

1 SB379
2 150947-1
3 By Senators Dial, Orr and Waggoner
4 RFD: Finance and Taxation General Fund
5 First Read: 04-APR-13

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8 SYNOPSIS: Existing law prohibits the approval of
9 distinctive license plates for out-of-state
10 colleges or universities.

11 This bill would allow the legislative
12 oversight committee to consider and approve an
13 application for distinctive license plates for
14 out-of-state colleges or universities and would
15 provide for a portion of the money from these
16 license plates to be distributed to the State
17 General Fund and the Education Trust Fund.

18
19 A BILL

20 TO BE ENTITLED

21 AN ACT

22
23 To amend Sections 32-6-67 and 32-6-68, Code of
24 Alabama 1975, relating to the approval of distinctive license
25 plates; to allow the legislative oversight committee to
26 consider and approve an application for distinctive license
27 plates for out-of-state colleges or universities; and to

1 provide for a distribution from the license plates to the
2 State General Fund and the Education Trust Fund.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Sections 32-6-67 and 32-6-68, Code of
5 Alabama 1975, are amended to read as follows:

6 "§32-6-67.

7 "(a) There is created a legislative committee to
8 oversee the implementation and administration of this Article
9 2, except Subdivision 1 of Division 1. The committee shall be
10 composed of three members of the House of Representatives and
11 a county license plate issuing official, who shall be
12 appointed by and serve at the pleasure of the Speaker of the
13 House, and three members of the Senate and a county license
14 plate issuing official, who shall be appointed by and serve at
15 the pleasure of the Lieutenant Governor, the Director of the
16 Alabama Criminal Justice Information Center, the Director of
17 Public Safety, and the President of the Probate Judges
18 Association. The Department of Revenue shall designate a
19 representative and the Department of Corrections shall
20 designate a representative of Alabama Correctional Industries
21 as nonvoting and advisory members to the committee. The chair,
22 who shall be picked by the members of the committee from the
23 legislative members on the committee, shall have the authority
24 to call meetings of the committee when he or she deems it
25 necessary or as otherwise provided in this section.

26 "(b) The committee shall:

27 "(1) Meet not less than once every six months.

1 "(2) Require that a simple majority of committee
2 voting members be in attendance for conducting whatever
3 business requires committee action.

4 "(3) Establish guidelines for the qualification of
5 organizations which may sponsor a new or continued issuance of
6 a license plate category, or may benefit from that issuance.

7 "(4) Approve, disapprove, or indefinitely postpone,
8 by a vote of two-thirds of the members present at a committee
9 meeting, a request for a new license plate category.

10 "(c) Decisions of the committee concerning approval,
11 disapproval, or indefinite postponement of further action on a
12 proposed distinctive license plate shall be interpreted to be
13 the intent of the entire body of the Legislature, and
14 separate, specific action by the Legislature concerning a
15 distinctive license plate proposal shall not be considered.

16 "(d) The committee shall not consider for approval
17 applications from the following types of organizations:

18 "(1) Out-of-state colleges and universities except
19 as provided in subsection (e).

20 "(2) Private businesses, business organizations, or
21 commercial entities of any type.

22 "(3) Public schools K-12, junior colleges, and
23 technical schools, exclusive of the Helping Schools Tag as
24 established in Sections 32-6-300 and 32-6-301.

25 "(4) Groups within high schools, junior colleges,
26 universities, and technical schools, such as band boosters,
27 athletic boosters, and the like.

1 "(5) Unions.

2 "(6) Political organizations.

3 "(7) Religious organizations.

4 "(8) Groups that promote racial or social
5 disharmony.

6 "(9) Public officials.

7 "(e) The committee may consider and approve a
8 distinctive license plate for quantity Class 2 for an
9 out-of-state college or university upon submission of an
10 application pursuant to Section 32-6-64.

11 "~~(e)~~ (f) Upon the request of the chair, the Secretary
12 of the Senate and the Clerk of the House shall provide
13 clerical assistance necessary for the work of the committee.

14 "~~(f)~~ (g) The committee members who are members of the
15 Legislature shall be entitled to, and shall receive, the same
16 daily legislative compensation, expense allowances, per diem,
17 and other compensation which they receive while in legislative
18 session for each weekday, Monday through Friday, during any
19 week in which the committee actually meets. The
20 non-legislative members of the committee shall be entitled to,
21 and shall receive, the same per diem and expenses that are
22 paid to state employees.

23 "§32-6-68.

24 "(a) Effective January 1, 1997, each new distinctive
25 license plate issued shall require, in addition to the
26 standard registration fee, an additional annual fee of fifty
27 dollars (\$50).

1 "(b) The additional license plate fee as provided
2 for in subsection (a) shall be distributed in the following
3 manner:

4 "(1) Two and one-half percent commission, provided
5 by Section 40-12-269(a) (1).

6 "(2) Manufacturing costs of one dollar and fifty
7 cents (\$1.50) to the Department of Corrections.

8 "(3) Administrative costs of one dollar (\$1) to the
9 Department of Revenue.

10 "(4) State shares of five dollars (\$5) shall be
11 transmitted to the state Comptroller for deposit into the
12 Penny Trust Fund as established by Amendment 512 of the
13 Constitution of Alabama of 1901.

14 "(5) The remainder of the additional fee shall be
15 distributed to the sponsoring organization or as otherwise
16 provided under the terms of the application approved by the
17 legislative oversight committee; except in the case of a
18 distinctive license plate for an out-of-state college or
19 university as provided in subsection (e) of Section 36-6-67,
20 after the distributions provided in subdivisions (1), (2), and
21 (3), one-half of the remainder shall be distributed to the
22 State General Fund and one-half to the Education Trust Fund.

23 "(c) The distribution of fees for tags which were
24 authorized by legislative act before January 1, 1998, shall
25 continue in effect, any other provision of law to the contrary
26 notwithstanding."

1 Section 2. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.