

WMCA BOARD OF DIRECTORS MEETING
LEO NAUMANN, CHAIRMAN
March 20, 2024 10:00 a.m.

AGENDA



Welcome



Secretary's Report



Membership Report



Financial Report



Foundation Report



Safety Council Report



Legislative Report



Other Business

- 2024 Calendar Update
- Presentation by Acuity



ADJOURN/LUNCH

THANK YOU TO OUR HOST AND SPONSOR!



2023 MINUTES QUARTERLY WMCA BOARD OF DIRECTORS MEETING

December 12, 2023

HNI De-Risking Center, 16805 W. Cleveland Ave., New Berlin, Wisconsin

Chairman Leo Naumann was excused from attending the meeting due to a medical issue. First Vice-Chair, Dave Batterman, served as chairman and called the Wisconsin Motor Carriers Association (WMCA) Board of Directors meeting to order at 10:08 a.m. on December 12, 2024 at HNI De-Risk Center, 16805 W. Cleveland Avenue, New Berlin, Wisconsin. A quorum was present. Members registered with a sign-in sheet. The chairman had attendees introduce themselves and their guests. The chairman also thanked HNI Risk Services for hosting the meeting.

Zach Trepanier, HNI, did an official greeting to attendees and gave a short history of HNI and announced the merger of HNI and Acrisure. Zach then introduced guest speaker Brian Fielkow, Executive Vice President, Risk Resources at Acrisure. An overview of Acrisure was given, explaining that they are a financial technology and insurance company headquartered in Grand Rapids, Michigan. Among their services are risk management for the trucking industry as well as cyber security, which is a partnering service being offered to the WMCA.

The Minutes of the September 19, 2023 WMCA Board of Directors meeting was presented by Secretary Jon Coca. A motion to approve the minutes was made by Craig Wolf 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 1,036 members in the following divisions:

General Trucking	291
Allied	144
Movers	13
Tow	150
Coach	26
Independents	349

Membership in the WMCA and all division remains generally stable at the close of 2023. Pauline stated that the Membership Committee has done a great job this year reaching out to members who may have fallen behind in their dues payments and thanked all who assisted with keeping our membership numbers in good condition.

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

The Treasurer's Report was presented by Mike Hribar, treasurer. Between October 1, 2023 and December 1, 2023, the WMCA had expenditures of \$108,937 and revenue of \$81,817 with an ending fund balance of \$100,445. In regard to other WMCA accounts, as of December 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 \$20,030. The annual audit for FY2023 is currently being performed with the final report completed and available for review by early 2024. The proposed operating 2024 operating budget for the WMCA and its divisions will be reviewed and voted on later in today's meeting. A motion to approve the Treasurer's Report was made by Pauline Jaske and seconded by Craig Wolf. The motion carried.

The Foundation Report was presented by Dave Batterman, Foundation chair. As of December 1, 2023 the balance in the WMCA Foundation account was \$79,502. The 12th Annual Sport Clay Shoot, the main source of revenue for the Foundation, is being planned for June 2024. The date has not yet been set but historically is the Wednesday of June. A motion to approve the Foundation Report was made by Rob Sowinski and seconded by Craig Wolf. The motion carried.

The Safety Management Report was presented by Kim Conrath, WMCA Safety Programs Coordinator:

- Wisconsin Road Team
- Wisconsin Truck Driving Championships & Truck Tech Championships (WTDC / WTTC)
- PRESIDENTS SAFE DRIVER CLUB (PSDC)
- DRIVER OF THE MONTH / DRIVER OF THE YEAR
- SAFETY DIRECTOR OF THE YEAR
- THANK A TRUCK
- NATMI

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

The WMCA is tracking the following legislation.

SB 613/AB 647: (Sen. Tomczyk /Rep. Gundrum) Limiting Non –Economic Damages from Motor Carriers

The bill sets a cap of \$1 million for non-economic damages that a person may recover in a civil action against a motor carrier. The purpose of the legislation is to address nuclear verdicts against trucking companies. The bill is in committee in both houses waiting to be scheduled for a public hearing.

