

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2005 ASSEMBLY BILL 479**

July 14, 2005 – Offered by COMMITTEE ON TRANSPORTATION.

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

This substitute amendment 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 substitute amendment 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 substitute amendment 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. DOT must specify the design of the special plates after consultation with Tourism and with the chief executive officer of the Foundation.

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. For most special plates, the plate design cycle began on July 1, 2000, and a new plate design cycle begins on July 1, 2007. This substitute amendment provides that the design of the special plates established under the bill is to be the same for both the remainder of the seven-year design cycle that began on July 1, 2000, and the seven-year design cycle that begins on July 1, 2007.

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.

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

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

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

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

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

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

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

24 **SECTION 5.** 341.135 (1) of the statutes is amended to read:

1 **341.135 (1) DESIGN.** Every 7th year, the department shall establish new
2 designs of registration plates to be issued under ss. 341.14 (1a), (1m), (1q), (2), (2m),
3 (6m), and (6r), 341.25 (1) (a), (c), (h), and (j) and (2) (a), (b), and (c), and 341.26 (2) and
4 (3) (a) 1. and (am). Any design for registration plates issued for automobiles and for
5 vehicles registered on the basis of gross weight shall comply with the applicable
6 design requirements of ss. 341.12 (3), 341.13, and 341.14 (6r) (c) to (e). The designs
7 for registration plates specified in this subsection shall be as similar in appearance
8 as practicable during each 7–year design interval. Except as provided in s. 341.13
9 (2r), each registration plate issued under s. 341.14 (1a), (1m), (1q), (2), (2m), (6m), or
10 (6r), 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c), or 341.26 (2) or (3) (a) 1. or (am)
11 during each 7–year design interval shall be of the design established under this
12 subsection. The department may not redesign registration plates for the special
13 groups under s. 341.14 (6r) (f) 53., 54., or 55. until July 1, 2007. Except for
14 registration plates issued under s. 341.14 (6r) (f) 53., 54., or 55., the first design cycle
15 for registration plates issued under ss. 341.14 (1a), (1m), (1q), (2), (2m), (6m), and
16 (6r), 341.25 (1) (a), (c), (h), and (j) and (2) (a), (b), and (c), and 341.26 (2) and (3) (a)
17 1. and (am) began July 1, 2000.

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

19 **341.14 (6r) (b) 9.** An additional fee of \$25 that is in addition to the fee under
20 subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual
21 basis for the special group specified under par. (f) 56. An additional fee of \$50 that
22 is in addition to the fee under subd. 2. shall be charged for the issuance or renewal
23 of a plate issued on the biennial basis for the special group specified under par. (f) 56.
24 if the plate is issued or renewed during the first year of the biennial registration
25 period or \$25 for the issuance or renewal if the plate is issued or renewed during the

1 2nd year of the biennial registration period. To the extent permitted under ch. 71,
2 the fee under this subdivision is deductible as a charitable contribution for purposes
3 of the taxes under ch. 71. All moneys received under this subdivision, in excess of
4 \$43,600 for the initial costs of production of the special group plate under par. (f) 56.,
5 shall be deposited in the general fund and credited as follows:

6 a. Twenty–five percent shall be credited to the appropriation account under s.
7 20.380 (1) (ig).

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

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

11 341.14 **(6r)** (c) Special group plates shall display the word “Wisconsin”, the
12 name of the applicable authorized special group, a symbol representing the special
13 group, not exceeding one position, and identifying letters or numbers or both, not
14 exceeding 6 positions and not less than one position. The department shall specify
15 the design for special group plates, but the department shall consult the president
16 of the University of Wisconsin System before specifying the word or symbol used to
17 identify the special groups under par. (f) 35. to 47., the secretary of natural resources
18 before specifying the word or symbol used to identify ~~for~~ the special group under par.
19 (f) 50. ~~and~~, the chief executive officer of the professional football team and an
20 authorized representative of the league of professional football teams described in
21 s. 229.823 to which that team belongs before specifying the design for the applicable
22 special group plate under par. (f) 55., and the department of tourism and chief
23 executive officer of the organization specified in par. (f) 56. before specifying the
24 design and word or symbol used to identify the special group name for special group

1 plates under par. (f) 56. Special group plates under par. (f) 50. shall be as similar as
2 possible to regular registration plates in color and design.

3 **SECTION 8.** 341.14 (6r) (e) of the statutes is amended to read:

4 341.14 **(6r)** (e) The department shall specify one combination of colors for
5 special group plates for groups or organizations which are not military in nature and
6 not special group plates under par. (f) 35. to 47. and 50. and for each professional
7 football team under par. (f) 55. The department shall specify one combination of
8 colors for special group plates under par. (f) 35. to 47. The Subject to par. (c), the
9 department shall specify the word or words comprising the special group name and
10 the symbol to be displayed upon special group plates for a group or organization
11 which is not military in nature after consultation with the chief executive officer in
12 this state of the group or organization. The department shall require that the word
13 or words and symbol for a university specified under par. (f) 35. to 47. be a
14 registration decal or tag and affixed to the special group plate and be of the colors for
15 a university specified under par. (f) 35. to 47. that the president of the University of
16 Wisconsin System specifies.

17 **SECTION 9.** 341.14 (6r) (f) 56. of the statutes is created to read:

18 341.14 **(6r)** (f) 56. Persons interested in obtaining a plate supporting the efforts
19 of the WPGA Junior Foundation, Inc. to provide opportunities, enjoyment, and
20 education to junior golfers in this state and promoting golf in this state.

21 **SECTION 10.** 341.14 (6r) (fm) 7. of the statutes is amended to read:

22 341.14 **(6r)** (fm) 7. ~~Except for the authorized special group enumerated under~~
23 ~~par. (f) 55.,~~ after After October 1, 1998, additional authorized special groups may
24 only be special groups designated by the department under this paragraph. The
25 authorized special groups enumerated in par. (f) shall be limited solely to those

1 special groups specified under par. (f) on October 1, 1998, ~~except for the authorized~~
2 ~~special group enumerated under par. (f) 55.~~ This subdivision does not apply to the
3 ~~special group~~ groups specified under par. (f) 54., 55., and 56.

4 **SECTION 11. Nonstatutory provisions.**

5 (1) Notwithstanding section 341.135 (1) of the statutes, the design established
6 for registration plates issued under section 341.14 (6r) (f) 56. of the statutes, as
7 created by this act, shall be the same for the 7-year design interval that began on
8 July 1, 2000 and for the 7-year design interval beginning on July 1, 2007.

9 (2) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes
10 effect in fiscal year 2006–07, in submitting information under section 16.42 of the
11 statutes for purposes of the 2007–09 biennial budget bill, the department of
12 transportation shall submit a dollar amount for the appropriation under section
13 20.395 (5) (cq) of the statutes that is \$43,600 less than the total amount appropriated
14 under section 20.395 (5) (cq) of the statutes for the 2006–07 fiscal year, before
15 submitting any information relating to any increase or decrease in the dollar amount
16 for that appropriation for the 2007–09 fiscal biennium.

17 **SECTION 12. Appropriation changes.**

18 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
19 to the department of transportation under section 20.395 (5) (cq) of the statutes, as
20 affected by the acts of 2005, the dollar amount is increased by \$43,600 for the fiscal
21 year in which this subsection takes effect to increase funding for special
22 distinguishing registration plates associated with the WPGA Junior Foundation,
23 Inc., and the promotion of golf.

24 **SECTION 13. Effective date.**

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

3 (END)