

## 2005 DRAFTING REQUEST

### Bill

Received: 03/23/2005

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Dan Kapanke (608) 266-5490

By/Representing: Melissa Gilbert (aide)

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Add. Drafters:

Subject: **Transportation - motor vehicles**  
**Transportation - veh reg/filing**

Extra Copies: **PJH**

Submit via email: YES

Requester's email: **Sen.Kapanke@legis.state.wi.us**

Carbon copy (CC:) to:

---

#### Pre Topic:

No specific pre topic given

---

#### Topic:

Special plates for Wisconsin Women's Health Foundation, Inc.

---

#### Instructions:

See Attached

---

#### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			State
/P1	agary 03/29/2005	kfollett 04/14/2005	jfrantze 04/14/2005	_____	lnorthro 04/14/2005		State
/1	agary 05/13/2005	kfollett 05/13/2005	rschluet 05/13/2005	_____	lnorthro 05/13/2005	sbasford 05/18/2005	

FE Sent For:

→ At Intro.

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/1	agary 05/13/2005	kfollett 05/13/2005	rschluet 05/13/2005	_____	Inorthro 05/13/2005		

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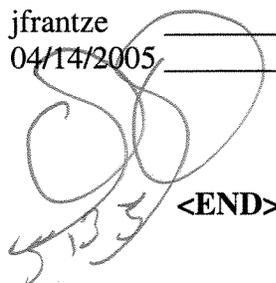
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/?				_____			State
/P1	agary 03/29/2005	kfollett 04/14/2005	jfrantze 04/14/2005	_____	Inorthro 04/14/2005		

FE Sent For:

11kjf  
5/13

  
<END>

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Received By: **agary**

Wanted: **As time permits**

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For: **Dan Kapanke (608) 266-5490**

By/Representing: **Melissa Gilbert (aide)**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

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Transportation - veh reg/filing**

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**Pre Topic:**

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Special plates for Wisconsin Women's Health Foundation, Inc.

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/?	agary	1P/1gf 4/14	4/14	4/14			

FE Sent For:

<END>

## Gary, Aaron

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**From:** Gilbert, Melissa  
**Sent:** Saturday, March 26, 2005 8:40 AM  
**To:** Gary, Aaron  
**Subject:** RE: licence plate bill draft

Hi Aaron,

Thanks for following up on this. The answers to your questions are as follows:

1. The Wisconsin Women's Health Foundation is a statewide non-profit organization devoted to helping women become better advocates for their health. The Foundation focuses on six primary areas: breast cancer, cardiovascular disease, smoking cessation, osteoporosis, mental illness/depression and domestic violence. The organization's mission includes reaching all Wisconsin women with the information and support they need to be healthy, encouraging women to become advocates for their own health and improving the overall quality of life for women and their families. The Foundation seeks to accomplish these goals through outreach and education; scholarships and grants related to academic medicine, research and community health; and the Women's Health Information Network.

Is that enough info/too much?

2. The Foundation plans to front the start-up costs right at the beginning, but why don't we start with the boilerplate language and go from there?

Thanks for your help!

Missy

-----Original Message-----

**From:** Gary, Aaron  
**Sent:** Wednesday, March 23, 2005 9:23 AM  
**To:** Gilbert, Melissa  
**Subject:** RE: licence plate bill draft

Hi Missy,

I will get you a preliminary draft on this shortly, and we can fine-tune it from there. I do have a couple of initial questions:

1. The draft needs a general description of what the Wisconsin Women's Health Foundation, Inc., does.
2. My experience is that DOT will not support this type of bill without funding being provided for initial plate production costs. I have on occasion inserted certain boilerplate language to address this. Do you want me to include the boilerplate language, and then you can decide whether to keep it, or do you want me to omit it for now?

Thanks. Aaron

Aaron R. Gary  
*Legislative Attorney*  
*Legislative Reference Bureau*  
608.261.6926 (voice)  
608.264.6948 (fax)  
aaron.gary@legis.state.wi.us

-----Original Message-----

**From:** Gilbert, Melissa  
**Sent:** Wednesday, March 23, 2005 8:20 AM  
**To:** Gary, Aaron  
**Subject:** licence plate bill draft

Hi Aaron,

We would like to draft a bill creating a new license plate, with the proceeds (once administrative costs have been recouped) going to the Wisconsin Women's Health Foundation, Inc. I understand these bills are generally modeled after the Ducks Unlimited license plate legislation. Do you need any additional information on this

request? If so, just let me know.

