

## 2007 DRAFTING REQUEST

### Bill

Received: **03/01/2007**

Received By: **bbalinsk**

Wanted: **As time permits**

Identical to LRB:

For: **Joan Ballweg (608) 266-8077**

By/Representing: **Vincent Williams**

This file may be shown to any legislator: **NO**

Drafter: **bbalinsk**

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles**

Extra Copies: **ARG**

Submit via email: **YES**

Requester's email: **Rep.Ballweg@legis.wisconsin.gov**

Carbon copy (CC:) to:

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### Pre Topic:

No specific pre topic given

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### Topic:

Special registration plates for organ and tissue donor

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### Instructions:

See Attached

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### 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>
/P1	bbalinsk 04/04/2007	wjackson 04/05/2007	sherritz 04/05/2007	_____	lparisi 04/05/2007		State
/P2	bbalinsk 05/04/2007	wjackson 05/07/2007	nmatzke 05/07/2007	_____	mbarman 05/07/2007		State
/1	bbalinsk 05/15/2007	wjackson 05/15/2007	rschluet 05/16/2007	_____	sbasford 05/16/2007	sbasford 05/16/2007	State

FE Sent For: "1" @ intro. 7-2-2007 <END>

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/P1	bbalinsk 04/04/2007	wjackson 04/05/2007	sherritz 04/05/2007	_____	lparisi 04/05/2007	<i>Please Jacket</i>	State
/P2	bbalinsk 05/04/2007	wjackson 05/07/2007	nmatzke 05/07/2007	_____	mbarman 05/07/2007		State

FE Sent For:

*1 Wly 5/15*

*[Handwritten signature]*

<END>

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/P1	bbalinsk 04/04/2007	wjackson 04/05/2007	sherritz 04/05/2007	_____	lparisi 04/05/2007		State

FE Sent For:

/p2 Wlj 5/7  
NWN 5/7  
NWN/RS 5/7

<END>

**2007 DRAFTING REQUEST**

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Addl. Drafters:

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Extra Copies: **ARG**

Submit via email: YES

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/P1	bbalinsk	/p1 Wlj 4/5	dh 4/5	dh/mon 4/5			

FE Sent For:

<END>

## **Balinsky, Brett**

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**From:** Williams, Vincent  
**Sent:** Thursday, March 01, 2007 10:28 AM  
**To:** Balinsky, Brett  
**Subject:** Rep. Ballweg Drafting Request-- REVISED

Brett,

I apologize for not having my thoughts better organized when I called this morning.

I need to make changes to the request:

It should be-- Special Distinguishing registration plates associated with Organ & Tissue Donation.

And it should be for the benefit of:

Wisconsin Coalition on Donation

WCD includes the two organ procurement organizations in my original e-mail, but it has a much greater scope. We thought it would be a more appropriate organization, rather than picking one or two individual organizations.

In a concerted effort to address donation awareness needs in Wisconsin, a group of state organizations has formed the Wisconsin Coalition on Donation. The Wisconsin Coalition on Donation is dedicated to saving lives and improving quality of life by collectively increasing organ, tissue, eye, blood and bone marrow donation through public awareness and education.

### **About The Wisconsin Coalition on Donation**

The Wisconsin Coalition on Donation is a voluntary consortium of organizations and individuals dedicated to increasing organ, tissue, eye, bone marrow, and blood donation through public awareness and education.

Wisconsin Coalition on Donation members include:

Allograft Resources  
American Heart Association  
American Liver Foundation Wisconsin Chapter  
American Lung Association  
Blood Center of Southeastern Wisconsin  
Lions Eye Bank of Wisconsin  
LifeSource Blood Services  
Mary J. Nachreiner, Donor Mom, member at large  
Musculoskeletal Transplant Foundation - TranSource  
National Kidney Foundation of Wisconsin  
Paul Oldham, Transplant Recipient, member at large  
University of Wisconsin Hospital and Clinics Organ Procurement Organization  
Wisconsin Department of Transportation  
Wisconsin Department of Health and Family Services  
Wisconsin Donor Network  
Wisconsin Tissue Bank

---

**From:** Williams, Vincent  
**Sent:** Thursday, March 01, 2007 9:57 AM

**To:** Balinsky, Brett  
**Subject:** Rep. Ballweg Drafting Request

Special Distinguishing registration plates associated with Organ Donation.