SB 676/AB693 (Sen. Stroebel/Rep. Callahan) Eliminating References to Registered Weight for Commercial Motor Vehicles

The bill establishes uniformity in statute for both intrastate and interstate motor carriers and drivers by eliminating the term "registered weight" from state statutes and administrative code. This would align Wisconsin law with other states. Currently, if a Wisconsin-licensed driver is operating a vehicle or a

combination of a vehicle and trailer without a CDL that was inadvertently registered at a weight exceeding 26,000 pounds, they would be guilty of a traffic crime if stopped by law enforcement and placed out of service roadside, requiring for the vehicle to be picked up or towed, and the DA is required to draft a criminal complaint along with a mandatory court appearance. The bill is currently in committee waiting to be scheduled for a public hearing.

SB 617/AB672: (Sen. James/Rep. Proschinske) Electric Vehicle License Plates

The bill provides distinctive registration plates or decals for hybrid and non-hybrid electric motor vehicles. The bill is in committee in both houses waiting to be scheduled for a public hearing.

SB549/SB581: (Sen. Stafsholt/Rep. Michalski) Grants to Technical Colleges for CDL Instructors

The bill provides a one-time grant of up to \$5,000 as a sign-on bonus for CDL instructors and the tech college is required to pay a retention bonus of \$5,000 to CDL instructors after 5 years of service. AB 549 passed the State Assembly 98-0 and is waiting to be scheduled for action in the Senate.

STATE LEGISLATIVE ISSUES:

Wisconsin Legislative Maps before the State Supreme Court:

A group of petitioners has filed a lawsuit with the Wisconsin Supreme Court challenging the State Assembly and Senate district maps. This occurred just one day after the seating of newly elected liberal Justice Protasiewicz, which resulted in a liberal majority on the court. Oral arguments have been heard alleging that the district maps, drawn by the Republican majority, ensure a Republican majority, are gerrymandered, non-contiguous and violate the constitutional separation of powers because the previous conservative majority Supreme Court inserted itself into a redistricting dispute and accepted the current GOP-drawn maps. The lawsuit seeks to block the current legislative maps and order new maps for future elections. It is also seeking special elections for state senators elected under the current maps. This would result in all 33 senators running for election in 2024 versus only half of the senate running, as is the usual practice every two years. All 99 Assembly seats are up for election for 2024.

House Speaker Open Meeting Lawsuit Dismissed:

A Dane County judge dismissed an open meetings lawsuit filed against Assembly Speaker Robin Vos for seeking advice from former Wisconsin Supreme Court justices on the prospect of impeaching liberal Justice Protasiewicz, while not disclosing with whom he spoke with or any other details. Vos has called for Protasiewicz to recuse herself from the redistricting map case now before the Supreme Court because during her election campaign she stated that the maps were “rigged” and has a predisposed bias in the case.

Schimmel Announces Run for Wisconsin Supreme Court in 2025:

Conservative, Waukesha County Circuit Court Judge, Brad Schimel, has announced his candidacy for the Wisconsin Supreme Court race in 2025. The former GOP Attorney General, who served during the Walker administration, will take on liberal Justice Ann Walsh Bradley for a 10-year term on the court.

FEDERAL LEGISLATIVE ISSUES:

Federal Funding for Truck Parking Expansion:

A coalition including the WMCA, ATA, National Tank Truck Carriers and Truckload Carriers Association sent a joint letter to Governor Tony Evers informing him of available grants for highway infrastructure improvements available from the federal government.

Besides familiar DOT funding streams, the letter pointed out that the Department of the Treasury recently confirmed the eligibility of unused COVID-19 funds awarded to states can now be used for infrastructure projects. The Governor was asked to give due consideration to using a portion of those monies for truck parking expansion. It was pointed out that according to the U.S. Department of Transportation (USDOT), 98 percent of truck drivers regularly experience difficulty finding safe parking, up from 75 percent just four years ago.

