

2001 DRAFTING REQUEST

Bill

Received: 10/02/2001

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Wanted: Today

Identical to LRB:

For: Kimberly Plache (608) 266-1832

By/Representing: John Anderson

This file may be shown to any legislator: NO

Drafter: fasttn

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Addl. Drafters:

Subject: Transportation - motor vehicles

Extra Copies: PJH, ARG - 1

Submit via email: NO

Pre Topic:

No specific pre topic given

Topic:

Terrorist attack license plates

Instructions:

Senate companion to LRB-3789/2

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

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\* Please jacket  
/1. Thank  
you.

WANTED  
NOW~~2001 ASSEMBLY BILL 523~~

October 2, 2001 - Introduced by Representatives ~~JESKEWITZ, MILLER, BALOW, BERCEAL, 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, HARSDOFF, MOORE, SHIBLSKI and WIRCH~~. Referred to Committee on Transportation.

Regenerate

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.

**ASSEMBLY BILL 523**

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.

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*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.

## ASSEMBLY BILL 523

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.

**ASSEMBLY BILL 523****SECTION 5**

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) (c) 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) (c) 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.

## ASSEMBLY BILL 523

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.

**ASSEMBLY BILL 523****SECTION 9**

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.

**ASSEMBLY BILL 523**

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

**ASSEMBLY BILL 523****SECTION 12**

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)