

WMCA ANNUAL BUSINESS MEETING
LEO NAUMANN, CHAIRMAN
September 19, 2023
Lambeau Field Green Bay, Wisconsin

AGENDA

-  Welcome and Roll Call
-  Secretary's Report
-  Membership Report
-  Financial Report
-  Foundation Report
-  Safety Council Report
-  Legislative Report
-  President's Report
-  Nominating Committee Report
-  Election of Directors
-  Other Business
-  ADJOURN

2022 WMCA ANNUAL BUSINESS MEETING MINUTES

SEPTEMBER 29, 2022

SentryWorld, Stevens Point, WI

Chairman Pat McConnell called the Annual Meeting of the Wisconsin Motor Carriers Association to order at 2:37 p.m. on September 29, 2022 at SentryWorld, Stevens Point, Wisconsin. A quorum was present. Chairman McConnell welcomed all attendees and thanked the sponsors of the convention.

The Minutes of the June 23, 2022 WMCA Board of Directors meeting was presented by Secretary Chis Dahlby. With no additions or corrections a motion to approve the minutes was made by Pauline Jaske and seconded by Chris Wolf. The motion carried.

The Membership Report was presented by Committee Chair, Pauline Jaske. The membership consists of 1,187 members in the following divisions:

| | |
|------------------|-----|
| General Trucking | 298 |
| Allied | 145 |
| Movers | 15 |
| Milk | 72 |
| Tow | 160 |
| Coach | 28 |
| Independents | 465 |

Membership in the WMCA and its Divisions remains generally strong and the Membership Committee continues to push for new ideas to retain members and reach out to those who fall behind in the annual membership dues. A motion to approve the report was made by Pauline Jaske and seconded by Jim Stowell. The motion carried

The Treasurer's Report was presented by Treasurer, Jon Coca. The WMCA fiscal year will end on September 30th. Between October 1, 2021 and September 1, 2022, the WMCA had total expenditures of \$697,519 and total revenue of \$708,058 with an ending fund balance of \$309,441. This report does not include any revenue or expenses realized during the month of September, most notably for the 2022 WMCA Convention. Further, nearly half of the convention expenses – about \$36,000- were for the 2021 convention which was paid in fiscal year 2022. In regard to other WMCA accounts, as of September 1, 2022, the Political Action Committee (W-TON) account had a balance of \$23,087 and the Truckers for Wisconsin Fund had a balance of \$19,684.

Overall, it was a good year for the Association, as revenue and expense projections were either met or exceeded, even in the face of rising inflationary costs, changes in WMCA office staffing and general uncertainty with the economy. A motion to approve the report was made by Pauline Jaske and seconded by Rob Sowinski. The motion carried.

The Foundation Report was presented by Committee Chair, Dave Batterman. As of September 1, 2022, the balance in the WMCA Foundation account was \$55,459. The Foundation provides scholarship up to \$1,500 to truck driving and diesel technician students and donations to various charitable causes including Special Olympics Wisconsin, Make a Wish Foundation and others. The money raised for the Foundation comes primarily from the Annual Sport Clay Shoot. This year was the tenth year for the event and was our most successful fundraiser to date, raising nearly \$13,000. Next year's event is scheduled for June 7, 2023. A motion to approve the report was made by Jon Coca and seconded by Chris Wolf. The motion carried.

The Safety Report was presented by Safety Programs Coordinator, Kim Conradt. A review of all of the programs, seminars, webinars, Road Team activities, Wisconsin Safety Management Council, etc. were discussed.

The Legislative Report was presented by WMCA President, Neal Kedzie.

Wisconsin Legislature: The legislature is recessed for the year. The Department of Revenue estimates the fiscal year ending June 30th will show a surplus of \$4B and could exceed \$5B. The Governor wants to apply the funds toward education while the republican controlled legislature wants tax cuts.

Governor Veto Record: Governor Evers set a state record 126 vetoes for the 2021-22 session. The previous record was 90 vetoes by Governor Zimmerman in the 1927-28 legislative session.

2022 Primary and General Elections: State primary elections were held on August 9 with the general election slated for November 8. All 99 Assembly seats and 17 of the 33 Senate seats are up for election in November.

In the Governor's primary race, businessman Tim Michels beat former Lieutenant Governor Rebecca Kleefisch and will face Governor Evers in November.

In the primary for Lieutenant Governor, State Senator Roger Roth (R) came out on top of a field of seven candidates. State Representative Sara Rodriguez (D) will be on the ballot with Governor Evers.

Attorney General Josh Kaul (D) will face Fond du Lac District Attorney Eric Toney in November.

Long-time Secretary of State Doug La Follette (D) will be challenged by State Representative Amy Loudbeck in November.

U.S. Senator Ron Johnson (R) is running for a third term and will be challenged by current Lieutenant Governor Mandela Barnes (D) who came out on top of a field of four candidates after his three fellow Democrats dropped out of the primary race days before the August 9th election.

In the U.S. House of Representatives all eight Wisconsin members of Congress are up for election. All five Republicans are running for reelection while two of three Democrats are running. District 3 Representative Ron Kind (D) is retiring and State Senator Brad Pfaff (D) will go against republican Derrick Van Orden, a previous challenger of Kind's. Polling shows that there is a good chance that republicans will take the seat held by Kind since 1997.

Next year's Wisconsin State Supreme Court race already has an announced candidate, former conservative Supreme Court Justice Dan Kelly who is seeking to replace retiring 82 year old Justice Pat Roggensack. Kelly was previously appointed to the bench by former Governor Scott Walker and served on the Supreme Court for four years before losing his election in 2020 to Justice Jill Karofsky.

Other Legislative Updates:

Governor Evers and six other governors have formed the Midwestern Hydrogen Coalition, creating a framework for expanding "clean hydrogen" production. The Midwest already has established infrastructure for distribution and storage of ammonia, which has a high capacity for the hydrogen.

Governor Evers has called for a special session of the Wisconsin State Legislature to convene on October 4th. The purpose is to create a pathway around the Legislature to repeal the 1849 State abortion ban via a statewide binding referendum. The Republican controlled legislature is expected to convene and immediately adjourn the session.

A federal judge ruled that Rhode Island's truck-only tolling scheme was unconstitutional giving the ATA and the Rhode Island Trucking Association a massive victory

The President's Report was presented by WMCA President Neal Kedzie.

2021 WMCA Convention & Annual Meeting/Quarterly Board Meeting:

The WMCA Convention was originally scheduled to take place on September 21-22, 2021 at Sentry Insurance's new, on-campus boutique hotel, SentryWorld in Stevens Point, Wisconsin. Due to supply chain issues the hotel was not complete in time for the convention and was cancelled by SentryWorld. Fortunately a cancellation at the Grand Geneva Resort & Spa in Lake Geneva for the same dates opened up and the event was held there. No vendors or sponsors cancelled due to the relocation. Attendance was robust. The highlight of the convention was the induction of Carrie Legg, HUB International, into the WMCA Hall of Fame.

WMCA elections were held during the business meeting and approved at the quarterly board meeting that followed. Election results:

- 17 WMCA director positions expire each September. 14 directors requested to be nominated for another 3-year term. They were John Anderson, Dan Armstrong, Jeff Gerden, Marc Wolding, Craig Zeller, Bob Schmit, Jon Coca, Bill Skinner, Carrie Legg, Terry Reed, Jon Meier, Dave Whealon, Andy Schmidt and Mike Schwersenska.
- 2 WMCA directors chose not to run. Tim Kordula and Steve Stanaszak were approved to fill those positions.
- 1 vacancy existed. John Every was approved to fill the vacancy.
- Dan King, Marten Transport, was approved to replace Lorie Ott who left Marten
- All active past chairpersons continue to serve with voting rights (no vote required): Pauline Jaske, Bob Schaupp, Mike Marquardt, Jim Stowell and Rick Roehl.
- Honorary WMCA directors continue to serve without voting rights (no vote required): Greg Klimek, Jack McCoy, Mike Natalizio, Everett Roehl and Ellen Voie.
- WMCA Foundation Board of Directors were elected to a 1-year term: Dave Batterman (chair), John Anderson, Rick Smith, Pauline Jaske, Mike Marquardt, Terry Reed, Chris Schmidt, Tim Kordula and Kurt Krueger.
- ATA State VP elected: Rick Roehl
- Alternate State VP elected: Pauline Jaske

Divisions of the WMCA – Conventions and Annual Meetings:

The Wisconsin Milk Haulers Association (WMHA) held its convention at Stoney Creek Hotel, Onalaska, Wisconsin on September 8-9, 2022.

The Wisconsin Motor Coach Association (the other WMCA) resumed having a convention this year on February 15-16 at Double Tree Hotel, Milwaukee, Wisconsin.

The Wisconsin Towing Association (WTA) held its annual Tow Show on Father's Day Weekend at Chula Vista Resort, Wisconsin Dells.

Quarterly WMCA Board Meetings:

All quarterly WMCA Board Meetings were held in person post-COVID. Hosts and locations included December – Wisconsin Kenworth in Windsor, March – Acuity Insurance at Blue Harbor Resort, Sheyboygan due to covid restrictions at the Acuity campus, June – Schneider National in Green Bay. Our gracious hosts provided meeting locations, continental breakfast, lunch and tours for attendees.

The annual WMCA budget was approved at the December meeting. June was the annual Summer Outing which included golf at Thornberry Creek, as well as a stadium tour, reception and dinner at Lambeau Field.

Special WMCA Membership Dues Meeting:

Chairman Pat McConnell called a Special Meeting of the WMCA Board of Directors via Zoom video conferencing for the purpose of discussing a membership dues increase starting January 1, 2022. Dues were last raised in 2017. The proposed 6% increase was adopted.

Second Annual Thank a Trucker 10-4 Day:

The second Annual Thank a Trucker gift card give away for a free meal on the WMCA was conducted on October 4 (10-4). Member donations allowed us to purchase \$10 Kwik Trip gift cards that were distributed by WMCA staff and volunteers including the Wisconsin State Patrol at the Richfield Kwik Trip fueling station.

WMCA Legislative Day:

Legislative Day was cancelled because the State Capitol continued to be closed to the public due to COVID-19. It is planned to resume the event in 2023.

Call On Washington (COW):

The COW was conducted virtually with the assistance of the ATA on May 11-12, 2022. The group met with all offices of the Wisconsin elected delegation. It is planned to resume an in-person COW in 2023.

WMCA Foundation Sport Clay Shoot:

2022 marked the tenth year for the event at Milford Hills, Johnson Creek, Wisconsin. Nearly \$13K was raised and attendance reached 150 shooters. Many thanks to co-chairs of the planning committee, Dave Batterman and Chris Schmidt as well as numerous WMCA volunteers and sponsors.

WMCA Golf Outing Fundraisers:

Two successful golf outings were held again this year. July was at Lake Arrowhead, Nekoosa, Wisconsin with 120 golfers. August was at West Bend Country Club with 158 golfers. The golf cannon continued to be popular and a great revenue generator.

Milwaukee Brewers Tailgate Fundraiser:

The 2022 Brewers Tailgate Fundraiser, co-planned with the Wisconsin Towing Association (WTA), continued to be a success with 900+ attendees. A special banner honoring Lud Menzl, WTA co-founder of the event was on display. Numerous WMCA and WTA volunteers were on hand including long-time WTA volunteers Jeff and Geri Roskopf and Junior Merten.

Profits were enhanced through the generous donation and sponsorships of our member. They included:

- Johnsonville – donated brats
- America’s Service Line – donated hotdogs
- Brakebush – donated chicken
- Kwik Trip – donated dessert and offered reduced pricing for buns
- Tax Air – sponsored napkins
- Lakeside International – sponsored cups
- Veteran’s Truck Line – sponsored sandwich boats

Finn Mierstein, son of Wisconsin Road Team Captain Matt Mierstein, threw out the first pitch. The Pittsburgh Pirates beat the Brewers 4-2.