ATRI Survey Results for Wisconsin:

The American Transportation Research Institute (ATRI) released its survey results for Wisconsin's trucking companies Top-10 priority issues.

1. Driver Retention
2. Driver Shortage
3. Economy
4. Lawsuit Abuse Reform
5. CSA
6. Equipment/ Parts Shortages
7. Insurance Cost/Availability
8. Fuel Prices
9. Truck Parking
10. Driver Compensation

MISCELLANEOUS:

State of the State Address:

Governor Tony Evers will deliver his State of the State Address on January 23, 2024 at 7 p.m. in the State Assembly Chambers.

WMCA President Neal Kedzie presented the proposed WMCA FY2024 Budget for the WMCA and its divisions as approved by the Executive Committee. Divisions include: Wisconsin Towing Association, Wisconsin Motor Coach Association, Wisconsin Milk Haulers Association and Wisconsin Movers Association. Key points included:

- Proposed budget for the current fiscal year is a deficit of (\$9,159).
 - Event income has been conservatively projected and assumed in all cases not to exceed FY2023 actual figures. In addition, Golf Outing Income has been scaled back to account for the cancelled event last year and those that decided to roll their registrations/sponsorships over.
 - Proposed dues revenue has been conservatively estimated to trail F2023 actual by \$5,000.
 - A new source of revenue for the organization includes the NATMI program which does include some upfront costs for staff training. Net impact to F2024 budget is +\$4,000.
 - Actual F2023 results netted a small surplus of \$3,112. When excluding the golf registrations/sponsorships that will be carried over to the F2024 events, F2023 would have resulted in a deficit of approximately (\$9,000), very close to the proposed F2024 budgeted deficit.
- Despite the proposed budgeted deficit for F2024, the WMCA comes into the year with adequate reserves to sustain such a loss. As of the beginning of the fiscal year the operating cash balance was \$286,500. This coupled with the reserve fund of \$148,800 provides the WMCA with \$435,300 of funds available for navigating FY2024.

A motion was made by Craig Wolf to approve the FY2024 budget and seconded by Jim Stowell. The motion carried.

The 2024 Events Calendar Update was presented by Maddie Minik. Of note is that the Call on Washington (COW) has been scheduled for May 7-8, 2024.

Other Business:

Neal Kedzie presented an update on the current status of the Wisconsin Worker's Compensation per request of board member Carrie Legg and prepared by John Tindall, HUB International.

The next WMCA quarterly board meeting will be in March and likely be at Acuity. Arrangements are currently being made.

With no further business, a motion to adjourn was made by Chris Schmidt and seconded by Tom DiSalvi. The meeting adjourned at 11:45 a.m.

MEMBERSHIP REPORT

March 20, 2024

Membership in the WMCA consists of **969** members in the following divisions:

	<u>Dec. 2023</u>	<u>March 2024</u>
General	291	289
Allied	144	141
Movers	13	15
Milk	64	66
Tow	150	157
Coach	26	26
Independents	349	275
TOTAL:	1,037	969

Membership in the WMCA and all Divisions remains generally stable but we do continue to see a significant decrease in the independent owner/operator division.

The Membership Committee is now meeting virtually monthly to discuss new ideas for membership and review current membership recruitment efforts.

This concludes the Membership report.

**TREASURER'S REPORT
WMCA ANNUAL MEETING
March 20, 2024**

Between October 1, 2023 and March 1, 2024, the WMCA had expenditures of \$308,978 and revenue of \$260,635 with an ending fund balance on March 1st of \$103,390.

In regards to other WMCA accounts, as of March 1, 2024, the Political Action Committee (W-TON) account had a balance of \$23,087 and the Truckers for Wisconsin Fund had a balance of \$20,171.

This concludes the Treasurer's report.