For the benefit of:

University of Wisconsin Hospitals and Clinics - Organ Procurement Organization, the federally designated Organ Procurement Organization serving 62 counties in Wisconsin. Wisconsin Donor Network - Federally-designated Organ Procurement Organization serving 10 counties in Southeastern Wisconsin.

3/1/07  
9:50

Vince @

6-8078

Jan Bullweg's office

Saw 1110 for Williams → 1st expansion plate

Special Plates for Organ Donations

↓  
benefit organ procurement organizations  
in WI

- 2 organizations ① Univ Wis Hosp + Clinics
- ② Wis. Donor Network





PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

FN 4/4/07  
Need by 4/5/07

Make LPS: this change globally throughout whole document

D-NOTE

1 AN ACT <sup>Regen</sup> to amend 341.14 (6r) (fm) 7.; and to create 20.395 (5) (eq), 20.395 (5) (er),  
 2 85.109, 341.14 (6r) (b) 11. and 341.14 (6r) (f) 58. of the statutes; relating to:  
 3 special distinguishing registration plates associated with the Wisconsin <sup>Coalition</sup> Organ  
 4 ~~and Tissue Donor Foundation~~, the promotion of organ and tissue donation in  
 5 this state, granting rule-making authority, and making appropriations.

**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

replace "Organ and Tissue Donor Foundation" with "Coalition on Donation" globally w/in whole document

LPS:  
Replace "Foundation" with "Coalition" globally within this #

Coalition on Donation

plates supporting the efforts of the Wisconsin Organ and Tissue Donor Foundation (Foundation) and the promotion of organ and tissue donation. 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 Foundation. The bill requires that 75 percent of the additional annual fee be paid to the Foundation, with the remaining 25 percent to be used by DOT to promote organ and tissue donation. The bill requires DOT to enter into an agreement with the Foundation with respect to the funds received by the Foundation, and the agreement must grant DOT authority, without fee to DOT, to use any applicable trademark of the Foundation with respect to the special plates. The bill also requires the Foundation annually to submit an audited financial statement of its use of these funds, and requires DOT to discontinue funding if the 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) (eq) of the statutes is created to read:  
2 20.395 (5) (eq) *Organ and tissue donor promotion.* All moneys received under  
3 s. 341.14 (6r) (b) 11. a., for the purpose of promoting organ and tissue donation in this  
4 state.

5 SECTION 2. 20.395 (5) (er) of the statutes is created to read:  
6 20.395 (5) (er) *Payments to the Wisconsin* Coalition on Donation Organ and Tissue Donor Foundation  
7 All moneys received under s. 341.14 (6r) (b) 11. b. for payments to the Wisconsin  
8 Coalition on Donation Organ and Tissue Donor Foundation under s. 85.109 (2) ~~(1)~~

9 SECTION 3. 85.109 of the statutes is created to read:  
10 **85.109 Organ and tissue donation. (1)** The department shall develop and  
11 administer a program to promote organ and tissue donation in this state. The  
12 program shall include the production and dissemination of educational materials  
13 about organ and tissue donation. The department shall adopt rules to implement  
14 and administer this program.

1 (2) (a) <sup>Noff</sup> The department shall enter into an agreement with the Wisconsin Organ  
 2 and Tissue Donor Foundation <sup>Coalition on Donation</sup> to make payments from the appropriation under s. 20.395  
 3 (5) (er) to the Wisconsin Organ and Tissue Donor Foundation to be used to fund its  
 4 efforts to encourage organ and tissue donation by providing educational programs,  
 5 promoting or advancing research and patient services, and, at its discretion,  
 6 distributing portions of these payments to any other organ and tissue procurement and  
 7 donation organization in this state that is exempt from taxation under section 501 (a)  
 8 of the Internal Revenue Code, to be used for these same purposes.

9 (2) (b) The agreement under this subsection shall require that the Wisconsin Organ  
 10 and Tissue Donor Foundation <sup>Coalition on Donation</sup> provide, without fee and as a condition of receiving  
 11 payments specified under this subsection, any license or other approval required for use  
 12 of any logo, trademark, trade name, word, or symbol to be used on or in association with  
 13 special group registration plates under s. 341.14 (6r) (f) 58.

