Wisconsin Briefs from the Legislative Reference Bureau

Brief 93-5 August 1993

EXECUTIVE PARTIAL VETO OF 1993 SENATE BILL 44
Executive Budget Bill Passed by the 1993 Wisconsin Legislature
(1993 Wisconsin Act 16)

INTRODUCTION

This brief contains the veto message of Governor Tommy G. Thompson for the partial veto of 1993 Senate Bill 44 (1993 Wisconsin Act 16), the "Executive Budget Bill" passed by the 1993 Wisconsin Legislature. Subsequent editions of *Wisconsin Briefs* will focus upon the messages for other gubernatorial vetoes or partial vetoes relating to 1993 legislation.

Status of Legislation

During the 1993 legislative session, for the period January 4, 1993, through July 24, 1993, there were 1,029 bills (382 senate and 647 assembly bills) introduced, of which 35 bills were passed by both houses. Through August 11, 1993, Governor Thompson acted upon 16 bills, approving 16 (including the partial veto of 1 bill: Senate Bill 44). No bills were totally vetoed during this period. Gubernatorial action is pending on 19 bills.

Veto Brief Format

This brief is divided into 4 parts providing the following information:

Part 1, "The Veto Process", provides background material on the veto process including legislative review of vetoes, use of the partial veto and judicial interpretation of the governor's veto power;

Part 2, "Legislative Action", indicates the action for 1993 Senate Bill 44 including the vote for final passage in each house and the page number of the loose-leaf journals in each house referring to the vote ("S.J." stands for Senate Journal, "A.J." stands for Assembly Journal);

Part 3, "Text of the Governor's Veto Message"; and

Part 4, "Vetoed Items", contains the text of each segment of the governor's veto message keyed to the corresponding partially vetoed sections of 1993 Wisconsin Act 16 (with the material vetoed indicated by a distinguished overlay — ~~like this~~). Each of the partially vetoed sections is identified by an item number.

Part 1: THE VETO PROCESS

History

Wisconsin governors have been granted the constitutional power to veto bills in their entirety since the ratification of the Wisconsin Constitution in 1848. In November 1930, the people of Wisconsin approved a constitutional amendment granting the governor the additional power to veto appropriation bills in part. This new "partial veto" authority was used immediately beginning with the 1931 session (see following table).

Prepared by Sandra Greiber, Publications Editor and Richard Roe, Research Analyst.

Table 1: PARTIAL VETOES OF EXECUTIVE BUDGET BILLS, 1931-1991[1]

Session	Bill	Law	Number of Items Vetoed[2]	Senate/Assembly Journal Page[3]	Session	Bill	Law	Number of Items Vetoed[2]	Senate/Assembly Journal Page[3]
1931	AB-107	Ch. 67	12	A.J. p. 1134	1971	SB-805	Ch. 125	12[5]	S.J. p. 2162
1933	SB-64	Ch. 140	12	S.J. p. 1195		AB-1610[6]	Ch. 215	8	A.J. p. 4529
1935	AB-17	Ch. 535	0	---	1973	AB-300	Ch. 90	38	A.J. p. 2409
1937	AB-74	Ch. 181	0	---		AB-1[7]	Ch. 333	19	A.J. p. 310
1939	AB-194	Ch. 142	1	A.J. p. 1462	1975	AB-222	Ch. 39	42	A.J. p. 1521
1941	AB-35	Ch. 49	1	A.J. p. 770		SB-755[6]	Ch. 224	31	S.J. p. 2257
1943	AB-61	Ch. 132	0	---	1977	SB-77	Ch. 29	67	S.J. p. 853
1945	AB-1	Ch. 293	1	A.J. p. 1383		AB-1220[6]	Ch. 418	44	A.J. p. 4345
1947	AB-198	Ch. 332	4[4]	A.J. p. 1653	1979	SB-79	Ch. 34	45	S.J. p. 617
1949	AB-24	Ch. 360	0	---		AB-1180[6]	Ch. 221	58	A.J. p. 3420
1951	AB-174	Ch. 319	0	---	1981	AB-66	Ch. 20	121	A.J. p. 895
1953	AB-139	Ch. 251	2	A.J. p. 1419	1983	SB-83	Act 27	70	S.J. p. 276
1955	AB-73	Ch. 204	0	---	1985	AB-85	Act 29	78	A.J. p. 293
1957	AB-77	Ch. 259	2	A.J. p. 2088	1987	SB-100	Act 27	290	S.J. p. 277
1959	AB-106	Ch. 135	0	---		AB-850[8]	Act 399	118	A.J. p. 1052
1961	AB-111	Ch. 191	2	A.J. p. 1461	1989	SB-31	Act 31	208	S.J. p. 325
1963	SB-615	Ch. 224	0	---		SB-542[9]	Act 336	73	S.J. p. 957
1965	AB-903	Ch. 163	1	A.J. p. 1902	1991	AB-91	Act 39	457	A.J. p. 404
1967	AB-99	Ch. 43	0	---		SB-483[10]	Act 269	161	S.J. p. 896
1969	SB-95	Ch. 154	27	A.J. p. 2615	1993	SB-44	Act 16	78	S.J. p. 362

[1]A constitutional amendment giving the governor authority to veto appropriation bills in part was ratified by the electorate in November 1930.

[2]As listed in the respective governor's veto message.

[3]Beginning journal page reference. A.J. — Assembly Journal; S.J. — Senate Journal.

[4]All 4 partial vetoes involved the Conservation Fund.

[5]Numerous "technical changes" made by the governor are counted as one partial veto.

[6]Budget Review Bills.

[7]Budget Review Bill considered in April 1974 Special Session.

[8]1988 Annual Budget Bill.

[9]1990 Agency Adjustment Bill.

[10]1992 Budget Adjustment Bill.

Source: Senate and Assembly Journals.

Section 10 of Article V of the Wisconsin Constitution grants the veto power to the governor. As printed in the 1991-92 edition of the *Wisconsin Statutes*, the section reads:

WISCONSIN CONSTITUTION [Article V] GOVERNOR TO APPROVE OR VETO BILLS; PROCEEDINGS ON VETO. Section 10. (1)(a) Every bill which shall have passed the legislature shall, before it becomes a law, be presented to the governor.

(b) If the governor approves and signs the bill, the bill shall become law. Appropriation bills may be approved in whole or in part by the governor, and the part approved shall become law.

(c) In approving an appropriation bill in part, the governor may not create a new word by rejecting individual letters in the words of the enrolled bill.

(2)(a) If the governor rejects the bill, the governor shall return the bill, together with the objections in writing, to the house in which the bill originated. The house of origin shall enter the objections at large upon the journal and proceed to reconsider the bill. If, after such reconsideration, two-thirds of the members present agree to pass the bill notwithstanding the objections of the governor, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present it shall become law.

(b) The rejected part of an appropriation bill, together with the governor's objections in writing, shall be returned to the house in which the bill originated. The house of origin shall enter the objections at large upon the journal and proceed to reconsider the rejected part of the appropriation bill. If, after such reconsideration, two-thirds of the members present agree to approve the rejected part notwithstanding the objections of the governor, it shall be sent, together with the objections, to the

other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present the rejected part shall become law.

(c) In all such cases the votes of both houses shall be determined by ayes and noes, and the names of the members voting for or against passage of the bill or the rejected part of the bill notwithstanding the objections of the governor shall be entered on the journal of each house respectively.

(3) Any bill not returned by the governor within 6 days (Sundays excepted) after it shall have been presented to the governor shall be law unless the legislature, by final adjournment, prevents the bill's return, in which case it shall not be law.

Wisconsin Supreme Court Cases

The constitutional provision granting the governor the authority to veto bills in part has come under the scrutiny of the Wisconsin Supreme Court in 6 cases: *State ex rel. Wisconsin Telephone Co. v. Henry*, 218 Wis. 302 (1935); *State ex rel. Finnegan v. Dammann*, 220 Wis. 143 (1936); *State ex rel. Martin v. Zimmerman*, 233 Wis. 442 (1940); *State ex rel. Sundby v. Adamany*, 71 Wis. 2d 118 (1976); *State ex rel. Kleczka v. Conta*, 82 Wis. 2d 679 (1978); and *State ex rel. Wisconsin Senate v. Thompson*, 144 Wis. 2d 429 (1988). With one exception, the effect of the opinions has been to broaden the power of the governor to veto parts of appropriation bills.

In the *Henry* case, the court held that the authority granted to the governor in the Wisconsin Constitution to veto a "part" is broader than the authority of other governors to veto an "item"; that the governor could disapprove nonappropriation parts of an appropriation bill; that the parts approved after the veto must constitute a complete, entire, and workable law; and that the governor's power to disapprove separable pieces of an appropriation bill is as broad as the legislature's power to join the pieces into a single bill. The *Finnegan* case held that, in order for the governor to exercise the partial veto, the body of the bill itself must contain an appropriation of public money not merely have an indirect bearing upon an appropriation; and that an increase in revenues that has the effect of increasing expenditures under an existing appropriation does not create an appropriation. The *Martin* case stated that the purpose of the partial veto was to prevent, if possible, the adoption of omnibus appropriation bills "with riders of objectionable legislation attached" which would "force the governor to veto the entire bill and thus stop the wheels of government or approve the obnoxious act." The court held in *Martin* that (1) the governor may effect policy changes through the partial veto and (2) the veto is sustainable if the approved parts, taken as a whole, still provide a complete, workable law. In the *Sundby* case, the court recognized the governor may effect an affirmative change as well as negate legislative action through the veto, and it reiterated that the veto may be applied to nonappropriation language. In the *Kleczka* case, the court rejected any implication in the earlier cases that a legislative proviso or condition on an appropriation was inseverable from the appropriation and thus could be vetoed only if the appropriation itself was vetoed. In the *Thompson* case, decided prior to the 1990 constitutional amendment, the court reiterated that the governor's authority to veto appropriation bills in part is very broad, that the governor may exercise the partial veto authority on conditions or provisos attached to appropriations, that a partial veto may be affirmative as well as negative in effect, and that the material remaining after the veto must be a complete and workable law. The court let stand vetoes that created new words and sentences by striking words, letters and punctuation. It held that the governor may reduce dollar amounts by striking individual digits and that any text remaining after the governor's use of the partial veto must be "germane to the topic or subject matter of the vetoed provisions" contained in the enrolled bill.

Federal Cases

The federal courts have also addressed the Wisconsin veto process. Following *State ex rel. Wisconsin Senate v. Thompson*, 144 Wis. 2d 429 (1988), the governor's veto power was upheld by both the United States District Court for the Western District of Wisconsin (No. 90 C 215) and the United States District Court of Appeals for the Seventh Circuit in *Fred A. Risser and David M. Travis v. Tommy G. Thompson*, 930 F.2d 549 (1991). The U.S. Court of Appeals concluded that "Wisconsin's partial veto provision as interpreted by the state's highest court is a rational measure for altering the balance of power between the branches. That it is unusual, even quirky, does not make it unconstitutional. It violates no federal constitutional provision because the federal Constitution does not fix the balance of power between branches of state government." In October 1992, the U.S. Supreme Court refused to review the decision of the U.S. Court of Appeals.

Legislative Action and Publication of Law Supplements

Since 1973 each act vetoed in part has originally been published to show the parts approved by the governor as clear text and the parts objected to by the governor as overlaid text ~~like this~~. If the legislature overrides a partial veto, only the new law text resulting from the veto override is published, because republication of an act in its entirety could involve substantial publication costs. The new text is identified as a supplement to the act originally published. An explanation is published with each supplement, and it would read as follows for a 1993 act:

1993 *BILL* was approved by the governor "in part" and has become 1993 WISCONSIN ACT *NUMBER*. The parts objected to by the governor ("item veto") were reviewed by the senate on *DATE* and by the assembly on *DATE*. This supplement to 1993 WISCONSIN ACT *NUMBER*, contains those parts of that act which had been vetoed by the governor but which have become law as the result of their approval, by two-thirds of the members of each house, notwithstanding the objections of the governor.

The supplement identifies the changes in 1993 WISCONSIN ACT *NUMBER*, by the following type coding:

(1) LAW IN EXISTENCE ON *DATE*. All text of statute law or session law which was in effect on the day preceding legislative action on the vetoes contained in 1993 *BILL*, and which is shown in this supplement as part of a SECTION of 1993 WISCONSIN ACT *NUMBER*, in which a veto override occurred, is typeset in plain text (this is plain text).

(2) PRE-EXISTING LAW DELETED BY VETO OVERRIDE. In some instances the legislature, in passing 1993 *BILL*, had proposed to delete certain words contained in existing law. These deletions could not take effect with the publication of 1993 WISCONSIN ACT *NUMBER*, as the result of a veto by the governor, but they take effect now because the veto was overridden by legislative action. Such text is typeset in stricken type (~~this is stricken type~~).

(3) NEW TEXT CREATED BY VETO OVERRIDE. All text that comes into being for the first time as the result of the veto override is typeset in a special italic type (*this is the special italic type*).

Part 2: LEGISLATIVE ACTION ON THE PASSAGE OF 1993 SENATE BILL 44

On June 30, 1993, the senate adopted Senate Substitute Amendment 2 [as amended by Senate Amendments 1 (as amended by Senate Amendment 10); 2 (as amended by Senate Amendment 2); and 45] to Senate Bill 44 by a vote of 17 to 16, and passed Senate Bill 44 as amended by a vote of 17 to 16, S.J. 6/30/93, p. 318).

On July 7, 1993, a committee of conference was appointed pursuant to Assembly Joint Resolution 70, A.J. 7/7/93, p. 270; S.J. 7/7/93, p. 329.

On July 16, 1993, the assembly adopted the committee of conference report (Conference Amendment 1 to Senate Substitute Amendment 2 to Senate Bill 44) by a vote of 53 to 45, A.J. 7/16/93, p. 286. The senate, in turn, concurred in the conference committee report on July 16, 1993, by a 17 to 16 vote, S.J. 7/16/93, p. 348.