Thanks!

Missy

**Melissa L. Gilbert**

**Chief of Staff**

**Office of Sen. Dan Kapanke**

**608-266-5490**

soon

in 3/29

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

D-Note

Gen

1 AN ACT ...; relating to: special distinguishing registration plates associated with  
2 the Wisconsin Women's Health Foundation and making an appropriation.

*Analysis by the Legislative Reference Bureau*

Under current law, any group or organization may apply to the Department of Transportation (DOT) for designation as an authorized special group. If the application is approved, members of the authorized special group may obtain special distinguishing license plates for certain vehicles, including automobiles and motor homes that are owned or leased by special group members. A fee, in addition to the regular registration fee for the particular kind of vehicle, is assessed for the issuance or reissuance of most special plates.

Before October 2, 1998, authorized special groups whose members may obtain special distinguishing license plates were specifically enumerated in state law. Current law provides that specific enumeration in state law of authorized special groups is limited to those special groups enumerated before October 2, 1998. Members of six special groups enumerated in state law pay an additional annual fee as a tax-deductible contribution.

X

This bill establishes an authorized special group specifically enumerated in state law for persons interested in obtaining special distinguishing registration plates supporting the efforts of the Wisconsin Women's Health Foundation, Inc. (Foundation) to provide health-related education, support, and treatment assistance to women in this state. In addition to the regular vehicle registration fee, special group members are required to pay a \$15 fee for issuance or reissuance of the special plates and an additional \$25 annual fee that provides funds to the

X

Foundation. The bill requires DOT to enter into an agreement with the Foundation with respect to these funds, and the agreement must grant DOT authority, without fee to DOT, to use any applicable trademark of the Foundation with respect to the special plates. The bill also requires the Foundation to annually submit an audited financial statement of its use of these funds, and ~~discontinues~~ funding if the Foundation dissolves or loses its tax-exempt status under federal law.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1 SECTION 1. 20.395 (5) (eq) of the statutes is created to read:

2 20.395 (5) (eq) *Payments to the Wisconsin Women's Health Foundation.* All  
3 moneys received under s. 341.14 (6r) (b) 9., less \$27,600, for payments to the  
4 Wisconsin Women's Health Foundation, Inc., under s. 85.109.

5 SECTION 2. 85.109 of the statutes is created to read:

6 **85.109 Payments to the Wisconsin Women's Health Foundation.** (1) The  
7 department shall enter into an agreement with the Wisconsin Women's Health  
8 Foundation, Inc., to make payments from the appropriation under s. 20.395 (5) (eq)  
9 to the Wisconsin Women's Health Foundation, Inc., to be used by the Wisconsin  
10 Women's Health Foundation, Inc., to fund its efforts to provide health-related  
11 education, support, and treatment assistance to women in this state.

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

17 (3) (c) The agreement under this subsection shall require that the Wisconsin  
18 Women's Health Foundation, Inc., annually submit to the attorney general and the

requires  
DOT

1 presiding officer of each house of the legislature an audited financial statement of its  
2 use of the payments under this section, prepared in accordance with generally  
3 accepted accounting principles.

4 (4) (d) Payments to the Wisconsin Women's Health Foundation, Inc., under this  
5 section shall be discontinued by the department if the Wisconsin Women's Health  
6 Foundation, Inc., dissolves or is no longer exempt from taxation under section 501 (a)  
7 of the Internal Revenue Code.

8 SECTION 3. 341.14 (6r) (b) 9. of the statutes is created to read:

9 341.14 (6r) (b) 9. An additional fee of \$25 that is in addition to the fee under  
10 subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual  
11 basis for the special group specified under par. (f) 56. An additional fee of \$50 that  
12 is in addition to the fee under subd. 2. shall be charged for the issuance or renewal  
13 of a plate issued on the biennial basis for the special group specified under par. (f) 56.  
14 if the plate is issued or renewed during the first year of the biennial registration  
15 period or \$25 for the issuance or renewal if the plate is issued or renewed during the  
16 2nd year of the biennial registration period. All moneys received under this  
17 subdivision, in excess of \$27,600 for the initial costs of production of the special group  
18 plate under par. (f) 56., shall be credited to the appropriation under s. 20.395 (5) (eq).  
19 To the extent permitted under ch. 71, the fee under this subdivision is deductible as  
20 a charitable contribution for purposes of the taxes under ch. 71.

