

2003-04 SESSION
COMMITTEE HEARING
RECORDS

Committee Name:

Senate Committee on
Health, Children,
Families, Aging and
Long Term Care
(SC-HCFALTC)

Sample:

Record of Comm. Proceedings ... RCP

- 03hrAC-EdR_RCP_pt01a
- 03hrAC-EdR_RCP_pt01b
- 03hrAC-EdR_RCP_pt02

➤ Appointments ... Appt

➤ **

➤ Clearinghouse Rules ... CRule

➤ **

➤ Committee Hearings ... CH

➤ **

➤ Committee Reports ... CR

➤ **

➤ Executive Sessions ... ES

➤ **

➤ Hearing Records ... HR

➤ 03hr_ab0477b_pt03

➤ Miscellaneous ... Misc

➤ **

➤ Record of Comm. Proceedings ... RCP

➤ **

NO
DATE

All-Pro running back John Brockington has benefited from a number of mentors in his life—his high school football coach back in Brooklyn, the legendary Woody Hayes at Ohio State, and his teammates on the Green Bay Packers. At each step of his football career, from Thomas Jefferson High to the Halls of Fame at both Ohio State and Green Bay, John learned and re-learned the lessons of discipline, drive, and determination. He knew he wasn't the biggest or strongest runner, but by his third season in the NFL he had accomplished what no back before him had: three consecutive 1,000 yards seasons.

John's work in his post football career has been guided by those same principles of hard work and doing what has to be done despite the odds. Diagnosed in 2000 with renal failure, he held on for another year before being transplanted in 2001. Back to full health, he is founder of the John Brockington Financial Network an affiliate of The Guardian, and a volunteer spokesperson for the National Kidney Foundation. In appreciation for the mentoring he received growing up, John last year formed the John Brockington Foundation to help young families in raising their children with love and discipline. The father of two daughters, Kelly and Ashley, John lives and works in San Diego, California. He remembers the warmth of the people of Ohio and Wisconsin and can sometimes be lured back, even in winter.

AB477

ASSEMBLY BILL 477

An Act to create 71.05 (10) (i) of the statutes; relating to: creating an individual income tax subtract modification for certain individuals who donate a human organ. (FE)

JOINT FINANCE EXECUTIVE ACTION (Welch absent for meeting)

AB-477. Individual income tax subtract modification for certain individuals who donate a human organ.

- *Am. (LRBa1440/2). Expands bill to include dependents, Adopted, 15-0.*
- *Passage as amended recommended, 13-2.*

AB-592. Supplemental Medical Assistance payments to county, city, town or village nursing homes.

- *Assembly Am. 1 (LRBa1525/1) Adopted, 15-0.*
- *Assembly Am. 2 (LRBa1526/1) adopted, 15-0.*
- *Am. (LRBa1533/1) changes bill to focus on nursing home portion of IGT money, Adopted, 15-0.*
- *Motion 906 (LFB 0591/1). Limited to one year. Not Adopted 4-11.*
- *Am. (LRBa1548/1) Limits bill to biennium. Adopted 15-0.*
- *Motion 907. Specifies that any supplemental funds provided to county and municipal nursing homes in the 2003-05 biennium as a result of this legislation would not be considered as part of the agency's adjusted base funding level for 2005-06. Adopted 15-0.*
- *Substitute to be drafted (Unanimous Consent)*
- *Passage as amended recommended 15-0.*

AB-601. State contribution towards certain federally financed election administration costs (Help America Vote Act).

- *Am. (LRBa1541/1) reduces appropriations to two; places match money under Joint Finance Committee supplement appropriations; requires approval by committee, Adopted, 11-4.*
- *Motion 908, includes provision of AB-600, the implementing legislation for the appropriation in AB-601, Not Adopted, 4-11.*
- *Passage as amended recommended, 12-3.*

Halbur, Jennifer

To: Coakley, Allison
Subject: AB 477

Hey Allison,

AB 477, relating to creating an individual income tax subtract modification for certain individuals who donate a human organ, will likely pass the Assembly this month (according to Rep. Wiekert's office). If not, then it will be taken up in Jan. Either way, Carol would like this bill to be referred to the Senate Health Committee.