On August 10, 1993, Senate Bill 44 was approved in part and vetoed in part by the governor, and the part approved became 1993 WISCONSIN ACT 16. The date of enactment is August 10, 1993, the date of publication is August 11, 1993, and, as provided by Section 991.11, Wisconsin Statutes, the effective date of all provisions of the act is August 12, 1993, except those provisions for which the act expressly provides a different date.

Part 3: TEXT OF THE GOVERNOR'S VETO MESSAGE

August 10, 1993

To the Honorable Members of the Senate:

I have approved **Senate Bill 44** as 1993 Wisconsin Act 16 and deposited it in the Office of the Secretary of State.

Of all the budgets I have signed as Governor, this is the one of which I am most proud. This budget finally reforms our property tax system. This budget finally places limits on the growth in property taxes. This budget finally achieves mediation/arbitration reform. And this budget substantially increases our commitment to schools, to local governments, and to the property tax payers, by increasing state aid to K-12 schools and local governments by $564 million during the next biennium.

With this bill we have joined the 43 other states that have recognized that local spending must be controlled to limit property taxes. The state currently devotes over 55% of its GPR budget to provide property tax relief, but more state aid alone will not result in property tax relief. The spending side of the equation has to be addressed as well, and this budget does that.

I am also glad that this budget makes genuine progress toward my goal of mandate relief, particularly for counties. My proposals to provide a county mandate relief payment and to have the state pick up more court costs and general relief costs will reduce county costs and relieve pressure on the property taxpayer. I also vetoed several amendments which would have added new unfunded mandates. We must give local governments the freedom to manage their affairs at the same time as we are asking them to control spending.

It should be clear that this budget will not cause property taxes to go down. What it will do is control local spending increases so that property tax increases will be limited. Property taxes will still go up, but the increases will be in line with changes in taxpayers' ability to pay because they will be linked to inflation and property value growth. Under the provisions of this bill there will be significant savings for the average property tax payer

compared with the excessive increases that would have been experienced under the present system, and over a period of years the savings will compound.

No budget I have been associated with has been easy to prepare or easy to guide through the Legislature. This bill was no exception. After much hard work by everyone involved in the budget process, we have a budget that addresses our most pressing needs. It is a budget that I commend members of the Legislature and leaders of both parties for passing.

I have vetoed 78 items in this budget bill. The fact that there are fewer vetoes than in previous budget bills should come as no surprise. There were positive changes in the Legislature's budget procedures, as well as in the contents of the budget bill itself.

First, more than any other budget in two decades, this budget had meaningful bipartisan input. The Joint Committee on Finance had few truly partisan votes. The two parties were partners in the budget process, enabling all views to be represented in the debate. The Budget Conference Committee was composed of members of both houses and both parties.

Second, there was a conscious effort on the part of the Legislature to limit the number of special interest and site-specific items in the bill and to avoid inserting nonfiscal items. Although a number of desirable initiatives I introduced in SB 44 were removed from the bill, I accept their removal as long as those items receive public hearings and the legislative debate they deserve.

Third, overall spending was kept within our means. Ongoing spending is consistent with estimates of ongoing revenues, so we have not dug a hole for ourselves in the 1995-97 biennium.

Finally, I was gratified to see that there was little interest in raising state taxes. My record as Governor has been to consistently oppose raising state taxes or enacting new general taxes. I have been clear on this point. The Legislature and the citizens of Wisconsin know where I stand on taxes. I believe that Wisconsin's sound economic performance has been helped by our stable tax structure and by our efforts to reduce state taxes wherever possible. Increased funding for the earned income tax credit for lower-income workers and creation of the new head of household standard deduction I proposed further improve our positive tax climate. In contrast, concern about higher federal taxes has slowed the economic recovery nationally.

I am also gratified that our strong economic performance improved the original budget outlook. Stronger tax collections than originally estimated allowed us to do more to address the needs of our citizens.

Total spending under this budget will be $14.9 billion in fiscal year 1993-94 and $15.5 billion in fiscal year 1994-95, for a biennial total of $30.4 billion. Spending from general purpose revenue will be $7.4 billion in fiscal year 1993-94 (a 5.8% increase) and $7.8 billion in fiscal year 1994-95 (a 5.3% increase), for a biennial total of $15.2 billion.

The partial vetoes I am executing will improve the ending balance on June 30, 1995, by approximately $2 million. Adding these savings to the net balance of $472,000 projected in the budget adopted by the Conference Committee will help Wisconsin stay in the black. Improving the balance will help the state meet possible financial demands from tax cases which are currently being litigated. Most importantly, the vetoes confirm our commitment to live within our means.

The budget I am signing into law contains many provisions that benefit Wisconsin. Among the highlights are the following:

Property Tax Relief and Controls

Provides significant increases in state aid to local governments:

- Increases direct state aid to K-12 schools by $142.2 million (6.9%) in fiscal year 1993-94 and by another $97.4 million (4.5%) in fiscal year 1994-95.
- Increases shared revenue payments for municipalities and counties by $17.7 million GPR in fiscal year 1993-94 and by another $11.8 million GPR in fiscal year 1994-95.
- Increases tax rate disparity program payments by $17.0 million GPR (68%) in fiscal year 1994-95 and expands the program to more municipalities.
- Increases payments for municipal services by $1.0 million GPR in fiscal year 1993-94 and $1.8 million GPR in fiscal year 1994-95.
- Provides $10.0 million GPR in fiscal year 1994-95 to fund the small municipalities shared revenue program for municipalities under 5,000 population.
- Funds the estimated increase in farmland preservation tax credits of $3.2 million GPR in fiscal years 1993-94 and 1994-95 and ends rollback tax provisions when agreements expire.

Establishes controls on local government spending and taxing:

-- Caps 1993-94 school district revenue increases per pupil at $190 or the consumer price index, whichever is more, and continues the control with inflationary adjustments through 1997-98.

-- Freezes county operating levy mill rates at the rate imposed for the 1992(93) tax year, with exceptions for certain debt issues, items approved in referenda and certain other adjustments.

-- Expands the tax rate disparities program to $42 million GPR over the biennium and requires municipal spending restraint to qualify for the aid.

Reforms the state's mediation/arbitration law:

-- Repeals the current mediation/arbitration law on July 1, 1996.

-- Creates a Council on Municipal Collective Bargaining consisting of employers and employe representatives to review the med/arb law and make recommendations for changes.

-- Limits the term of teacher collective bargaining agreements to two-year cycles coinciding with the state biennium.

-- Limits the term of school district administrators' contracts to the same cycle as teachers.

-- Defines a qualified economic offer (QEO) provision for teachers as a 3.8% cap on the total compensation increase and provides that if a school district makes a QEO, no economic issues may go to arbitration.

-- Limits salary and fringe benefits increases for other licensed school district professional personnel to 3.8% of total compensation.

Provides mandate relief to counties:

-- Provides $24.8 million in 1993-95 for grants to counties as partial reimbursement for juror, witness and expert witness fees and guardian ad litem fees and to have the state, rather than counties, pay for court transcripts requested by public defenders.

-- Provides $405,600 GPR and 10.0 FTE positions for court reporters associated with the ten new circuit court branches effective August 1, 1994.

-- Provides $4.7 million GPR in fiscal year 1994-95 and $8.2 million GPR in fiscal year 1995-96 and thereafter to counties for mandate relief payments.

-- Provides $3 million in 1993-95 to continue reimbursing counties for probationers and parolees held in county jails.

Tax Reductions

Creates a $4.9 million GPR sliding scale standard deduction for head-of-household taxpayers, which will benefit 90,000 lower-income taxpayers.

Increases funding for the state earned income tax credit for lowerincome workers to $40.4 million GPR in fiscal year 1993-94 and $57.2 million GPR in fiscal year 1994-95 to fully fund the scheduled increases in the current credit, which is budgeted at $29.1 million GPR in fiscal year 1992-93.

Increases the income tax deduction for health insurance costs for self-employed taxpayers from 50% to 100% of costs effective for tax year 1995 and thereafter.

Increases the recycling surcharge gross receipts tax exclusion for sole proprietorships and partnerships from $1,000 to $4,000.

Economic Development

Creates a development zones tax credit equal to 10% of wages earned in the first year of employment, to a maximum of $600 for each employe who is a resident of a development zone.

Adds two new development zones and increases tax credits available to zone businesses by $3 million.

Increases state funding for tourism marketing by $1 million GPR over the next biennium and provides one-time funding of $250,000 GPR annually for area promotion committees.

Provides $260,000 GPR in 1993-95 to fund a state trade office in Mexico.

Provides $800,000 in 1993-95 for grants and loans for minority business development and for women's business development initiatives.

Education

Provides an additional $381 million GPR in direct state aid to public schools in 1993-95.

Authorizes a school board to contract with an individual or group to operate a charter school as an alternative educational administration method.

Allows any school district to contract for certain services for children-at-risk.

Continues the process of development of a statewide performance-based pupil assessment program by providing $1,050,000 GPR over the next biennium.

Provides a $1 million GPR annual increase in the state supplement to the Head Start program.

Increases state funding to the University of Wisconsin System by $9.5 million GPR/tuition over the next biennium to support improvements in undergraduate education.

Provides $7.9 million in GPR and other funding sources in fiscal year 1994-95 to the University of Wisconsin for a special 1% salary increase for faculty and academic staff.

Increases state general VTAE aids by $5.4 million GPR in fiscal year 1993-94 and by another $5.7 million GPR in fiscal year 1994-95.

Provides $7 million GPR over the next biennium to increase student financial assistance through increases in Wisconsin Higher Education Grants (WHEG), Talent Incentive Grants and Tuition Grants (TG).

Provides $600,000 GPR in fiscal year 1994-95 to establish several career counseling centers around the state, improve access to career education and job training information and coordinate services with local school boards.

Increases funding for the Medical College of Wisconsin's family practice residency programs by $1.2 million in 1993-95, to meet accreditation requirements and train additional family practice physicians.

Provides an additional $500,000 GPR in 1993-95 for the tuition grant program for National Guard members.

Environmental Protection and Resource Management

Establishes a cooperative DATCP/DNR agricultural chemical spills cleanup program and provides over $8 million to reimburse businesses for cleanup costs of sites contaminated with agricultural chemicals.

Increases the petroleum inspection fee from two cents to three cents per gallon until July 1, 1995, to provide $58.7 million SEG to clean up leaking petroleum storage tanks.

Provides an additional $1.6 million in 1993-95 to eradicate gypsy moths by treating 90,000 acres of forest lands.

Provides $1 million GPR in 1993-95 to implement regulations mandated by the federal Safe Drinking Water Act.

Provides $4.7 million SEG and authorizes $12.5 million in bonding to increase funding for nonpoint source pollution grants to local governments, and directs the Land and Water Conservation Board to designate priority watersheds and lakes from projects submitted by DNR. (Other offsets result in a net increase to the program of $7.8 million.)

Begins or expands funding for several elements of the state's efforts to comply with the federal Clean Air Act Amendments and improve air quality in southeast Wisconsin:

- Provides $17.6 million FED in 1993-95 for a Congestion Mitigation and Air Quality (CMAQ) Improvement program in ozone nonattainment areas (eastern and southeastern Wisconsin). Grants will be made to local governments and organizations to help employers of more than 100 persons meet federal mandates associated with reducing single occupancy vehicle work trips.
- Provides $9.3 million in 1993-95 for stationary source and mobile source pollution reduction monitoring and control, state implementation plan development, employe trip reduction measures, and information and education.
- Establishes a van pool and rideshare program in southeastern Wisconsin.
- Creates a program to guarantee up to $1 million in loans to small businesses that are required to eliminate their use of ozone depleting solvents. The loans are for upgrading machinery or equipment to comply with the federal Clean Air Act.

Increases municipal and county recycling grants by $5.4 million SEG annually.

Provides $141,000 to staff the coordination of alternative fuels for state power plants.

Provides $500,000 in 1993-95 to fund additional state park maintenance and operations projects.

Human Services

Expands the AFDC Learnfare program on a pilot basis to children six to 12 years old and provides $1.9 million for case management to assist nonattending children and their families.

Funds implementation of the AFDC Parental and Family Responsibility pilot program, the Two-Tier Benefit Demonstration project, and waivers for vehicle asset limits and education and employability accounts.

Provides $184.0 million GPR over the biennium to fund Medical Assistance base and utilization adjustments and to support provider rate increases, including increases targeted at hospital outpatient services, primary care services and providers in rural and inner city underserved areas.

Creates state health programs and provides additional funding for current health programs:

-- $240,000 GPR for new Cooperative American Indian Health Projects grants.
-- $375,000 GPR for new Regional Poison Control Centers grants.
-- $1.2 million GPR for lead poisoning prevention activities.
-- $1.8 million GPR for AIDS programs, including $0.7 million for early intervention programs.
-- $3.9 million GPR for Disease Aids.

Provides $14.5 million over the biennium to increase funding for General Relief reimbursement to counties, using a combination of federal Medical Assistance disproportionate share payments to county hospitals and state GPR funds.

Funds substantial increases in community long-term care slots over the biennium in various state programs:
-- 3,117 COP and COP-Waiver slots for the aged and disabled.
-- 250 slots for CIP 1A for relocating residents of the state's Centers for the Developmentally Disabled.
-- 200 slots for CIP 1B for relocating/diverting the developmentally disabled from nursing homes.

Funds increases to the Community Aids program to support county social services for low-income individuals:
-- A 0.7% increase to the basic county allocation for calendar year 1994 and a 3.0% increase for calendar year 1995.
-- $2.0 million GPR for the Family Support program to assist families in caring for developmentally disabled children in their homes.
-- $3.1 million for annual increases in foster care maintenance rates.
-- $1.2 million GPR for family preservation services.

Provides $5.4 million for AFDC consolidated child care programs and $1.0 million GPR for Community Aids day care services and consolidates various day care allocations to permit more county flexibility.

Provides $6.4 million GPR to continue the Birth-to-Three program for early intervention services for infants and toddlers with disabilities.

Provides $5.7 million GPR to relieve counties of the responsibility to provide community mental health services to persons conditionally released after being found not guilty by reason of insanity.

Provides $1.35 million to serve current and new domestic abuse shelters and for educational and legal programs.

Provides $1.0 million GPR for Independent Living Centers, including funding for one or more new centers in western Wisconsin and increased funding for current centers.

