. unless the chancellor of the university approves in writing  
20 the word or words or symbol. The department shall require that the word or words  
21 and symbol for a university specified under par. (f) 35. to 47. be a registration decal  
22 or tag and affixed to the special group plate and be of the colors for a university  
23 specified under par. (f) 35. to 47. that the president of the university of Wisconsin  
24 system specifies.

25 **SECTION 12.** 341.14 (6r) (f) 54. of the statutes is created to read:

