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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **2593**

February 4, 2010

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The bill was read for the first time and referred to the Committee on Finance

1.1 A bill for an act
1.2 relating to motor vehicles; authorizing special "Choose Life" license plates;
1.3 establishing adoption support account and appropriating funds; proposing coding
1.4 for new law in Minnesota Statutes, chapter 168.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. [168.1295] CERTAIN SPECIAL PLATES; UNIFORM
1.7 REQUIREMENTS.

1.8 Subdivision 1. Definition. For purposes of this section, "special plates" means
1.9 plates, or a single motorcycle plate, that are (1) designed with wording and graphics that
1.10 differ from a regular Minnesota passenger automobile plate or motorcycle plate, and (2)
1.11 authorized under section 168.1299.

1.12 Subd. 2. General requirements; fees. The commissioner shall issue special plates
1.13 to an applicant who:

1.14 (1) meets any eligibility requirements established in the section of this chapter that
1.15 specifically authorizes the special plates;

1.16 (2) is a registered owner of a passenger automobile, one-ton pickup truck,
1.17 motorcycle, or recreational motor vehicle;

1.18 (3) pays the fee as required under section 168.12, subdivision 5;

1.19 (4) pays the registration tax as required under section 168.013;

1.20 (5) pays any other fees required under this chapter; and

1.21 (6) complies with this chapter and rules governing the registration of motor vehicles
1.22 and licensing of drivers.

1.23 Subd. 3. Transfers; fee. On application to the commissioner and payment of
1.24 a transfer fee of \$5, special plates may be transferred to another motor vehicle if the

2.1 subsequent vehicle is (1) eligible for the special plates, and (2) registered to the same
2.2 individual to whom the special plates were originally issued. Only a plate originally
2.3 issued for a motorcycle may be transferred to a motorcycle.

2.4 Subd. 4. **Plate removal, invalidation, replacement.** (a) An individual may use
2.5 special plates only during the period that the individual remains eligible for the plates.
2.6 When the individual to whom the special plates were issued ceases to be eligible for
2.7 the plates, the individual shall remove each set of plates issued. When ownership of a
2.8 motor vehicle is transferred, the individual ceasing to have ownership shall remove the
2.9 special plates from the motor vehicle.

2.10 (b) If the commissioner receives written notification that an individual is no longer
2.11 qualified for the special plates, the commissioner shall invalidate the plates and notify the
2.12 individual of this action. The individual may retain the plates only upon demonstrating
2.13 compliance with this section and any eligibility requirements established in the section of
2.14 this chapter that specifically authorizes the special plates.

2.15 (c) Upon removal or invalidation of the special plates, the owner of the motor
2.16 vehicle, or the individual taking possession of the vehicle in the case of transfer of motor
2.17 vehicle ownership, shall obtain plates for the proper registration classification for the
2.18 motor vehicle.

2.19 Subd. 5. **Record keeping.** The commissioner shall maintain a record of the annual
2.20 number of each type of special plate issued under this chapter.

2.21 Subd. 6. **Rulemaking.** The commissioner may adopt rules governing the issuance
2.22 and use of the special plates.

2.23 Subd. 7. **Legislative report.** (a) By November 15 annually, the commissioner shall
2.24 submit a report on the special plates to the chairs and ranking minority members of the
2.25 house of representatives and senate committees with jurisdiction over transportation
2.26 policy and finance.

2.27 (b) The report must, at a minimum, specify:

2.28 (1) for each type of special plate, the number issued:

2.29 (i) in the previous fiscal year; and

2.30 (ii) since inception of the plate; and

2.31 (2) for each type of special plate that requires an additional contribution in the
2.32 section of this chapter that specifically authorizes the special plates:

2.33 (i) the amount of contribution funds received (A) in the previous fiscal year, and (B)
2.34 since inception of the plate; and

2.35 (ii) a brief description of the primary expenditures and uses of contribution funds.

3.1 (c) Any department, local unit of government, or agency receiving contribution
3.2 funds in association with special plates shall assist the commissioner as requested in
3.3 preparing the report under this subdivision.

3.4 **Sec. 2. [168.1299] SPECIAL "CHOOSE LIFE" PLATES.**

3.5 Subdivision 1. **Plate application; contribution.** (a) The commissioner shall issue
3.6 special "Choose Life" plates to an applicant who (1) meets the requirements under section
3.7 168.1295, and (2) makes an additional annual contribution of at least \$25 to the adoption
3.8 support account.

3.9 (b) The application form for the special plates must clearly indicate that the
3.10 contribution specified under paragraph (a), clause (2), is a minimum annual contribution
3.11 to receive the plates and that the applicant may make an additional contribution.

3.12 (c) Contributions under paragraph (a), clause (2), are not refundable.

3.13 Subd. 2. **Design.** The commissioner shall create a design or emblem for the special
3.14 plate, which must include (1) a brightly colored, crayon-like image of children, and (2)
3.15 the words "Choose Life."

3.16 Subd. 3. **Compliance with other law.** License plates issued under this section are
3.17 not subject to section 168.1293, subdivision 2.

3.18 Subd. 4. **Contribution funds; adoption support account.** (a) An adoption support
3.19 account is created in the special revenue fund. The account consists of contribution funds
3.20 as required under subdivision 1, paragraph (a), clause (2), and any other money donated,
3.21 allotted, transferred, or otherwise provided to the account.

3.22 (b) Of the first dollars deposited in the account, an amount equal to the total costs
3.23 associated with the initial development and issuance of the special plates is appropriated
3.24 to the commissioner for plate start-up costs.

3.25 (c) All money remaining in the account after the appropriation under paragraph (b) is
3.26 appropriated to the commissioner for distribution to counties as provided in subdivision 5.

3.27 Subd. 5. **Contribution funds; distribution and uses.** (a) The commissioner shall
3.28 distribute funds appropriated from the adoption support account under subdivision 4,
3.29 paragraph (c), to each county in proportion to the contributions received under subdivision
3.30 1, paragraph (a), clause (2), from residents of that county.

3.31 (b) Each county receiving funds under this subdivision shall distribute the funds as
3.32 grants to nongovernmental, nonprofit agencies whose services are limited to counseling
3.33 and meeting the physical needs of pregnant women who have committed to placing their
3.34 children for adoption. A county may not distribute funds to:

4.1 (1) any agency that is directly or indirectly involved in or associated with abortion
4.2 activities, including (i) counseling for or referrals to abortion clinics, (ii) providing
4.3 medical abortion-related procedures, or (iii) pro-abortion advertising; or

4.4 (2) any agency that charges women for services received.

4.5 (c) An agency that receives funds under this subdivision must use at least 70
4.6 percent of those funds to (1) provide for the material needs of pregnant women who have
4.7 committed to placing their children for adoption, including but not limited to clothing,
4.8 housing, medical care, food, utilities, and transportation, or (2) provide for the needs of
4.9 infants awaiting placement with adoptive parents.

4.10 (d) An agency that receives funds under this subdivision shall expend any funds
4.11 remaining after the expenditures under paragraph (c) for adoption counseling, training,
4.12 or advertising, but may not expend funds for administrative expenses, legal expenses,
4.13 or capital expenditures.

4.14 (e) An agency that receives funds under this subdivision shall submit an annual
4.15 audit, prepared by a certified public accountant, to the county. The county may conduct a
4.16 consolidated audit in lieu of the annual audit. Unused funds that exceed ten percent of
4.17 the funds received by an agency in a fiscal year must be returned to the county, and the
4.18 county shall distribute these funds to other qualified agencies.