Thanks!
Jennifer

**Glenn
Grothman**
STATE REPRESENTATIVE
58TH ASSEMBLY DISTRICT

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TO: Members of the Senate Health Committee
FROM: Representative Glenn Grothman
RE: Assembly Bill 477

I am here today to testify against Assembly Bill 477. As a former tax preparer, I have always considered a good goal to be to federalize Wisconsin's state income tax. The major reason it is different is that politicians cannot resist getting press releases by changing Wisconsin law.

Assembly Bill 477 is a prime example of cluttering up our tax return for marginal benefit. I would ask the committee to research as to whether or not these expenses could already be considered charitable deductions. Presumably organizations such as the UW Hospitals are already charitable entities. We could have the Department of Revenue by rule declare all of these expenses, except lost wages, to be deductible. I have a feeling that lost wages due to organ donation is minimal and would be a compliance problem for the Wisconsin Department of Revenue anyway. Please do your fair share and bottle up Assembly Bill 477 instead of adding another line to our tax return.

Thank you.

Halbur, Jennifer

To: Ottman, Tad
Subject: Bills Senator Roessler would like to see Scheduled

Hi Tad,

Carol asked that I let you know that she really would like to see AB 477 (organ donation) and AB 279 (child custody and domestic violence) scheduled.

I think that AB 477 may be on the priority list that we sent you a few months ago.

Thanks,
Jennifer

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

AB477, s. 1



Pg2Ln1

Section 1. 71.05 (10) (i) of the statutes is created to read:

AB477, s. 1 - continued



Pg2Ln2

Pg2Ln3

Pg2Ln4

Pg2Ln5

Pg2Ln6

Pg2Ln7

Pg2Ln8

71.05 (10) (i) 1. Subject to the conditions in this paragraph, an individual may subtract up to \$10,000 from federal adjusted gross income if he or she, while living, donates one or more of his or her human organs to another human being for human organ transplantation, as defined in s. 146.345 (1), except that in this paragraph, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung, or bone marrow. A subtract modification that is claimed under this paragraph may be claimed in the taxable year in which the human organ transplantation occurs.

AB477, s. 1 - continued



Pg2Ln9

Pg2Ln10

Pg2Ln11

Pg2Ln12

2. An individual may claim the subtract modification under subd. 1. only once, and the subtract modification may be claimed for only the following unreimbursed expenses that are incurred by the claimant and related to the claimant's organ donation:

AB477, s. 1 - continued



Pg2Ln13

a. Travel expenses.

AB477, s. 1 - continued



Pg2Ln14

b. Lodging expenses.

AB477, s. 1 - continued



Pg2Ln15

c. Lost wages.

AB477, s. 1 - continued



Pg2Ln16

Pg2Ln17

3. The subtract modification under subd. 1. may not be claimed by a part-year resident or a nonresident of this state.

AB477, s. 2



Pg2Ln18

Section 2. Initial applicability.

AB477, s. 2 - continued



Pg2Ln19

Pg2Ln20

Pg2Ln21

Pg3Ln1

Pg3Ln2

Pg3Ln3

(1) The creation of section 71.05 (10) (i) of the statutes first applies to taxable years beginning on January 1 of the year in which this subsection takes effect, except that if this subsection takes effect after July 31, the creation of section 71.05 (10) (i) of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(End)

THOUSANDS OF PEOPLE ARE IN NEED OF ORGANS. THEIR LIVES LITERALLY DEPEND ON IT. ACCORDING TO THE ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK, THERE ARE 82, 513 PEOPLE NATIONWIDE WAITING FOR AN ORGAN. THIS FACT ALONE DEMONSTRATES THE STRONG NEED TO CONTINUE TO PROACTIVELY EDUCATE, ENCOURAGE AND REMOVE BARRIERS TO ORGAN DONATION.

THIS BILL REMOVES A FINANCIAL BARRIER TO ORGAN DONATION. A PERSON WORRIED ABOUT SOME OF THE EXPENSES ASSOCIATED WITH BEING A LIVING DONOR, MAY BE MORE WILLING TO COMMIT KNOWING THEY CAN CLAIM SOME OF THESE EXPENSES

ORGAN DONORS PROVIDE LIFE SAVING GIFTS AND SHOULD BE ABLE TO DO SO WITH AS LITTLE BURDEN AS POSSIBLE. THIS BILL IS IN LINE WITH THAT GOAL.