Provides $730,700 GPR for elderly nutrition programs.

Provides $7.5 million GPR to fund Youth Aids increases including:
-- 3.0% per year increases for community programs.
-- Institutional rate changes.
-- Creation of a Juvenile Correctional Sanctions program.

Creates a $20 million Veterans Trust Fund Stabilization Loan program.

Creates a Veterans Rehabilitation program by consolidating funding from several current veterans programs.

Provides 39.5 FTE positions to the Veterans Home at King for a new nursing care building, a special care unit, and maintenance and other functions.

Government Operations

Creates a Special Commission for the Study of Administrative Value and Efficiency to evaluate the funding and delivery of state and local services.

Eliminates two state regional data processing centers and deletes 67.0 positions, made possible by consolidating the centers in the Department of Administration.

Eliminates the Office of the Commissioner of Transportation and deletes 11.0 FTE positions.

Provides $790,300 GPR and 10.0 FTE positions to permit electronic filing of Wisconsin individual income tax returns.

Provides $340,700 in 1993-95 to increase inspections and improve compliance with the state's weights and measures program.

Provides $852,900 in 1993-95 to improve the state's food and meat safety inspection programs through increased testing and purchase of safety equipment.

Provides $18.7 million in bonding authorization for acquisition of a new state agriculture office building.

Provides $868,800 in 1993-95 to fund staffing and operations of the Health Cost Containment Commission.

Transfers $2.2 million and 19.0 FTE positions for the Office of Health Care Information and the Hospital Data Systems Unit in the Department of Health and Social Services to the Office of the Commissioner of Insurance to consolidate state health care information.

Provides $1.1 million in 1993-95 for a deoxyribonucleic acid (DNA) analysis and data bank program at the state crime labs in Madison and Milwaukee to improve evidence in crime investigations.

Provides positions to the Department of Corrections for new and expanded facilities and caseload increases:

-- 188.0 FTE positions for probation and parole caseload growth.
-- 30.0 FTE positions for intensive sanctions caseload growth.
-- 128.6 FTE positions for the Oshkosh Correctional Institution expansion.
-- 83.25 FTE positions for the Racine Correctional Institution AODA housing unit.
-- 58.0 FTE positions for the Kettle Moraine Correctional Institution expansion.
-- 11.8 FTE positions for the Ellsworth Center operations.
-- 8.0 FTE positions for the Waupun Correctional Institution and the Fox Lake Correctional Institution segregation units.

Provides $439,200 GPR annually to staff an Office of Workforce Excellence in the Department of Industry, Labor and Human Relations to promote the orderly transition of youth from school to work and provide adult and worker training.

Transportation

Provides $318 million in 1993-95 for major highway development.

Increases general transportation aid by $35.8 million SEG in 1993-95 (5.1% in calendar year 1994 and 5.7% in calendar year 1995) to fund a per mile reimbursement rate of $1,275 in 1994 and $1,350 in 1995 and a separate county transportation aid program.

Increases mass transit operating assistance by $8.8 million SEG in 1993-95 to fully fund 42% of eligible operating expenses.

* Creates a supplemental mass transit operating assistance program for Madison and Milwaukee funded at $2.9 million SEG in 1993-95 that will increase the combined federal and state operating assistance to both systems to approximately 49% of operating expenditures.

Provides authority for issuing $50 million in general obligation bonds for rail passenger service if the National Railroad Passenger Corporation (Amtrak) commits to subsidizing the cost of equipment and track upgrades at the levels established in the Amtrak Authorization and Development Act of 1992.

Provides $21.2 million in 1993-95 for grants and loans for railroad infrastructure improvements and railroad property acquisition, rehabilitation and construction associated with a freight rail assistance program.

Provides $3 million in SEG-supported general obligation bonding during 1993-95 to provide grants to local units of government to support up to 80% of the cost of harbor rehabilitation and development projects.

Increases local airport development funding by $11.9 million in 1993-95, including funding for 2.0 FTE positions to address increased project volume and complexity.

Provides $500,000 FED in 1993-95 to assist local governments in the planning and development of bicycle and pedestrian transportation facilities.

Provides an increase of $1 million SEG for the Transportation Economic Assistance program and allows DOT to make loans to local governments for the improvement of transportation facilities in order to retain or create jobs in the state.

The budget I am signing is a budget that limits property tax increases, greatly increases state aid to schools and local governments and funds programs that meet our most pressing needs. It will help make sure that Wisconsin continues to enjoy a strong economy and a high quality of life in future years.

Sincerely,
Tommy G. Thompson
Governor

A. EDUCATION

EDUCATIONAL COMMUNICATION BOARD

A 1. Instructional Television (ITV) Program

Section 153 [as it relates to s. 20.225 (1) (f)]

This section increases GPR support for ITV programs by $126,900 in fiscal year 1993-94 and $126,400 in fiscal year 1994-95. The fiscal year 1993-94 increase of $126,900 represents an increase of 36% over the base year and is too large. I support increased state funding for instructional television and will sign into law the full fiscal year 1994-95 increase as approved by the Legislature. By lining out the s. 20.225 (1) (f) appropriation and writing in a smaller amount that deletes $100,000 GPR from this appropriation in fiscal year 1993-94, I am vetoing the part of the bill that appropriates this extra $100,000. I am also requesting the Department of Administration Secretary not to allot these funds in fiscal year 1993-94.

SECTION 153.

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1993-94	1994-95	
20.225 Educational communications board					
(1) INSTRUCTIONAL TECHNOLOGY					
(f) Programming	GPR	A	~~1,830,200~~ 1,730,900	1,830,100	**Vetoed in Part**

HIGHER EDUCATIONAL AIDS BOARD

A 2. Tuition Grant Study

Section 9127

This section directs the Higher Educational Aids Board (HEAB) and the Council on Financial Aids to jointly study the feasibility of establishing a Tuition Grant distribution formula that does not include the difference between tuition at the University of Wisconsin-Madison and the tuition at the private college attended by the grant recipient. HEAB and the council are required to submit the results of the study to the Governor and the Legislature by January 1, 1994.

I am vetoing this section because it is unnecessary. The Higher Educational Aids Board reviews the formulas used in all of its student financial aid programs every two years in preparation for the biennial budget. I am requesting the board and HEAB's Executive Secretary to once again include a review of the Tuition Grant program in preparation for the 1995-97 biennial budget.

Vetoed in Part

~~SECTION 9127. Nonstatutory provisions; higher educational aids board.~~

~~(17c) TUITION GRANTS PROGRAM. The higher educational aids board and the council on financial aids shall jointly study the feasibility of establishing a formula for the determination of tuition grant awards under section 39.30 of the statutes that does not include the difference between tuition charged at the attending institution and resident tuition charged at the university of Wisconsin-Madison. The higher educational aids board and the council on financial aids shall submit the results of the study by January 1, 1994, to the governor, and to the legislature in the manner provided under section 13.172 (2) of the statutes.~~

PUBLIC INSTRUCTION

A 3. Special Adjustment Aid

Section 2342h

This section defines the amount of special adjustment aid to be received by a school district that would otherwise receive less than 90% of the general state aid it received in the prior year or that would otherwise have an aid decrease of more than $1 million. The intent of the Legislature was to limit the loss in general aid to districts qualifying in this category to 10% or $1 million, whichever is the smaller loss. However, as drafted, this section guarantees districts 90% of the prior year payment or the prior year payment minus $1 million, whichever is the smaller aid amount.

As a result, districts qualifying under this section could receive significantly less special adjustment aid than the Legislature intended. According to aid estimates for fiscal year 1993-94, one school district is affected by this section. The Monona Grove School District would receive an estimated $243,000 in special adjustment aid in fiscal year 1993-94 under this section as drafted, rather than the estimated $1,040,200 in special adjustment aid which was intended. This change would result in a loss of over $797,000 in aid to Monona Grove.

At the request of members of the Legislature's Budget Conference Committee and the Legislative Fiscal Bureau, I am partially vetoing this section to require that school districts eligible under this section receive 90% of the general state aid that they received in the previous school year. This will assure that Monona Grove gets the amount of special adjustment aid that the Legislature intended. No other school district is affected by this for the 1993-94 school year.

Since additional school districts with different circumstances may qualify under this section in future school years, this partial veto provides only a temporary solution to meeting the Legislature's original intent. I will support legislation that amends this section to restore the Legislature's original intent.

SECTION 2342h. 121.105 (2) (a) of the statutes is renumbered 121.105 (2) (a) 1. a. and amended to read:

121.105 (2) (a) 1. a. ~~Beginning in~~ In the ~~1991-92~~ 1993-94 school year, if a school district would receive less than ~~85%~~ 90% of the state aid for the current school year than it received as state aid in the previous school year, its state aid for the current school year shall be increased to an amount equal to ~~85%~~ 90% of the state aid received in the previous school year.

Vetoed in Part

3. A school district eligible for aid under subd. 1 and 2 shall receive aid under subd. 1 ~~or 2, whichever is less~~. The additional aid shall be paid from the appropriation under s. 20.255 (2) ~~(ba)~~ (ac).

A 4. Pupil Assessment

Section 9145 (2g)

Section 9145 (2g) prohibits the State Superintendent from encumbering funds appropriated in the 1993-95 biennium for the 8th and 10th grade knowledge and skills examination program without the approval of the Joint Committee on Finance (JCF). These funds are used to contract for the purchase and scoring of examinations used in the 8th and 10th grade testing program. I am vetoing this section because it will unnecessarily delay the DPI testing program. After a contract has been properly bid and awarded under Department of Administration bidding procedures, I believe the State Superintendent should have the authority to pay contracted costs without additionally requiring approval by the JCF. I will request that DPI notify the JCF of planned expenditures once they are known.

SECTION 9145. Nonstatutory provisions; public instruction.

Vetoed in Part

(2g) PUPIL ASSESSMENT. The state superintendent of public instruction may not encumber any of the moneys appropriated in the 1993-95 fiscal biennium under section 20.255 (2) (dd) of the statutes, as created by this act, without the approval of the joint committee on finance.

Vetoed in Part

A 5. Alternative Compliance Report

Section 9145 (3c)

Section 9145 (3c) requires the State Superintendent of Public Instruction to submit a report to the Governor and Legislature, by January 1, 1996, on procedures for alternative compliance with school district standards. Due to a technical drafting error, this section refers to s. 118.38 of the statutes, which does not exist. I am partially vetoing this section to take out the erroneous statutory reference.

I continue to strongly support statutory language that would increase school district options in complying with state mandates. Therefore, I am retaining the report requirement. As required by 1991 Wisconsin Act 39, the Department of Public Instruction has implemented, by administrative rule, alternative compliance procedures for school districts. In the event that no statutory alternative compliance program is implemented prior to January 1, 1996, the State Superintendent's report can evaluate the program established by administrative rule.

SECTION 9145. Nonstatutory provisions; public instruction.

(3c) ALTERNATIVE COMPLIANCE REPORT. By January 1, 1996, the state superintendent of public instruction shall submit a report to the governor, and to the legislature in the manner provided under section 13.172 (2) of the statutes. The report shall specify the number of alternative compliance plans received under section 118.38 of the statutes, as created by this act, include a description of all of the plans and specify the number of plans that have been approved.

Vetoed in Part

UNIVERSITY OF WISCONSIN SYSTEM

A 6. Minority Doctoral Student Loans

Sections 757m and 9456 (2d)

These sections repeal the Minority Doctoral Student Loan program and forgive all existing repayment obligations under the program. I am partially vetoing these sections to delete the provision which forgives existing student loan repayment obligations because I believe students have an obligation to repay the money they borrowed from the program. The terms of these loans, made available to minority doctoral students who agree to teach in the UW system upon Ph.D. completion, are quite generous. Principal and interest are forgiven at the rate of 25% for each year of teaching up to four years. Even though the program is repealed, I see no reason to forgive existing loan repayment obligations.

Vetoed in Part

SECTION 757m. 36.42 of the statutes is repealed and recreated to read:

36.42 Minority doctoral student loans. Notwithstanding s. 36.42, 1991 stats., the board shall terminate on July 1, 1994, any obligation to repay a loan awarded under this section.

SECTION 9456. **Effective dates; university of Wisconsin system.**

(2d) MINORITY DOCTORAL STUDENT LOANS. The repeal of section 20.285 (1) (jL) and (4) (cm) of the statutes and the repeal and recreation of section 36.42 of the statutes take effect on July 1, 1994. Vetoed in Part

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VOCATIONAL, TECHNICAL AND ADULT EDUCATION

A 7. Incentive Grants Appropriation

Sections 153 [as it relates to s. 20.292 (1) (dc)] and 275m

These sections change the Vocational, Technical and Adult Education (VTAE) incentive grants appropriation from a continuing appropriation to an annual appropriation. I am vetoing these sections because the State VTAE Board needs to have the flexibility to administer these limited grants in the best interest of the state VTAE system.

SECTION 153.

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1993-94	1994-95
20.292 Vocational, technical and adult education, board of				
(1) VOCATIONAL, TECHNICAL AND ADULT EDUCATION				
(dc) Incentive grants	GPR	A	7,888,100	7,888,100

Vetoed in Part

Vetoed in Part

SECTION 275m. 20.292 (1) (dc) of the statutes is amended to read:

20.292 (1) (dc) *Incentive grants.* ~~As a continuing appropriation, the~~ The amounts in the schedule for incentive grants to district boards under s. 38.27.

A 8. Workplace Literacy Resource Center

Section 760k

This section requires the State VTAE Board to operate the Workplace Literacy Resource Center with federally funded positions. While federal funds are currently sufficient to support the operation of the center, it is not certain how long federal funding will be available. I am vetoing this section to provide the State Board the flexibility to set program priorities in response to available federal funds.