Challenges:

Staffing was the biggest challenge in the past year. The WMCA Membership Coordinator and two Events & Communications Coordinators left the WMCA. Low unemployment, rising inflation and rising salary rates in Dane County created difficulties with hiring quality replacements. As a result, we were eventually successful in hiring a qualified staff person to fill the Events & Communications Coordinator position but not the Membership Coordinator position. Dan Johnson has taken on responsibilities for membership due and all billings.

Inflation also impacted our cost of doing business from utilities and office supplies to the cost of conducting our fundraising and other events. Food prices, venue rental space costs, facility fees, staff mileage reimbursements and other unforeseen cost increases rose higher than budgeted for in many cases. This will continue to be a challenge going in the next fiscal cycle.

Advocacy efforts had mixed outcomes with some wins for some of our divisions but not necessarily for motor carriers. The Governor has not been very supportive of our issues and if the Governor is reelected in November, we don’t expect much change. We have, however established a good working relationship with the DOT Secretary and DATCP Secretary. The primary focus going into the next session will be the transportation budget.

The Nominating Committee Report was presented by committee member Rick Smith. The WMCA Nominating Committee recommended the following 17 individuals be nominated for Board Director positions which expire in September 2025.

- | | |
|-----------------------|----------------------|
| 1. Jonathan Chowansky | UPS |
| 2. Mahlon Gragen | ATC Leasing |
| 3. Michael Hribar | Amston Trailer Sales |
| 4. Chris Schmidt | Baker Tilly |
| 5. Jill Rettler | Krielkamp Trucking |

- | | |
|-------------------|----------------------------|
| 6. Cliff Johnson | Acuity |
| 7. Thom Jackson | Schneider |
| 8. Greg Gmeinder | America's Service Line |
| 9. Mike Holloway | Blackhawk Transport |
| 10. Leo Naumann | Jeff Foster Trucking |
| 11. Craig Olson | Progressive Transportation |
| 12. Rob Durham | Lakeside International |
| 13. John Schingen | Wisconsin Kenworth |
| 14. Marty Draxler | Draxler Transport |
| 15. Bruce Tielens | WEL Companies |
| 16. Wendy Miles | Lighthouse Trucking |
| 17. Howie Keaton | Kriete Group |

The Nominating Committee recommends the following individuals replace two Board Directors who have recently left their respective companies:

- | | |
|---------------------------------------|----------------------------------|
| 1. Adam Craft (replace Jeff Stood) | Duplainville (term expires 2023) |
| 2. John Tramberg (replace John Every) | Vita Plus (term expires 2024) |

A motion to approve the report was made by Jim Stowell and seconded by Pauline Jaske. The motion carried.

Chairman Pat McConnell called three times for any other nomination from the floor. With no other nominations from the floor, a motion to close the nominations was made by Dave Batterman and seconded by Chris Wolf. The motion carried.

A motion to adopt the slate of candidates as presented was made by Jon Coca and seconded by Leo Naumann. The motion carried.

With no other business a motion to adjourn was made by Mahlon Gragen and seconded by Pauline Jaske. The Annual Business Meeting adjourned at 3:57 p.m.

MEMBERSHIP REPORT

September 19, 2023

Pauline Jaske, Reporting

Membership in the WMCA consists of **1,048** members in the following divisions:

| | <u>June 2023</u> | <u>Sept. 2023</u> |
|---------------|------------------|-------------------|
| General | 294 | 292 |
| Allied | 147 | 149 |
| Movers | 14 | 14 |
| Milk | 71 | 69 |
| Tow | 152 | 151 |
| Coach | 25 | 24 |
| Independents | 369 | 349 |
| TOTAL: | 1,072 | 1,048 |

Membership in the WMCA and its Divisions remains generally stable, but we have seen some drop off in a few of the Divisions.

The Membership Committee continues to push for new ideas to retain members and reach out to those who fall behind in the annual membership dues.

This concludes the Membership report.

TREASURER'S REPORT
WMCA ANNUAL MEETING
September 19, 2023

Between October 1, 2022, and September 1, 2023, the WMCA had total expenditures of \$686,593 and total revenue of \$741,651 with an ending fund balance of \$277,205.

This report does not include any revenue or expenses realized during the month of September, most notably for the 2023 WMCA convention.

In regards to other WMCA accounts, as of September 1, 2023, the Political Action Committee (W-TON) account had a balance of \$23,087 and the Truckers for Wisconsin Fund had a balance of \$19,964.

Overall, it was a good year for the Association, as we met or exceeded revenue projections on several events and kept expenses in check even with the unexpected cancellation of a golf outing this year.

This concludes the Treasurer's report.

Wisconsin Motor Carriers Association
Profit Loss by Class
October 2022 through August 2023

| | <u>Oct 2022-Aug 2023</u> |
|-------------------------------|--------------------------|
| Other Income/Expense | |
| Other Income | |
| Administrative Income | 88,917.07 |
| Advertising | 8,925.00 |
| ATA Commissions | 500.00 |
| Contribution Income | 15,163.31 |
| Convention Income | 70,622.92 |
| Diamond Club | 51,500.00 |
| Dues | 323,539.84 |
| Golf Outing Income | 44,496.50 |
| Independent Operator Fees | 31,227.00 |
| Interest Income | 3,508.18 |
| Mover Dues | 2,947.50 |
| Postage Income | 0.00 |
| PSDC Income | 0.00 |
| Road Team Income | 0.00 |
| Safety Banquet Income | 0.00 |
| Seminar Income | 18,426.00 |
| Services Royalties | 3,571.36 |
| Sporting Clays Shootout | 28,548.00 |
| SWEF Visits | 0.00 |
| Tailgate Income | 49,409.00 |
| Thank A Trucker | 350.00 |
| Truck Driving Champ Income | 0.00 |
| Total Other Income | <u>741,651.68</u> |
| Other Expense | |
| Office Services | 3,091.30 |
| Computer & Software Expense | 2,880.00 |
| Accounting Services | 44,555.87 |
| Administrative Fees | 0.00 |
| Advertising & PR | 509.29 |
| Association Meetings | 2,927.10 |
| ATA-TAEC Expenses | 2,745.74 |
| Automobile Allowance | 5,500.00 |
| Awards & Prizes | 250.00 |
| Banking Fees | 1,141.20 |
| Business Insurance | 9,301.39 |
| Contributions & Scholarships | 500.00 |
| Convention Expenses | 35,198.68 |
| Convention Entertnmt/Speakers | 0.00 |
| Gifts | 98.29 |
| Golf Outing Expenses | 25,465.77 |
| IT Equipment & Maintenance | 138.47 |
| Lobbying Fees | 1,179.70 |

Wisconsin Motor Carriers Association
Profit Loss by Class
October 2022 through August 2023

| | <u>Oct 2022-Aug 2023</u> |
|--------------------------------|--------------------------|
| Lobbying Licensing Fees | 900.00 |
| Membership Dues/Subscriptions | 6,006.53 |
| Merchant Fees | 13,079.97 |
| Office Supplies | 1,889.70 |
| Payroll & Related | 405,066.67 |
| Pension Plan Admin Fees | 1,634.00 |
| Postage & Mailing Supplies | 4,635.56 |
| Professional Fees | 575.50 |
| PSDC Expenses | 0.00 |
| Rent | 36,289.00 |
| Road Team Expenses | 0.00 |
| Safety Banquet Expenses | 0.00 |
| Sales & Use, Property Taxes | 41.15 |
| Seminar Expenses | 2,026.70 |
| Sporting Clays | 28,098.00 |
| Tailgate Expenses | 26,491.10 |
| Telephone & Internet | 3,589.92 |
| Thank A Trucker Expenses | 5,229.37 |
| Travel Expenses | 9,924.10 |
| Truck Driving Champ Expenses | 0.00 |
| TDC WMCA Convention Registrati | 0.00 |
| Utilities | 3,183.22 |
| Web Site | 2,450.00 |
| Total Other Expense | 686,593.29 |
| Net Other Income | 55,058.39 |
| Net Income | 55,058.39 |

Wisconsin Council of Safety Supervisors
Balance Sheet
As of August 31, 2023

| | Aug 31, 23 |
|---------------------------------------|-------------------|
| ASSETS | |
| Current Assets | |
| Checking/Savings | |
| Checking - General (OCB) | 93,076.52 |
| Money Market - General (OCB) | 100,608.77 |
| Reserve Fund (OCB) | 138,302.59 |
| Petty Cash | 276.50 |
| Total Checking/Savings | 332,264.38 |
| Total Current Assets | 332,264.38 |
| TOTAL ASSETS | 332,264.38 |
| LIABILITIES & EQUITY | |
| Liabilities | |
| Total Liabilities | 0.00 |
| Equity | |
| Fund Balance | 277,205.99 |
| Net Income | 55,058.39 |
| Total Equity | 332,264.38 |
| TOTAL LIABILITIES & EQUITY | 332,264.38 |

**FOUNDATION REPORT
WMCA Board Meeting
September 19, 2023**

As of September 1, 2023, the balance in the WMCA Foundation account was \$78,714.

The Foundation provides grants up to \$1,000 to the truck driving diesel technician programs at the Fox Valley, Chippewa Valley, Waukesha County and Milwaukee Area technical colleges, and donations to Wisconsin Special Olympics.

The 11th Annual Sport Shooting Clay event was one of our more successful fundraising events for the Foundation, raising a little more than \$12,000. We're looking forward to the 2024 event, which again be scheduled for the first week in June next year.

This concludes the Foundation Report.

2023 ANNUAL MEETING LEGISLATIVE REPORT

September 19, 2023
Lambeau Field, Green Bay, Wisconsin

State Legislation Update:

The WMCA has been tracking the following legislation.

AB -274 (SB 271): (Rep. Pronschinske/Sen. Wimberger) Requires the Department of Workforce Development (DWD) establish a commercial driver training grant program that provides grants to persons or other entities that provide training leading to an individual receiving their CDL. \$3M would be available for grants in years 2003-2005. It was previously reported at the June WMCA board meeting that WMCA President Neal Kedzie and a representative from Krielkamp Trucking testified in committee in favor of the bill. AB-274 passed out of committee on June 20 and is available for scheduling.

Since the bill passed out of committee, the biennial Wisconsin State Budget (2023 Act 19) was signed into law. It contains a provision which creates a tuition grant program for CDL schools. The total amount authorized is \$250,000 and to be administered by the Department of Workforce Development (DWD). The caveat is, either AB-274 or SB-271 must be amended to reflect the new dollar amount already appropriated and one of the bills must be passed by the legislature and enacted into law in order to open the application process. The reason is, the bills set the parameters for the allocation and distribution of CDL grants, something the DWD does not have in place to administer the program. DWD must then submit a formal request to the Joint Finance Committee (JFC) for the funding and the JFC must vote to approve releasing the money to the DWD.

The legislation and funding currently sit in limbo until the appropriate legislative action is taken.

AB-245: (Rep. Kurtz/Sen. Felzkowski) Legislation that eliminates the personal property tax, which WMCA registered in favor of, was signed into law as June 20 as (2023 Act 12).

SB-247 (AB-244): (Sen. Marklein/Rep. Tranel) Creates a \$150 million grant program specifically targeted for local agricultural roads with posted weight restrictions. Any local road used for agricultural purposes which is improved through the grant program can no longer be posted with weight restrictions. Dan Johnson testified in committee on behalf of the WMCA, in favor of the bill. The bill was signed into law on June 21 as (2023 Act 13).