14 (3) (c) The agreement under this subsection shall require that the Wisconsin Organ  
 15 and Tissue Donor Foundation <sup>Coalition on Donation</sup> annually submit to the attorney general and the  
 16 presiding officer of each house of the legislature an audited financial statement of its  
 17 use of the payments under this subsection, prepared in accordance with generally  
 18 accepted accounting principles. The agreement under this subsection shall also require  
 19 that the Wisconsin Organ and Tissue Donor Foundation <sup>Coalition on Donation</sup> enter into a contract with any  
 20 organ and tissue donor organization to which it distributes funds under <sup>sub (1)</sup> par. (a)  
 21 requiring that organization to prepare and submit audited financial statements of that  
 22 organization's use of funds received under <sup>sub (1)</sup> par. (a)

23 (4) (d) The department shall discontinue payments to the Wisconsin Organ and  
 24 Tissue Donor Foundation under this subsection if the Wisconsin Organ and Tissue  
 25 Donor Foundation dissolves or is no longer exempt from taxation under section 501

<sup>exempt from taxation under section 501(a) of the</sup>  
Internal Revenue Code

Insert  
H-7

1 (a) of the Internal Revenue Code and the department shall designate a new recipient  
 2 for payments under this subsection. The new recipient must be a nonprofit  
 3 organization that promotes organ and tissue donation and must comply with any  
 4 requirement specified in this section for the Wisconsin <sup>Coalition on Donations</sup> Organ and Tissue Donor  
 5 Foundation. Notwithstanding any other provision of this subsection, the department  
 6 shall not make any payments under this subsection until the Wisconsin <sup>Coalition on Donations</sup> Organ and  
 7 Tissue Donor Foundation is properly formed and operational <sup>and is</sup> Insert 4-7

8 SECTION 4. 341.14 (6r) (b) 11. of the statutes is created to read:

9 341.14 (6r) (b) 11. An additional fee of \$25 that is in addition to the fee under  
 10 subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual  
 11 basis for the special group specified under par. (f) 58. An additional fee of \$50 that  
 12 is in addition to the fee under subd. 2. shall be charged for the issuance or renewal  
 13 of a plate issued on the biennial basis for the special group specified under par. (f) 58.  
 14 if the plate is issued or renewed during the first year of the biennial registration  
 15 period or \$25 for the issuance or renewal if the plate is issued or renewed during the  
 16 2nd year of the biennial registration period. To the extent permitted under ch. 71,  
 17 the fee under this subdivision is deductible as a charitable contribution for purposes  
 18 of the taxes under ch. 71. All moneys received under this subdivision, in excess of  
 19 \$27,600 for the initial costs of production of the special group plate under par. (f) 58.,  
 20 shall be credited as follows:

21 a. Twenty-five percent shall be credited to the appropriation account under s.  
 22 20.395 (5) (eq).

23 b. Seventy-five percent shall be credited to the appropriation account under  
 24 s. 20.395 (5) (er).

25 SECTION 5. 341.14 (6r) (f) 58. of the statutes is created to read:

from  
bottom  
p. 3

No fr

1           341.14 (6r) (f) 58. Persons interested in obtaining a plate supporting the efforts  
2           of the ~~Wisconsin Organ and Tissue Donor Foundation~~ <sup>Coalition on Donation</sup> to promote the donation of  
3           organs and tissue, to promote organ and tissue transplant research, and to advance  
4           patient services involving organ and tissue transplants in this state.

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

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

12          **SECTION 7. Nonstatutory provisions.**

13          (1) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes  
14          effect in fiscal year 2008–09, in submitting information under section 16.42 of the  
15          statutes for purposes of the 2009–11 biennial budget bill, the department of  
16          transportation shall submit a dollar amount for the appropriation under section  
17          20.395 (5) (cq) of the statutes that is \$27,600 less than the total amount appropriated  
18          under section 20.395 (5) (cq) of the statutes for the 2008–09 fiscal year, before  
19          submitting any information relating to any increase or decrease in the dollar amount  
20          for that appropriation for the 2009–11 fiscal biennium.

