

2001 ASSEMBLY BILL 523

October 2, 2001 – Introduced by Representatives JESKEWITZ, MILLER, BALOW, BERCEAU, BLACK, BOCK, COGGS, HEBL, HOVEN, KRAWCZYK, KREIBICH, KREUSER, KRUG, LOEFFELHOLZ, PLALE, SCHNEIDER, SHILLING, SINICKI, TURNER, URBAN, VRAKAS and YOUNG, cosponsored by Senators PLACHE, ROESSLER, BURKE, DECKER, HANSEN, HARS DORF, MOORE, SHIBILSKI and WIRCH. Referred to Committee on Transportation.

1 **AN ACT** *to amend* 341.14 (6r) (b) 3., 341.14 (6r) (b) 9., 341.14 (6r) (c) and 341.14
2 (6r) (fm) 7.; *to repeal and recreate* 341.14 (6r) (b) 2. and 341.14 (6r) (b) 3.; and
3 *to create* 16.40 (25), 20.505 (1) (h), 25.40 (1) (a) 22., 341.14 (6r) (b) 9. and 341.14
4 (6r) (f) 56. of the statutes; **relating to:** special distinguishing registration
5 plates associated with the efforts of the American Red Cross to provide
6 assistance to families affected by the terrorist attacks of September 11, 2001,
7 on New York City and Washington, D.C., 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 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 assessed for the issuance or reissuance of most special plates.

Before October 2, 1998, authorized special groups whose members may obtain special distinguishing registration 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.

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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 American Red Cross to provide assistance to families affected by the terrorist attacks of September 11, 2001, on New York City and Washington, D.C. 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 as a tax deductible contribution that provides funds to the American Red Cross. Under the bill, the American Red Cross is required to submit annually an audited financial statement of its use of the funds received from these tax deductible contributions. The bill also creates a design selection committee (committee) to select the design of the special plate. The committee will accept applications for the design of the special plate for 30 days. The committee is required to make its selection within 14 days of the deadline for submission of applications and to notify DOT of the committee's selection. Finally, the bill provides that DOT may issue the special plates for only one year, although the additional \$25 annual fee as a tax deductible contribution will continue as long as a special group member maintains the plates.

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.** 16.40 (25) of the statutes is created to read:

2 **16.40 (25) PAYMENTS TO THE AMERICAN RED CROSS; DISASTER RELIEF FUND.** (a)

3 The department shall enter into an agreement with the American Red Cross to make
4 payments from the appropriation under s. 20.505 (1) (h) to the American Red Cross
5 to be deposited in its Disaster Relief Fund and to be used to provide assistance to
6 families affected by the terrorist attacks of September 11, 2001, on New York City
7 and Washington, D.C.

8 (b) The agreement under this subsection shall require that the American Red
9 Cross annually submit to the attorney general and the presiding officer of each house
10 of the legislature an audited financial statement of its use of the payments under this
11 subsection, prepared in accordance with generally accepted accounting principles.

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1 (c) Payments to the American Red Cross under this subsection shall be
2 discontinued by the department if the American Red Cross dissolves or is no longer
3 exempt from taxation under section 501 (a) of the Internal Revenue Code.

4 **SECTION 2.** 20.505 (1) (h) of the statutes is created to read:

5 20.505 (1) (h) *Payments to the American Red Cross.* All moneys received under
6 s. 341.14 (6r) (b) 9. for payments to the American Red Cross under s. 16.40 (25).

7 **SECTION 3.** 25.40 (1) (a) 22. of the statutes is created to read:

8 25.40 (1) (a) 22. Moneys received under s. 341.14 (6r) (b) 9. that are deposited
9 in the general fund and credited to the appropriation account under s. 20.505 (1) (h).

10 **SECTION 4.** 341.14 (6r) (b) 2. of the statutes, as affected by 2001 Wisconsin Act
11 16, is repealed and recreated to read:

12 341.14 (6r) (b) 2. An additional fee of \$15 shall be charged for the issuance or
13 reissuance of the plates for special groups specified under par. (f) 1. to 55. and for the
14 issuance of the plates for the special group specified under par. (f) 56.

15 **SECTION 5.** 341.14 (6r) (b) 3. of the statutes is amended to read:

16 341.14 (6r) (b) 3. An additional fee of \$15 shall be charged for the issuance or
17 reissuance of a plate issued on an annual basis for a special group specified under
18 par. (f) 35. to 47., 53., 54., or 55. or designated by the department under par. (fm) or
19 for the issuance of a plate issued on an annual basis for the special group specified
20 under par. (f) 56. An additional fee of \$15 shall be charged for the issuance or
21 reissuance of a plate issued on a biennial basis for a special group specified under par.
22 (f) 35. to 47., 53., 54., or 55. or designated by the department under par. (fm) or for
23 the issuance of a plate issued on a biennial basis for the special group specified under
24 par. (f) 56. if the plate is issued during the first year of the biennial registration period
25 or \$15 for the issuance or, except for a plate for the special group specified under par.

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1 (f) 56., reissuance if the plate is issued during the 2nd year of the biennial
2 registration period. The department shall deposit in the general fund and credit to
3 the appropriation account under s. 20.395 (5) (cj) all fees collected under this
4 subdivision for the issuance or reissuance of a plate for a special group designated
5 by the department under par. (fm).

6 **SECTION 6.** 341.14 (6r) (b) 3. of the statutes, as affected by 2001 Wisconsin Act
7 16, is repealed and recreated to read:

8 341.14 **(6r)** (b) 3. An additional fee of \$15 shall be charged for the issuance or
9 reissuance of a plate issued for a special group designated by the department under
10 par. (fm). The department shall deposit in the general fund and credit to the
11 appropriation account under s. 20.395 (5) (cj) all fees collected under this subdivision.