Vetoed in Part

SECTION 760k. 38.04 (23) (intro.) of the statutes is amended to read:

38.04 (23) WORKPLACE LITERACY RESOURCE CENTER. (intro.) ~~From the appropriation~~ The board shall use the funds appropriate~~d~~ under s. 20.292 (1) (bm), the board shall to operate a workplace literacy resource center. The board shall operate the resource center with federally funded positions. The workplace literacy resource center shall do all of the following:

A 9. Alcohol and Other Drug Abuse (AODA) Program

Sections 777m and 9158 (2b)

These sections direct the State VTAE Board to ensure that AODA funds are not used by local VTAE Districts to support personnel costs and to prepare a report evaluating the services provided by districts under the AODA program. The evaluation report is to be submitted to the Legislature and the Governor by January 1, 1995.

I am vetoing these sections because prohibiting use of AODA grant funds for personnel costs is contrary to the original legislative intent of this program. Districts are required to hire staff to meet the statutory goal of this program. To prohibit the use of AODA funds to support the personnel hired to perform these duties, while still requiring the activities to be performed, puts severe constraints on VTAE districts. I am also vetoing the requirement for the State VTAE Board to prepare an evaluation report of AODA programs. The State VTAE Board should be allowed to determine if an evaluation report is necessary and when it should be done.

Vetoed in Part

SECTION 777m. 38.35 (3) of the statutes is amended to read:

38.35 (3) The board shall ensure that grants awarded under sub. (1) are not used to fund permanent positions or to supplant other funds available for positions or programs relating to the prevention of, intervention in or education about alcohol and other drug abuse.

SECTION 9158. **Nonstatutory provisions; vocational, technical and adult education.**

(2b) ALCOHOL AND OTHER DRUG ABUSE PROGRAM STUDY. By January 1, 1995, the board of vocational, technical and adult education shall report to the governor, and to the legislature in the manner provided under section 13.172(2) of the statutes, on alcohol and other drug abuse programs provided by vocational, technical and adult education districts under section 38.35 of the statutes, as affected by this act. The report shall include an evaluation of the services provided by the programs and whether district goals for the programs were met.

Vetoed in Part

A 10. Study of State Aids

Section 9158 (2d)

This section instructs the State VTAE Board to conduct a study of the state aids formula and categorical aids. The study is to determine if there are alternative aid distribution methods that are more equitable to districts. I am vetoing this section because a study is not necessary. There is no indication that VTAE aids are being distributed inequitably. If the State VTAE Board, in consultation with individual districts, concludes that aids are being distributed inequitably, it has the authority to study the problem and recommend alternative distribution methods.

SECTION 9158. **Nonstatutory provisions; vocational, technical and adult education.**

Vetoed in Part

(2d) STUDY OF AID FORMULA. The state board of vocational, technical and adult education shall study the vocational, technical and adult education state aid formula and categorical aids to vocational, technical and adult education districts. By July 1, 1994, the board shall report the results of its study to the governor, and to the legislature in the manner provided under section 13.172 (2) of the statutes. The report shall include the board's recommendations for modifying the formula or establishing alternative formulas to allow for a more equitable distribution of state aid among the vocational, technical and adult education districts and shall also address the issue of consolidating categorical aids with general aid.

Vetoed in Part

B. ENVIRONMENT AND COMMERCE

AGRICULTURE, TRADE AND CONSUMER PROTECTION

B 1. Spooner Agricultural Research Station Stray Voltage Study

Section 9104 (1e)

This provision requires that the Department of Agriculture, Trade and Consumer Protection (DATCP) stray voltage research program be carried out at the University of Wisconsin Agricultural Research Station in Spooner, Wisconsin.

I am vetoing this provision because it is site specific and more costly than other options. It is unlikely that a location so far from UW-Madison dairy research facilities could be cost effective. The Spooner location would require researchers to incur significant travel and lodging costs. In addition, since the Spooner station does not have a dairy herd, significant costs would be incurred to create the proper conditions for a study. Since the level of funding for the research project was reduced by the Legislature, DATCP should solicit proposals on a competitive basis that will maximize the usefulness of the available funding.

SECTION 9104. **Nonstatutory provisions; agriculture, trade and consumer protection.**

Vetoed in Part

(1e) SPOONER AGRICULTURAL RESEARCH STATION. The department of agriculture, trade and consumer protection shall expend the funds appropriated under section 20.115 (8) (jb) of the statutes, as affected by this act, for the 1993-95 fiscal biennium on research for the purpose specified in section 93.41 (2m) of the statutes conducted at the university of Wisconsin agricultural research station at Spooner.

Vetoed in Part

B 2. Weights and Measures Program

Section 9104 (2t)

This provision prohibits the Department of Agriculture, Trade and Consumer Protection (DATCP) from encumbering certain funds for the weights and measures program subject to approval of the Joint Committee on Finance (JCF) upon receipt of a study of the program from DATCP.

I am partially vetoing this provision to remove $21,500 annually from this prohibition because this funding is for metrology laboratory equipment and is not connected with the funding and authorization for several new positions for which the JCF wanted further justification. By lining out the amount that DATCP is prohibited from encumbering and writing in a smaller amount, I am vetoing the part of the bill which included the $21,500 annually for metrology equipment within this prohibition.

I am also partially vetoing the provision that prohibits DATCP from encumbering the remaining funds without JCF approval of a DATCP study of the weights and measures program. This prohibition is excessive and unnecessarily infringes on the prerogative of the executive branch. Through this veto, DATCP will be required to submit a report regarding current staffing and funding needs to the Department of Administration (DOA) prior to encumbering the funds. This smaller report is being substituted for the extensive report required by JCF because DATCP does not now have the staff to develop the larger report. The increased funding and positions were specifically requested by the department in order to study the potential benefits of a compliance-based inspection system. These benefits cannot be quantified prior to the release of the positions and funding.

Once a position justification has been reviewed and approved by DOA, I am also requesting DATCP to submit to DOA a report regarding all of the following: (a) whether the current division of responsibilities between DATCP and municipalities should be changed; (b) the feasibility of consolidating certain weights and measures inspections with other inspection activities and the savings that could be achieved; and (c) the impact of a compliance-based inspection schedule on staffing and funding needs. DATCP should submit the report on or before October 1, 1994.

SECTION 9104. **Nonstatutory provisions; agriculture, trade and consumer protection.**

(2t) WEIGHTS AND MEASURES INSPECTIONS. Of the moneys appropriated to the department of agriculture, trade and consumer protection under section 20.115 (1) (j) of the statutes, as affected by this act, the department may not encumber ~~$25,700~~ $73,700 of the amount appropriated in fiscal year 1993-94 and ~~$245,800~~ $224,000 of the amount appropriated in fiscal year 1994-95 for the costs of increasing inspections and improving compliance and enforcement in the weights and measures program until the secretary of agriculture, trade and consumer protection submits ~~for action by the joint committee on finance~~ a report regarding ~~all of the following:~~

Vetoed in Part

Vetoed in Part

~~(a) Whether the current division of responsibilities between the department of agriculture, trade and consumer protection and municipalities should be changed.~~

~~(b) The feasibility of consolidating certain weights and measures inspections with other inspection activities and the savings that could be achieved.~~

~~(c) The impact of a compliance-based inspection schedule on staffing and funding needs.~~

B 3. Staff Support for Land and Water Conservation Board

Section 2462

This provision requires that the Department of Agriculture, Trade and Consumer Protection (DATCP) provide staff services to the Land and Water Conservation Board at the request of the Board.

I am vetoing this provision because it is redundant. DATCP is required under s. 92.05 (3) (i) to provide necessary staff to assist the board.

Vetoed in Part ~~SECTION 2462. 144.25 (5) (g) of the statutes is created to read:~~

~~144.25 (5) (g) At the request of the land and water conservation board, provide staff services to the land and water conservation board.~~ Vetoed in Part

B 4. Exempt Exotic Ruminants and Cervidae From New Regulation and Licensing

Sections 2129, 2130 and 2132

These sections provide the Department of Agriculture, Trade and Consumer Protection (DATCP) with new or increased regulation, licensing and fee assessment authority over livestock markets, livestock dealers and livestock truckers handling livestock, cervidae or exotic ruminants. The definition of livestock is also expanded to include goats.

I am partially vetoing these provisions to remove all references to exotic ruminants (i.e., species not native to Wisconsin) and cervidae (e.g., deer, elk) because these fees would be unduly burdensome to small businesses. The production and handling of these categories of animals is a relatively new agricultural business venture in Wisconsin. Since most producers and handlers (including livestock dealers, truckers and markets) are small business operations, the new regulation and fees required under these provisions are premature and could undermine economic development.

SECTION 2129. 95.68 of the statutes is created to read:

95.68 Livestock markets. (1)

Vetoed in Part ~~(c) "Exotic ruminants" means ruminants that are not native to this state, except that it does not include bovine animals or cervidae.~~

(e) "Livestock market" means any premises which are open to the public for the purpose of trading in livestock, ~~cervidae or exotic ruminants~~ and on which facilities are maintained for their yarding, feeding and watering prior to sale. Vetoed in Part

SECTION 2130. 95.69 of the statutes is created to read:

95.69 Livestock dealers. (1)

Vetoed in Part ~~(a) "Exotic ruminants" has the meaning given in s. 95.68 (1) (c).~~

(c) "Livestock dealer" means a person who, as principal or agent, engages in the business of buying for resale or for slaughter, selling or exchanging livestock, ~~cervidae or exotic ruminants~~. "Livestock dealer" does not include a livestock dealer employe or the operator of a farm who sells livestock, ~~cervidae or exotic ruminants~~ if the operator keeps them on the farm solely for dairy, breeding or feeding purposes and the operator is not otherwise engaged in the business of buying them for resale, slaughter, sale or exchange. Vetoed in Part Vetoed in Part

SECTION 2132. 95.71 of the statutes is created to read:

95.71 Livestock truckers. (1)

~~(a) "Exotic ruminants" has the meaning given in s. 95.68 (1) (c).~~ Vetoed in Part

(e) "Livestock trucker" means a person engaged in the business of transporting for hire, by means of a livestock vehicle, livestock, ~~cervidae or exotic ruminants~~, except that it does not include a livestock trucker employe. Vetoed in Part

(g) "Livestock vehicle" means any vehicle used to transport livestock, ~~cervidae or exotic ruminants~~. Vetoed in Part

DEVELOPMENT

5. Foreign Trade Office Fee-For-Service Study

Section 9115 (2z)

This provision requires the Department of Development (DOD) to study an expansion of the foreign trade office fee-for-service program and to submit a report by January 1, 1994. The study must assess the amount of revenue that could be raised by charging fees for all program activities and the extent that the department's international division costs could be supported by fee revenue.

I am partially vetoing this provision because it is inappropriate at this time to consider expanding the department's fee-for-service program. DOD has not yet had enough experience with this program to judge the desirability of further expansion. This veto narrows the scope of the mandated study to cover only the range of fees which could be charged under the current program and a general consideration of the types of services for which it would be appropriate to assess a fee. I am vetoing the submission date of January 1, 1994, to allow the department to gain more experience with the program. Instead, I am requesting DOD to submit the more appropriate version of the study by December 1, 1994.

SECTION 9115. **Nonstatutory provisions; development.**

Vetoed in Part

(2z) STUDY ON ~~EXPANDING~~ FOREIGN TRADE OFFICE FEE-FOR-SERVICE PROGRAM. The department of development shall study ~~the feasibility of expanding~~ its foreign trade office fee-for-service program. ~~On or before January 1, 1994,~~ the department shall submit a report of its findings to the governor, and to the legislature in the manner provided under section 13.172 (2) of the statutes. The report shall include findings on at least all of the following:

Vetoed in Part

Vetoed in Part

~~(c) How much revenue could be raised by charging fees.~~

~~(d) What portion of the department's international division costs could feasibly be covered by the revenue raised from the fees.~~

B 6. Heritage Tourism Pilot Program Sunset Date

Section 3455c

This provision creates a sunset date for the Heritage Tourism Pilot program.

I am vetoing this provision because a sunset date is neither necessary nor appropriate for this program. The use of the term "pilot" in the program title only indicates that the Department of Development (DOD) will be running this program without federal assistance for the first time.

The department has, however, had several years of experience in running the program jointly with the National Trust for Historic Preservation. Therefore, the department is familiar with administering the program and anticipates a continuing demand on the part of local governments and organizations. Due to the department's experience with and the evident demand for this program, sunsetting this program in two years will not be constructive or necessary.

Vetoed in Part

~~SECTION 3455c. 560.31 (4) of the statutes is created to read:~~

~~560.31 (4) This section does not apply after June 30, 1995.~~

B 7. Wisconsin Sports Authority Board and Executive Committee Membership

Section 9115 (1g)

Section 9115 (1g) (a) 1m requires that the Wisconsin Sports Authority (WSA) governing board include one majority and one minority party legislator from each house of the Legislature. Section 9115 (1g) (a) 1r requires WSA to include on its executive committee two members of the state legislature, one from each party, who are members of its governing board. WSA must comply with these requirements as a condition of receiving state funding assistance.

I am vetoing these sections because they are unnecessary. In addition, it would be inefficient and costly for all private organizations receiving state assistance to have members of the Legislature on their governing boards. The remaining provisions in section 9115 (1g) establish sufficient oversight of WSA's receipt and use of state funds.

SECTION 9115. **Nonstatutory provisions; development.**

(1g) GRANT FOR SPORTS PROMOTION.

(a)

Vetoed in Part

~~1m. The governing board of the nonprofit organization includes as members one majority and one minority party senator of the state legislature and one majority and one minority party representative to the assembly of the state legislature.~~

Vetoed in Part

~~1r. The executive committee of the nonprofit organization includes as members 2 members of the state legislature who are members of the governing board specified under subd. 1m and who are from different political parties.~~

B 8. Lapse of $1,000,000 to the Recycling Fund for Waste Tire Recycling Grants

Sections 153 [as it relates to 20.143 (1) (t) and 20.370 (4) (cz)], 192m, 320k, 2682p, and 9215 (1g) and (1j).

These provisions lapse $1,000,000 SEG from the continuing balance in the recycling rebates program administered by the Department of Development (DOD) to the recycling fund to support a new appropriation to the Department of Natural Resources (DNR) for waste tire recycling grants. The DOD recycling rebates program appropriation is also changed from continuing to biennial.