SB-66(AB-74): (Sen. Tomczyk/Rep. Plumer) This legislation increases the number of days a seasonal farm employee may operate a CMV with an “F” endorsed CDL license from 180 days currently, to 210 days per calendar year. The bill was supported by the WMCA and signed into law August 4 as (2023 Act 28).

SB- 212(AB-142): (Sen. Tomczyk/Rep. Schutt) Under this bill, no state agency or local government unit may restrict the use of or sale of motor vehicles based on the energy source used to power the motor vehicle, including use for propulsion or use for powering other functions of the motor vehicle. This legislation was introduced to prevent Wisconsin from taking the stance that California and seven other states have, banning the future sale and use of fossil fuel powered vehicles (including CMVs). The bill passed both houses but was vetoed by Governor Evers on August 4, 2023.

SB 313(AB 313): (Sen. James/Rep Penterman) This bill increases the penalties from \$30 - \$33 to \$300 - \$1,000 for failing to stop for a school bus that has stopped and displaying flashing red lights. The bill also requires DOT to assess three demerit points for motorists who violate the stop requirement. The bill passed out of the Senate Transportation Committee and is waiting floor scheduling. The WMCA is registered in favor of this bill.

SB 89 (AB 88): (Sen. Jacque/Rep. Wichgers) This bill deposits sales tax revenue from the sale of motor vehicles and motor vehicle parts, accessories and services into the transportation fund. The bill resides in both the Senate Committee on Universities and Revenue and the Assembly Committee on Transportation. To date, no hearing has been scheduled in either committee. The WMCA is registered in favor.

SB 431: (Sen. Ballweg/Rep.Kurtz) This legislation would add liquid milk byproducts, including whey, to the list of dairy that may be transported at higher weight limits and be eligible for OSOW permitting. The WMCA is registered in favor.

LRB 3116: (Rep. Gundrum/Sen. Tomczyk) This draft legislation on tort reform would limit the recovery of noneconomic damages, such as pain and suffering, that a person may recover from a motor carrier for injury, death and other loss resulting from an act or mission by an employee of the motor carrier while acting within the scope of employment, to a \$1M cap.

The WMCA is part of a working group involved in the writing of the draft language. The group, which includes the Wisconsin Insurance Alliance, Wisconsin Fuel & Retail Association (formerly the Petroleum Marketer & Convenience Store Operators) and the Wisconsin Civil Justice Council, originally met in May to start the drafting process. The drafting has been held up due to differences of opinion on whether to use common carrier or contract carrier in the language of the bill and whether to restrict the bill to only drivers carrying freight and not passengers.

State Legislative Issues:

State Special Election AD 24:

Paul Melotik (R-Grafton) defeated Bob Tatterson (D-Mequon) in a special election for the vacant 24th Assembly District, previously represented by now-Sen. Dan Knodl (R-Germantown). The margin of victory was 54% - 46%. As a result, Republicans continue to maintain the same number majority in the Assembly, 64-35. Knodl won a special election this spring for the 8th Senate District replacing Sen. Alberta Darling who resigned in December 2022.

GOP Tax Cut Proposal:

A GOP \$3.5M tax cut in the state budget, which was mostly vetoed by Governor Evers, is being followed up with a new proposal by Republicans to return most of the \$4B in state government surplus back to the taxpayers via a substantive middle income tax cut. It is estimated that the average tax filer in the third income bracket would see an average decrease of \$772 in their tax bill. The bill would also end taxes on pensions for retirees over 67, if a couple has an income of less than \$150,000. The Governor has stated he will veto the tax plan, in part over concerns that the state could possibly be required to pay back \$2.5B in pandemic relief dollars to the federal government.

Brewers Stadium Maintenance Funding:

Republicans will soon release a stadium maintenance funding plan for American Family Field in an effort to keep the Milwaukee Brewers based in Milwaukee through the year 2040 and beyond. The GOP plan will forgo Governor Evers' plan to use \$290M from the state surplus and instead rely on revenue from the tax collected on player's salaries and sales tax revenue from the games generated by concessions and other items.

Legislative Maps Lawsuit Wisconsin Supreme Court:

One day after control of the Wisconsin Supreme Court flipped to a liberal-leaning majority, a progressive voting rights group filed a lawsuit to have the state's legislative maps declared unconstitutional for favoring Republicans. The suit names as defendants the Wisconsin Elections Commission, its six members and the half of the Wisconsin Senate not up for re-election next year. If the court invalidates the maps, those senators would be forced to run for re-election in special elections next fall for two year terms before running again in 2026 to get the Senate back on its regular schedule of staggered four year terms (Note: State Representatives have two year terms and all 99 members will be up for election in 2026 as normal). Changing the borders of the Senate districts would also potentially rearrange most Assembly district borders and constituencies by potentially adding new or deleting current constituents.

Newly elected liberal Supreme Court Justice Janet Protasiewicz gave liberals a 4-3 majority on the court for the first time in 15 years. During her campaign she regularly stated that the legislative maps are

“rigged”. In response to the suit and Justice Protasiewicz’s remarks, Assembly Speaker Robin Vos (R-Rochester) has threatened to initiate impeachment proceedings against her if she doesn’t recuse herself from the lawsuit.

Federal Legislation Update:

Speed Limiters:

Debate over a future federal speed limiter mandate for heavy trucks continues. Multiple safety groups are urging Congress to oppose an effort to block speed limiters that is included in the 2024 transportation budget that passed the House Appropriations Committee in July. ATA also opposes the effort and instead supports an ATA committee recommendation for 70 mph in trucks equipped with Automatic Emergency Braking and Adaptive Cruise Control. In trucks without these safety features, their policy supports a maximum speed of 65 mph.

Effort to Repeal FTE:

In July, the ATA was joined by eight trucking organizations and affiliates who signed onto a letter to Congress, urging the Senate and House to repeal the outdated 12% federal excise tax (FET). The letter states that eliminating this burdensome tax will immediately reduce the cost of new heavy trucks, making it easier for fleets to upgrade equipment and help the environment. Nearly half of the trucks in America’s fleet were manufactured prior to 2010. Each new clean-diesel truck will reduce emissions by 832% compared to the pre-2010 model power unit it replaces.

In addition to the American Trucking Associations, the letter was co-signed by the leaders of the American Truck Dealers, Truckload Carriers Association, National Tank Truck Carriers, NATSO, SIGMA, Diesel Technology Forum, Truck & Engine Manufacturers Association and Clean Freight Coalition.

Federal Elections 2026:

Wisconsin 3rd Congressional District:

A third Democrat has announced that she is running for election in one of the battle ground swing districts in Western Wisconsin against freshman congressman Derrick Van Orden (R). Former La Crosse County Board Chair Tara Johnson joins former small-business owner Rebecca Cooke, who ran for the seat and lost last year in the primary and Aaron Nytes, a Harvard law School student, in seeking to represent the Republican-leaning 3rd Congressional District.

2023 PRESIDENT'S REPORT (Annual Report)

WMCA ANNUAL BOARD OF DIRECTORS BUSINESS MEETING September 19, 2023 Lambeau Field, Green Bay, WI

2022 WMCA Convention & Annual Business Meeting/Quarterly Board Meeting:

The 2022 WMCA Convention was held on September 21-22 at SentryWorld, Stevens Point, Wisconsin. The 2021 WMCA Convention was scheduled to be held at SentryWorld but was cancelled due to incomplete construction of the facility and supply chain issues. The boutique hotel and convention center are owned by Sentry Insurance and located on the same property as the golf course.

The convention was well attended and included a variety of vendors and speakers, as well as the Annual Business Meeting and Quarterly Board of Directors Meeting. A highlight of the event was the induction of Susan Jaske, Fairway Transit, into the WMCA Hall of Fame (HOF). This marks the first daughter/mother duo to share this honor. Susan's mother, Pauline Jaske, was inducted in 2001.

Elections of WMCA Board of Directors, Executive Committee, Foundation Board and ATA State VP and Alternate VP were held during the Annual Business Meeting and approved at the Quarterly Board of Directors Meeting that followed. Election results for WMCA officers (a.k.a. Executive Committee):

- Board Chair – Leo Naumann, Jeff Foster Trucking
- 1st Vice Chair – Dave Batterman, North Central Utility
- 2nd Vice Chair – Chis Dahlby, Kwik Trip
- Secretary – Jon Coca, Diamond Transportation System
- Treasurer – Mike Hribar, Amston Trailer Sales
- Immediate Past Chair – Pat McConnell, FLASH (not vote necessary for this position)

Other election results:

- 17 directors were elected to 3-year terms: Jonathan Chowansky, Mahlon Gragen, Michael Hribar, Chris Schmidt, Jill Rettler, Cliff Johnson, Thom Jackson, Greg Gmeinder, Mike Holloway, Leo Naumann, Craig Olson, Rob Durham, John Schingen, Marty Draxler, Bruce Tielens, Wendy Miles, and Howie Keaton.
- Two other directors were elected to replace individuals that left their companies and gave up their seats on the board. Elected were: Adam Craft, Duplainville and John Tramberg, Vita Plus.
- All Active Past Chairpersons of the WMCA Board of Directors continue to have voting rights: Pauline Jaske, Bob Schaupp, Jim Stowell, and Rick Roehl. Pat McConnell was added to that list as a result of his term ending as board chair in 2022.

- Honorary WMCA directors without voting rights: Greg Klimek, Jack McCoy, Mike Natalizio, Everett Roehl and Ellen Voie. Mike Marquardt announced his pending retirement in the near future. The board of directors voted to make Mike an honorary director.
- Josh Marquardt was elected to the WMCA board to fill the vacancy created due to Pat McConnell no longer is an elected director and becoming an immediate past chairperson. As immediate past chair Pat continues to serve on the Executive Committee for two years and retains voting rights as an active past chair.
- The Foundation Board of Directors elected to a 1-year term are: Dave Batterman (chair), John Anderson, Rick Smith, Pauline Jaske, Terry Reed, Chris Schmidt, Kurt Kruger, Tim Kordula and Josh Marquardt.
- ATA State V.P. elected for a 1-year term was Rick Roehl. ATA Alternate V.P. elected was Pauline Jaske.

Immediately following the Board of Directors approval of the Annual Business Meeting slate of candidates, outgoing board chairman Pat McConnell gave a parting address and passed the gavel to new board chairman Leo Naumann.

Divisions of the WMCA – Conventions/Annual Meetings:

The Wisconsin Milk Haulers Association (WMHA) held its Annual Convention & Trade Show and its annual meeting at the Best Western Premier Waterfront in Oshkosh, Wisconsin September 14-15, 2023. The meeting was a success and featured numerous vendor displays, state legislators, seminars and the only Truck Show for milk haulers in the U.S.

The Wisconsin Motor Coach Association (the other WMCA) held its Convention and Annual Meeting once again at the Double Tree Hilton, Milwaukee, Wisconsin on February 28 – March 1, 2023. Vendors, speakers and seminars highlighted the event.

The Wisconsin Towing Association (WTA) held its annual Tow Show and Annual meeting on its traditional date of Father's Day Weekend at Chula Vista Resort, Wisconsin Dells, on June 16-18, 2023. The event included the traditional Homer's Friday night pig roast, tow truck light show, numerous vendors, tow demonstrations, seminars, tow truck beauty contest, banquet, huge silent and live auctions and entertainment by Mark Salentine. NOTE: The WTA board of directors has decided to move the date for next year's event to the weekend following Father's Day Weekend, June 21-23.

Also of note, Dave Whealon, Whealon Towing & Service, Inc, Fond du Lac, is being inducted into the 2023 International Towing & Recovery Hall of Fame this September. Dave serves as the WTA representative on the WMCA Board of Directors.

