



2003 SENATE BILL 493

February 24, 2004 - Introduced by Senators PLALE, CHVALA, WIRCH and LASSA, cosponsored by Representatives SINICKI, BALOW, BERCEAU, KRAWCZYK, LOTHIAN, MCCORMICK, MORRIS, NISCHKE and TURNER. Referred to Committee on Transportation and Information Infrastructure.

1 **AN ACT** *to amend* 341.14 (6r) (c) and 341.14 (6r) (fm) 7.; and *to create* 20.395
2 (5) (ck), 25.40 (1) (a) 22., 85.109, 341.14 (6r) (b) 9. and 341.14 (6r) (f) 56. of the
3 statutes; **relating to:** special distinguishing registration plates associated
4 with the Susan G. Komen Breast Cancer Foundation and making an
5 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

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plates supporting the efforts of the Susan G. Komen Breast Cancer Foundation (Komen Foundation) to eradicate breast cancer as a life-threatening disease by advancing research, education, screening, and treatment. 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 Komen Foundation. The bill requires DOT to enter into an agreement with the Komen Foundation with respect to these funds, and the agreement must grant DOT authority, without fee to DOT, to use any applicable trademark of the Komen Foundation with respect to the special plates. The bill also requires the Komen Foundation to annually submit an audited financial statement of its use of these funds, and discontinues funding if the Komen 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) (ck) of the statutes is created to read:

2 20.395 (5) (ck) *Payments to the Susan G. Komen Foundation.* From the general
3 fund, all moneys received under s. 341.14 (6r) (b) 9. for payments to the Susan G.
4 Komen Breast Cancer Foundation under s. 85.109.

5 **SECTION 2.** 25.40 (1) (a) 22. of the statutes is created to read:

6 25.40 (1) (a) 22. Moneys received under s. 341.14 (6r) (b) 9. that are deposited
7 in the general fund and credited to the appropriation account under s. 20.395 (5) (ck).

8 **SECTION 3.** 85.109 of the statutes is created to read:

9 **85.109 Payments to the Susan G. Komen Breast Cancer Foundation.**

10 (1) The department shall enter into an agreement with the Susan G. Komen Breast
11 Cancer Foundation to make payments from the appropriation under s. 20.395 (5) (ck)
12 to the Susan G. Komen Breast Cancer Foundation, to be used by the Susan G. Komen
13 Breast Cancer Foundation to fund its efforts to eradicate breast cancer as a

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1 life-threatening disease by advancing research, education, screening, and
2 treatment.

3 (b) The agreement under this subsection shall require that the Susan G. Komen
4 Breast Cancer Foundation provide, without fee and as a condition of receiving
5 payments specified under this section, any license or other approval required for use
6 of any logo, trademark, trade name, word, or symbol to be used on or in association
7 with special group registration plates under s. 341.14 (6r) (f) 56.

8 (c) The agreement under this subsection shall require that the Susan G. Komen
9 Breast Cancer Foundation annually submit to the attorney general and the
10 presiding officer of each house of the legislature an audited financial statement of its
11 use of the payments under this section, prepared in accordance with generally
12 accepted accounting principles.

13 (d) Payments to the Susan G. Komen Breast Cancer Foundation under this
14 section shall be discontinued by the department if the Susan G. Komen Breast
15 Cancer Foundation dissolves or is no longer exempt from taxation under section 501
16 (a) of the Internal Revenue Code.

17 **SECTION 4.** 341.14 (6r) (b) 9. of the statutes is created to read:

18 341.14 (6r) (b) 9. An additional fee of \$25 that is in addition to the fee under
19 subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual
20 basis for the special group specified under par. (f) 56. An additional fee of \$50 that
21 is in addition to the fee under subd. 2. shall be charged for the issuance or renewal
22 of a plate issued on the biennial basis for the special group specified under par. (f) 56.
23 if the plate is issued or renewed during the first year of the biennial registration
24 period or \$25 for the issuance or renewal if the plate is issued or renewed during the
25 2nd year of the biennial registration period. All moneys received under this

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1 subdivision in excess of the initial costs of production of the special group plate under
2 par. (f) 56. shall be deposited in the general fund and credited to the appropriation
3 under s. 20.395 (5) (ck). To the extent permitted under ch. 71, the fee under this
4 subdivision is deductible as a charitable contribution for purposes of the taxes under
5 ch. 71.

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

7 341.14 (6r) (c) Special group plates shall display the word “Wisconsin”, the
8 name of the applicable authorized special group, a symbol representing the special
9 group, not exceeding one position, and identifying letters or numbers or both, not
10 exceeding 6 positions and not less than one position. The department shall specify
11 the design for special group plates, but the department shall consult the president
12 of the University of Wisconsin System before specifying the word or symbol used to
13 identify the special groups under par. (f) 35. to 47., the secretary of natural resources
14 before specifying the word or symbol used to identify for the special group under par.
15 (f) 50. and the chief executive officer of the professional football team and an
16 authorized representative of the league of professional football teams described in
17 s. 229.823 to which that team belongs before specifying the design for the applicable
18 special group plate under par. (f) 55. Special group plates under par. (f) 50. shall be
19 as similar as possible to regular registration plates in color and design. Special group
20 plates under par. (f) 56. shall display the words “Susan G. Komen Foundation” and
21 a pink ribbon symbol.

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

23 341.14 (6r) (f) 56. Persons interested in obtaining a plate supporting the efforts
24 of the Susan G. Komen Breast Cancer Foundation to eradicate breast cancer as a

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1 life-threatening disease by advancing research, education, screening, and
2 treatment.

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

4 341.14 **(6r)** (fm) 7. ~~Except for the authorized special group enumerated under~~
5 ~~par. (f) 55., after After October 1, 1998, additional authorized special groups may~~
6 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, ~~except for the authorized~~
9 ~~special group enumerated under par. (f) 55.~~ This subdivision does not apply to the
10 special ~~group~~ groups specified under par. (f) ~~54., 55., and 56.~~

11

(END)