I am vetoing these provisions because the Department of Development can make effective use of these funds. I am requesting that DOD use funding from the continuing balance in the existing recycling rebates program to assist qualified organizations with projects designed to recycle waste tires to make a new product or to recover rubber from waste tires for use in highway improvements.

SECTION 153.

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1993-94	1994-95	
20.143 Development, department of					
(1) ECONOMIC AND COMMUNITY DEVELOPMENT					
(t) Recycling rebates program -- assistance	SEG	~~B~~	1,940,000	1,940,000	Vetoed in Part
20.370 Natural resources, department of					
(4) LOCAL SUPPORT					
~~(cz) Environmental aids-waste tire grants~~	~~SEG~~	~~C~~	~~1,000,000~~	~~0~~	Vetoed in Part

Vetoed in Part ~~SECTION 192m. 20.143 (1) (t) of the statutes is amended to read:~~

~~20.143 (1) (t) *Recycling rebate program — assistance.* From Biennially, from the recycling fund, ~~as a continuing appropriation,~~ the amounts in the schedule for recycling rebates under s. 560.12.~~

Vetoed in Part ~~SECTION 320k. 20.370 (4) (cz) of the statutes is created to read:~~

~~20.370 (4) (cz) *Environmental aids — waste tire grants.* As a continuing appropriation, from the recycling fund, the amounts in the schedule for waste tire recycling grants under s. 159.17 (3) (e).~~

Vetoed in Part ~~SECTION 2682p. 159.17 (3) (e) of the statutes is created to read:~~

~~159.17 (3) (e) The department may award a grant from the appropriation under s. 20.370 (4) (cz) only for projects designed to recycle waste tires to make a new product or to recover rubber from waste tires for use in highway improvements, as defined in s. 84.06 (1).~~ Vetoed in Part

SECTION 9215. **Appropriation changes; development.**

~~(1g) RECYCLING REBATE LAPSE. Notwithstanding section 20.001 (3) (b) of the statutes, on the effective date of this subsection, there shall lapse to the recycling fund $1,000,000 from the appropriation account under section 20.143 (1) (t) of the statutes, as affected by the acts of 1993.~~ Vetoed in Part

(1j) RECYCLING REBATES. Notwithstanding section 20.001 (3) (b) of the statutes, there shall lapse to the recycling fund $3,000,000 from the appropriation account to the department of development under section 20.143 (1) (t) of the statutes, as affected by the acts of 1993. Vetoed in Part

B 9. Plan for Recycling Market Development

Section 9115 (3j)

This provision requires the Department of Development (DOD) and the Department of Natural Resources (DNR) to jointly submit a plan to the Joint Committee on Finance (JCF) for the use of funds transferred or lapsed to the JCF appropriation from DOD recycling programs. If JCF approves all or part of the plan it may supplement any appropriation within the Department of Development or the Department of Natural Resources that is in accordance with the submitted plan.

I am partially vetoing this provision to remove references to the Department of Natural Resources because none of the funds lapsed or transferred to the JCF appropriation for recycling markets program enhancements come from DNR. I agree that DOD should be required to prepare a plan justifying their ability to use these funds as a condition for receiving a supplement from JCF for their recycling programs. However, DNR involvement in the expenditure of DOD recycling business development funds is unnecessary.

SECTION 9115. **Nonstatutory provisions; development.**

(3j) PLAN FOR RECYCLING MARKET DEVELOPMENT PROGRAMS. The department of development, ~~in conjunction with the department of natural resources,~~ shall develop a plan for the use of funds contained in the recycling fund and appropriated under section 20.865 (4) (u) of the statutes, to fully effect the purposes of the recycling market development programs under the statutes. The department of development shall submit the plan ~~developed and prepared by the department of development and the department of natural resources~~ to the joint committee on finance for consideration at the committee's meeting in December 1993. Notwithstanding section 13.10 of the statutes, and section 13.101 of the statutes, as affected by this act, if the committee approves the plan in whole or in part, it may supplement any appropriate appropriation account of the department of development ~~or of the department of natural resources~~ in accordance with the plan.

Vetoed in Part

Vetoed in Part

Vetoed in Part

B 10. Heritage Tourism Technical Correction and Position Duration

Section 9115 (2dm)

This provision increases DOD's authorized FTE positions for the Heritage Tourism program by 1.0 PR project position. The position's expiration date is set at June 30, 1995.

I am partially vetoing this section to correct an error and to bring it into agreement with other Heritage Tourism program statutory language. I have vetoed all references to this position as a PR position. The Heritage Tourism program is entirely GPR funded and this position should therefore be GPR funded.

I am also vetoing the position's expiration date of June 30, 1995. This veto brings the project position's duration more closely in line with the permanent status of the Heritage Tourism program.

SECTION 9115. **Nonstatutory provisions; development.**

(2dm) HERITAGE TOURISM PROJECT POSITION. The authorized FTE positions for the department of development are increased by 1.0 ~~PR~~ project position ~~(a) a period ending on June 30, 1995,~~ to be funded from the appropriation under section 20.143 (2) (bm) of the statutes, as affected by this act. The position replaces 1.0 ~~PR~~ project position that is authorized to coordinate the heritage tourism program under section 560.31 of the statutes, as affected by this act, and that has a probable termination date of June 30, 1994. Notwithstanding section 230.27 (1) of the statutes, if the term of the 1.0 ~~PR~~ project position relating to the heritage tourism program and authorized until June 30, 1994, has not expired on the effective date of this subsection, the department of development may use the authorization under this subsection to extend the term ~~until June 30, 1995~~.

Vetoed in Part **Vetoed in Part** **Vetoed in Part** **Vetoed in Part**

NATURAL RESOURCES

B 11. Financial Criteria Study

Section 9142 (4z)

This provision directs the Clean Water Fund Citizen's Advisory Committee to conduct a study of the financial eligibility criteria used in the clean water fund. The committee is directed to report the results of the study and program recommendations to the Legislature for potential inclusion in the 1995-97 biennial budget.

This bill contains significant changes to the eligibility criteria for the clean water fund, especially regarding hardship provisions. At my recommendation, this bill introduces an income criterion and a property value criterion to the hardship provisions of the Clean Water program. The bill also shifts additional funding to those projects qualifying for hardship financing. Additionally, potential changes to the federal Clean Water Act may impact the Wisconsin clean water fund. I am vetoing the requirement for this study and the report to the Legislature because it is premature to conduct a study of the financial eligibility criteria in the midst of these significant changes. The need for this study should be reconsidered after the effects of these changes are fully

known. In the meantime, the Citizen's Advisory Committee is free to make any recommendations it determines necessary to improve the program.

SECTION 9142. **Nonstatutory provisions; natural resources.**

Vetoed in Part

~~(42) CLEAN WATER FUND FINANCIAL ELIGIBILITY CRITERIA STUDY. The clean water fund citizen's advisory committee shall study the financial eligibility criteria for the clean water fund program under sections 144.241 and 144.2415 of the statutes. The committee shall submit a report on the results of the study and recommendations for changes to the legislature, in the manner provided in section 13.172 (2) of the statutes, for consideration for the 1995-97 biennial budget.~~

B 12. Land and Water Conservation Board Membership

Sections 42i and 42j

These provisions create a new member of the Land and Water Conservation Board who is to represent and be appointed by lake management organizations. The provisions include a definition of "lake management organization."

I am vetoing the provisions that establish the qualifications and appointing authority for this member because I object to the policy of reserving, by statute, positions on policy making bodies for members of specific constituency groups and permitting the groups themselves to name the representatives. These appointments are more appropriately made by elected officials. Since this bill creates broad new authority for the Land and Water Conservation Board in the area of nonpoint source pollution abatement, I strongly support the addition of two new members to the board to address those increased responsibilities. Furthermore, I do not object to the narrower issue of a lake management representative on the Land and Water Conservation Board and I intend to appoint an individual who represents lake management organizations.

I am also vetoing the definition of "lake management organization" because it is no longer necessary.

Vetoed in Part

~~SECTION 42i. 15.135 (4) (a) of the statutes is created to read:~~

~~15.135 (4) (a) *Definition.* In this subsection, "lake management organization" means a county, city, town, village, qualified lake association, as defined in s. 144.253 (1), town sanitary district, public inland lake protection and rehabilitation district or another local governmental unit, as defined in s. 66.299 (1) (a), that is established for the purpose of lake management.~~

SECTION 42j. 15.135 (4) (b) 2m of the statutes is created to read:

15.135 (4) (b) 2m. ~~One representative of a lake management organization designated by lake management organizations at their annual meeting in each even-numbered year,~~ appointed for a 2-year term. Vetoed in Part

B 13. Study of DNR Permit Issuance Process

Section 9142 (3)

Section 9142 (3) directs the Department of Natural Resources to contract with a person outside the department to review the department's policies and procedures for issuing water pollution discharge elimination system permits. The department is to require a report with the results of the review and recommendations. The report is due no later than September 1, 1994.

I am partially vetoing this provision because the department should contract for a review of policy and procedures for issuing both water and air pollution permits. My budget recommendations provided funding for a review of the permit issuance process for both water discharge elimination system permits and air pollution control permits. Through this particular veto, I am reiterating my belief that the department and affected parties would benefit from a review of both processes.

I am requesting the Department of Administration Secretary to release the $200,000 GPR budgeted for this in fiscal year 1993-94 from unallotted reserve in appropriation s. 20.370 (2) (ma) after determining that the Department of Natural Resources has received an acceptable proposal regarding a substantive review of the permit issuance process.

SECTION 9142. **Nonstatutory provisions; natural resources.**

Vetoed in Part (3) REVIEW OF ~~WATER~~ POLLUTION PERMIT PROCESS. The department of natural resources shall contract with a person from outside the department to review the department's policy and procedures for issuing ~~water~~ pollution ~~discharge elimination system~~ permits under ~~chapter 147 of~~ the statutes and applicable federal law and to determine which aspects of the permit program can be most cost-effectively performed under contract with private vendors. The department shall require the person with whom it contracts to prepare a report that includes the results of the review and recommendations for changes designed to improve the accomplishment of the objectives ~~of chapter 147~~ of the statutes and to shorten the time for permit issuance and to submit the report to the legislature, in the manner provided in section 13.172 (2) of the statutes, and to the governor, no later than September 1, 1994.

Vetoed in Part

Vetoed in Part

B 14. Great Lakes Harbors and Bays Cleanup

Section 153 [as it relates to s. 20.370 (2) (af)]

This provision appropriates $500,000 GPR in each year of the biennium to support remedial actions in the Great Lakes and their tributaries. Although there is no language in the budget bill authorizing this increase, the Joint Committee on Finance included it in a budget motion.

I object to a funding increase of this size. At my recommendation, the Legislature provided $5.0 million in bonding for this program. I fully support the need to conduct cleanup operations on the Great Lakes and I understand the desire of the Legislature to provide GPR support. However, there are many other competing needs for GPR funding at this time. By lining out the $500,000 appropriation under s. 20.370 (2) (af) for fiscal year 1993-94 and writing in $250,000, I am vetoing the part of the bill which provides the $500,000, and instead I am providing funding of $250,000 for that year. The full amount appropriated by the Legislature continues to be available in fiscal year 1994-95. I am also requesting the Department of Administration Secretary not to allot these funds in fiscal year 1993-94.

SECTION 153.

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1993-94	1994-95	
20.370 Natural resources, department of					
(2) ENVIRONMENTAL QUALITY					
(af) Water resources -- remedial action	GPR	C	250,000 ~~500,000~~	500,000	Vetoed in Part

B 15. Recycling Demonstration Grants

Section 2682u

These provisions replace the existing limit of one recycling demonstration grant per applicant with a two-tiered limit that restricts private businesses to grants totaling no more than $200,000 while other applicants are limited to $250,000.

I object to the creation of a two-tiered limit on grants. A two-tiered limit is without economic or policy justification. The extent of the public benefit of a demonstration grant is not determined by the source of the idea and it is not productive to discriminate against private business in this manner. I am vetoing this provision to create a single limit of $250,000 on grants awarded to any single applicant, regardless of whether the applicant is a private business.

SECTION 2682u. 159.25 (5) (b) of the statutes is amended to read:

159.25 (5) (b) An eligible applicant for a demonstration grant may receive a grant based upon the weight or equivalent volume of solid waste anticipated to be diverted from disposal at land disposal facilities but a demonstration grant may not exceed 50% of the actual eligible costs or $150,000, whichever is less. An applicant's required contribution for a demonstration grant may consist of funding or an in-kind contribution. The department may award up to 75% of the grant to the applicant upon approval. The department shall award the remainder of the grant only if the waste reduction and recycling activities are implemented and approved by the department. ~~An applicant may receive only one demonstration grant~~ The department may not award grants under this section ~~to a private business that total more than $200,000 or~~ to any ~~other~~ applicant that total more than $250,000. Vetoed in Part

B16. Boat Lien and Titling Programs

Sections 329g, 694b, 694c, 694d, 694e, 694f, 694g, 694h, 694i, 694j, 694k, 694m, 694p, 694r, 694t, 694v, 694x, 694z, 695b, 695f, 695h, 695j, 695m, 695p, 695r, 695t, 695v, 695x, 695z, 696b, 696d, 1586m, 2370m, 2370q, 3260m, 3260r and 3561m

These sections repeal the existing boat titling and lien provisions administered by the Department of Natural Resources (DNR). The Joint Committee on Finance (JCF) also deleted 3.5 FTE positions and $137,300 SEG in fiscal year 1993-94 and $183,100 SEG in fiscal year 1994-95 which were related to implementation and enforcement of existing boat titling and lien programs. I am vetoing these provisions to maintain the existing boat titling and lien programs.

The DNR has issued boat titles for boats of at least 16 feet in length since 1989 and has notated security interests (liens) on titles since January 1992. In 1989, the Legislature provided 1.0 SEG position to implement boat titling and in June 1992 JCF approved $138,400 SEG and 2.5 SEG project positions to implement boat titling and lien programs.