Quarterly WMCA Board of Directors Meetings:

All quarterly WMCA board of directors meetings were hosted by member companies. Hosts and locations included:

- December – Truck Country dealership, De Forest. This meeting serves as our annual budget meeting for the WMCA. Upon direction of the Executive Committee and approval by the Board of Directors, membership rates were raised 5%. Also, going forward, annual dues for the WMCA will be increased by a minimum of 2% each budget cycle in an attempt to keep up with inflation. \$10K was also deposited in the Rainy Day Fund.
- March – Acuity Corporate Headquarters, Sheboygan. Acuity has hosted the spring meeting for over a decade.
- June – Sparhawk Trucking, Wisconsin Rapids. This is also our Summer Outing for the board members to enjoy a day of golf, networking, camaraderie and a dinner reception the day before the board meeting.

Many thanks to our gracious hosts for providing meeting locations at no cost to the WMCA and providing continental breakfast, lunch, company presentations and facility tours.

WMCA Education Committee Formed:

Board members Tim Kordula and Bill Skinner proposed and the board approved forming an Education Committee for the purpose of:

- Providing information on Entry Level Driver Training (ELDT) mandated by FMCSA.
- Providing information on the benefits of online theory and in-person theory.
- To help members better understand driver contracts and the ramifications of going after a student under contract.
- Providing WMCA members a resource for drivers graduating from driver schools.
- Providing information about what constitutes a reputable driver school versus a CDL mill.
- Offering assistance when considering a school or entering the Safe Driver Apprentice Program.
- Providing members resources for HAZMAT and remedial training.
- Keeping members up to date on changes in training and certification.
- Attracting new members or schools to join the WMCA.

WMCA Reptile Theory Seminar Conducted:

Mike Natalizio, HNI Risk Services, hosted and helped assemble a seminar for WMCA members on the Reptile Theory. Presenters from De Witt Law Firm were arranged by John Duncan Varda. The Reptile Theory is a trial attorney strategy that attempts to use fear and anger to make the jury dislike the

defendant (in this case trucking companies) so strongly that they will award a plaintiff grossly excessive amount money for damages (a.k.a. nuclear verdict).

Legislative Office Visits:

WMCA President Neal Kedzie and Vice President Dan Johnson made a number of legislative office visits at the State Capitol as the legislature opened its 2023-25 session. The goal was to familiarize legislators in the State Assembly and State Senate with the WMCA and our legislative priorities. Meetings included visits with members of the Transportation and Agriculture Committees to discuss issues that affect the WMCA and all of our divisions. Both Neal and Dan are registered lobbyists with the State of Wisconsin and regularly testify on legislation at the Capitol on behalf of the WMCA and its divisions.

WMCA Call of Washington (COW):

The Call on Washington resumed its first in-person COW since the onset of COVID-19 three years ago. 14 members attended the event including WMCA directors: Leo Naumann, Jon Coca, Pauline Jaske, Rob Durham, and Steve Stanaszak.

Issues discussed with our Wisconsin congressional representatives and senators included the driver shortage, Safe Driver pilot program, independent contractors, infrastructure needs, truck parking needs, repealing the FET and lawsuit abuse reform.

WMCA Foundation Sport Clay Shoot:

The 11th Annual Sport Clay Shoot was held on June 7, 2023 at Milford Hills Hunt Club. This is the only funder raiser and primary source of revenue for the Foundation. This year's event was the most successful yet. 156 shooters helped us gross more than \$28,000 in total revenue with net proceeds in excess of \$12,000. Proceeds are used to help fund the Wisconsin Road Team, scholarships for CDL and diesel technician students enrolled in the Wisconsin Technical College system, and charitable causes like the Special Olympics of Wisconsin Truck Convoy. A special thank you goes to planning committee members Dave Batterman and Chris Schmidt.

WMCA Golf Outing Fundraisers:

Two golf outings were planned for the summer of 2023. The first outing was on June 11 at Lake Arrowhead in Nekoosa, Wisconsin. Weather conditions were perfect, the course in good condition despite the summer drought and the facilities and staff at the golf course were outstanding. We sold out with 145 golfers and grossed more than \$26K. Our net proceeds exceeded \$10K. Many thanks to our event and hole sponsors as well as attendees.

Unfortunately, our second outing on August 14 at Oshkosh Country Club, which was sold out, was canceled the day of the event due to torrential rainfall. The event could not be rescheduled and golfers

and sponsors were given the option of either receiving a refund or have the WMCA keep their payment and apply it to next year's outing in 2024. Most opted for carrying over their payments to 2024. As a result, we netted approximately \$11K for this year, which will greatly reduce our income next year. We also incurred expenses for box lunches and dinner. The box lunches were donated to a food pantry in Oshkosh. We were obligated to pay for the dinner ordered. The dinner was served as lunch for approximately 40 individuals who made the trip to the Oshkosh Country Club before the cancellation was announced.

The Oshkosh Golf Outing has been rescheduled for August 12, 2024.

Wreaths Across America:

The WMCA has joined 44 fellow STAs in participating in the promotion of Wreaths Across America (WRA). WRA is a nonprofit organization that promotes the annual laying of wreaths at Arlington National Cemetery which began in 1992. The objective is to fill a virtual trailer with 5,000+ sponsored veterans wreaths that will be laid on the final resting place of Wisconsin and all other service member's graves in December. The cost to sponsor a wreath is \$17. At the beginning of September 2023, the WMCA ranked number 14 in the number of wreaths sponsored (55). The deadline to sponsor a wreath is November 28.

Milwaukee Brewers Tailgate Fundraiser

The 2023 Brewers Tailgate, WMCA's biggest annual fundraiser, was held August 22, one day ahead of predicted high temperatures in the upper 90's. The weather was perfect with temperatures in the 80's and winds off of Lake Michigan. Approximately 900 tickets were sold.

For more than four decades, the event has been co-planned with the help of the Wisconsin Towing Association (WTA). Volunteers from both the WMCA and WTA helped with the setup and take down of grills, tents and bar as well as cooking and serving brats, hotdogs and chicken. A special thanks to Jeff and Geri Roskopf, Roskopf Service and Towing, for helping with the planning and delivering the semi – trailer with the equipment. Also thank you to Truck Country for donating the use of their commercial smoker for keeping the cooked food warm and lessening the amount of cookware to clean.

Profits were enhanced again this year due to the generosity of our sponsors who donated the brats, hotdogs, chicken and dessert, plus a reduced price on buns. Other members sponsored the cost of napkins, cups and sandwich boats. Sponsors were:

- Johnsonville – Brats
- America's Service Line – Hotdogs
- Brakebush – Chicken
- Kwik Trip – Dessert and Buns
- Scopelitis – Sandwich Boats

- Veteran's Truck Line – Napkins
- Transport Refrigeration – Cups

Geoff Erdman, Amston Trailer Sales, was the winner to throw out the first pitch. The Milwaukee Brewers beat the Minnesota Twins 7-2, maintaining first place in the NL Central Division and hoping to make the playoffs this fall.

Challenges/ Accomplishments:

Inflation continues to be one of biggest challenges we face. Rental fees for our event venues along with food and beverage prices continue to rise with many venues asking for down payments and reservations one to two years in advance. As a result, we have been seeking more sponsorships from our members to offset costs. Fortunately, our members are coming through for us, as is witnessed by the number of sponsors for this year's WMCA convention, donations of food and equipment and sponsorships for the Brewers Tailgate and having all 18 holes sponsored at our golf outings. This coming year, we will review our registration and other fees for our events and compare them with similar or same events conducted by our neighboring state trucking associations for the purposed of making any pricing adjustments.

Regarding sponsorships, we currently have 11 Diamond Club Members and would like to see that number increase. The \$5K annual fee helps fund Association programs year-round and maximizes exposure for those club members via enhanced advertizing and recognition at all events plus various complimentary passes and registrations for major WMCA events.

In terms of membership, we have seen overall numbers remain relatively flat but constant. Members leaving the WMCA are attributed to a variety of reasons including retirements, sale of companies and mergers. A number of cancelations are financial decisions to cut costs due to inflation, driver shortage, increased wages, rising insurance and fuel costs, government mandates, etc. All WMCA staff actively participates in recruiting new members and has had a number of successes this past year. Joining the WMCA has many benefits and a recent American Transportation Research Institute (ATRI) study identified a maximum benefit - motor carriers who are active in state trucking associations (STAs) are statistically safer than both former association members and carriers who have never belonged to a STA.

Because of our steady membership dues, generous sponsors, volunteers, vendors and donations, the WMCA is in good financial standing.

Advocacy outcomes for the year so far are incomplete due to the fall of 2022 being an election year and the legislature was out of session. The spring of 2023 was mostly taken up by the budget debate which was resolved when the biennial budget was signed into law at the end of June. Fortunately the budget had no negative impacts for the trucking industry. In fact, the budget had two positive items that we promoted, education grants for CDL schools, and an electric vehicle (EV) license plate sticker to identify

EVs, a priority for our Wisconsin Towing Association members. It is expected that it will be a busy fall session since the legislature has indicated that they intend to adjourn the session early in 2024.

Summary:

The past year, since our 2022 convention, has been a good year. After last year's departure of three staff, our team is now rock solid with no further turnover. Maddie Minik, Events & Communications Coordinator, celebrated her first anniversary with the WMCA in June and has done a great job with venue contract negotiations and putting together incredible events like this year's WMCA Convention at Lambeau Field. She is always upgrading our electronic newsletter Truck Talk Express with better graphics and pertinent news articles with information that benefits our members. Kim Conradt, Safety Programs Coordinator, will be starting her sixth year in October and made us proud for being the recipient of the ATA's 2023 Excellence in Safety Award, the equivalent of the Lombardi Trophy for safety professionals in the trucking industry. Her work with our Safety Management Council and their programs are also recognized as top of the line by our fellow STAs. Dan Johnson, Vice President, has completed nine years with the Association and wears many hats including, handling the duties of administrator for our Towing, Motor Coach, Milk Haulers and Movers divisions as well as membership dues, invoicing, accounts receivable other finances of the Association. His counsel to the President is invaluable. The WMCA can be assured that the Association is in good hands with this team of proven professionals.

In closing, it should be noted that the upcoming year of 2024 will mark the 84th anniversary of the modern day WMCA and the 94th anniversary of the originally chartered Common Carrier Association of Wisconsin. The WMCA Staff stands prepared and ready to meet the needs of our members and take on whatever challenges faced in the year ahead.

This concludes the President's Report.