I HOPE THAT YOU WILL HELP TO ENCOURAGE ORGAN DONATION BY SUPPORTING THIS BILL TODAY.

AB 477

Editorial: Tax break will boost organ donations, save more lives

ADVERTISEMENT



Again, Wisconsin is leading the way in a piece of legislation that is expected to be copied nationwide. At least, we hope it will be copied.

About 10 days ago, Gov. Jim Doyle signed into law a proposal to allow living organ donors up to \$10,000 in tax deductions for certain expenses related to the act of giving an organ to a waiting donor.

While there is no cost to the donor for surgery and hospitalization, other related expenses often go unreimbursed. Consider pre- and post-surgical lodging, transportation to and from the medical facility, and perhaps the biggest concern of all, lost wages while the donor is recuperating. Now, donors can deduct on their income taxes the costs of transportation, lodging and lost wages while they are giving the gift of a second chance to another person.

We cannot imagine a parent whose kidney is a perfect match for his or her child refusing to undergo the procedure because it's too costly. Saving your child's life, even at the risk of your own, means the procedure must go forward at any cost.

But suppose the family wage earner or caregiver learns he or she is a perfect match for an unknown, unrelated recipient, a stranger. In this case, financial considerations and lost wages might make it easier to refuse the surgery.

While the tax-deduction payback may not solve the whole financial problem, it's a good start.

Said the governor, "This ensures that people who are donating so much to help others will not have to suffer financial hardship as they recover from surgery."

The bill, according to its original sponsors, Rep. Steve Wieckert (R-Appleton) and Sen. Carol Roessler (R-Oshkosh), will help encourage organ donations.

According to the Web site for the United Network for Organ Sharing, nearly 1,400 people in Wisconsin are waiting for full or partial organ transplants, including kidneys, pancreas, lungs, intestine, and bone marrow.

Gifts to charity are tax deductible. There is no greater gift than the gift of life. We're pleased that now givers of life can get a tax break, too.

STEVE WIECKERT
STATE REPRESENTATIVE

*Ideals, Principles,
Patriotism*

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Representative Wieckert's \$10,000 Organ Donation Deduction

230 living donors last year

Living donors have exceeded Cadaver, liver camp.

Tuesday, Aug. 26, 2003

The Capital Times

STATE NEWS

Hagman to testify for organ donation law

Bill would allow donors to get tax break

By Ann Miller
 Representative Steve Wieckert (D-Appleton) will testify before the Senate Finance Committee on Tuesday, Sept. 2, about his bill to allow organ donors to deduct up to \$10,000 from their federal income taxes.

Wieckert's bill would allow donors to deduct up to \$10,000 from their federal income taxes. The bill would also allow donors to deduct up to \$10,000 from their state income taxes. The bill would also allow donors to deduct up to \$10,000 from their state income taxes.

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SATURDAY THE POST-CRESCENT

NOVEMBER 15, 2002

Life & Style

Gift of a LIFETIME

Living organ donors face financial, emotional issues

no state yet cracked

Living organ donors face financial, emotional issues. This is a need for organ donors. Ted. Rep. Bill Brown. Status registry. Tuck. Folk. Camp.

JOURNAL SENTINEL

August 31, 2003

EDITORIALS

J.R. Ewing likes this bill

Wisconsin has one of the highest rates of organ donation in the country, but state Rep. Steve Wieckert (D-Appleton) points out that there is still plenty of room for improvement. He thinks the organ donation rate could be even higher if donors didn't have to end up literally paying for their generous gifts.

Wieckert has introduced a bill that would provide a state tax deduction of up to \$10,000 to help living donors covering their costs for travel, lodging and liver surgery related to their donations. It is true that organ donors don't expect to be rewarded or even compensated for their acts of selflessness. But neither is it fair that they should have to pay out of their own pockets for donating a kidney, some bone marrow or part of a liver, pancreas, intestine or lung because they wish work or have to travel to a hospital or organ transplant center. Most insurance companies don't cover such expenses.