21          **SECTION 8. Fiscal changes.**

22          (1) In the schedule under section 20.005 (3) of the statutes for the appropriation  
23          to the department of transportation under section 20.395 (5) (cq) of the statutes, as  
24          affected by the acts of 2007, the dollar amount is increased by \$27,600 for the fiscal  
25          year in which this subsection takes effect to increase funding for special

*Coalition on Donation*

1 distinguishing registration plates associated with the Wisconsin Organ and Tissue

2 Donor Foundation

3 **SECTION 9. Effective date.**

4 (1) This act takes effect on the first day of the 6th month beginning after  
5 publication.

6 (END)

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-2122/P1dn  
BAB:.....

wj

ATTN: Vincent Williams

The attached draft has been prepared in preliminary form. Please review the draft carefully to ensure that it is consistent with your intent.

As you have instructed, I have prepared the draft to provide funding for a nonprofit organization, the Wisconsin Coalition on Donation (Coalition), that appears to have been created relatively recently. I ~~did a~~ search for the Coalition on the Department of Financial Institutions' corporate information website, but it was not listed on the site at all, ~~whereas it~~ <sup>The Coalition</sup> may need to be registered with the ~~department~~ <sup>DFI</sup> as a nonstock corporation if it is to receive funds collected under created s. 85.109. I have included a provision in the draft precluding DOT from making payments until the Coalition is properly formed and operational and has obtained tax exempt status under section 501 (a) of the Internal Revenue Code. Is that acceptable? There are certain details in the draft that you may want to change, including the description of the purpose for which funds are provided to the Coalition in created ss. 85.109 (1) and 341.14 (6r) (f) 58<sup>✓</sup> of the draft and the amount of the additional fee under created s. 341.14 (6r) (b) 11. The draft also includes customary provisions relating to accountability for funds provided to the Coalition. I have included an appropriation increase to DOT to provide funds associated with these special plates and a nonstatutory provision to ensure that this increase is a one-time increase. Do you want to specify any word or symbol associated with the Coalition that should appear on the plate?

Under s. 341.14 (6r) (b) 11., there will be a \$<sup>25</sup>~~15~~ fee for issuing the special group plates. This \$<sup>25</sup>~~15~~ fee will not be deposited into the veterans trust fund under s. 341.14 (6r) (b) 9. because this plate is not a military plate. Is that acceptable?

Current law requires DOT to establish new designs for most vehicle registration plates, including most special plates, every ten years and to issue the new plates on a rolling basis as vehicle registrations are renewed by the vehicle owners. For most special plates, the plate design cycle began on July 1, 2000, and a new plate design cycle begins on July 1, 2010. Accordingly, this plate will be redesigned again in 2010. Is that acceptable to you?

Brett A. Balinsky  
Legislative Attorney  
Phone: (608) 267-7380  
E-mail: brett.balinsky@legis.wisconsin.gov

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-2122/P1dn  
BAB:wlj:sh

April 5, 2007

ATTN: Vincent Williams

The attached draft has been prepared in preliminary form. Please review the draft carefully to ensure that it is consistent with your intent.

As you have instructed, I have prepared the draft to provide funding for a nonprofit organization, the Wisconsin Coalition on Donation (coalition), that appears to have been created relatively recently. I searched for the coalition on the Department of Financial Institutions' corporate information Web site, but it was not listed on the site at all; the coalition may need to be registered with DFI as a nonstock corporation if it is to receive funds collected under created s. 85.109. I have included a provision in the draft precluding DOT from making payments until the coalition is properly formed and operational and has obtained tax exempt status under section 501 (a) of the Internal Revenue Code. Is that acceptable? There are certain details in the draft that you may want to change, including the description of the purpose for which funds are provided to the coalition in created ss. 85.109 (1) and 341.14 (6r) (f) 58. of the draft and the amount of the additional fee under created s. 341.14 (6r) (b) 11. The draft also includes customary provisions relating to accountability for funds provided to the coalition. I have included an appropriation increase to DOT to provide funds associated with these special plates and a nonstatutory provision to ensure that this increase is a one-time increase. Do you want to specify any word or symbol associated with the coalition that should appear on the plate?