Respectfully submitted,

Neal Kedzie, President

2022 WMCA NOMINATING COMMITTEE REPORT
September 19, 2023

WMCA Board of Directors whose 3-year terms expire September, 2023:

| | | |
|-----|-----------------------------|-----------------------------|
| 1. | Dave Batterman | North Central Utility |
| 2. | Adam Craft | Duplainville Transport |
| 3. | Paul Westberg | CliftonLarsonAllen |
| 4. | Bob Larsen | J.J. Keller & Associates |
| 5. | Dennis Hilker | Dennis Hilker Trucking |
| 6. | Chis Dahlby | Kwik Trip |
| 7. | Josh Marquardt | Birchwood Transport |
| 8. | Teri Kraus | BMO Harris Bank |
| 9. | Jerry Schroeder – WMHA rep. | Schroeder Milk Transport |
| 10. | Chris Tanke | HNI Risk Services |
| 11. | Curt Reitz | Contract Transport Services |
| 12. | Ryan Leslie | Fort Transportation |
| 13. | Dan King | Marten Transport |
| 14. | John Drake | JX Enterprises |
| 15. | Craig Wolf | E.H. Wolf & Sons |
| 16. | Herb Ottery | Ottery Brothers |
| 17. | Rob Sowinski – WMA rep. | Capitol North America |

The WMCA Nominating Committee recommends the following 17 individuals be placed in nomination for Board Director seats which expire in September, 2026:

| | | |
|-----|-----------------------------|--------------------------|
| 1. | Dave Batterman | North Central Utility |
| 2. | Derrick Ebel | Duplainville Transport |
| 3. | Paul Westberg | CliftonLarsonAllen |
| 4. | Bob Larsen | J.J. Keller & Associates |
| 5. | Dennis Hilker | Dennis Hilker Trucking |
| 6. | Chis Dahlby | Kwik Trip |
| 7. | Josh Marquardt | Birchwood Transport |
| 8. | Teri Kraus | BMO Harris Bank |
| 9. | Jerry Schroeder – WMHA rep. | Schroeder Milk Transport |
| 10. | Zach Trepanier)* | HNI Risk Services |
| 11. | Kurt Kruger | NEXT Logistics |
| 12. | Ryan Leslie | Fort Transportation |
| 13. | Dan King | Marten Transport |
| 14. | John Drake | JX Enterprises |
| 15. | Craig Wolf | E.H. Wolf & Sons |
| 16. | Herb Ottery | Ottery Brothers |
| 17. | Rob Sowinski – WMA rep. | Capitol North America |

The Nominating Committee recommends the following individuals fill vacancies created by two board members who have left their companies:

- Dave Millis (Millis Transport) for a term which expires in 2024.
- Antonio Hernandez, Jr. (Certco) for a term which expires in 2024.

The Nominating Committee recommends the following board replacements:

- Mahlon Gragen (ATC Leasing) be replaced by Mike Cotter (term expires in 2025)
- Thom Jackson (Schneider) be replaced by Tom DiSalvi (term expires in 2025)

WMCA Foundation Board of Directors (1-year term ending in 2024)

The Nominating Committee recommends the following nine members to serve on the WMCA Foundation Board:

- | | |
|--------------------|------------------------|
| 1. Dave Batterman | North Central Utility |
| 2. Rick Smith | Independent Contractor |
| 3. Pauline Jaske | Fairway Transit |
| 4. Terry Reed | U.S. Special Delivery |
| 5. Chris Schmidt | Baker Tilly |
| 6. Kurt Kruger | Next Logistics |
| 7. Tim Kordula | Skinner Transfer |
| 8. Josh Marquardt | Birchwood Transport |
| 9. Chris Greenberg | West Bend Transit |

The Nominating Committee recommends the following members to the following positions:

ATA State VP & Alternate State VP (1-year term ending in 2024)

- | | |
|------------------------------|-----------------|
| 1. Rick Roehl – V.P. | Roehl Transport |
| 2. Pauline Jaske – Alt. V.P. | Fairway Transit |

This concludes the Nominating Report.

WMCA BOARD OF DIRECTORS MEETING

LEO NAUMMANN, CHAIRMAN

September 19, 2023

Lambeau Field Green Bay, Wisconsin

AGENDA

 Welcome and Roll Call

 Secretary's Report

 Other Business

 **ADJOURN**

2023 MINUTES WMCA BOARD OF DIRECTORS MEETING

June 21, 2023

Sparhawk Trucking, 421 25th Ave. N, Wisconsin Rapids, WI

Chairman Leo Naumann called the Wisconsin Motor Carriers Association (WMCA) meeting to order at 10:00 a.m. on June 21, 2023 at Sparhawk Trucking corporate headquarters located at 421 25th Ave. N, Wisconsin Rapids, WI. An attendance sheet was circulated. A quorum was present. The chairman had attendees introduce themselves and their guests. The chairman also thanked Sparhawk Trucking for hosting the meeting.

The Minutes of the March 14, 2023 WMCA Board of Directors meeting was presented by Secretary Jon Coca. A correction to the minutes was made by Pauline Jaske noting that the W-TON account balance should read \$23,087 and not \$234,087. A motion to approve the minutes as amended was made by Pat McConnell and seconded by Pauline Jaske. The motion carried.

The Membership Report was presented by Pauline Jaske, committee chair. The membership of the WMCA consists of 1,072 members in the following divisions:

| | |
|------------------|-----|
| General Trucking | 294 |
| Allied | 147 |
| Movers | 14 |
| Milk | 71 |
| Tow | 152 |
| Coach | 25 |
| Independents | 369 |

Over the last few months, we have seen a slight decrease in both the General Trucking and Allied membership but numbers are still relatively strong. Trucking companies that have gone out of business blame economic conditions, inflation, government regulation and lack of drivers.

The independent owner-operator numbers are still trending down post-COVID and it is uncertain at what point it will level off.

A motion to approve the Membership Report was made by Jim Stowell and seconded by Bob Schmit. The motion carried.

The Treasurer's Report was presented by Treasurer Michael Hribar. Between March 1, 2023 and June 1, 2023, the WMCA had expenditures of \$474,949 and revenue of \$480,882 with an ending fund balance of \$277,229.

In regard to other WMCA accounts, as of June 1, 2023, the Political Action Committee (W-TON) account had a balance of \$23,087 and the Truckers for Wisconsin Fund (conduit) had a balance of \$19,819.

A motion to approve the Treasurer's Report was made by Pauline Jaske and seconded by Chris Schmidt. The motion carried.

The Foundation Report was presented by Dave Batterman, committee chair. As of June 1, 2023 the balance of the WMCA Foundation account was \$65,631.

The Foundation continues to provide scholarships to CDL and diesel technician student enrolled in the Wisconsin Technical College system as well as charitable causes like the Special Olympics of Wisconsin Truck Convoy and the Wisconsin Road Team.

The 11th annual Sport Clay Shoot - the main source of revenue for the Foundation – was held on June 7, 2023 at Milford Hills and was huge success. 156 shooters grossed more than \$28,000 in total revenue, our highest amount to date. After expenses, the net proceeds were \$12,448. A special thanks to all sponsors, shooters and volunteers.

A motion to approve the Foundation Report was made by Pauline Jaske and seconded by Dave Whealon. The motion carried.

The Safety Management Council Report was presented by Kim Conratt, WMCA Safety Programs Coordinator.

Safety & Weight Enforcement Facilities (SWEF)

There are five SWEF visits scheduled this year. Three have been conducted with very large attendance. Two more are scheduled for September 26th– Beloit, October 17th- Superior. Please encourage your employees, drivers or technicians to attend.

Wisconsin Safety Management Council (WSMC)

Upcoming seminars are as follows:

- October 4th through the 6th NATMI certification for Fleet Maintenance Supervisor / Director at Truck Country
- October – Audit Prep by Pam Jones at Fairway Transit (T)

- November – OSHA in Trucking by Dave Zander at FVTC
- December – ELDT / Driver Training at Skinner Transfer

Wisconsin Road Team

WMCA Road Team Captains are joining with the Wisconsin State Patrol to promote their open house events. The goal is to promote the WMCA and its focus on safety as well as recruit potential employees and drivers.

The Road Team Captains will once again participate in the national campaign, Heads Up /Phones Down, July 10th through the 14th.

WMCA Road Team Captains are also back in the classrooms. WMCA is one of only 10 states that still have a Road Team.

Wisconsin Truck Driving Championships & Truck Tech Championships (WTDC / WTTC)

We had a very successful Truck Driving Championship (TDC). 79 companies registered with 71 drivers competing. The National Truck Driving Championships (NTDC) will be held in Columbus, OH August 15th through the 19. The TDC Grand Champion was Neal LeClaire, Duplainville Transport, in the 5-axle sleeper. He was rookie of the year last year.

Winners Circle:

5- Axle: Ed Borotrager - Ruan

Flatbed: Matt Boenisch – FedEx Freight

Twins: Jeff Langenhahn - XPO

5- Axle Sleeper & Grand Champion: Neal LeClaire – Duplainville Transport

3- Axle: Barry Kraemer - XPO

4- Axle: Andy Rynearson - XPO

Straight Truck: Nick Jarntowski – Old Dominion Freight Lines / ODFL

Tanker: Jason Gaulitz - Ruan

There were three new companies competing this year.

Progress is being made to hold a Truck Tech Competition. Susan Jaske has been very helpful in getting people involved. Kim has also been very involved with the Maintenance Council to work on having a competition next year.

PRESIDENT'S SAFE DRIVER CLUB (PSDC)

Nominations are open again April 1st and will be due by December 1st. This year we are really going to enforce the deadline. The rules for nominated drivers have been updated. The rule will allow our members with drivers that never drive in Wisconsin to be eligible. For example, the rules will now allow drivers that mostly do local runs to Chicago and similar areas to be eligible.

To be eligible for this award, a driver must be a full-time employee or permanent leased operator who works and drives for a Wisconsin Motor Carriers Association Member and drives a minimum of 35,000 miles on the public streets or highways annually. Miles may be from both in state and out of state driving.

To be eligible for the first year of membership in the President's Safe Driver Club (PSDC) the driver must have 36 continuous months of service with the same employer as of March 31 of the nominating year. In addition, the driver must have no accidents, whether on or off duty, during those years and a clean Motor Vehicle Record (MVR) indicating no traffic citations, whether on or off-duty.

The driver must then be nominated for the PSDC membership by a company official. After initial membership has been earned, the driver may accrue additional credits for each consecutive year of safe driving under compliance with these rules.

DRIVER OF THE MONTH / DRIVER OF THE YEAR

Robert Kluetzman, Ruan Transportation, was named Wisconsin Motor Carriers 2022 Driver of the Year. He is now eligible to be ATA's National Driver of the Year. The paperwork has been filled out and sent in.

Several new companies nominating drivers this year.

SAFETY DIRECTOR OF THE YEAR

Nominations opened on April 1st for the Safety Director of the Year Award. This is the 3rd year for the award. The selection committee will choose the winner and the award will be presented at the Safety Luncheon at the WMCA convention at Lambeau Field on September 19th, 2023.

FLEET SAFETY AWARDS

The Fleet Safety Awards nominations opened up April 1st. Entries will be given to the auditors. The awards will be presented at the Safety Luncheon at the WMCA convention in September.

ATA STATE EXCELLENCE AWARD

Kim is preparing the submission for this year's ATA State Excellence Award, ATA's highest award given to the outstanding State Trucking Association safety professional in the country. WMCA's Kim Conradt was this year's winner! WMCA last won this honor in 2002. The WMCA has regularly been the recipient of ATA's Cumma Sum Laude award. Receiving these honors is a reflection of the Association's high quality safety programs.

THANK A TRUCKER 10-4

The WMCA will once again will be soliciting donations for gift cards to buy truck drivers lunch as a thank you for all the great work they do. The event will be held on October 4th at the world's largest KwikTrip in Somers WI.

LOGGING EXPO

The WMCA will once again participate in the annual Logging Expo being held in Escanaba, MI. The WMCA teams up with Michigan & Wisconsin State Patrols to do exhibitions of Level 1 inspections. WMCA also promotes its Safety Programs and serves as a judge for the Show Trucks. The event will be on September 8th and 9th, 2023.

The Legislative Report was presented by Neal Kedzie, WMCA President.

Wisconsin Biennial State Budget 2023-25:

The Joint Finance Committee (JFC) completed its public hearings around the state as it prepared to write its revised version of the Governor's State Budget (AB-43/SB-70). Negotiations between Republican legislative leaders and Governor Evers reached an agreement on shared revenue, which was the key hurdle to striking a deal on the budget. Key provisions in the budget include:

- Allows the Milwaukee Common Council to raise their local sales tax by 2% requiring a two-thirds majority vote. Does not require a referendum.