Wisconsin Motor Carriers Association
Profit Loss by Class
October 2023 through February 2024

	<u>Oct 2023-Feb 2024</u>
Other Income/Expense	
Other Income	
Administrative Income	41,250.20
Advertising	3,000.00
ATA Commissions	6,906.58
Contribution Income	5,484.00
Convention Income	12,350.50
Diamond Club	10,000.00
Dues	158,711.10
Independent Operator Fees	11,788.00
Interest Income	4,187.85
Mover Dues	1,575.00
PSDC Income	86.00
Seminar Income	3,352.50
Services Royalties	1,943.98
Total Other Income	<u>260,635.71</u>
Other Expense	
Office Services	1,425.00
Computer & Software Expense	145.40
Vehicle Repair Expense	2.99
Accounting Services	20,761.06
Association Meetings	244.13
ATA-TAEC Expenses	3,254.42
Automobile Allowance	2,500.00
Banking Fees	487.54
Business Insurance	2,298.00
Contributions & Scholarships	500.00
Convention Expenses	11,746.69
Golf Outing Expenses	140.00
IT Equipment & Maintenance	1,562.25
Membership Dues/Subscriptions	4,831.19
Merchant Fees	4,762.12
Office Supplies	2,135.78
Payroll & Related	205,456.44
Pension Plan Admin Fees	810.00
Postage & Mailing Supplies	2,226.85
Professional Fees	10.00
Rent	15,380.00
Sales & Use, Property Taxes	42.03
Seminar Expenses	2,007.03
Tailgate Expenses	15,308.64
Telephone & Internet	1,498.81
Thank A Trucker Expenses	5,000.00
Travel Expenses	2,811.15

Wisconsin Motor Carriers Association
Profit Loss by Class
October 2023 through February 2024

	<u>Oct 2023-Feb 2024</u>
Utilities	<u>1,631.24</u>
Total Other Expense	<u>308,978.76</u>
Net Other Income	<u>-48,343.05</u>
Net Income	<u><u>-48,343.05</u></u>

Wisconsin Motor Carriers Association
Balance Sheet
As of February 29, 2024

	Feb 29, 24
ASSETS	
Current Assets	
Checking/Savings	
Checking - General (OCB)	-32,517.15
Money Market - General (OCB)	102,632.29
Reserve Fund (OCB)	151,279.78
Petty Cash	276.50
Total Checking/Savings	221,671.42
Total Current Assets	221,671.42
TOTAL ASSETS	221,671.42
LIABILITIES & EQUITY	
Liabilities	
Total Current Liabilities	0.00
Total Liabilities	0.00
Equity	
Fund Balance	103,390.67
Unrestricted Net Assets	154,719.80
Net Assets With Restrictions	11,904.00
Net Income	-48,343.05
Total Equity	221,671.42
TOTAL LIABILITIES & EQUITY	221,671.42

FOUNDATION REPORT
WMCA Board Meeting
March 20, 2024

As of March 1, 2024 the balance in the WMCA Foundation account is \$79,528.

The Foundation provides grants up to \$1,000 to the truck driving diesel technician programs at Wisconsin technical colleges, as well as a donation this year to the Fleet Maintenance Council of Southeast Wisconsin, and an annual donation to Wisconsin Special Olympics Truck Convoy.

The 12th Annual Sport Shooting Clay event is scheduled for Wednesday, June 5th at Milford Hills. More details are in the WMCA newsletter and Web site.

In January and March of this year, WMCA staff re-established communications with the former officers of the Wisconsin Warehouse Association to discuss the funds currently held in a WMCA segregated account, approximately \$66,000.

All parties have agreed in principle that those funds will be redirected to six Wisconsin tech schools that offer Supply Chain Management curriculum and provide scholarships to students. That would be accomplished by moving funds to the WMCA Foundation, which then would make one-time contributions to the schools.

This concludes the Foundation Report.