The DNR enforces boating registration, titling and lien laws through physical verification of hull identification numbers, repossessions and theft investigations. The DNR has developed a coordinated boat registration, titling and lien system which it used to process 29,716 original titles, 3,807 duplicate titles and 7,492 liens in 1992. The program is designed to be self-funded; $205,100 in revenues from title and lien fees were received in 1992. Using this system, the DNR has assisted in recovery of stolen boats, trailers and motors. The DNR will also be participating in the first test run of a nationwide vessel identification and documentation system (VIDS) in June 1994. The federally-designed VIDS system will be a computerized clearinghouse for boat information which will eventually contain boat registration, title and lien information on a nationwide basis.

I am vetoing the repeal of the DNR boat titling and lien system because I believe linking a boat lien system with a boat titling program located within one state agency is advantageous to consumers, as well as financial institutions. Currently, DNR's Madison office receives the boat registration, titling and lien applications on a single form. The effect of this veto is to continue a convenient system in which a single document provides evidence of title and notice of liens. This modernized system is designed to be funded by users (those holding titles and recording liens), at no cost to the state taxpayer. A joint title/lien system has been adopted by other Midwestern states, including Michigan, Minnesota, Iowa, Indiana and Illinois. It is anticipated that the federal government will be requiring states to title boats within the next several years. It would be confusing for the boating public and inefficient for DNR to scrap the coordinated boat registration, titling and lien system currently in operation and then have to recreate it based on a federal mandate. I will continue to work with the financial community, the Legislature and the DNR to restore sufficient resources to the DNR to administer this self-funding system.

Vetoed in Part

SECTION 329g. 20.370 (8) (es) of the statutes is repealed.

Vetoed in Part

SECTION 694b. 30.53 (3) of the statutes is amended to read:

30.53 (3) ASSIGNMENT. An assignment of a manufacturer's or importer's certificate of origin shall be printed on the reverse side of the manufacturer's or importer's certificate of origin in the form prescribed by the secretary. The assignment form shall include the name and address of the transferee, a certification that the boat is new and a warranty that the title at the time of delivery is subject only to the liens and encumbrances that are set forth and described in full in the assignment. ~~Nothing in this subsection requires the transferee to apply for a certificate of title under s. 30.543.~~

SECTION 694c. 30.531 (title), (1) and (2) of the statutes are repealed.

SECTION 694d. 30.531 (3) (title) of the statutes is renumbered 30.53 (5) (title).

SECTION 694e. 30.531 (3) (a) of the statutes is renumbered 30.53 (5) (a) and amended to read:

30.53 (5) (a) *Boats exempt from registration requirements.* A boat is exempt from ~~both~~ the certificate of origin ~~and certificate of title~~ requirements of this chapter if it is exempt under s. 30.51 (2) (a) from the certificate of number and registration requirements or exempt under s. 30.51 (2) (b) from the certificate of number requirements of this chapter.

SECTION 694f. 30.531 (3) (b) of the statutes is renumbered 30.53 (5) (b) and amended to read:

30.53 (5) (b) *Boats under 16 feet.* A boat is exempt from ~~both~~ the certificate of origin ~~and certificate of title~~ requirements of this chapter if it is less than 16 feet in length.

SECTION 694g. 30.531 (3) (bn) of the statutes is renumbered 30.53 (5) (c) and amended to read:

30.53 (5) (c) *Boats voluntarily registered.* A boat issued a registration card pursuant to s. 30.52 (1) (b) 1m is exempt from ~~both~~ the certificate of origin ~~and certificate of title~~ requirements of this chapter.

SECTION 694h. 30.531 (3) (c) of the statutes is repealed.

SECTION 694i. 30.533 of the statutes is repealed.

SECTION 694j. 30.535 of the statutes is repealed.

SECTION 694k. 30.537 of the statutes is repealed.

SECTION 694m. 30.539 of the statutes is repealed.

SECTION 694p. 30.54 of the statutes is repealed.

SECTION 694q. 30.541 of the statutes is repealed.

SECTION 694r. 30.544 of the statutes is amended to read:

30.544 Inspection of boats purchased out-of-state. For purposes of enforcement, conservation wardens or local law enforcement officials, after presenting appropriate credentials to the owner of a boat which was purchased outside of this state ~~and which is subject to the certificate of title requirements of this chapter~~, shall inspect the boat's engine serial number or hull identification number.

Vetoed in Part

SECTION 694v. 30.547 of the statutes is amended to read:

30.547 Penalty. Any person ~~who intentionally falsifies an application for a certificate of title or a certificate of title issued under s. 30.527 (1) or 30.541 (4)~~ or who intentionally alters a hull identification number or engine serial number shall be fined not more than $5,000 or imprisoned for not more than 5 years or both.

SECTION 694x. 30.549 (title) of the statutes is amended to read:

30.549 (title) Transfer of ownership of boats with a ~~certificate of title~~ or certificate of number or registration.

SECTION 694z. 30.549 (1) (a) of the statutes is amended to read:

30.549 (1) (a) If the owner of a boat covered by a valid ~~certificate of title and a valid~~ or expired certificate of number or registration issued by this state transfers all or any part of the owner's interest in the boat, other than by the creation of a security interest, the owner shall give the certificate of number card or the registration card to the new owner ~~and shall deliver the certificate of title to the new owner as provided under s. 30.541 (1).~~

SECTION 695b. 30.549 (2) (a) of the statutes is amended to read:

30.549 (2) (a) Transfer of the ownership of a boat terminates the certificate of ~~title and the certificate of~~ number or registration for the boat except in the case of a transfer of a part interest which does not affect the transferor's right to operate the boat. The transferee shall make application for a new certificate of ~~title and a new certificate of~~ number or registration within 10 days after the date of purchase as prescribed by the department. Upon receipt of the application accompanied by the required fee, the department shall issue a new certificate of ~~title and a new certificate of~~ number card or registration card for the boat.

SECTION 695f. 30.55 (1) of the statutes is amended to read:

30.55 (1) DESTRUCTION OR ABANDONMENT. If a boat covered by a certificate of ~~title and certificate of~~ number or registration issued by this state is destroyed or abandoned, the owner shall notify the department of that fact within 15 days after the destruction or abandonment and shall at the same time return the certificate of ~~title and certificate of~~ number card or registration card to the department for cancellation.

SECTION 695h. 30.55 (2) of the statutes is amended to read:

30.55 (2) CHANGE OF ADDRESS. If a person, after applying for a certificate of ~~title and certificate of~~ number or registration or after receiving a certificate of ~~title and certificate of~~ number card or a registration card, moves from the address given in the application

Vetoed in Part

or the card, he or she, within 15 days after moving, shall notify the department in writing of both the old and new address and of any identification numbers awarded under this chapter.

SECTION 695j. 30.553 of the statutes is repealed.

SECTION 695m. 30.57 of the statutes is repealed.

SECTION 695p. 30.571 of the statutes is repealed.

SECTION 695r. 30.572 of the statutes is repealed.

SECTION 695t. 30.573 of the statutes is repealed.

SECTION 695v. 30.574 of the statutes is repealed.

SECTION 695x. 30.575 of the statutes is repealed.

SECTION 695z. 30.576 of the statutes is repealed.

SECTION 696b. 30.577 of the statutes is repealed.

SECTION 696d. 30.578 of the statutes is repealed.

Vetoed in Part

SECTION 1586m. 59.76 (2) of the statutes is amended to read:

59.76 (2) No action may be brought or maintained against a county for disclosure of information received under s. 342.20 (3) and maintained under s. 342.20 (4) ~~or received under s. 30.572 (4) and maintained under s. 30.572 (6)~~.

Vetoed in Part

SECTION 2370m. 138.09 (7) (j) 2 of the statutes is amended to read:

138.09 (7) (j) 2. An amount sufficient to cover the fee for filing the termination statement required by s. 409.404 on loans secured by merchandise other than a motor vehicle ~~or a boat~~; and

SECTION 2370q. 138.09 (7) (j) 3 of the statutes is amended to read:

138.09 (7) (j) 3. On motor vehicle loans, the actual filing fee required for filing with the department of transportation under ch. 342 ~~or, on boat loans, the filing fee required for filing with the department of natural resources under ch. 30~~.

Vetoed in Part

SECTION 3260m. 409.302 (3) (bm) of the statutes is repealed.

Vetoed in Part

SECTION 3260r. 411.104 (1) (a) of the statutes is amended to read:

411.104 (1) (a) Certificate of title statute of this state, including ~~s. 30.521~~ and s. 342.05.

Vetoed in Part

SECTION 3561m. 704.90 (3) (a) of the statutes is amended to read:

704.90 (3) (a) An operator has a lien on all personal property stored in a leased space for rent and other charges related to the personal property, including expenses necessary to the preservation, removal, storage, preparation for sale and sale of the personal property. The lien attaches as of the first day the personal property is stored in the leased space and is superior to any other lien on or security interest in the personal property except for a statutory lien or a security interest that is perfected by filing prior to the first day the personal property is stored in the leased space, or a security interest in a vehicle perfected under ch. 342 ~~or a security interest in a boat perfected under ch. 30~~.

B 17. Licensing Automation

Section 153 [as it relates to s. 20.370 (1) (mu)]

Section 153 [as it relates to s. 20.370 (1) (mu)] provides $264,000 SEG in fiscal year 1993-94 and $110,600 SEG in fiscal year 1994-95 to expand licensing automation, data processing and marketing activities in the Department of Natural Resources (DNR). Although there is no language in the budget bill that authorizes this increase, the purpose of this funding was included in a Joint Committee on Finance (JCF) budget motion.

Of the amount of SEG increase, JCF indicated that the snowmobile account within the conservation fund is to contribute $26,900 SEG in fiscal year 1993-94 and $11,000 SEG in fiscal year 1994-95. I object to that portion of this increase which is to be funded by the snowmobile account because it does not appear that this expanded automation and marketing initiative will benefit snowmobilers or the snowmobile program. By lining out the DNR's s. 20.370 (1) (mu) appropriation for license administration and writing in a smaller amount that deletes $26,900 SEG

in fiscal year 1993-94 and $11,000 SEG in fiscal year 1994-95, I am vetoing the part of the bill which uses snowmobile account revenues for this purpose. I am also requesting the Department of Administration Secretary not to allot these funds.

SECTION 153.

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1993-94	1994-95	
20.370 Natural resources, department of					
(1) RESOURCE MANAGEMENT					
(mu) General program operations--state funds	SEG	A	2,126,500 -0-	1,977,400 -0-	Vetoed in Part
License administration	SEG	A	~~2,123,400~~	~~1,988,400~~	
Fisheries management	SEG	A	11,967,600	11,954,600	
Wildlife management	SEG	A	8,832,700	8,841,800	
Forestry	SEG	A	23,530,800	23,506,800	
Southern forests	SEG	A	2,831,200	2,716,300	
Parks and recreation	SEG	A	4,821,000	5,056,900	
Aeronautics and communications	SEG	A	838,900	839,400	
Research	SEG	A	2,113,500	2,114,400	
Property management	SEG	A	3,270,100	3,371,400	Vetoed in Part
NET APPROPRIATION			~~60,222,200~~ 60,332,300	~~60,390,000~~ 60,379,000	

B 18. Florence County Interpretive Center

Section 9142 (1t)

Section 9142 (1t) provides $10,000 SEG from the appropriation under s. 20.370 (4) (mq) to Florence County to study the desirability and feasibility of constructing and maintaining an interpretive center in the county. I am partially vetoing this provision to remove the requirement that funds be limited to a feasibility study because the funds can be used more effectively to address the remaining needs of the interpretive center.

The Florence County Natural Resources and Visitor Center has been constructed and currently houses all local natural resource agency offices, including the Florence County Forestry and Parks Department, the Wisconsin Department of Natural Resources, the U.S.D.A. Forest Service Florence Ranger District for the Nicolet National Forest and the Florence County University of Wisconsin-Extension. Bringing these agencies together allows for integrated visitor services for recreation on public lands; cooperative management of major visitor attractions; and one-stop services for visitor information, permits, licenses and other needs. Since the Center has been constructed, and necessary plans have been developed to proceed with further expansion of the interpretive and visitors center, I object to earmarking this $10,000 for more study. Through this veto, state funds are now properly targeted toward the remaining needs for the center, such as additional

interpretive exhibits which will emphasize Florence County's unique wild rivers environment.

SECTION 9142. **Nonstatutory provisions; natural resources.**

(1t) INTERPRETIVE CENTER IN FLORENCE COUNTY. From the appropriation under section 20.370 (4) (mq) of the statutes, as created by this act, the department of natural resources shall make a $10,000 grant in fiscal year 1993-94 to Florence county ~~to study the desirability and feasibility of constructing and maintaining an interpretive center in the county.~~ **Vetoed in Part**

TRANSPORTATION

B 19. Passenger Rail Route Development Debt Service

Section 369g [as it relates to s. 85.061 (3)]

This section modifies the appropriation under s. 20.395 (6) (aq) to specify that payment of debt service on general obligation bonds authorized under s. 20.866 (2) (up) come from the transportation fund. A maximum of $50,000,000 in bonding is authorized under s. 20.866 (2) (up) for rail passenger route development under s. 85.061.

I am partially vetoing this provision so that debt service on these bonds is paid from the general fund, not the transportation fund as provided by the Legislature. Payment from the general fund reflects the benefits rail passenger routes will have on the state's economy, environment and overall quality of life.

The Legislature has conditioned the use of bond proceeds under s. 20.866 (2) (up) on the submission of evidence by the Department of Transportation to the Joint Committee on Finance (JCF) that Amtrak has agreed to provide rail passenger service on the extension routes and on JCF approval. However, Amtrak's agreement to provide service must not only be measured by its willingness to administer the service. It must be measured by the willingness of Congress and Amtrak to provide the financial resources to fund Amtrak's share of costs, including track improvement, rolling stock and operating subsidy, as prescribed in the Amtrak Authorization and Development Act of 1992.

Holding Congress and Amtrak to the terms they established for state and federal cooperation is reasonable. Over the past 16 years, the federal government has allocated nearly $3,000,000,000 to rail improvements in the Northeast corridor between Washington, D.C., New York City and Boston. The emphasis of federal investment should begin to shift to other areas of the country, especially toward projects centered on the traditional Midwestern rail hub at Chicago.