Under s. 341.14 (6r) (b) 11., there will be a \$25 fee for issuing the special group plates. This \$25 fee will not be deposited into the veterans trust fund under s. 341.14 (6r) (b) 9. because this plate is not a military plate. Is that acceptable?

Current law requires DOT to establish new designs for most vehicle registration plates, including most special plates, every ten years and to issue the new plates on a rolling basis as vehicle registrations are renewed by the vehicle owners. For most special plates, the plate design cycle began on July 1, 2000, and a new plate design cycle begins on July 1, 2010. Accordingly, this plate will be redesigned again in 2010. Is that acceptable to you?

Brett A. Balinsky  
Legislative Attorney  
Phone: (608) 267-7380  
E-mail: [brett.balinsky@legis.wisconsin.gov](mailto:brett.balinsky@legis.wisconsin.gov)



**Balinsky, Brett**

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**From:** Balinsky, Brett  
**Sent:** Thursday, April 26, 2007 4:27 PM  
**To:** Williams, Vincent  
**Subject:** RE: Draft review: LRB 07-2122/P1 Topic: Special registration plates for organ and tissue donor

Vince,

Please see below for answers

Brett

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**From:** Williams, Vincent  
**Sent:** Wednesday, April 25, 2007 3:35 PM  
**To:** Balinsky, Brett  
**Subject:** FW: Draft review: LRB 07-2122/P1 Topic: Special registration plates for organ and tissue donor

Brett,

We spoke with the Wisconsin Coalition on Donation, and they are in the process of registering with DFI. Their registered name is going to follow the format set-out by the national organization Donate Life America, so, therefore, they will be called Donate Life Wisconsin.

I just checked with Martha Mallon (in the Division of Public Health @ DHFS), and she said that the registration is complete.

Under the LRB analysis, there is a \$15 issuance fee, and an additional \$25 annual fee. Do motorists have to pay both those fees every year? NO, JUST THE ONE TIME FOR THE \$15 FEE AND THEN ANNUALLY FOR THE \$25 FEE

The audit requirement for financial accountability, is there a certain threshold that triggers the audit? NO

I'll send you the logo that should be incorporated into the plate design. DOT WILL WORK WITH THE SPECIAL INTEREST GROUP ON THE DESIGN OF THE NEW PLATE BUT IT MAY NOT BE POSSIBLE TO INCORPORATE THE FULL LOGO.

Also, you mention the \$25 fee for issuing special group plates, but that it will not be deposited into the veterans trust fund? So, the question is, where will it be deposited? IT WILL BE DEPOSITED INTO THE TRANSPORTATION AND GENERAL FUNDS.

The design cycle is just fine.

Vince Williams  
Research Assistant  
Rep. Ballweg's Office

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**From:** Parisi, Lori  
**Sent:** Thursday, April 05, 2007 4:55 PM  
**To:** Rep.Ballweg

5/4/2007



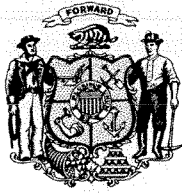
New York Donor Plate (2).gif



AZ Donor Plate.gif



DonateLife Logo RGB.gif



State of Wisconsin  
2007 - 2008 LEGISLATURE

LRB-2122/PI

BAB:wj:sh

stays RMR

P2

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

FN 5/4/07  
Need by 5/11/07

\* Globally change "Wisconsin Coalition on Donation" to "Donate Life Wisconsin"

Regen

- 1 AN ACT **to amend** 341.14 (6r) (fm) 7.; and **to create** 20.395 (5) (er), 85.109, 341.14
- 2 (6r) (b) 11. and 341.14 (6r) (f) 58. of the statutes; **relating to:** special
- 3 distinguishing registration plates associated with the Wisconsin Coalition on
- 4 Donation, the promotion of organ and tissue donation in this state, granting
- 5 rule-making authority, and making appropriations.

