

2005 ASSEMBLY BILL 479

June 9, 2005 – Introduced by Representatives ZIEGELBAUER, GARD, HAHN, KRAWCZYK, LEHMAN, LEMAHIEU, LOTHIAN, MOLEPSKE, MONTGOMERY, OTT, SEIDEL, SHERIDAN, TURNER, UNDERHEIM and VAN AKKEREN, cosponsored by Senator LEIBHAM. Referred to Committee on Transportation.

1 **AN ACT** *to renumber and amend* 341.14 (6r) (c); *to amend* 341.14 (6r) (e) and
2 341.14 (6r) (fm) 7.; and *to create* 20.380 (1) (ig), 20.380 (1) (ir), 25.40 (1) (a) 22.,
3 41.24, 341.135 (2m), 341.14 (6r) (b) 9., 341.14 (6r) (c) 2. and 341.14 (6r) (f) 56.
4 of the statutes; **relating to:** Golf Wisconsin special distinguishing registration
5 plates associated with the WPGA Junior Foundation and the promotion of golf
6 in this state 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.

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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 the WPGA Junior Foundation, Inc. (Foundation) to provide opportunities, enjoyment, and education to junior golfers in this state and promoting golf in this state. 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, 75 percent of which provides funds to the Foundation and 25 percent of which is provided to the Department of Tourism (Tourism) to promote golf in this state. The bill requires Tourism to enter into an agreement with the Foundation with respect to funds to be provided to the Foundation, and the agreement must grant Tourism authority, without fee to Tourism, to use any applicable trademark of the Foundation with respect to the special plates. The bill also requires the Foundation to annually submit an audited financial statement of its use of these funds, and discontinues funding if the Foundation dissolves or loses its tax-exempt status under federal law. Tourism must specify the design of the special plates after consultation with the chief executive officer of the Foundation and with the secretary of transportation, but the special plates must include the words “Golf Wisconsin” and “travelwisconsin.com” and a golf course motif.

Current law requires DOT to establish new designs for most vehicle registration plates, including most special plates, every seven years and to issue the new plates on a rolling basis as vehicle registrations are renewed by the vehicle owners. This bill exempts the special plates established under the bill from the seven-year redesign cycle.

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.** 20.380 (1) (ig) of the statutes is created to read:

2 20.380 (1) (ig) *Golf promotion.* All moneys received under s. 341.14 (6r) (b) 9.

3 a. for the purpose of promoting golf in this state.

4 **SECTION 2.** 20.380 (1) (ir) of the statutes is created to read:

5 20.380 (1) (ir) *Payments to the WPGA Junior Foundation.* All moneys received

6 under s. 341.14 (6r) (b) 9. b. for payments to the WPGA Junior Foundation, Inc. under

7 s. 41.24.

8 **SECTION 3.** 25.40 (1) (a) 22. of the statutes is created to read:

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1 25.40 (1) (a) 22. Moneys received under s. 341.14 (6r) (b) 9. that are deposited
2 in the general fund and credited to the appropriation accounts under s. 20.380 (1) (ig)
3 and (ir).

4 **SECTION 4.** 41.24 of the statutes is created to read:

5 **41.24 Payments to the WPGA Junior Foundation. (1)** The department
6 shall enter into an agreement with the WPGA Junior Foundation, Inc. to make
7 payments from the appropriation under s. 20.380 (1) (ir) to the WPGA Junior
8 Foundation, Inc., to be used by the WPGA Junior Foundation, Inc. to fund its efforts
9 to provide opportunities, enjoyment, and education to junior golfers in this state.

10 **(2)** The agreement under this section shall require that the WPGA Junior
11 Foundation, Inc. provide, without fee and as a condition of receiving payments
12 specified under this section, any license or other approval required for use of any logo,
13 trademark, trade name, word, or symbol to be used on or in association with special
14 group registration plates under s. 341.14 (6r) (f) 56.

15 **(3)** The agreement under this section shall require that the WPGA Junior
16 Foundation, Inc. annually submit to the attorney general and the presiding officer
17 of each house of the legislature an audited financial statement of its use of the
18 payments under this section, prepared in accordance with generally accepted
19 accounting principles.

20 **(4)** Payments to the WPGA Junior Foundation, Inc. under this section shall be
21 discontinued by the department if the WPGA Junior Foundation, Inc. dissolves or
22 is no longer exempt from taxation under section 501 (a) of the Internal Revenue Code.

23 **SECTION 5.** 341.135 (2m) of the statutes is created to read:

24 341.135 **(2m) APPLICABILITY.** This section does not apply to special group plates
25 under s. 341.14 (6r) (f) 56.

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

2 341.14 **(6r)** (b) 9. An additional fee of \$25 that is in addition to the fee under
3 subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual
4 basis for the special group specified under par. (f) 56. An additional fee of \$50 that
5 is in addition to the fee under subd. 2. shall be charged for the issuance or renewal
6 of a plate issued on the biennial basis for the special group specified under par. (f) 56.
7 if the plate is issued or renewed during the first year of the biennial registration
8 period or \$25 for the issuance or renewal if the plate is issued or renewed during the
9 2nd year of the biennial registration period. To the extent permitted under ch. 71,
10 the fee under this subdivision is deductible as a charitable contribution for purposes
11 of the taxes under ch. 71. All moneys received under this subdivision, in excess of
12 \$27,600 for the initial costs of production of the special group plate under par. (f) 56.,
13 shall be deposited in the general fund and credited as follows:

14 a. Twenty–five percent shall be credited to the appropriation account under s.
15 20.380 (1) (ig).