- Allows Milwaukee County Board of Supervisors to raise the county sales tax by .04% requiring a two-thirds majority vote. Does not require a referendum.
- Additional revenue generated by increasing the sales tax can only be used for hiring additional police officers, fire, EMS, public works, transportation and in the case of the county, to defray the cost of their failing pension system.
- More than \$1B in new money will be put into the public school system with an increase of \$325 per student in each of the next two fiscal years.
- Expands the School Choice program.
- \$97M more for special education.
- \$30M more for school mental health.
- Requires school districts to track crimes that occur on school grounds.
- Prohibits race based hiring (Diversity, Equity, Inclusion – DEI) in all Wisconsin communities.
- Repeals the Personal Property Tax (SB 2).

JFC Transportation Budget Deletions:

Prior to the legislative leaders negotiations with the governor, the JFC made some notable deletions to the transportation budget within the Governor’s State Budget including:

- Repeal prohibition on use of condemnation authority for recreational and pedestrian trails.
- Reinstate DOT’s authority related to bicycle and pedestrian facilities on new highway construction projects.
- Tribal Nations welcome signs.
- Driving skills license renewal.
- Online driver license renewal.
- Ignition interlock device requirements for OWI offenses.
- Increased forfeiture for safety belt violations.
- Automatic voter registration when applying for a driver’s license.
- Real ID non-compliant driver’s licenses and ID cards for undocumented persons.
- ID card receipts from other states used for voting purposes.

Special Election State Assembly District 24:

A special election will take place on July 18 to fill the vacant 24th Assembly District seat formerly held by Rep. Dan Knodl (R-Germantown). Knodl won a special election this past spring for the 8th Senate District, replacing former Sen. Alberta Darling, who resigned last year.

Two candidates have filed to run, Republican candidate Paul Melotik of Grafton and Democrat candidate Bob Tatterson of Mequon. Melotik currently serves as vice chair of the Ozaukee County Board and is a supervisor on the Grafton Town Board. He has a background in accounting and has since co-owned and operated several businesses including the Fire Ridge Golf Course in Grafton. Tatterson is a retired

engineer and currently owns a business consulting and investment firm. Tatterson previously ran against Knodl for the State Assembly in 2022 and lost 64% to 35%.

The 24th AD covers mostly suburban area north of Milwaukee, including Grafton, Germantown and portions of Mequon and Menomonee Falls. Gubernatorial candidate Tim Michaels (R) won 57.5% of the vote in 2022 in the district.

State Legislation Update:

AB-142/SB-212: (Rep. Schutt/Sen. Tomczyk) No state agency and no local governmental unit may restrict the use or sale of motor vehicles based on the energy source used to power the motor vehicle, including use for propulsion or use for powering other functions of the motor vehicle.

Dan Johnson testified on behalf of the WMCA in committee in favor of the bill. This legislation is an attempt to prevent an all out ban on fossil-fueled vehicles like California has enacted as part of their net-zero emissions standard which is an attempt to phase out gas and diesel fuel and mandate that all vehicles be EVs by 2035. This bill would not prohibit EVs, but rather, allow businesses and consumers to choose the type of vehicle they wish to operate. Six other states (MA, MD, NJ, NY, OR and WA) have similar bans in place with three others (MN, CO and VT) also imposing restrictions.

The bill passed both houses on a party line vote and awaits action by the governor.

Note: Iowa's Republican Attorney General has filed a lawsuit against the EPA challenging their decision to allow California to ban fossil-fueled heavy trucks. Nineteen other states with Republican AGs have joined in the suit. Those states are AL, AR, GA, KS, KY, IN, LA, MS, MO, NE, ND, OK, OH, SC, UT and WV.

AB-244/SB -247: (Rep. Tranel/Sen. Marklein) Relating to an agricultural roads improvement grant program and making an appropriation.

Dan Johnson testified on behalf of the WMCA in committee in favor of the bill which creates a \$150M grant under the Agricultural Road Improvement Program (ARIP) and targets local roads with posted weight restrictions. Any local road, bridge or culvert maintained by a local government and used for agricultural purposes would be eligible for a grant. After improvements are made, the road could no longer post weight restrictions. Also testifying in favor was Jerry Schroeder, WMCA board director and Board Chair of the Wisconsin Milk Haulers Association (WMHA), a division of the WMCA.

SB-247 passed out of the Senate and is ready for scheduling for floor session in the Assembly. AB-244 passed in committee.

AB-274/SB-271: (Rep. Pronschinske/Sen. Wimberger) Requires that the Department of Workforce Development establish a commercial driver training grant program that provides grants to persons or other entities that provide training leading to an individual receiving their CDL.

Neal Kedzie testified on behalf of the WMCA in the Assembly Transportation Committee in favor of the bill. A representative from WMCA member company Krielkamp Trucking also testified in favor.

In order to qualify for the grant, the applicant must be listed on the FMCA's registry of approved training providers. Grants may not exceed, for each individual trained, 50% of the costs of training or \$3,000, whichever is less. The two-year program would be GPR funded with \$1.5M for each year, both 2023-24 and 2024-25.

The bill has passed out the Assembly committee and ready for scheduling.

AB-313/SB-313: (Rep. Penterman/Sen. James) Relating to increased penalties for failing to stop for a school bus.

Under current law, a motorist who doesn't stop for a bus with flashing red lights may be required to forfeit \$30-\$300. There currently is no specific number of demerit points assessed to violators. Under this bill, the penalty is increased to \$300 - \$1,000 and assessment of three demerit points against the driving record of the vehicle operator in violation.

To date no hearing has been held in committee in either house. WMCA and the Wisconsin Motor Coach Association support the legislation.

AB -2/SB-2: (Rep. Knodl/Sen. Stroebel) Relating to eliminating the personal property tax.

Under the bill, beginning with the property tax assessments as of January 1, 2023, no items of personal property will be subject to the property tax.

The WMCA is part of a large statewide coalition and working group in favor of the bill. Eliminating the PPT has been in the works for the past several sessions of the legislature and is included in the Governor's State Budget (AB-43/SB-70).

LRB-3308: (Rep. Penterman/Sen. ___) Relating to electric vehicle registration plate decals.

Under the draft legislation, a decal would be assigned to the owner of an EV for placement on the license plate identifying that vehicle as being an electric vehicle. As first responders, the Wisconsin Towing Association (WTA) has been asking for some type of EV identification in order to alert the tow operator. Large batteries in EVs can be hazardous and require certain precautions due to potential electric shock and electric fire hazard.

Similar language has been introduced in the Governors budget bill (AB-43/SB-70).

The WMCA and WTA support the bill.

LRB-3116:(Rep. Gundrum/Sen. Tomczyk) Relating to limiting the recovery of noneconomic damages from a motor carrier.

The draft legislation limits the total amount of noneconomic damages, such as pain and suffering, that a person may recover from a motor carrier for injury, death or other loss resulting from an act or omission by an employee of the motor carrier while acting within the scope of employment to a \$1M cap.

Iowa's Republican controlled legislature recently passed, and their Republican governor signed into law, a landmark trucker lawsuit abuse reform bill (SF 228) which sets a hard cap of \$5m per plaintiff for non-economic damages resulting from an accident involving a CMV. The bill initially started with a \$2M proposed cap. The legislation, which took more than three and one half years to pass, also prevents claims against a carrier for negligent hiring of a CMV driver. The purpose for SF 228 is to prevent nuclear verdicts against trucking companies.

Since minimum insurance coverage per CMV is \$750,000, an initial proposed cap of \$1M is being considered in LRB-3116.

The WMCA is part of a working group involved with the draft legislation which includes the Wisconsin Insurance Alliance, Petroleum Marketers & Convenience Store Association and the Wisconsin Civil Justice Council. The bill is expected to be introduced some time after the state budget is adopted.

State Legislative Issues:

Make Up of the 2023-25 Wisconsin State Legislature:

Some interesting facts about the new generation of lawmakers in the State Legislature show a great deal of change, diversity and a reduced amount of institutional knowledge resulting from the unprecedented turnover of legislators during the last couple of election cycles. Of note are:

- The legislature has its first Asian American and first Muslim as well as five other legislators that are members of the LGBTQ+ Caucus. All are Democrats.
- Two first-time Milwaukee Assembly members are Democratic Socialists. The last Socialists served in the Assembly in 1937.
- In the last four years, 58 of the 132 legislators - or 44% - came to the Capitol as first-term legislators either in the Assembly (42) or Senate (16).
- Of the 16 members of the Joint Finance Committee, nearly one-third (5) are first-time committee members.
- The average age of Senators has fallen from 57 to 54 over the last 10 years. The average age of Assembly members is 50.

- The number of women legislators is 41 this session. One-third of the 99 Assembly (33) are women and 8 of the 33 Senators are women. That ties the all-time record set two years ago.
- Only two of the 12 legislative leaders from both houses from the 2013-14 session are still in the Capitol.

Federal Legislation Update:

Carrying Automobiles Responsibly and Safely (CARS) Act: Relating to increasing the weight tolerance of CMVs used for transporting EVs by 10% due to batteries increasing the weight of vehicles hauled. This would allow a total gross weight of 88,000 pounds and capped at 10% per axle.

Dry Bulk Weight Tolerance Act: Relating to increasing the weight tolerance of CMVs by 10% per axle, allowing for the shifting of dry goods while in transit.

HR 3447: Relating to a weight exemption for hydrogen powered trucks allowing 2,000 additional pounds like battery-electric and natural gas powered CMVs.

Truck Parking Safety Improvement Act: Relating to providing funding to states for truck parking through 2026 by allocating a total of \$755 M. The American Transportation Research Institute (ATRI) has identified truck parking as the number issue in the trucking industry. Statistics show there is only 1 parking spot for every 11 trucks, with a nationwide shortage of more than 40,000 truck parking spaces. The average driver spends 56 minutes per day looking for parking. The cost of searching for parking is approximately \$5,500, or 12% of a driver's annual income.

Trucker Bathroom Access Act: Relating to giving truckers access to bathrooms at places where they pick up and/or deliver freight. The legislation would mandate that truckers have the same access if a business has a bathroom available to their customers or employees.

USDOT Speed Limiter Rulemaking: It is anticipated that USDOT will propose a new speed limiter rule on heavy-duty trucks sometime in late summer or early fall of 2023. Officially, by committee recommendation, ATA supports 70 MPH in trucks equipped with Automatic Emergency Braking and Adaptive Cruise Control. In trucks without these safety technologies, their policy supports a maximum speed of 65 MPH. It should be noted that anti-truck groups continue to push for speeds below 65 MPH.

USDOT Oral Fluid Testing Final Rule: USDOT has filed a Final Rule allowing oral fluid as an authorized testing method for the presence of unlawful drugs effective June 1, 2023. However, in order for an employer to implement oral fluid testing, the U.S. Department of Health and Human Services (HHS) must certify at least two laboratories, which has not yet been done. At least one lab is needed to test primary samples and at least one more to re-test contested samples. To date no labs have applied for HHS approval. In comparison, 20 labs are approved for urinalysis.

Miscellaneous Issues:

Call on Washington (COW): WMCA resumed its first in-person COW since the onset of COVID-19 three years ago. 14 members attended the event including WMCA directors Leo Naumann, Jon Coca, Pauline Jaske, Rob Durham and Steve Stanaszak. WMCA President Neal Kedzie was unable to attend with the group due to a family emergency.

Issues discussed with our Wisconsin congressional/senate delegation included driver shortage and the Safe Driver pilot program, independent contractors, infrastructure, truck parking, repealing FET and lawsuit abuse reform.

RI Appeal of Truck-Only Toll Verdict: The International Bridge, Tunnel and Turnpike Association has filed an amicus brief with the U.S. Court of Appeals in support of the State of Rhode Island's Turnpike and Bridge Authority in their efforts to reverse the earlier decision by the court ruling that Rhode Island's truck-only tolling violated the Commerce Clause and discriminates against trucking.