**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

Donate Life Wisconsin (DLW)

plates supporting the efforts of the Wisconsin Coalition on Donation (Coalition) and the promotion of organ and tissue donation. 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 Coalition. The bill requires that the additional annual fee be paid to the Coalition. The bill requires DOT to enter into an agreement with the Coalition with respect to the funds received by the Coalition and the agreement must grant DOT authority, without fee to DOT, to use any applicable trademark of the Coalition with respect to the special plates. The bill also requires the Coalition annually to submit an audited financial statement of its use of these funds, and requires DOT to discontinue funding if the Coalition 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:***

Ⓡ Donate Life Wisconsin

1 SECTION 1. 20.395 (5) (er) of the statutes is created to read:

2 20.395 (5) (er) Payments to the Wisconsin Coalition on Donation. All moneys  
3 received under s. 341.14 (6r) (b) 11., for payments to the Wisconsin Coalition on  
4 Donation under s. 85.109 (1).

5 SECTION 2. 85.109 of the statutes is created to read:

6 **85.109 Organ and tissue donation.** (1) The department shall enter into an  
7 agreement with the Wisconsin Coalition on Donation to make payments from the  
8 appropriation under s. 20.395 (5) (er) to the Wisconsin Coalition on Donation to be  
9 used to fund its efforts to encourage organ and tissue donation by providing  
10 educational programs, promoting or advancing research and patient services, and,  
11 at its discretion, distributing portions of these payments to any other organ and  
12 tissue procurement and donation organization in this state that is exempt from  
13 taxation under section 501 (a) of the Internal Revenue Code, to be used for these same  
14 purposes.

*Donate Life Wisconsin*

1 (2) The agreement under this section shall require that ~~the Wisconsin Coalition on~~  
 2 ~~Donation~~ provide, without fee and as a condition of receiving payments specified under  
 3 this section, any license or other approval required for use of any logo, trademark, trade  
 4 name, word, or symbol to be used on or in association with special group registration  
 5 plates under s. 341.14 (6r) (f) 58.

6 (3) The agreement under this section shall require that ~~the Wisconsin Coalition~~  
 7 ~~on Donation~~ annually submit to the attorney general and the presiding officer of each  
 8 house of the legislature an audited financial statement of its use of the payments under  
 9 this section, prepared in accordance with generally accepted accounting principles.

*Donate Life Wisconsin*

10 The agreement under this section shall also require that ~~the Wisconsin Coalition on~~  
 11 ~~Donation~~ enter into a contract with any organ and tissue donor organization to which  
 12 it distributes funds under sub. (1) requiring that organization to prepare and submit  
 13 audited financial statements of that organization's use of funds received under sub. (1).

*Donate Life Wisconsin*

14 (4) The department shall ~~discontinue payments to the Wisconsin Coalition on~~  
 15 ~~Donation~~ under this section if ~~the Wisconsin Coalition on Donation~~ dissolves or is no  
 16 longer exempt from taxation under section 501 (a) of the Internal Revenue Code and  
 17 the department shall designate a new recipient for payments under this section. The  
 18 new recipient must be a nonprofit organization that promotes organ and tissue  
 19 donation and must comply with any requirement specified in this section for ~~the~~  
 20 ~~Wisconsin Coalition on Donation~~. Notwithstanding any other provision of this  
 21 section, the department shall not make any payments under this section until ~~the~~  
 22 ~~Wisconsin Coalition on Donation~~ is properly formed and operational and is exempt  
 23 from taxation under section 501 (a) of the Internal Revenue Code.

24 SECTION 3. 341.14 (6r) (b) 11. of the statutes is created to read:

1           341.14 (6r) (b) 11. An additional fee of \$25 that is in addition to the fee under  
2           subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual  
3           basis for the special group specified under par. (f) 58. An additional fee of \$50 that  
4           is in addition to the fee under subd. 2. shall be charged for the issuance or renewal  
5           of a plate issued on the biennial basis for the special group specified under par. (f) 58.  
6           if the plate is issued or renewed during the first year of the biennial registration  
7           period or \$25 for the issuance or renewal if the plate is issued or renewed during the  
8           2nd year of the biennial registration period. To the extent permitted under ch. 71,  
9           the fee under this subdivision is deductible as a charitable contribution for purposes  
10          of the taxes under ch. 71. All moneys received under this subdivision, in excess of  
11          \$27,600 for the initial costs of production of the special group plate under par. (f) 58.,  
12          shall be credited to the appropriation account under s. 20.395 (5) (er).