Federal transplant rules prohibit people from donating for financial gain, but one of the potential problems will be one causing the public that giving tax deductions to donors doesn't amount to the same thing. It doesn't. The federal law, which Wieckert's proposed bill has replicated, provides a clear exception for expenses relating to "travel, housing and lost wages

incurred by a human organ donor in connection with the donation of the human organ."

Wieckert's legislation has many supporters, including both medical schools in the state, the Wisconsin Medical Society and the chief surgeons at Wisconsin's two major organ transplant programs — Hans Holman of the University of Wisconsin Transplant Center in Madison and Steve Adams of the Medical College of Wisconsin and Rosier Memorial Lutheran Hospital in Wausau.

The bill also has attracted national attention. Actor Larry Hagman, who appeared in TV's "Dallas" and famously as J.R. Ewing to "Dallas," appeared at a public hearing on the bill last week in Milwaukee. Hagman, who received a liver transplant eight years ago after nearly drinking himself to death, praised the legislation and said he hoped it would become a national model. "This is the first bill I've come across that does something positive for living donors," he said.

The cost to the state, even in difficult fiscal times, is minimal. Hagman estimates it would mean only about \$138,000 in lost revenue. That's a small price to pay to create more living organ donors.

The Washington Post

THE MIDDLEWEST

that the projected annual \$115,000 in lost revenue is well worth it. Actor Larry Hagman, who starred in the 1980s soap opera "Dallas" and is a liver transplant recipient, has visited the state stamping for the measure.

The savings offered by the bill are not large—likely \$100 or so per person—but state Rep. Steve Wieckert (R) said in a statement that the measure would "increase the pool of available organs, which can help save people's lives by eliminating disincentives for organ donations."

— Robert E. Pierre

By Sharon Rhee

The Post-Crescent

Nov. 15, 2002

95-1 Cow made to save people Bill to save lives

First of Its Kind in the Nation

Dr. Hans... L. Williams

in organ donation

Legislative History of Assembly Bill 477

An Act to create 71.05 (10) (i) of the statutes; relating to: creating an individual income tax subtract modification for certain individuals who donate a human organ. (FE)

Introduced by **Representatives Wieckert, Gundrum, Rhoades, Jeskewitz, Pocan, Townsend, Berceau, Nass, M. Lehman, Staskunas, J. Lehman, Ott, Taylor, Gunderson, Coggs, Gronemus, Krawczyk, Ladwig, Lothian, Freese, Hundertmark, Vrakas, McCormick, Wasserman, Van Roy, Miller, Schneider, Hines and LeMahieu**; cosponsored by **Senators Roessler, Darling, Schultz, Risser, M. Meyer, Stepp and Kanavas**.

- 08-27. A. Public hearing held in the Assembly Committee on Public Health
- 09-10. A. Executive action taken.
- 09-25. A. Report *passage recommended by the Assembly Committee on Public Health, Ayes 8, Noes 0*.
- 09-25. A. Referred to Joint Committee on Finance
- 10-28. A. Executive action taken.
- 10-28. A. Assembly amendment 1 offered by Joint Committee on Finance

- 10-30. A. Report *Assembly Amendment 1 adoption recommended by Joint Committee on Finance, Ayes 15, Noes 0*
- 10-30. A. Report passage as amended *recommended by Joint Committee on Finance, Ayes 13, Noes 2*
- 10-30. A. Referred to committee on Rules
- 11-06. A. Placed on calendar 11-13-2003 by committee on Rules.
- 11-11. A. Report of Joint Survey Committee on Tax Exemptions received, Ayes 8, Noes 1
- 11-13. A. **Representative Gielow added as a coauthor**
- 11-13. A. **Representative Hebl added as a coauthor**
- 11-13. A. Read a second time
- 11-13. A. Assembly amendment 1 **adopted**
- 11-13. A. Ordered to a third reading
- 11-13. A. Rules suspended
- 11-13. A. Read a third time and passed, Ayes 95, Noes 1
- 11-13. A. Ordered immediately messaged
- 11-13. S. Received from Assembly
- 11-13. S. Read first time and referred to Senate Committee on Health, Children, Families, Aging and Long Term Care