



1995 ASSEMBLY BILL 625

October 18, 1995 - Introduced by Representatives LEHMAN, WOOD, PLACHE, OTTE, GOETSCH, POWERS, ZIEGELBAUER, PLOMBON, OTT, WILDER, BALDUS, AINSWORTH and LA FAVE, cosponsored by Senators BUETTNER and MOEN. Referred to Committee on Highways and Transportation.

1 **AN ACT to amend** 341.14 (6r) (a) and (b) 2. and 341.14 (6r) (f) (intro.); and **to**
2 **create** 20.395 (5) (ci), 20.395 (5) (cj), 25.40 (1) (a) 12., 25.40 (1) (a) 13., 341.14
3 (6r) (b) 6. and 341.14 (6r) (fm) of the statutes; **relating to:** special
4 distinguishing registration plates payments to authorized special groups,
5 granting rule-making authority and making appropriations.

Analysis by the Legislative Reference Bureau

Members of authorized special groups are currently permitted by law to 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 owned or leased by special group members. A fee, in addition to the annual registration fee for the particular kind of vehicle, is assessed for issuance or reissuance of the special plates. Each authorized special group is required to be specifically enumerated in state law. Currently, there are 57 authorized special groups.

This bill replaces the enumeration in state law of each authorized special group whose members are eligible for special plates with designation by DOT of each authorized special group. The bill permits any group or organization to apply to DOT for designation as an authorized special group. The group or organization may designate that DOT collect an additional fee of not more than \$25 that is a tax-deductible contribution to the extent permitted by law to fund programs and activities of the group or organization. If the application is approved by DOT, members of the authorized special group may obtain special distinguishing registration plates. Members are required to pay the regular vehicle registration fee, the fee for issuance or reissuance of the special plates and, if the group or organization has made such a designation, an additional fee to fund programs or

activities of the group or organization. Any group or organization that designates an additional fee is required to annually submit an audited financial statement of its use of the funds received from such fees. Funding to an authorized special group is discontinued if the group or organization dissolves, no longer satisfies the criteria for designation of an authorized special group or fails to use the funds for programs or activities of the group or organization.

DOT must promulgate rules establishing criteria and procedures for the designation of authorized special groups. The 57 authorized special groups currently enumerated in state law are unaffected by the bill, but the enumeration in state law of additional authorized special groups is prohibited.

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) (ci) of the statutes is created to read:

2 20.395 (5) (ci) *Authorized special group payments.* All moneys received under
3 s. 341.14 (6r) (b) 6. for payments to authorized special groups under s. 341.14 (6r) (fm)
4 3.

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

6 20.395 (5) (cj) *Vehicle registration, special group plates, state funds.* From the
7 general fund, all moneys deposited under s. 341.14 (6r) (fm) 2., for the purpose of
8 producing and issuing special group plates under s. 341.14 (6r) and making
9 payments under s. 341.14 (6r) (fm) 2.

10 **SECTION 3.** 25.40 (1) (a) 12. of the statutes is created to read:

11 25.40 (1) (a) 12. Moneys received under s. 341.14 (6r) (fm) 2. that are deposited
12 in the general fund and credited to the appropriation under s. 20.395 (5) (cj).

13 **SECTION 4.** 25.40 (1) (a) 13. of the statutes is created to read:

14 25.40 (1) (a) 13. Moneys received under s. 341.14 (6r) (b) 6. that are deposited
15 in the general fund and credited to the appropriation under s. 20.395 (5) (ci).

16 **SECTION 5.** 341.14 (6r) (a) and (b) 2. of the statutes are amended to read:

1 341.14 **(6r)** (a) In this subsection and s. 341.145 (1) (c), “authorized special
2 group” means a special group enumerated in par. (f) or designated by the department
3 under par. (fm).

4 (b) 2. An additional fee of \$10 shall be charged for the issuance or reissuance
5 of the plates for special groups specified under par. (f) 1. to 34., 48., 49. and 51. or
6 designated by the department under par. (fm).

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

8 341.14 **(6r)** (b) 6. a. If a group or organization has made a designation under
9 par. (fm) 2. c. that the department shall collect a specific fee under this subd. 6. a.,
10 the additional fee, that is in addition to the fee under subd. 2., shall be charged for
11 the issuance or renewal of a plate issued on an annual basis for the applicable
12 authorized special group.