13           **SECTION 4.** 341.14 (6r) (f) 58. of the statutes is created to read:

14           341.14 (6r) (f) 58. Persons interested in obtaining a plate supporting the efforts  
15          of the Wisconsin Coalition on Donation to promote the donation of organs and tissue,  
16          to promote organ and tissue transplant research, and to advance patient services  
17          involving organ and tissue transplants in this state.


18           **SECTION 5.** 341.14 (6r) (fm) 7. of the statutes is amended to read:

19           341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups  
20          may only be special groups designated by the department under this paragraph. The  
21          authorized special groups enumerated in par. (f) shall be limited solely to those  
22          special groups specified under par. (f) on October 1, 1998. This subdivision does not  
23          apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m.,  
24          19m., 49d., 49h., 49s., 54., 55., 55m., 56., and 57., and 58.

25           **SECTION 6. Nonstatutory provisions.**

1 (1) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes  
2 effect in fiscal year 2008-09, in submitting information under section 16.42 of the  
3 statutes for purposes of the 2009-11 biennial budget bill, the department of  
4 transportation shall submit a dollar amount for the appropriation under section  
5 20.395 (5) (cq) of the statutes that is \$27,600 less than the total amount appropriated  
6 under section 20.395 (5) (cq) of the statutes for the 2008-09 fiscal year, before  
7 submitting any information relating to any increase or decrease in the dollar amount  
8 for that appropriation for the 2009-11 fiscal biennium.

9 **SECTION 7. Fiscal changes.**

10 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation  
11 to the department of transportation under section 20.395 (5) (cq) of the statutes, as  
12 affected by the acts of 2007, the dollar amount is increased by \$27,600 for the fiscal  
13 year in which this subsection takes effect to increase funding for special  
14 distinguishing registration plates associated with the Wisconsin Coalition on 

15 Donation  Donate Life Wisconsin

16 **SECTION 9. Effective date.**

17 (1) This act takes effect on the first day of the 6th month beginning after  
18 publication.

19 (END)





State of Wisconsin  
2007 - 2008 LEGISLATURE

LRB-2122/P2

BAB:wlj:nwn

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stays ↑  
RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

IN 5/15/07  
Need by 5/18/07

Regen

1 AN ACT *to amend* 341.14 (6r) (fm) 7.; and *to create* 20.395 (5) (er), 85.109, 341.14  
2 (6r) (b) 11. and 341.14 (6r) (f) 58. of the statutes; **relating to:** special  
3 distinguishing registration plates associated with Donate Life Wisconsin, the  
4 promotion of organ and tissue donation in this state, granting rule-making  
5 authority, and making appropriations.

***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

plates supporting the efforts of Donate Life Wisconsin (DLW) and the promotion of organ and tissue donation. 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 DLW. The bill requires that the additional annual fee be paid to DLW. The bill requires DOT to enter into an agreement with DLW with respect to the funds received by DLW, and the agreement must grant DOT authority, without fee to DOT, to use any applicable trademark of DLW with respect to the special plates. The bill also requires DLW annually to submit an audited financial statement of its use of these funds, and requires DOT to discontinue funding if DLW 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.

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

1           **SECTION 1.** 20.395 (5) (er) of the statutes is created to read:

2           20.395 (5) (er) *Payments to Donate Life Wisconsin.* All moneys received under  
3 s. 341.14 (6r) (b) 11., for payments to Donate Life Wisconsin under s. 85.109 (1).

4           **SECTION 2.** 85.109 of the statutes is created to read:

5           **85.109 Organ and tissue donation.** (1) The department shall enter into an  
6 agreement with Donate Life Wisconsin to make payments from the appropriation  
7 under s. 20.395 (5) (er) to Donate Life Wisconsin, to be used to fund its efforts to  
8 encourage organ and tissue donation by providing educational programs, promoting  
9 or advancing research and patient services, and, at its discretion, distributing  
10 portions of these payments to any other organ and tissue procurement and donation  
11 organization in this state that is exempt from taxation under section 501 (a) of the  
12 Internal Revenue Code, to be used for these same purposes.

13           (2) The agreement under this section shall require that Donate Life Wisconsin  
14 provide, without fee and as a condition of receiving payments specified under this  
15 section, any license or other approval required for use of any logo, trademark, trade

1 name, word, or symbol to be used on or in association with special group registration  
2 plates under s. 341.14 (6r) (f) 58.