16 b. Seventy–five percent shall be credited to the appropriation account under
17 s. 20.380 (1) (ir).

18 **SECTION 7.** 341.14 (6r) (c) of the statutes is renumbered 341.14 (6r) (c) 1. and
19 amended to read:

20 341.14 **(6r)** (c) 1. Special group plates shall display the word “Wisconsin”, the
21 name of the applicable authorized special group, a symbol representing the special
22 group, not exceeding one position, and identifying letters or numbers or both, not
23 exceeding 6 positions and not less than one position. The Subject to subd. 2., the
24 department shall specify the design for special group plates, but the department
25 shall consult the president of the University of Wisconsin System before specifying

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1 the word or symbol used to identify the special groups under par. (f) 35. to 47., the
2 secretary of natural resources before specifying the word or symbol used to identify
3 for the special group under par. (f) 50. and the chief executive officer of the
4 professional football team and an authorized representative of the league of
5 professional football teams described in s. 229.823 to which that team belongs before
6 specifying the design for the applicable special group plate under par. (f) 55. Special
7 group plates under par. (f) 50. shall be as similar as possible to regular registration
8 plates in color and design.

9 **SECTION 8.** 341.14 (6r) (c) 2. of the statutes is created to read:

10 341.14 **(6r)** (c) 2. The department of tourism shall specify the design and one
11 combination of colors for special group plates under par. (f) 56. The department of
12 tourism shall specify the word or words comprising the special group name and the
13 symbol to be displayed upon special group plates under par. (f) 56. after consultation
14 with the chief executive officer of the organization specified in par. (f) 56. and with
15 the secretary of transportation. Special group plates under par. (f) 56. shall display
16 the words “Golf Wisconsin” and “travelwisconsin.com” and a golf course motif under
17 the identifying letters or numbers.

18 **SECTION 9.** 341.14 (6r) (e) of the statutes is amended to read:

19 341.14 **(6r)** (e) The department shall specify one combination of colors for
20 special group plates for groups or organizations which are not military in nature and
21 not special group plates under par. (f) 35. to 47. ~~and, 50., and 56.~~ and for each
22 professional football team under par. (f) 55. The department shall specify one
23 combination of colors for special group plates under par. (f) 35. to 47. The department
24 shall specify the word or words comprising the special group name and the symbol
25 to be displayed upon special group plates other than those under par. (f) 56. for a

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1 group or organization which is not military in nature after consultation with the
2 chief executive officer in this state of the group or organization. The department
3 shall require that the word or words and symbol for a university specified under par.
4 (f) 35. to 47. be a registration decal or tag and affixed to the special group plate and
5 be of the colors for a university specified under par. (f) 35. to 47. that the president
6 of the University of Wisconsin System specifies.

7 **SECTION 10.** 341.14 (6r) (f) 56. of the statutes is created to read:

8 341.14 **(6r)** (f) 56. Persons interested in obtaining a plate supporting the efforts
9 of the WPGA Junior Foundation, Inc. to provide opportunities, enjoyment, and
10 education to junior golfers in this state and promoting golf in this state.

11 **SECTION 11.** 341.14 (6r) (fm) 7. of the statutes is amended to read:

12 341.14 **(6r)** (fm) 7. ~~Except for the authorized special group enumerated under~~
13 ~~par. (f) 55., after After October 1, 1998, additional authorized special groups may~~
14 only be special groups designated by the department under this paragraph. The
15 authorized special groups enumerated in par. (f) shall be limited solely to those
16 special groups specified under par. (f) on October 1, 1998, ~~except for the authorized~~
17 ~~special group enumerated under par. (f) 55.~~ This subdivision does not apply to the
18 special group groups specified under par. (f) 54., 55., and 56.

19 **SECTION 12. Nonstatutory provisions.**

20 (1) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes
21 effect in fiscal year 2006–07, in submitting information under section 16.42 of the
22 statutes for purposes of the 2007–09 biennial budget bill, the department of
23 transportation shall submit a dollar amount for the appropriation under section
24 20.395 (5) (cq) of the statutes that is \$27,600 less than the total amount appropriated
25 under section 20.395 (5) (cq) of the statutes for the 2006–07 fiscal year, before

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1 submitting any information relating to any increase or decrease in the dollar amount
2 for that appropriation for the 2007–09 fiscal biennium.

3 **SECTION 13. Appropriation changes.**

4 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
5 to the department of transportation under section 20.395 (5) (cq) of the statutes, as
6 affected by the acts of 2005, the dollar amount is increased by \$27,600 for the fiscal
7 year in which this subsection takes effect to increase funding for special
8 distinguishing registration plates associated with the WPGA Junior Foundation,
9 Inc., and the promotion of golf.

10 **SECTION 14. Effective date.**

11 (1) This act takes effect on the first day of the 7th month beginning after
12 publication.

13 (END)