Although the bond proceeds authorized for the passenger route expansion will not be used until Congress and Amtrak agree to provide their share of funding, the state can take the next step in expanding Amtrak service to Madison and Green Bay. Through other vetoes, I have increased the estimated closing balance of the transportation fund by $1,200,000 SEG.

I am requesting that the Department of Transportation Secretary submit a s. 13.10 request to the Joint Committee on Finance for the authority to use $600,000 SEG of these funds to perform the preliminary engineering necessary for future track improvements.

SECTION 369g. 20.395 (6) (aq) of the statutes is amended to read:

20.395 (6) (aq) *Principal repayment and interest, transportation facilities, state funds.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of transportation facilities under ss. 84.51, 84.52, 84.53, ~~85.061 (3)~~, 85.08 (2) (L) and (4m) (c) and (d), 85.09 and 85.095 (2). **Vetoed in Part**

6 20. Freight Rail Program Modifications

Sections 336e, 2029, 2033 and 2034m.

These sections make a number of changes to the state's Freight Rail Assistance program. Section 336e limits the use of funds in the existing appropriation under s. 20.395 (2) (bq) to railroad planning and technical assistance and the administration of railroad programs under chapter 85 of the statutes. Sections 2029 and 2033 expand the existing freight rail grant program to include loans and change the source of funding for grants and loans to a new SEG appropriation. Section 2034m creates a new Freight Rail Infrastructure Improvement Loan program.

I am partially vetoing the provisions to facilitate the transition to the new Freight Rail Grant and Loan program and to improve the effectiveness of the new Freight Rail Infrastructure Improvement Loans program. The partial veto of section 336e, eliminating the deletion of language from appropriation s. 20.395 (2) (bq), will enable the Department of Transportation to encumber and expend carryover funds for railroad projects currently being completed. This partial veto provides the department with authority to make the transition to the new program. The partial vetoes of sections 2029 and 2033, eliminating the deletion of appropriation 20.395 (2) (bq), also assist with the transition by allowing the department to expend carryover funds under s. 85.08 (4m) (c) and (d). The partial veto of section 2034m modifies the new Freight Rail Infrastructure Improvement Loan program to expand the number of eligible projects and provides the department with greater flexibility in structuring the terms of loan repayments. This partial veto also eliminates passenger stations as eligible projects for loans because they are a local responsibility.

SECTION 336e. 20.395 (2) (bq) of the statutes is amended to read:

20.395 (2) (bq) (title) *Railroad administration and planning, state funds.* As a continuing appropriation, the amounts in the schedule ~~for abandoned rail property and rail property improvement acquisition under s. 85.09, for grants under s. 85.08 (4m) (c), (d) and (f), for capital advances under s. 85.08 (4m) (e) and~~ for railroad planning and technical assistance under s. 85.08 (4)~~. The amounts expended for grants under s. 85.08 (4m) (f) may not exceed $300,000 annually~~ and for administration of railroad programs under ch. 85. **Vetoed in Part**

SECTION 2029. 85.08 (4m) (c) (intro.) of the statutes is amended to read:

85.08 (4m) (c) (title) *Railroad facilities acquisition grants and loans.* (intro.) The department may make grants to eligible applicants for the purpose of preserving freight rail service through the acquisition of rail property. The grant may be composed of state funds, federal funds, state property, the use of state property, or any combination of state funds, federal funds ~~and~~, state property and the use of state property. No grant for the acquisition of rail property

improvements may exceed 80% of the acquisition cost. No grant for the acquisition of rail property exclusive of rail property improvements may exceed 100% of the acquisition cost. A grant may be made to an eligible applicant before or after abandonment of a railroad line as defined in s. 85.09 (3). The department may permit an eligible applicant's share of an increase in the acquisition cost of rail property or rail property improvements to be paid in instalments if the increase in acquisition cost is caused by negotiation or litigation. No grant may be made under this paragraph for the acquisition of rail property if the acquisition price exceeds an amount deemed reasonable by the department. If a grant is made to an eligible applicant under this paragraph, the department may award a loan to the eligible applicant for not more than 15% of the acquisition cost. A grant of money or a loan made under this paragraph shall be paid from the appropriation under s. 20.395 (2) ~~(bs)~~ (bu) or (bx) or 20.866 (2) (uw). The department shall administer this program and shall have all powers necessary and convenient to implement this paragraph and par. (d), including the following powers: **Vetoed in Part**

SECTION 2033. 85.08 (4m) (d) of the statutes is amended to read:

85.08 (4m) (d) (title) *Railroad rehabilitation and construction grants and loans.* The department may make grants to eligible applicants for the purpose of rehabilitating or constructing rail property improvements. Construction shall be limited to that which is required to continue rail service on a particular line~~,~~ or to provide alternative rail service when a line has been abandoned ~~or to provide industry access to a line~~. A grant under this paragraph may be composed of state funds, federal funds, state property, the use of state property, technical assistance, or any combination of state funds, federal funds, state property, the use of state property and technical assistance. The value of a grant may not exceed 80% of the costs of rehabilitation or construction. If a grant is made to an eligible applicant under this paragraph, the department may award a loan to the eligible applicant for not more than 15% of the rehabilitation or construction costs. A grant may be made before or after abandonment of a railroad line as defined in s. 85.09 (3). A grant or loan made under this paragraph shall be paid from the appropriation under s. 20.395 (2) ~~(bs)~~ (bu) or (bx) or 20.866 (2) (uw). **Vetoed in Part**

SECTION 2034m. 85.08 (4m) (e) of the statutes is repealed and recreated to read:

85.08 (4m) (e) *Freight rail infrastructure improvement loans.* 1. Upon the request of an eligible applicant, the department may negotiate and enter into a loan agreement with the eligible applicant for purposes of rehabilitating a rail line or to finance an economic development and transportation efficiency project, including a project designed to promote safety or the viability of a statewide system of freight rail service, to assist intermodal freight movement or to provide industry access to a rail line. A loan made under this paragraph shall finance a project that ~~would not be economically feasible without the loan and that~~ confers a public benefit or enhances economic development in this state. Loans made under this paragraph shall be paid from the appropriation under s. 20.395 (2) (bt), (bu), (bw) or (bx). **Vetoed in Part**

2.

a. ~~Main~~ line upgrades that will expand the use of a rail line for the public benefit, including increased passenger service and increased use of double-stack technology and piggyback service. **Vetoed in Part**

c. Projects associated with ~~establishing~~ rail intermodal facilities, such as terminals, team tracks, docks, conveyers~~, passenger stations,~~ and other loading and unloading facilities. **Vetoed in Part** **Vetoed in Part**

3. Loans made under this paragraph shall be allocated by the department on bases that protect the public interest, including a cost-benefit analysis. A loan made under this paragraph may cover up to 100% of a project's cost ~~and shall be repaid over a 10-year period in equal instalments~~. **Vetoed in Part**

B 21. Use of Revenue Bond Proceeds for Major Highway Projects

Section 9154 (2c) and (2z)

Section 9154 (2c) and (2z) prohibits the Department of Transportation from using proceeds from transportation revenue bonds in excess of specified amounts in fiscal years 1993-94 and 1994-95. The department may use proceeds in excess of these amounts only if it submits a plan for the additional use to the Joint Committee on Finance and the plan is approved by the Committee.

I am partially vetoing section 9154 (2c) and vetoing section 9154 (2z) because they restrict the department's flexibility in meeting its programmatic requirements. This veto retains the provision which prohibits the department from increasing the use of bond proceeds in a manner which results in an increase in the Major Highways program.

SECTION 9154. **Nonstatutory provisions; transportation.**

Vetoed in Part (2c) AVAILABILITY OF FEDERAL FUNDS. If federal funds available to the department of transportation in fiscal year 1993-94 or fiscal year 1994-95 are less than the total amount of federal funds shown in the schedule of appropriations for fiscal year 1993-94 or fiscal year 1994-95 to the department of transportation under section 20.395 of the statutes, as affected by this act, the department of transportation may submit a plan to the joint committee on finance to increase the use of bond proceeds of revenue obligations issued under section 84.59 of the statutes, as affected by this act, for the major highway projects program under section 84.013 of the statutes, as affected by this act, in excess of $88,080,300 in fiscal year 1993-94 or $93,081,700 in fiscal year 1994-95, to replace the decrease in available federal funds. The plan may not propose and the joint committee on finance may not approve an increase in the use of bond proceeds for the major highway projects program that would result in an expenditure for the program in excess of the total amount of funds shown in the schedule of appropriations for fiscal year 1993-94 or fiscal year 1994-95 to the department of transportation under section 20.395 (3) (bq) to (bx) of the statutes, as affected by this act. The joint committee on finance shall act upon the plan submitted by the department of transportation. The department of transportation may not increase the use of bond proceeds as provided in this subsection without the approval of the joint committee on finance.

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

(2z) FUNDING OF HIGHWAY PROJECTS.

(a) Of the principal amount authorized for revenue obligations issued under section 84.59 of the statutes, as affected by this act, the department of transportation may not use more than $88,100,000 in fiscal year 1993-94 for major highway projects unless the joint committee on finance approves a plan submitted by the department to the joint committee on finance for the use of the additional bond proceeds. The joint committee on finance shall act upon the plan submitted by the department.

(b) Of the principal amount authorized for revenue obligations issued under section 84.59 of the statutes, as affected by this act, the department of transportation may not use more than $93,100,000 in fiscal year 1994-95 for major highway projects unless the joint committee on finance approves a plan submitted by the department to the joint committee on finance for the use of the additional bond proceeds. The joint committee on finance shall act upon the plan submitted by the department.

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6 22. Bicycle and Pedestrian Facilities

Section 2024g

Section 2024g in the budget bill as passed requires the Department of Transportation to annually award $700,000 in grants from the appropriation under s. 20.395 (2) (fx) for bicycle and pedestrian facilities, rather than the $250,000 I recommended. The $700,000 FED comes from transportation enhancement funding and is specifically earmarked for bicycle and pedestrian facilities.

I am vetoing the provision in section 2024g that requires the Department of Transportation to award $700,000 annually in grants from the appropriation under s. 20.395 (2) (fx) because the increase is too large. Significant funding for bicycle and pedestrian facilities is available through the $250,000 FED per year recommended in my budget proposal, the new surface transportation discretionary grant program ($4,000,000 FED annually), and transportation enhancements funding ($4,400,000 FED annually). I am also requesting the Department of Administration Secretary to place $450,000 FED in fiscal year 1993-94

and $450,000 FED in fiscal year 1994-95 in unallotted reserve in appropriation s. 20.395 (2) (fx). This is the amount that was provided for bicycle and pedestrian facilities by the Budget Conference Committee above the amount I recommended.

SECTION 2024g. 85.024 of the statutes is created to read:

85.024 Bicycle and pedestrian facilities program.

(2) The department shall administer a bicycle and pedestrian facilities program to award grants of assistance to political subdivisions for the planning, development or construction of bicycle and pedestrian facilities. Annually, the department shall award ~~$700,000~~ from the appropriation under s. 20.395 (2) (fx) in grants to political subdivisions under this section. A political subdivision that is awarded a grant under this section shall contribute matching funds equal to at least 25% of the amount awarded under this section. The department shall select grant recipients annually beginning in 1994 from applications submitted to the department on or before April 1 of each year. **Vetoed in Part**

B 23. State Highway Rehabilitation Program

Section 153 [as it relates to s. 20.395 (3) (cq)]

Section 153 [as it relates to s. 20.395 (3) (cq)] provides $190,379,000 SEG in fiscal year 1993-94 and $206,818,000 SEG in fiscal year 1994-95 for state highway rehabilitation activities. Although there is no language in the budget bill to identify it, the dollar amounts reflect the Budget Conference Committee's increasing this appropriation by $450,000 SEG in each fiscal year.

I object to this $450,000 SEG annual increase because it was accomplished in part by eliminating the funding my budget recommended for preliminary engineering on the Amtrak extension routes. By lining out the Department of Transportation's s. 20.395 (3) (cq) appropriation and writing in a smaller amount that deletes the $450,000 SEG provided annually for this purpose in fiscal years 1993-94 and 1994-95, I am vetoing the part of the bill which funds this provision. I am also requesting the Department of Administration Secretary not to allot these funds.

SECTION 153.

Statute, Agency and Purpose	Source	Type	1993-94	1994-95	
20.395 Transportation, department of					
(3) State highway facilities					
(cq) State highway rehabilitation, state funds	SEG	C	189,929,000 ~~190,379,000~~	206,368,000 ~~206,818,000~~	**Vetoed in Part**

B 24. Motor Fuel Tax Collection

Sections 1854, 1855 and 1855m

These sections relate to the collection of motor fuel taxes. Section 1854 provides for the circumstances under which diesel fuel is exempt from the tax. Section 1855 establishes refunds for transactions involving tax exempt fuel. Section 1855m includes a hold harmless provision that limits the tax liability of wholesaler distributors and licensed suppliers who are unable to recover the tax from a purchaser.

I am partially vetoing these provisions to improve the collection of the motor fuel tax and to modify the tax exemption language. The veto of the provision that end users of diesel fuel provide a certificate of exempt use removes a requirement that is redundant and unnecessarily complicates the program. I am vetoing the requirement that persons apply to the department for a refund on tax exempt fuel because it is unnecessary. The veto of the requirement that the Department of Revenue make a reasonable effort to pay refund claims within two weeks reflects the administrative problems in meeting the two week deadline. I am requesting that the Department of Revenue Secretary promulgate administrative rules for the processing of claims for refunds on exempt motor fuels, and that the rules specify that claims be resolved within four weeks. The veto of the hold harmless provision for wholesaler distributors simplifies the collection of motor fuel taxes by the Department of Revenue and will reduce the administrative costs of the program.