ATA and its Federation of State Trucking Associations, which includes the WMCA, filed an Amicus Brief supporting the original court ruling, which was a major victory for the industry. The case is still pending.

ATRI Evaluates Impacts of Marijuana Legalization on the Trucking Industry: ATRI just released its study on the impacts of legalized marijuana on the trucking industry shortly after Minnesota joined Illinois and Michigan by becoming the 23rd state to legalize recreational marijuana. 18 states also allow medicinal marijuana. Only 11 remaining states, including Wisconsin, outlaw either type of marijuana use.

More than half of all positive drug tests of truck drivers were for marijuana. Positive tests for weed also rose 9.2% in the first quarter of 2023 compared to 6.7% in 2021. The number of drivers testing positive in the first quarter was 9,344. Truck drivers are prohibited by federal law from using marijuana. 44% of all truck drivers live in a state that has legalized use of marijuana.

By the end of March 129,100 drivers remained in prohibition status since failing any of the 14 different types of drugs tested. Of that number 97,833 had not started the return-to-work program. Amphetamines came in as the second highest positive test drug.

WMC Foundation - Wisconsin's Demographic Dilemma: The Wisconsin Manufacturers and Commerce (WMC) Foundation, released its recent study on worker demographics in Wisconsin to analyze the economic challenges facing the State. Some interesting statistics include:

- Wisconsin's mean age is 40.1 yrs. versus 38.8 yrs. nationally (Note: The average age of a truck driver nationally is 46 yrs.)

- Wisconsin is one of 14 states with a mean age over 40 yrs. and tied with Michigan as the oldest in the Midwest. Utah is the youngest at 31.3 yrs.
- 65-84 year olds have grown by 41.7% since 2010.
- The most immediate future work force, age 5-17, has declined 2.2% in the past decade while 31 states saw an increase in population of this age group.
- Children under the age of 5 years old declined by 10.1%. Wisconsin is only 1 of 17 with a double digit decline. The only other Midwest state that performed worse was Illinois at 15.6%.
- From 2021-22 more people died than were born in Wisconsin.
- Wisconsin lost 1,200 in population between 2019-2022.
- Wisconsin set a new low labor forced participation rate of 64.5% in February 2023. In the 1990's nearly 75% of working age people were in the workforce.

Wreaths Across America: WMCA has joined with 44 fellow STAs in participating in the promotion of Wreaths Across America (WRA). WRA is a nonprofit organization founded to continue the annual wreath-laying ceremony at Arlington National Cemetery begun in 1992. Their mission is to Remember the fallen, Honor those that serve and Teach the next generation the value of freedom.

WMCA will be working virtually to help fill a trailer load of 5,000 sponsored veterans wreaths that will be laid on the final resting place of Wisconsin and all other service members' in December. The cost to sponsor a wreath is \$17.

Other Business:

- Maddie Minik, WMCA Events & Communications Coordinator Gave the 2023 Calendar of Events update including a progress report on the Annual WMCA Convention being held at Lambeau Field, Green Bay. Speakers are being recruited including elected officials. Efforts are also being made to have a Green Bay Packer as a special guest speaker. More details will be added to the Convention webpage in the coming weeks.
- Neal Kedzie notified the board that nominations for the 2023 WMCA Haul of Fame are being accepted between now and the end of July. The selection committee consists of the three most recent HOF recipients (Susan Jaske, Carrie Legg and Don Jerrell), WMCA Board Chairman Leo Naumann and WMCA President Neal Kedzie. The induction ceremony will take place at the convention following the Chairman's Dinner.
- Neal Kedzie gave an update on WMCA board of directors. Tim Kordula has left Karl's Transport for Skinner Transfer. This has created a vacancy on the board. Andy Schmidt, U.S. Venture left his company creating another vacancy. Mahlon Gragen, ATC Transportation, is retiring and has asked that Mike Cotter be the representative in the meantime and a candidate for a board position when elections are held at the Annual Business Meeting in September. Chris Tanke, HNI has informed us that Zach Trepanier will be representing HNI due to Chris' workload and that Zach will be a candidate to replace Chris when the elections take place. This is the same

situation for Tom DiSalvi who is now representing Schneider to cover for Thom Jackson. Tom DiSalvi will be considered as the permanent replacement for Thom Jackson at the Annual Meeting.

- Neal Kedzie also made the announcement that nominations are now being accepted for the WMCA board of directors, WMCA Foundation and ATA State V.P. and Alternate V.P.. All nominations must be submitted by early to mid-August. The Nominating Committee will be meeting prior to the Annual Business Meeting to select a slate of candidates sometime in August. The Annual Business Meeting and elections will take place on day two of the WMCA Convention.
- Dan Johnson gave a brief overview of the Wisconsin Towing Association's 2023 Tow Show/Convention held at Chula Vista on June 16-18. The event was well attended and productive.
- Sparhawk Trucking did a presentation to the board including a slide show on the company's history and business activities. It was announced that a facility tour was available after lunch for all who were interested.

The next quarterly WMCA board of directors meeting will be on September 19, 2023 during the Annual Convention at Lambeau Field. The meeting will immediately follow the Annual Business Meeting.

With no further business, a motion to adjourn was made by Pat McConnell and seconded by Mike Schwersenska. The meeting adjourned at 11:29 a.m.

WISCONSIN MOTOR CARRIERS ASSOCIATION, INC.

BYLAWS

(As amended December 15, 2017)

(As amended December 15, 2021)

ARTICLE I

Name

Section 1. This association shall be known as the WISCONSIN MOTOR CARRIERS ASSOCIATION, INCORPORATED, under the laws of the state of Wisconsin, hereinafter referred to as 'the Association'.

Section 2. The location of the principal office of this Association shall be the City of Madison, County of Dane, State of Wisconsin.

ARTICLE II

Purpose

Section 1. To foster, promote and protect the inherent advantages of transportation by motor vehicle and other like business and pursuit. To develop social, scientific and industrial interests and promote the general welfare of its members through and by such means as the Association shall from time to time determine.

Section 2. To develop a better highway transportation system properly adapted to the needs of commerce and the national defense of the United States of America.

Section 3. To advocate just, reasonable and equitable taxation for the operation of motor trucks within and between all states.

Section 4. To advocate that certain funds derived from taxation of motor vehicles be appropriated and used exclusively for the enforcement of regulatory laws.

Section 5. To promote harmony and cooperation among motor truck operators in order to coordinate their efforts in carrying out the aims and purposes of this Association.

Section 6. To pledge this Association to mobilize ever-growing forces of safety and give them wide support and leadership.

Section 7. To conduct seminars and provide information to its members to help insure that they are as productive and efficient as possible in internal operations.

Section 8. To engage in any lawful business incidental to or of a similar nature to the foregoing, which may be deemed advisable, and to do and perform all of the lawful acts and things which may be deemed necessary or convenient in the conduct of the business of said Association.

ARTICLE III Membership

Section 1. Any person, partnership or corporation, who is directly or indirectly engaged in transportation by motor vehicles may become a member of this Association by executing and filing with the Association a verified application agreeing to become bound to and to abide by the articles of Association and By-Laws of the Association and faithfully to discharge all duties and obligations imposed thereby, which application shall be accompanied by the necessary fees to cover such membership. Such application shall be subject to the approval of the Board of Directors and membership shall become effective upon acceptance by the Board of Directors.

Section 2. Any divisional or geographical group, or any association bureau or organization representing carriers engaged in motor vehicle transportation or any group fostering motor vehicle transportation may become a member of this Association by executing and filing with the Association a verified application agreeing to become bound to and to abide by the Articles of Association and By-Laws of the Association and faithfully to discharge all duties and obligations imposed thereby, which application shall be accompanied by the necessary fees to cover such membership. Such application shall be subject to the approval of the Board of Directors and membership shall become effective upon acceptance by the Board of Directors. Any such membership shall be known and is hereafter referred to as a Division. Membership in any Division is predicated upon membership in the General Association unless provided otherwise by the Board of Directors.

Section 3. Membership of any member or Division may be terminated by:

- a) Voluntary resignation upon not less than sixty (60) days' notice in writing to the Association;
- b) Expulsion of such member by order of the Board of Directors upon sixty (60) days' written notice for failure to pay or cause to be paid any amount owing the Association for dues, or any other account whatsoever;
- c) Expulsion of such member by order of the Board of Directors for failure to cure any breach of any duty or obligation of such member within sixty (6) days' after formal written notice by the President to do so.
- d) Expulsion of such member, by order of the Board of Directors through a two-thirds majority vote of the Directors present at a special meeting called for such purpose, for engaging in conduct, activities, or practices that are contrary to the mission of the Association, destructive to its reputation, deemed illegal or in conflict with the best interests of the Association and its trucking industry members.

Section 4. The property rights of the members of this Association shall be equal and all property rights, interests or other rights and privileges in or to this Association of any member or Division shall cease upon the termination of membership by voluntary withdrawal, expulsion, death or other causes. Upon dissolution of any Division any monies or properties shall revert to the Association.

Section 5. In the event of the dissolution of this corporation, the assets of the corporation shall be transferred or conveyed to one or more domestic or foreign corporations, societies or organizations engaged in activities substantially similar to those of this corporation, with the particular recipient to be designated pursuant to a Plan of Distribution duly adopted by the membership in accordance with the Wisconsin Statute then applicable.

ARTICLE IV Voting

Section 1. Each person, partnership or corporation who is a member of this Association and qualified under Article III, Section 1 hereof, shall be entitled to one vote in all matters relative to the conduct of the affairs of the Association. Membership only in a Division does not entitle such member to vote upon affairs of the Association. Only one vote shall be allowed per member.

Section 2. Each Division qualified under Article III, Section 2 hereof, shall be entitled to the number of votes, as the Board of Directors shall from time to time direct.

Section 3. Members may not vote by proxy. Votes by a Division shall be cast by an authorized representative of said Division in a unit.

ARTICLE V Meetings

Section 1. The Board of Directors may designate any place as the place of meeting for any annual or any special meeting.

Section 2. The annual meeting of the membership shall be held on a date to be fixed annually by the Board of Directors, and it shall be the duty of the President to give ten (10) days' notice of such meeting to each Director, said notice to state the time and place of such meeting and to be addressed to the member either by postal mail or electronically, but failure to give such notice shall not affect the validity of such meeting or proceedings thereat. At such meeting, any business may be transacted not requiring a special notice.

Section 3. Special meetings of the membership may be held upon call by the President when directed by the Chairman of the Board, or upon direction in writing of a majority of Directors then in office, or upon written direction of a majority of the members. The President shall give five (5) days' notice of such meeting in the same manner as is provided in Article V, Section 2, hereof for the giving of notice, save that such notice shall, in addition specify the purpose or purposes of the meeting.

Section 4. A meeting of the membership may regularly and validly be held whenever a majority of the Board of Directors shall be present at any meeting, however notified, and shall sign a written consent to the holding thereof upon the records, and at such meeting any business may be transacted which could lawfully be transacted at meeting regularly called and notified.

Section 5. Presence at any meeting of twenty (20) Directors shall constitute a quorum, save as otherwise provided by law; but less than a quorum meeting at any time pursuant to notice, shall have power to adjourn from time to time until a quorum shall be present.

Section 6. The Chairman of the Board, or in his absence, the Vice-Chairman, shall preside at meetings of the membership, and the Secretary shall act as Secretary thereof, but should such officers not be present, their function may be performed by any of the members present, as chosen by those in attendance.

ARTICLE VI Board of Directors

Section 1. The affairs of this Association shall be managed by a Board of Directors composed of fifty-one members and all active past chairmen representing the person, partnership or corporation who is a member of the Association. No company may have more than one voting member on the Board of Directors. No director may be an Honorary Director and an active past chairman at the same time.