21 SECTION 4. 341.14 (6r) (f) 56. of the statutes is created to read:

22 341.14 (6r) (f) 56. Persons interested in obtaining a plate supporting the efforts  
23 of the Wisconsin Women's Health Foundation, Inc., to provide health-related  
24 education, support, and treatment assistance to women in this state.

25 SECTION 5. 341.14 (6r) (fm) 7. of the statutes is amended to read:

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

#### 8           **SECTION 6. Nonstatutory provisions.**

9           (1) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes  
10 effect in fiscal year 2006-07, in submitting information under section 16.42 of the  
11 statutes for purposes of the 2007-09 biennial budget bill, the department of  
12 transportation shall submit a dollar amount for the appropriation under section  
13 20.395 (5) (cq) of the statutes that is \$27,600 less than the total amount appropriated  
14 under section 20.395 (5) (cq) of the statutes for the 2006-07 fiscal year, before  
15 submitting any information relating to any increase or decrease in the dollar amount  
16 for that appropriation for the 2007-09 fiscal biennium.

#### 17           **SECTION 7. Appropriation changes.**

18           (1) In the schedule under section 20.005 (3) of the statutes for the appropriation  
19 to the department of transportation under section 20.395 (5) (cq) of the statutes, as  
20 affected by the acts of 2005, the dollar amount is increased by \$27,600 for the fiscal  
21 year in which this subsection takes effect to increase funding for special  
22 distinguishing registration plates associated with the Wisconsin Women's Health  
23 Foundation, Inc.

#### 24           **SECTION 8. Effective date.**



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2553/P1dn

ARG:.....  
kjf

Date

ATTN: Melissa Gilbert

The attached draft has been prepared in preliminary form. Please review the draft carefully to ensure that it is consistent with your intent. There are certain details in the draft that you may want to change, including the description of the purpose for which funds are provided to the Wisconsin Women's Health Foundation (Foundation) in created ss. 85.109 (1) and 341.14 (6r) (f) 56. of the draft and the amount of the additional fee under created s. 341.14 (6r) (b) 9. The draft also includes customary provisions relating to accountability for funds provided to the Foundation. I have also included an appropriation increase to DOT to provide funds associated with these special plates and a nonstatutory provision to ensure that this increase is a one-time increase. It is my understanding that these funding provisions are viewed by DOT as very significant. I have also included a delayed effective date in the draft. Do you want to specify any word or symbol associated with the Wisconsin Women's Health Foundation that should appear on the plate?

Please let me know if you would like any of these provisions removed from the draft or any other changes made to the draft.

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: aaron.gary@legis.state.wi.us

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-2553/P1dn  
ARG:kjf:jf

April 14, 2005

ATTN: Melissa Gilbert

The attached draft has been prepared in preliminary form. Please review the draft carefully to ensure that it is consistent with your intent. There are certain details in the draft that you may want to change, including the description of the purpose for which funds are provided to the Wisconsin Women's Health Foundation (Foundation) in created ss. 85.109 (1) and 341.14 (6r) (f) 56. of the draft and the amount of the additional fee under created s. 341.14 (6r) (b) 9. The draft also includes customary provisions relating to accountability for funds provided to the Foundation. I have also included an appropriation increase to DOT to provide funds associated with these special plates and a nonstatutory provision to ensure that this increase is a one-time increase. It is my understanding that these funding provisions are viewed by DOT as very significant. I have also included a delayed effective date in the draft. Do you want to specify any word or symbol associated with the Wisconsin Women's Health Foundation that should appear on the plate?

Please let me know if you would like any of these provisions removed from the draft or any other changes made to the draft.

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: aaron.gary@legis.state.wi.us

**Gary, Aaron**

---

**From:** Gilbert, Melissa  
**Sent:** Friday, May 13, 2005 12:46 PM  
**To:** Gary, Aaron  
**Subject:** RE: Changes to the draft  
Yes, please. Thank you!