13 b. If a fee is charged under subd. 6. a., twice the fee under subd. 6. a., that is
14 in addition to the fee under subd. 2., shall be charged for the issuance or renewal of
15 a plate issued on the biennial basis for the applicable authorized special group if the
16 plate is issued or renewed during the first year of the biennial registration period or
17 the fee under subd. 6. a. for the issuance or renewal if the plate is issued or renewed
18 during the 2nd year of the biennial registration period.

19 c. All moneys received under this subdivision shall be deposited in the general
20 fund and credited to the appropriation under s. 20.395 (5) (ci). To the extent
21 permitted under ch. 71, the fee under this subdivision is deductible as a charitable
22 contribution for purposes of the taxes under ch. 71.

23 **SECTION 7.** 341.14 (6r) (f) (intro.) of the statutes is amended to read:

24 341.14 **(6r)** (f) (intro.) The department shall issue special group plates under
25 this subsection ~~only~~ for the following authorized special groups:

1 **SECTION 8.** 341.14 (6r) (fm) of the statutes is created to read:

2 341.14 **(6r)** (fm) 1. In addition to the special groups specified under par. (f), any
3 group or organization may apply to the department for designation as an authorized
4 special group. The department shall designate any group or organization that meets
5 all of the following criteria as an authorized special group:

6 a. The group or organization is not organized or operated for profit.

7 b. The group or organization is not a political group, as defined in s. 11.01 (10).

8 c. The group or organization is not a church, a synagogue, a mosque or any
9 organization, whether or not organized under ch. 187, that operates under a creed.

10 d. The group or organization does not promote, practice or encourage hatred
11 or any form of discrimination.

12 e. The group or organization does not carry connotations offensive to good taste
13 or decency, or that would be misleading, or in conflict with the enumeration or
14 designation of any other authorized special group.

15 2. The application for designation as an authorized special group shall include
16 all of the following:

17 a. The names, addresses and signatures of at least 250 persons, with each
18 person's signature certifying that the person desires to obtain special plates as a
19 member of that group or organization if the department designates the group or
20 organization as an authorized special group.

21 b. A deposit of \$2,500 that shall be returned to the group or organization if the
22 application is denied or, if the application is approved, \$10 times the number of
23 special group plates issued to members of the authorized special group in the first
24 year of issuance of the special group plate shall be returned to the group or
25 organization, up to a maximum of \$2,500.

1 c. A space for the group or organization to make a designation whether the
2 department shall collect a fee for the group or organization under par. (b) 6., and the
3 amount of the fee not exceeding \$25 for purposes of par. (b) 6. a.

4 d. Any other information that the department reasonably requires to
5 determine whether the group or organization is entitled by law to designation as an
6 authorized special group.

7 3. a. If the application for designation as an authorized special group is
8 approved and the group or organization has specified an additional fee under subd.
9 2. c., the department may not collect the additional fee under par. (b) 6. a. unless the
10 department enters into an agreement with the authorized special group to make
11 payments to the group or organization from the appropriation under s. 20.395 (5) (c)
12 of the collected fees to fund programs and activities of the group or organization.

13 b. The agreement under subd. 3. a. shall require that the authorized special
14 group annually submit to the department and the presiding officer of each house of
15 the legislature an audited financial statement of its use of the payments, prepared
16 in accordance with generally accepted accounting principles. Payments to an
17 authorized special group under subd. 3. a. shall be discontinued by the department
18 if the group or organization dissolves or the department determines that the
19 authorized special group no longer satisfies the criteria under subd. 1. or fails to use
20 the payments to fund programs and activities of the group or organization.

21 4. If the application for designation as an authorized special group is denied,
22 the department shall promptly return the application to the group or organization,
23 together with a notice stating the reason for the denial. All decisions of the
24 department with respect to applications under this paragraph shall be final and not
25 subject to judicial review under ch. 227.

1 5. The department may not assist any group or organization in the use of
2 special group plates in any fund-raising effort by the group or organization.

3 6. The department shall establish by rule procedures for the designation of
4 authorized special groups under this paragraph and for the issuance of special group
5 plates under this subsection to members of the authorized special groups.

6 7. After the effective date of this subdivision [revisor inserts date],
7 additional authorized special groups may only be special groups designated by the
8 department under this paragraph. The authorized special groups enumerated in
9 par. (f) shall be limited solely to those special groups specified under par. (f) on the
10 effective date of this subdivision [revisor inserts date].

11 **SECTION 9. Effective date.**

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

14 **(END)**