2024 MARCH LEGISLATIVE REPORT

WMCA Board of Directors Meeting

March 20, 2024

Acuity Insurance Headquarters, 2800 S. Taylor Drive, Sheboygan, Wisconsin

STATE LEGISLATION:

The Wisconsin State Legislature has adjourned for the 2023-24 session, with the Assembly adjourning on February 22 and Senate on March 12. The legislature will not reconvene again until January 2025, other than for the purpose of a special session. All bills not acted on are now dead. Bills that are enrolled (passed in identical form in each House) await action by the governor to either sign them into law, veto or take no action. Bills not acted on in the allotted time become law without the governor's signature.

The status of the remaining session bills that the WMCA has been lobbying and tracking are as follows:

SB 613 (AB 647 tabled): (Sen. Tomczyk/Rep. Gundrum) Capping Non-Economic Damages Filed Against a CMV.

SB 613 caps the amount of non-economic damages that a person may recover from a motor carrier for injury, death or other loss at \$1 million per victim. This is the WMCA's marquee bill this session. The legislation is aimed at preventing multimillion dollar "nuclear" verdicts against trucking companies from occurring in Wisconsin. President Neal Kedzie and the head of the Wisconsin Civil Justice Council (WCJC), attorney R.J. Pirlot, testified together in committee hearings held in both Houses. Kedzie serves on the board of the WCJC. Also testifying in support of the bill was WMCA director Craig Wolf (E.H. Wolf & Sons), Wisconsin Fuel & Retail Association (WFRA) and Wisconsin Manufacturers & Commerce (WMC). Twenty business associations registered in support of the bill, which included WMCA members Sentry Insurance and Travelers Insurance. Registering in opposition was the Wisconsin Association for Justice (WAJ) representing the trial lawyers.

SB 613 is enrolled and awaiting action by the governor. Since its passage, Neal Kedzie and the WCJC met with the governor's office urging his support for the legislation. UPS, Schneider, WMC and the WFRA have also met with the governor's office.

SB 271 (AB 274 tabled): (Sen. Wimberger/Rep. Pronschinske) Commercial Driver Training Grant Program.

SB 271 requires the Department of Workforce Development (DWD) to establish a commercial driver training grant to persons and entities that provide CDL training. Grants may not exceed, for each person

trained, 50% of the cost to train that person or \$3,000, whichever is less. The deadline for applications and sunset of the funding is July 1, 2025. SB 271 is enrolled and awaiting action by the governor.

SB 313 (AB 313 tabled): (Sen. James/Rep. Penterman) Increased Penalties for Failing to Stop for a School Bus.

SB 313 increases the penalties to a forfeiture of \$1,000 versus the current \$300 for not stopping for a school bus with its red lights flashing. The bill also requires the DOT to assess three demerit points for a violation. The bill is enrolled and awaiting action by the governor.

SB 431 (AB 440 tabled): OSOW Permits for Certain Fluid Milk Products.

SB 431 authorized the DOT to issue annual or consecutive month OSOW permits up to 98,000 pounds and includes liquid whey and whey byproducts in the definition of “fluid milk product”. This bill has been promoted by the Wisconsin Milk Haulers Association. SB 431 is enrolled and awaiting action by the governor.

SB 617 (AB 672 tabled): (Sen. James/Rep. Pronschinske) DOT EV Plates or Decals.

SB 617 requires the DOT to issue registration plates or decals for existing plates identifying hybrid and nonhybrid electric motor vehicles as electric vehicles (EVs). This was priority legislation for the Wisconsin Towing Association. EVs pose certain risks for first responders that gas fueled vehicles don't including electric shock and potential fires from damaged or defective batteries. (Note: The governor's state budget included decals for electric vehicle registration plates.) The bill is enrolled and awaiting action by the governor.

SB 581/ AB 549: (Sen. Stafsholt/Rep. Michalski) Hiring Bonus for Tech College CDL Instructors.