---

**From:** Gary, Aaron  
**Sent:** Friday, May 13, 2005 11:34 AM  
**To:** Gilbert, Melissa  
**Subject:** FW: Changes to the draft legislation

Melissa,  
Do you want me to go ahead and redraft LRB-2553 to a "/1" with these changes? Are there any other changes you want? Thanks. Aaron

Aaron R. Gary  
*Legislative Attorney*  
*Legislative Reference Bureau*  
608.261.6926 (voice)  
608.264.6948 (fax)  
aaron.gary@legis.state.wi.us

-----Original Message-----

**From:** Thompson, Tommi [mailto:tommithompson@tds.net]  
**Sent:** Friday, May 13, 2005 11:21 AM  
**To:** Gary, Aaron  
**Subject:** RE: Changes to the draft legislation

Aaron, it looks good.

Thanks,  
Tommi

Tommi Thompson  
Finance & Development Director  
Wisconsin Women's Health Foundation  
2503 Todd Drive  
Madison, WI 53713  
(608)251-1675

-----Original Message-----

**From:** Gary, Aaron [mailto:Aaron.Gary@legis.state.wi.us]  
**Sent:** Wednesday, May 11, 2005 4:44 PM  
**To:** Thompson, Tommi  
**Cc:** Gilbert, Melissa  
**Subject:** RE: Changes to the draft legislation

Tommi, Will this work for you: "to provide women's health outreach and education programs and support for women's health research that improves the quality of life for women and families in this state"?

05/13/2005

Aaron

Aaron R. Gary  
*Legislative Attorney*  
*Legislative Reference Bureau*  
608.261.6926 (voice)  
608.264.6948 (fax)  
aaron.gary@legis.state.wi.us

-----Original Message-----

**From:** Thompson, Tommi [mailto:tommithompson@tds.net]  
**Sent:** Wednesday, May 11, 2005 2:20 PM  
**To:** Gary, Aaron  
**Subject:** Changes to the draft legislation

Aaron,

Here is the verbiage changes for the draft legislation when describing the efforts of the Wisconsin Women's Health Foundation, Inc:

To provide women's health outreach and education programs, as well as support women's health research that improves the quality of life for Wisconsin women and families.

(take-out: "to provide health-related education, support, and treatment assistance to women in this state.")

Thank you,  
Tommi

Tommi Thompson  
Finance & Development Director  
Wisconsin Women's Health Foundation  
2503 Todd Drive  
Madison, WI 53713  
(608)251-1675



State of Wisconsin  
2005 - 2006 LEGISLATURE

500

LRB-2553/PA 1

ARG:kjff

in 5/13

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Regen

1 AN ACT *to amend* 341.14 (6r) (fm) 7.; and *to create* 20.395 (5) (eq), 85.109, 341.14  
2 (6r) (b) 9. and 341.14 (6r) (f) 56. of the statutes; **relating to:** special  
3 distinguishing registration plates associated with the Wisconsin Women's  
4 Health Foundation and making an appropriation.

***Analysis by the Legislative Reference Bureau***

Under current law, any group or organization may apply to the Department of Transportation (DOT) for designation as an authorized special group. If the application is approved, members of the authorized special group may obtain special distinguishing license plates for certain vehicles, including automobiles and motor homes that are owned or leased by special group members. A fee, in addition to the regular registration fee for the particular kind of vehicle, is assessed for the issuance or reissuance of most special plates.

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This bill establishes an authorized special group specifically enumerated in state law for persons interested in obtaining special distinguishing registration plates supporting the efforts of the Wisconsin Women's Health Foundation, Inc. (Foundation), to provide ~~health-related education, support, and treatment~~

insert ANAL

assistance to women in this state. In addition to the regular vehicle registration fee, special group members are required to pay a \$15 fee for issuance or reissuance of the special plates and an additional \$25 annual fee that provides funds to the Foundation. The bill requires DOT to enter into an agreement with the Foundation with respect to these funds, and the agreement must grant DOT authority, without fee to DOT, to use any applicable trademark of the Foundation with respect to the special plates. The bill also requires the Foundation to annually submit an audited financial statement of its use of these funds, and requires DOT to discontinue funding if the Foundation dissolves or loses its tax-exempt status under federal law.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

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2           20.395 (5) (eq) *Payments to the Wisconsin Women's Health Foundation.* All  
3 moneys received under s. 341.14 (6r) (b) 9., less \$27,600, for payments to the  
4 Wisconsin Women's Health Foundation, Inc., under s. 85.109.