3 (3) The agreement under this section shall require that Donate Life Wisconsin  
4 annually submit to the attorney general and the presiding officer of each house of the  
5 legislature an audited financial statement of its use of the payments under this section,  
6 prepared in accordance with generally accepted accounting principles. The agreement  
7 under this section shall also require that Donate Life Wisconsin enter into a contract  
8 with any organ and tissue donor organization to which it distributes funds under sub.  
9 (1) requiring that organization to prepare and submit audited financial statements of  
10 that organization's use of funds received under sub. (1).

11 (4) The department shall discontinue payments to Donate Life Wisconsin under  
12 this section if Donate Life Wisconsin dissolves or is no longer exempt from taxation  
13 under section 501 (a) of the Internal Revenue Code and the department shall  
14 designate a new recipient for payments under this section. The new recipient must  
15 be a nonprofit organization that promotes organ and tissue donation and must  
16 comply with any requirement specified in this section for Donate Life Wisconsin.  
17 Notwithstanding any other provision of this section, the department shall not make  
18 any payments under this section until Donate Life Wisconsin is properly formed and  
19 operational and is exempt from taxation under section 501 (a) of the Internal  
20 Revenue Code.

21 **SECTION 3.** 341.14 (6r) (b) 11. of the statutes is created to read:

22 341.14 (6r) (b) 11. An additional fee of \$25 that is in addition to the fee under  
23 subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual  
24 basis for the special group specified under par. (f) 58. An additional fee of \$50 that  
25 is in addition to the fee under subd. 2. shall be charged for the issuance or renewal

1 of a plate issued on the biennial basis for the special group specified under par. (f) 58.  
2 if the plate is issued or renewed during the first year of the biennial registration  
3 period or \$25 for the issuance or renewal if the plate is issued or renewed during the  
4 2nd year of the biennial registration period. To the extent permitted under ch. 71,  
5 the fee under this subdivision is deductible as a charitable contribution for purposes  
6 of the taxes under ch. 71. All moneys received under this subdivision, in excess of  
7 \$27,600 for the initial costs of production of the special group plate under par. (f) 58.,  
8 shall be credited to the appropriation account under s. 20.395 (5) (er).

9 **SECTION 4.** 341.14 (6r) (f) 58. of the statutes is created to read:

10 341.14 (6r) (f) 58. Persons interested in obtaining a plate supporting the efforts  
11 of Donate Life Wisconsin to promote the donation of organs and tissue, to promote  
12 organ and tissue transplant research, and to advance patient services involving  
13 organ and tissue transplants in this state.

14 **SECTION 5.** 341.14 (6r) (fm) 7. of the statutes is amended to read:

15 341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups  
16 may only be special groups designated by the department under this paragraph. The  
17 authorized special groups enumerated in par. (f) shall be limited solely to those  
18 special groups specified under par. (f) on October 1, 1998. This subdivision does not  
19 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m.,  
20 19m., 49d., 49h., 49s., 54., 55., ~~55m.~~, 56., and 57., and 58.

21 **SECTION 6. Nonstatutory provisions.**

22 (1) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes  
23 effect in fiscal year 2008-09, in submitting information under section 16.42 of the  
24 statutes for purposes of the 2009-11 biennial budget bill, the department of  
25 transportation shall submit a dollar amount for the appropriation under section

1 20.395 (5) (cq) of the statutes that is \$27,600 less than the total amount appropriated  
2 under section 20.395 (5) (cq) of the statutes for the 2008-09 fiscal year, before  
3 submitting any information relating to any increase or decrease in the dollar amount  
4 for that appropriation for the 2009-11 fiscal biennium.

5 **SECTION 7. Fiscal changes.**

6 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation  
7 to the department of transportation under section 20.395 (5) (cq) of the statutes, as  
8 affected by the acts of 2007, the dollar amount is increased by \$27,600 for the fiscal  
9 year in which this subsection takes effect to increase funding for special  
10 distinguishing registration plates associated with Donate Life Wisconsin.

11 **SECTION 9. Effective date.**

12 (1) This act takes effect on the first day of the 6th month beginning after  
13 publication.

14 (END)