SB 581/AB 549 provides a one-time grant from the Technical College System Board of up to \$5,000 as a hiring bonus for instructors in manufacturing and commercial driver's license programs. AB 549 passed the Assembly. SB 581 passed out of committee but was never scheduled for floor session. Both bills are now dead.

SB 676/AB 693: (Sen. Stroebel/Rep. Callahan) Definition of Registered Weight.

SB 676/AB 693 removes the restrictive reference to “registered weight” in the statutory definition of commercial motor vehicle (CMV) and from a section of DOT administrative rules pertaining to exemptions from motor carrier safety rules. By definition, a CMV weighs in excess of 26,000 pounds and a driver must possess a CDL and adhere to HOS. If a Wisconsin-licensed driver operating a vehicle or combination vehicle and trailer without a CDL is inadvertently registered as registered weight but is actually under 26,000 pounds, the driver, if stopped by law enforcement, is guilty of a traffic crime, placed out of service, mandated to appear in court and must place a \$200 cash bond. This bill would

place Wisconsin in line with other surrounding states using the CMVSA definition of “commercial motor vehicle.” The Wisconsin State Patrol has advocated for the change in “registered weight” for nearly twenty years.

The bills both had a public hearing but no executive actions were taken and the bills did not advance to the floor of either House. The bills are now dead.

SB 89/AB 88: (Sen. Jacque/Rep. Wichgers) Depositing Sales Tax Revenue from Motor Vehicle, Parts & Services into the Transportation Fund.

SB 89/AB 88 would deposit into the transportation fund a percentage of the sales tax revenue from the sale of motor vehicles, motor vehicle parts, accessories and services over a fifteen year period , starting with 10% in year one and capping at 50% in year 15. Neither bill had a hearing and both are now dead.

Evers Vetoes Bills Slashing Income Tax and Retiree Taxes:

Governor Evers vetoed nearly \$ 800 million of income tax cuts passed by Republicans in the final weeks of the spring legislative session. The three bills vetoed would have done the following:

1. Expanded the second income tax bracket up to \$112,500 for individuals and \$150,000 married couples. Lowered the tax rate to 4.4%, down from 5.3% now.
2. Increased the income tax credit for married couples from a maximum of \$480 to \$870.
3. Increased the amount of retirees’ income exempt from state income tax from the first \$5,000 to the first \$75,000 for single filers. The first \$150,000 of retired married joint filers.

STATE ELECTIONS:

New Legislative Maps:

Democratic Governor Evers signed new legislative district maps into law that he proposed and the Republican-controlled Legislature passed to avoid having the liberal-controlled state Supreme Court draw the lines. Analyses of Evers’ Maps show they will likely greatly reduce Republican majorities in both Houses of the Legislature, which stand at 64-35 in the Assembly and 22-10 in the Senate. The maps go into effect in November for the general election. The new maps have the following affect:

(99) Assembly Districts – All seats up for election in November:

- 45 districts more Dem leaning than GOP
- 46 districts more GOP leaning than Dem
- 8 districts considered 50/50

- 30 incumbents paired in 15 districts
 - 25 GOP vs. GOP
 - 1 Dem vs. Dem
 - 4 Dem vs. Dem

(33) Senate Districts – Only even-numbered seats up for election in November:

- 14 districts are more Dem leaning than GOP
- 15 districts are more GOP leaning than Dem
- 4 districts considered 50/50
- 13 incumbents paired in 6 districts
 - 4 GOP vs. GOP (one district has 3 senators paired)
 - 1 Dem vs. Dem (one of the incumbents is not running in November)
 - 1 Dem vs. GOP
 - 7 Open seats

Congressional Redistricting Challenge:

The Wisconsin Supreme Court rejected a Democratic lawsuit which would have forced the redrawing of Wisconsin's eight congressional districts, which are all up for election in November. Republicans currently control six of the eight districts. Recently elected Justice Janet Protasiewicz, whose election shifted the control of the Supreme Court from conservative to liberal, did not participate in the ruling.