The fifty-one general directors shall be nominated from the membership at large and shall serve for terms of three years each, with seventeen directors being elected each year. Each division of the Association shall have at least one member on the Board of Directors. The President shall also serve as a non-voting, ex officio member of the Board of Directors.

The Nominating Committee shall make its recommendations to the full membership at each annual meeting relative to positions on the Board of Directors. In making its nominations, the Nominating Committee shall try to insure that the Board of Directors represents a good cross section of the members from a geographical, size of company, and type of operations perspective. It is also the responsibility of the Nominating Committee to insure that every division within the Association has at least one representative on the Board of Directors.

The Board of Directors is authorized to also name Honorary Directors. To be eligible for designation as an Honorary Director, an individual must have been a past director and must have made significant contributions to the Association and the industry over an extended period of time. If a person is approved by at least a two-thirds vote of the Board for designation as an Honorary Director, he or she is specifically invited to every Board function, but would not have voting rights.

Section 2. The Board of Directors shall have power, in addition to all others lawfully vested in them:

- a) To purchase or otherwise acquire, lease, sell, convey, transfer, or assign any property, rights, interests or privileges of the Association, upon such terms and conditions, and for such price as such Board sees fit.
- b) To employ a President upon such terms and conditions as said Board may see fit. Such appointment shall be made by a majority vote of the elected Board of Directors.
- c) To select and retain outside consultants and agents as the Board deems necessary upon such terms and conditions as the Board sees fit. Such appointment shall be made by a majority vote of the elected Board of Directors.
- d) To remove or suspend any of the above personnel, or all or any of the said officers of the Association by two-thirds vote of the elected Board, and said Board may delegate to any officer of the Association by resolution or to any committee or members of the Association, all or any of the powers stated in this section, or any part of such powers.
- e) To authorize the borrowing of money for Association purposes, as in the discretion of said Board seems fit, and for that purpose to execute or cause to be executed in the name of the Association such bills, notes or other evidences of debt as may be expedient.
- f) To establish branch offices or places of business for the carrying on of the business of this Association at any place within this state, or elsewhere.
- g) To elect the individuals who will serve as the Board of Directors of the Wisconsin Motor Carriers Foundation.

Section 3. If a Director, representing his or her company, terminates his or her employment with that company, the Director shall be replaced according to the provisions outlined in Section 6.

Section 4. A Director may resign at any time by filing a written resignation with the Secretary, and said resignation shall be effective from the filing thereof, unless a later date be fixed by its terms.

Section 5. The membership, at any special meeting called for such purpose, may remove from office any or all of the Directors, by a two-thirds vote of the members present.

Section 6. Vacancies on the Board of Directors, from any cause whatsoever, shall be filled by election by the Board of a successor or successors from among the qualified members of the Association, and the person or persons so elected shall serve until the next annual meeting of the membership.

Section 7. The Board of Directors shall meet annually, and from time to time, thereafter as herein provided:

- a) Annual meetings of the Board of Directors shall be held the same place as the annual membership meeting. At such meeting, any business may be transacted.
- b) Special meeting shall be held upon call of the President as directed by the Chairman of the Board or upon the written request of three (3) of the Directors; it shall be the duty of the President to give five (5) days' notice of such meeting to each Director personally or by mail as specified in Article V, Section 2. But meetings may be held at any time or place, all Directors being there and then in attendance and waiving notice and consenting to the holding thereof, and at such meetings, any business may be transacted which could have been transacted had notice regularly been given.

Section 8. The Chairman of the Board, and in his absence the First Vice-Chairman, shall preside at meetings of the Board of Directors, and the Secretary shall act as Secretary thereof, but in the absence of either or any of such officers, their functions may be performed by any members of the Board elected by those present.

Section 9. The regular order of business shall be:

- a) Call of the roll
- b) Reading of the minutes of the previous meeting
- c) Report of officers and committees
- d) Unfinished business
- e) New business

Section 10. Any Director who is absent from three or more Directors' meetings during a calendar year shall be removed from the Board and replaced according to provisions outlined in Section 6, Subject to concurrence of the Board.

Section 11. Executive Committee -- The Chairman of the Board may appoint an executive committee subject to the approval of the Board of Directors. This Executive Committee shall have the power to act on behalf of the Board of Directors as outlined in Article VI except that the powers conferred by Section 2 (b) of Article VI shall be retained by the Board of Directors, except that the Executive Committee may suspend the President until the next meeting of the Board. At any meeting of the Executive Committee, two-thirds of the duly appointed members shall constitute a quorum, and a two-thirds vote of the total membership of the committee shall be necessary for the adoption of any matter voted on by the committee.

Section 12. "Each voting member may designate another person from the same company to represent that director at any WMCA Board meeting as an alternate. Such alternate may, in the absence of the regular board member, vote and act in all affairs of the Board of Directors, but would not be eligible to hold office".

ARTICLE VII Officers

Section 1. The general officers of this Association shall be a Chairman of the Board, First Vice-Chairman, Second Vice-Chairman, Secretary, Treasurer, and President.

Section 2. The Chairman of the Board, First Vice-Chairman, Second Vice-Chairman, Secretary and Treasurer shall be elected annually at a regular meeting of the Board of Directors from the general membership of the Association excepting that the office of Chairman of the Board shall be elected from the members of said Board, and each of said officers hold office for the term of one year or until his successor is elected and qualifies.

Section 3. The Chairman of the Board shall preside at all meetings of the membership and the Board of Directors shall have general supervision of the affairs of the Association subject to the control of the Board of Directors, with the power to execute contracts and instruments generally on behalf of the Association, and he shall have such other duties as may from time to time be prescribed by these By-Laws or delegated to him by the Board of Directors. Committee appointments shall be made by the Chairman of the Board with the approval of the Board. Any interim committee appointment shall be approved at the subsequent meeting of the Board.

Section 4. The First Vice-Chairman shall discharge the duties of Chairman of the Board in the event of absence or disability, for any cause whatever, of the latter. In addition, the First and Second Vice Chairmen will perform such other duties as may from time to time be prescribed by these By-Laws or delegated to them by the Board of Directors.

Section 5. The Secretary shall keep a complete and permanent record of all proceedings of the membership meetings and meetings of the Board of Directors. He shall, in addition, have general charge of the books and records of the Association and shall safely and systematically keep all books, papers, records and documents belonging to the Association, or in any wise pertaining to the business thereof, and he shall countersign all deeds, leases, and conveyances executed by the Association and such other papers as he shall be directed to countersign by the Board of Directors.

Section 6. The Treasurer shall keep and account for all monies, credits and property of any and every nature of the Association, which shall come into his hands and keep an accurate account of all monies received and disbursed, and keep proper vouchers for monies disbursed, and he shall render such accounts, statements and inventories of monies received and disbursed and of monies and property on hand, and generally of all matters pertaining to this office as shall be required by the Board of Directors.

Section 7. The President shall be responsible for all management functions. He shall manage and direct all activities of the Association as prescribed by the Board of Directors and shall be responsible to the Board. He shall employ and may terminate the employment of members of the staff necessary to carry on the work of the Association and fix their compensation within the approved budget. As President, he shall define the duties of the staff, supervise their performance, establish their titles and delegate those responsibilities of management as shall, in his judgment, be in the best interests of the Association. The President shall be further authorized to act as a spokesman for the Association before the general public and any and all public bodies. Any elected officer of the Association may delegate to the President any duty of his elected office prescribed herein, except that such delegation shall not relieve the elected officer of the responsibility for the performance of such duty.

Section 8. Whenever the Board of Directors may so order, the offices of Secretary and Treasurer may be held by the same person.

Section 9. In the case of the absence or disability of any general officer of the Association, the Board of Directors may delegate his duties to one of the other officers or to a member of the Board of Directors, until the return or recovery of the absented or disabled officer.

ARTICLE VIII Compensation

Section 1. Directors and general officers, with the exception of the President, shall not be compensated for their services. The salary of the President shall be set by the Board of Directors. Expenses for the Directors and general officers may be permitted by the Board of Directors.

ARTICLE IX Dues

Section 1. Dues of members of this Association and any Division thereof shall be fixed from time to time by resolutions of the Board of Directors adopted at any regular or special meeting, of which ten (10) days' written notice by mail that such change will be considered at such meeting has been given to all Directors. Such dues shall be paid when due. Division dues shall first be approved by any Division.

Section 2. Each member of this Association shall, as requested by the Board, submit the information necessary to compute the membership dues. This information may include but is not limited to fleet miles traveled, fleet miles traveled in Wisconsin, number of units registered, gross system revenues, and gross Wisconsin intrastate revenues.

ARTICLE X Divisions

Section 1. In addition to the Divisions, groups, associations, bureaus, or organizations accepted for membership under Article III, Section 2 hereof, the members of this Association may, with the approval of the Board of Directors, organize and establish within this Association natural or geographical divisions which shall be known and referred to herein as Divisions of the Association.

Section 2. Each Division accepted to membership in this Association under Article III, Section 2 hereof, or formed under Section 1 of this Article shall file with the President a copy of its Articles of Incorporation and By-Laws, or if it is not incorporated, there shall be filed with the President a written statement of the purposes and plan of operation of said Division.

Section 3. Divisions may hold special meetings of their members but notices of such meetings and the purpose of the same must be served upon the President in person or by mail at least twenty-four (24) hours prior to the holding of any such meeting. The President of a duly selected agent may be present at all such meetings. This requirement is made to avoid any infractions of the Association's policies and to give such assistance as is helpful to each Division.

Section 4. No Division may take any action outside of the Association without prior approval of the Board of Directors of the Association, except such matters as are in the regular course of the regular business of the members of such Division. The activities of a Division shall be restricted to the consideration of problems of the industry which directly affect the Division, and no Division shall in any matter whatsoever commit the Association to any program or for any obligation.

ARTICLE XI Litigation

Section 1. No officer, employee, member or Division may enter into or foster litigation of any character in the name of the Association or any of its Divisions without the prior approval of the Board of Directors of the Association.

ARTICLE XII Legislation

Section 1. No member and/or Division of this Association shall engage in sponsoring any matter of a legislative nature without the prior approval of the Board of Directors of the Association. There is excepted from the provisions of this Section such matters as are necessary in the regular course of the member's business.

ARTICLE XIII
Penalties and Procedure

Section 1. The majority of the elected Board of Directors may impose such sanctions and such penalties as it sees fit against any member or Division that violates the provisions of the By-Laws, including expulsion from the Association.

Section 2. If the Board of Directors deems it necessary to apply Section 1, it shall provide the accused member or Division a fair opportunity to hear the charges and to present a defense against them by:

- a) Mailing by registered mail a statement of the charges.
- b) The statement shall be accompanied by a notice of the time and place of the meeting of the Board of Directors.
- c) Opportunity to appear in person or by representation to defend against any charges.

ARTICLE XIV
Affiliation by the Wisconsin Motor Carriers Association

Section 1. The Board of Directors is specifically authorized and empowered to affiliate this Association with other incorporated Associations if the object of the Association to be affiliated with be similar to the object of this Association as expressed in these By-Laws.

ARTICLE XV
Rules of Order

Section 1. Robert's "Rules of Order" shall be the preliminary authority of this Association.

ARTICLE XVI
Mode of Amendment

Section 1. These By-Laws may be amended at any time by an affirmative vote of two-thirds of the members of the Board of Directors present at any meeting called for that purpose, except that Article VI, Section 1, shall not be amended except by vote of the membership. The Board of Directors at any time, however, does have the authority to seat a representative on the Board for any newly formed division that has been approved in accordance with Article III, Section 2, of the By-Laws.