5           **SECTION 2.** 85.109 of the statutes is created to read:

6           **85.109 Payments to the Wisconsin Women's Health Foundation.** (1) The  
7 department shall enter into an agreement with the Wisconsin Women's Health  
8 Foundation, Inc., to make payments from the appropriation under s. 20.395 (5) (eq)  
9 to the Wisconsin Women's Health Foundation, Inc., to be used by the Wisconsin  
10 Women's Health Foundation, Inc., to fund its efforts to provide ~~health-related~~  
11 ~~education, support, and treatment assistance to women~~ in this state.

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

Insert  
2-11

1 (3) The agreement under this subsection shall require that the Wisconsin  
2 Women's Health Foundation, Inc., annually submit to the attorney general and the  
3 presiding officer of each house of the legislature an audited financial statement of its  
4 use of the payments under this section, prepared in accordance with generally  
5 accepted accounting principles.

6 (4) Payments to the Wisconsin Women's Health Foundation, Inc., under this  
7 section shall be discontinued by the department if the Wisconsin Women's Health  
8 Foundation, Inc., dissolves or is no longer exempt from taxation under section 501  
9 (a) of the Internal Revenue Code.

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11 341.14 (6r) (b) 9. An additional fee of \$25 that is in addition to the fee under  
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16 if the plate is issued or renewed during the first year of the biennial registration  
17 period or \$25 for the issuance or renewal if the plate is issued or renewed during the  
18 2nd year of the biennial registration period. All moneys received under this  
19 subdivision, in excess of \$27,600 for the initial costs of production of the special group  
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21 To the extent permitted under ch. 71, the fee under this subdivision is deductible as  
22 a charitable contribution for purposes of the taxes under ch. 71.

23 SECTION 4. 341.14 (6r) (f) 56. of the statutes is created to read:

1 341.14 (6r) (f) 56. Persons interested in obtaining a plate supporting the efforts  
2 of the Wisconsin Women's Health Foundation, Inc., to provide health-related  
3 education, support, and treatment assistance to women in this state.

4 **SECTION 5.** 341.14 (6r) (fm) 7. of the statutes is amended to read:

5 341.14 (6r) (fm) 7. ~~Except for the authorized special group enumerated under~~  
6 ~~par. (f) 55., after~~ After October 1, 1998, additional authorized special groups may  
7 only be special groups designated by the department under this paragraph. The  
8 authorized special groups enumerated in par. (f) shall be limited solely to those  
9 special groups specified under par. (f) on October 1, 1998, ~~except for the authorized~~  
10 ~~special group enumerated under par. (f) 55.~~ This subdivision does not apply to the  
11 ~~special group~~ groups specified under par. (f) 54., 55., and 56.

12 **SECTION 6. Nonstatutory provisions.**

13 (1) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes  
14 effect in fiscal year 2006–07, in submitting information under section 16.42 of the  
15 statutes for purposes of the 2007–09 biennial budget bill, the department of  
16 transportation shall submit a dollar amount for the appropriation under section  
17 20.395 (5) (cq) of the statutes that is \$27,600 less than the total amount appropriated  
18 under section 20.395 (5) (cq) of the statutes for the 2006–07 fiscal year, before  
19 submitting any information relating to any increase or decrease in the dollar amount  
20 for that appropriation for the 2007–09 fiscal biennium.

21 **SECTION 7. Appropriation changes.**

22 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation  
23 to the department of transportation under section 20.395 (5) (cq) of the statutes, as  
24 affected by the acts of 2005, the dollar amount is increased by \$27,600 for the fiscal  
25 year in which this subsection takes effect to increase funding for special

1 distinguishing registration plates associated with the Wisconsin Women's Health  
2 Foundation, Inc.

3 **SECTION 8. Effective date.**

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

6 (END)

**2005-2006 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2553/lins  
ARG:.....

**INSERTS ANAL, 2-11, and 4-3:**

no \$ women's health outreach and education programs and support for women's  
health research that improves the quality of life for women and families

**Basford, Sarah**

---

**From:** Gilbert, Melissa  
**Sent:** Wednesday, May 18, 2005 8:50 AM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB 05-2553/1 Topic: Special plates for Wisconsin Women's Health Foundation, Inc.

It has been requested by <Gilbert, Melissa> that the following draft be jacketed for the SENATE:

Draft review: LRB 05-2553/1 Topic: Special plates for Wisconsin Women's Health Foundation, Inc.