Speaker Vos Recall Effort:

Supporters of former President Donald Trump organized an attempted recall of Assembly Speaker, Rep. Robin Vos (R-Rochester). A valid recall petition must be signed by qualified electors equal to at least 25% of the vote cast for the office of governor at the least election within the same district or territory as that of the officeholder being recalled. The Wisconsin Elections Commission (WEC) has preliminarily determined that the recall organizers fell more than 900 signatures short of the number needed to force a recall election in the "old" district 63 that Vos has represented for years. However, it is not clear if those boundary lines should be used for the recall or the boundary lines of Vos' "new" district 33. The Wisconsin Supreme Court threw out the maps used in 2022 and barred them from being used in future elections. It is likely that the state Supreme Court will ultimately decide the fate of the recall effort.

Congressman Gallagher Retiring:

Congressman Mike Gallagher (R- Dist 8) has announced his retirement. Gallagher has represented the far Northeastern Wisconsin district, which includes the Green Bay area and Door County, since 2017. To date, two Republicans have registered to run for the vacant seat. They are former State Senator Roger Roth and current State Senator Andre Jacque. No Democrats have entered the race at this time.

Hovde vs. Baldwin:

Banker and real estate developer, Eric Hovde, has entered the Wisconsin U.S. Senate race as a Republican, challenging long-time incumbent Tammy Baldwin. Hovde last ran for the U.S. Senate in 2012 only to lose to his primary opponent Tommy Thompson. Thompson lost the general election to Baldwin.

MISCELLANEOUS:

State Supreme Court Drop Box Lawsuit:

The state Supreme Court is fast-tracking oral arguments in a lawsuit, filed by a national Democratic law firm, seeking to legalize absentee ballot drop boxes in Wisconsin. The current liberal majority court will consider whether or not to reverse a ruling barring their use, which the court issued less than two years ago when conservatives were the majority seated on the court. The court ruled in July 2022 that absentee drop boxes may be used only in election offices and no one other than the voter can return a ballot in person.

WMCA 2024 Call on Washington (COW):

The WMCA 2024 COW will take place May 7-8. The other State Trucking Associations (STAs) that will be in D.C. at that time are New York and Indiana.

We will be staying at the Homewood Suites by Hilton, Washington D.C. Capitol – Navy Yard. Cutoff date for the WMCA room block is April 16.

The agenda at this time includes:

- Tuesday, May 7: Fly into Washington D.C..
 - ATA and FMCSA briefing (3-4 p.m.) at ATA Headquarters
 - ATA reception (4-5:30 p.m.)
 - ATA headquarters tour after reception
- Wednesday, May 8: Capitol Hill and Senate Office Visits
 - ATA Hill Office breakfast and short briefing (8 a.m.)

- Office Visits with Congress and Senate (8 a.m.– 4 p.m.)
 - ATA Hill Office Rooftop Reception (5-6 p.m.)
- Thursday, May 9
 - Fly home

FEDERAL ISSUES:

Reboot for SAFE Driver Pilot Program:

The U.S. House and Senate passed the fiscal year 2024 transportation funding bill, which included provisions to help the languishing Safe Driver Apprenticeship Pilot Program (SDAP) get back on track. The pilot is a three-year mentor program for truck drivers aged 18-20 year which would allow them to drive interstate once they have completed the required training. Currently only 29 fleets are registered. The apprenticeship program was capped at 3,000 participating drivers at any one time but, to date, only three dozen have enrolled.

The reason for the lack of participants can be blamed on the FMCSA which added burdensome and unnecessary requirements to the pilot program that were not part of the original infrastructure law enacted in 2021. These requirements included participating fleets to register their apprenticeship programs with the U.S. Department of Labor and equip trucks with inward-facing cameras. The current bill removes those additional requirements and restores the SDAP program to its original intent.

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.