12 **SECTION 7.** 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. 3. 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. 3. 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 the initial costs of production of the special group plate under
22 par. (f) 56. or \$35,000, whichever is less, shall be deposited in the general fund and
23 credited to the appropriation under s. 20.505 (1) (h). To the extent permitted under
24 ch. 71, the fee under this subdivision is deductible as a charitable contribution for
25 purposes of the taxes under ch. 71.

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1 **SECTION 8.** 341.14 (6r) (b) 9. of the statutes, as created by 2001 Wisconsin Act
2 (this act), is amended to read:

3 341.14 **(6r)** (b) 9. An additional fee of \$25 that is in addition to the fee under
4 subd. ~~3.~~ 2. shall be charged for the issuance or renewal of a plate issued on an annual
5 basis for the special group specified under par. (f) 56. An additional fee of \$50 that
6 is in addition to the fee under subd. ~~3.~~ 2. shall be charged for the issuance or renewal
7 of a plate issued on a biennial basis for the special group specified under par. (f) 56.,
8 if the plate is issued or renewed during the first year of the biennial registration
9 period or \$25 for the issuance or renewal if the plate is issued or renewed during the
10 2nd year of the biennial registration period. All moneys received under this
11 subdivision in excess of the initial costs of production of the special group plate under
12 par. (f) 56. or \$35,000, whichever is less, shall be deposited in the general fund and
13 credited to the appropriation under s. 20.505 (1) (h). To the extent permitted under
14 ch. 71, the fee under this subdivision is deductible as a charitable contribution for
15 purposes of the taxes under ch. 71.

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

17 341.14 **(6r)** (c) Special group plates shall display the word “Wisconsin”, the
18 name of the applicable authorized special group, a symbol representing the special
19 group, not exceeding one position, and identifying letters or numbers or both, not
20 exceeding 6 positions and not less than one position. The Except as provided in 2001
21 Wisconsin Act (this act), section 12 (1) (c), the department shall specify the design
22 for special group plates, but the department shall consult the president of the
23 University of Wisconsin System before specifying the word or symbol used to identify
24 the special groups under par. (f) 35. to 47., the secretary of natural resources before
25 specifying the word or symbol used to identify for the special group under par. (f) 50.

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1 and the chief executive officer of the professional football team and an authorized
2 representative of the league of professional football teams described in s. 229.823 to
3 which that team belongs before specifying the design for the applicable special group
4 plate under par. (f) 55. Special group plates under par. (f) 50. shall be as similar as
5 possible to regular registration plates in color and design.

6 **SECTION 10.** 341.14 (6r) (f) 56. of the statutes is created to read:

7 341.14 **(6r)** (f) 56. Persons interested in expressing their support of the efforts
8 of the American Red Cross to provide assistance to families affected by the terrorist
9 attacks of September 11, 2001, on New York City and Washington, D.C. This
10 subdivision does not apply after the first year of issuance of the special group plates
11 to members of the authorized special group.

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

13 341.14 **(6r)** (fm) 7. ~~Except for the authorized special group enumerated under~~
14 ~~par. (f) 55., after After October 1, 1998, additional authorized special groups may~~
15 only be special groups designated by the department under this paragraph. The
16 authorized special groups enumerated in par. (f) shall be limited solely to those
17 special groups specified under par. (f) on October 1, 1998, ~~except for the authorized~~
18 ~~special group enumerated under par. (f) 55.~~ This subdivision does not apply to the
19 special ~~group~~ groups specified under par. (f) 54., 55., and 56.

20 **SECTION 12. Nonstatutory provisions.**

21 (1) DESIGN OF SPECIAL GROUP PLATE; APPLICATIONS.

22 (a) In this subsection:

23 1. “Committee” means the design selection committee.

24 2. “Department” means the department of transportation.

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1 (b) There is created a design selection committee consisting of the following
2 members:

3 1. The assistant majority and minority leaders of the 2 houses of the legislature,
4 or their designees.

5 2. The representatives of the 24th and 48th assembly districts, or their
6 designees.

7 3. The senators of the 18th and 21st senate districts, or their designees.

8 4. One member who is a fire fighter, designated by the president of the
9 Professional Firefighters of Wisconsin.

10 5. One member who is a fire fighter, designated by the president of the
11 Wisconsin State Firefighters Association.

12 6. Two members who are police officers, designated by the executive director
13 of the Wisconsin Professional Police Association.

14 (c) The committee shall accept applications for the design for the special group
15 plate under section 341.14 (6r) (f) 56. of the statutes, as created by this act, that are
16 submitted to the committee within 30 days of the effective date of this paragraph.
17 The committee shall specify the design for the special group plate specified in this
18 paragraph for the purposes of section 341.14 (6r) (c) of the statutes, as affected by this
19 act, within 14 days of the deadline for submitting an application under this
20 paragraph. The committee shall promptly notify the department of its selection
21 under this paragraph.

22 (d) Notwithstanding the requirement under section 341.14 (6r) (b) 1. of the
23 statutes that the department issue special plates to a member of an authorized
24 special group upon application, the department shall accept applications under
25 section 341.14 (6r) (b) 1. of the statutes for special group plates under section 341.14

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1 (6r) (f) 56. of the statutes, as created by this act, after the effective date of this
2 paragraph in preparation of the issuance of such plates.

3 **SECTION 13. Effective dates.** This act takes effect on the day after publication,
4 except as follows:

5 (1) The amendment of section 341.14 (6r) (b) 9. of the statutes and the repeal
6 and recreation of section 341.14 (6r) (b) 2. and 3. of the statutes take effect on March
7 1, 2002.

8 (END)