SECTION 1854. 78.01 (2m) of the statutes is created to read:

78.01 (2m) DIESEL FUEL EXEMPTIONS. No tax is imposed under sub. (1), and no supplier, wholesaler or retail dealer may collect a tax, on diesel fuel that is purchased by an end user ~~who provides a certification of exempt use at or before the time of sale and~~ if that fuel fulfills the requirements under sub. (2p) or fulfills one of the following conditions:

Vetoed in Part

SECTION 1855. 78.01 (2r) of the statutes is created to read:

78.01 (2r) REFUNDS FOR EXEMPT TRANSACTIONS. (a) The ultimate consumer shall assign his or her claim for a refund on undyed exempt diesel fuel and on all exempt gasoline to the person from whom the ultimate consumer purchased the fuel. ~~That person shall apply to the department for a refund. The department shall make a reasonable effort to pay the claim within 2 weeks after it receives the claim.~~

Vetoed in Part

SECTION 1855m. 78.01 (2s) of the statutes is created to read:

78.01 (2s) LIABILITY PRECLUDED. ~~A wholesaler distributor who is unable to recover the tax from a purchaser is not liable for the tax and, by supplying proper documentation, may apply for a refund. The department shall issue the refund within 2 weeks after receiving the documentation.~~ A licensed supplier who is unable to recover the tax from a purchaser is not liable for the tax and, with proper documentation, may credit the amount of tax against a later remittance of taxes.

Vetoed in Part

b 25. Transportation Economic Assistance Grants and Loans

Section 2010

Section 2010 revises s. 84.185 (6m), which establishes the Department of Transportation's administration of the transportation facilities economic assistance and development program. Section 2010 revises s. 84.185 (6m) to allow the Department of Transportation to make loans from the appropriations under s. 20.395 (2) (iq) and (iw) for the improvement of a transportation facility. The provision limits the Department of Transportation's expenditure authority from the appropriation under s. 20.395 (2) (iq), requiring that not more than 50% of the appropriation under s. 20.395 (2) (iq) be for grants.

I am partially vetoing section 2010 to eliminate the provision limiting the Department of Transportation to expending no more than 50% of the appropriation under s. 20.395 (2) (iq) for grants because it complicates the transition from the current grant program to a grant-loan program and it limits the department's flexibility in structuring assistance packages to meet the requirements of desirable projects.

SECTION 2010. 84.185 (6m) of the statutes is amended to read:

84.185 (6m) ADMINISTRATION. From the appropriations under s. 20.395 (2) (iq), (iv) and (ix), upon the approval of the secretary under sub. (2), the department may make improvements to or provide other assistance for the improvement of a transportation facility under sub. (1) (d) 1 to 3 or provide other assistance for the improvement of a transportation facility under sub. (1) (d) 4 or 5. The department may make loans from the appropriations under s. 20.395 (2) (iq) and (iw) for the improvement of a transportation facility. ~~The department shall expend not more than 50% of the appropriation under s. 20.395 (2) (iq) for grants under this subsection.~~ The state share of costs for the improvement of a transportation facility, including any loans made under this subsection for the improvement of the transportation facility, may not exceed 50% of the cost of the improvement.

Vetoed in Part

b 26. Passenger Station Improvement Funding

Sections 2024r and 2024t

These sections expand the rail passenger service assistance and promotion program under s. 85.06 to include railroad station improvements as eligible for funding from the appropriation under s. 20.395 (2) (br).

I am vetoing these sections because improving local railroad stations is not an appropriate activity for the state. I am requesting that the Department of Administration Secretary place $150,000 SEG in fiscal year 1993-94 and $150,000 SEG in fiscal year 1994-95 in unallotted reserve in appropriation s. 20.395 (2) (br) to lapse to the transportation fund. This amount was provided for railroad station improvements by a motion of the Joint Committee on Finance.

Vetoed in Part

~~SECTION 2024r. 85.06 (2) (g) of the statutes is created to read:~~

~~85.06 (2) (g) Provide funding for railroad station improvements.~~

Vetoed in Part

~~SECTION 2024t. 85.06 (3) (b) of the statutes is amended to read:~~

~~85.06 (3) (b) The department shall give priority to funding additional rail passenger service over railroad station improvements, marketing studies or promotional activities.~~

C. GOVERNMENT OPERATIONS

ADMINISTRATION

C 1. Rules for Refund of Expenditure Utilization

Sections 147 and 9101 (10h)

Section 147 requires state agencies to submit any request to utilize a refund of an expenditure to the Department of Administration Secretary and also requires the Department of Administration to propose new rules for the utilization of a refund of an expenditure. Section 9101 (10h) requires the Department of Administration to submit the proposed rules to the Legislative Council staff by the 180th day after the effective date of the budget act.

I am partially vetoing the provisions of section 147 that require the Department of Administration to propose rules for the proposed refund of expenditure process because this is unnecessary and administratively cumbersome. Also, I am vetoing section 9101 (10h) in its entirety because there will not be any proposed rules to submit to the Legislative Council staff. I am signing into law those provisions which tighten up procedures for refunds of expenditures.

SECTION 147. 20.001 (5) of the statutes is amended to read:

20.001 (5) (title) REFUNDS OF EXPENDITURES. ~~Amounts~~ Any amount not otherwise appropriated under this chapter that is received by a state agency as a result of ~~adjustments~~ an adjustment made to a previously recorded ~~expenditures in~~ expenditure from a sum certain appropriation to that agency due to activities that are of a temporary nature or activities that could not be anticipated during budget development, and which ~~serve~~ serves to reduce ~~an original~~ or eliminate the previously recorded expenditure ~~under an appropriation~~ in the same fiscal year in which the previously recorded expenditure was made ~~shall~~ may, upon request of the agency, be designated by the secretary of administration as ~~refunds of expenditures. Unless otherwise appropriated under this chapter,~~ a refund of an expenditure. Except as otherwise provided in this subsection, the secretary of administration may designate an amount received by a state agency as a refund of an expenditure only if the agency submits to the secretary, in accordance with procedures prescribed by rule of the department of administration, a written explanation of the circumstances under which the amount was received that includes a specific reference in a statutory or nonstatutory law to a function of the agency under which the amount was received and the appropriation from which the previously recorded expenditure was made. A refund of an expenditure shall be deposited by the receiving state agency ~~under~~ in the appropriation account from which the ~~original~~ previously recorded expenditure was made. Except as otherwise provided in this subsection, a state agency which proposes to make an expenditure from moneys designated as a refund of an expenditure shall submit to the secretary of administration, in accordance with procedures prescribed by rule of the department of administration, a written explanation of the purpose of the expenditure, including a specific reference in a statutory or nonstatutory law to a function of the agency under which the expenditure is to be made and the appropriation from which the expenditure is to be made. After submission and approval of an estimate of the amount proposed to be ~~spent~~ expended under s. 16.50 (2), a state agency may expend the moneys received from the refund of the expenditure. The secretary of administration may waive submission of any explanation required by this subsection for categories of refunds of expenditures or proposed refunds of expenditures specified by rule of the department of administration.

Vetoed in Part

Vetoed in Part

Vetoed in Part

SECTION 9101. **Nonstatutory provisions; administration.**

(10h) PROPOSED RULES CONCERNING REFUNDS OF EXPENDITURES. The department of administration shall submit in proposed draft form the rules required under section 20.001 (5) of the statutes, as affected by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than the 180th day beginning after the effective date of this subsection. Notwithstanding section 227.19 (2) of the statutes, the presiding officers of the senate and assembly shall refer those proposed rules in final draft form to the joint legislative audit committee.

Vetoed in Part

C 2. Information Technology Plan Review

Sections 128m and 9101 (5t)

Section 128m requires the Department of Administration to submit to the Joint Committee on Finance separate budget plans for each agency containing the following information: (a) the level of information technology expenditures in the current biennium and the amount requested for the next biennium for information technology improvements; (b) an evaluation of how the proposed expenditures would comply with the statewide information technology strategic plan; and (c) a recommendation for each agency on a funding level for the next biennium based on the agency's information technology plan and the statewide strategic plan. Section 9101 (5t) requires the Department of Administration to study and make recommendations to the Legislature by September 15, 1994, on the need for improvements to, or replacement of, the Community Aids Information System at the Department of Health and Social Services.

I am vetoing section 128m in its entirety because no additional positions or funding were provided to accomplish the assignment, and because similar procedures are already in place at the administrative level to ensure that information technology expenditures are carefully monitored and analyzed. Also, I am vetoing section 9101 (5t) in its entirety because it has not been demonstrated that a new system is needed.

Vetoed in Part

SECTION 128m. 16.971 (2) (n) of the statutes is created to read:

16.971 (2) (n) In March of each odd-numbered year, submit to the joint committee on finance an information technology budget plan that includes at least the following information:

1. The amounts anticipated to be expended by each agency in the current fiscal biennium and the amounts requested by each agency for expenditure in the succeeding fiscal biennium on information technology operations and improvements.

2. An evaluation of how such proposed expenditures would comply in technical terms with the statewide strategic plan for the use and application of information technology under par. (m).

3. A recommendation for each agency on what amount of each agency's proposed expenditures should be funded in the succeeding fiscal biennium based on the appropriateness of the expenditures in relation to the agency's information technology plans and priorities and in relation to proposed total state information technology expenditures, the statewide strategic plan under par. (m) and priorities indicated in that plan.

Vetoed in Part

SECTION 9101. Nonstatutory provisions; administration.

Vetoed in Part

(5t) COMMUNITY AIDS INFORMATION SYSTEM REPORT. The department of administration shall develop recommendations, including the need for funding and the funding source, for a new community aids information system or for improvements in the present systems that provide information regarding community aids, including information provided by counties. By September 15, 1994, the department of administration shall submit these recommendations to the legislature in the manner provided under section 13.172 (2) of the statutes.

C 3. Copy Center Consolidation

Sections 153 [as it relates to s. 20.865 (4) (a) and (u)] and 9159 (2b)

Section 9159 (2b) requires the Departments of Administration (DOA), Natural Resources and Public Instruction to jointly submit a plan for the consolidation of the three copy centers of these agencies into one center to be managed and operated by the Department of Administration to the Joint Committee on Finance for the June 1994 meeting under s. 13.10. In this plan the departments are required to provide comparable revenue and expenditure information, and the plan must include a proposal on the location and operation of the consolidated copy center. I am partially vetoing these provisions to: (a) remove the requirement that a joint plan for consolidation be submitted to the Joint Committee on Finance at the June 1994 meeting under s. 13.10; and (b) remove the requirement that the plan include a proposal on the location and operation of the consolidated copy center. I am vetoing the June 1994 reporting date provision because it will needlessly delay for one year the GPR savings and increased efficiency that will result from the consolidation of the centers. The Department of Administration has been working and will continue to work with the Departments of Natural Resources and Public Instruction during fiscal year 1993-94 on the consolidation. I am also vetoing the provision regarding the Joint Committee on Finance approval of the location of the consolidated copy center because the siting of this center is a management decision, not a legislative issue.

The budget bill also provides to the Department of Natural Resources $148,800 GPR and 1.0 GPR FTE position, $12,200 SEG and 2.0 SEG FTE positions and $3,300 FED in fiscal year 1993-94 to continue independent operation of its copy center. Although there is no language in the budget bill that authorizes these positions and the related funding, a motion passed by the Joint Committee on Finance increased the s. 20.370 (8) (ma), 20.370 (8) (mu) and 20.370 (8) (mz) appropriations to fund the positions. I am requesting the Department of Administration Secretary to place the funds appropriated under s. 20.370 (8) (ma) and 20.370 (8) (mu) into unallotted reserve to lapse to the general fund, and the conservation fund respectively. I am also requesting the Secretary to place the funds appropriated under s. 20.370 (8) (mz) into unallotted reserve. These funds are not needed because the Departments of Natural Resources and Administration are ready to move forward with the consolidation during fiscal year 1993-94. Placing the funds into unallotted reserve provides flexibility if the consolidation encounters unanticipated delays or costs.

The budget bill also provides to the Department of Public Instruction $76,000 GPR and 2.0 GPR FTE positions in fiscal year 1993-94 to continue independent operation of its copy center. Although there is no language in the budget bill that authorizes these positions and the related funding, a motion passed by the Joint Committee on Finance increased the s. 20.255 (1) (a) appropriation to fund the positions. I am requesting the Department of Administration Secretary to place $30,200 GPR which represents 1.0 vacant GPR FTE position into unallotted reserve to lapse

to the general fund because it is unlikely that the Department of Public Instruction will need these funds during the interim period before the consolidation occurs. Placing these funds into unallotted reserve provides flexibility if the consolidation encounters unanticipated delays or costs.

The budget bill also allocates $224,800 GPR and $12,200 SEG in fiscal year 1994-95 to the Joint Committee on Finance. These funds represent the base level expenditures for the Departments of Natural Resources and Public Instruction to operate their independent copy centers. Although there is no language in the budget bill that authorizes this funding, the bill increased the s. 20.865 (4) (a) and 20.865 (4) (u) appropriations. By lining out the Joint Committee on Finance's s. 20.865 (4) (a) and 20.865 (4) (u) appropriations and writing in a smaller amount in fiscal year 1994-95, I am vetoing the part of the bill that appropriates these funds because the consolidation of the copy centers eliminates the need for these funds in fiscal year 1994-95. I am also requesting the Department of Administration Secretary not to allot these funds.

SECTION 153.

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1993-94	1994-95
20.865 Program supplements				
(4) JOINT COMMITTEE ON FINANCE SUPPLEMENTAL APPROPRIATIONS				
(a) General purpose revenue funds general program supplementation	GPR	B	2,102,900	~~1,013,000~~ 788,900 Vetoed in Part
(u) Segregated funds general program supplementation	SEG	S	5,726,000	~~2,753,200~~ 2,741,000 Vetoed in Part

SECTION 9159. **Nonstatutory provisions; other.**

(2b) REPORT ON COPY CENTER CONSOLIDATION. The departments of administration, natural resources and public instruction shall ~~jointly~~ develop and submit a plan for consolidation of the copy centers operated by the 3 departments to the joint committee on finance ~~for consideration at the committee's 2nd quarterly meeting under section 13.10 of the statutes in 1994.~~ The departments shall provide comparable revenue and expenditure information regarding current copy center costs in the report. ~~The plan shall include a detailed proposal for the location and operation of the consolidated centers.~~

Vetoed in Part

Vetoed in Part

Vetoed in Part

C 4. Risk Management Sum Sufficient Fund

Section 122g

Section 122g requires the Department of Administration to repay the general fund in full within three years after utilization of the GPR sum sufficient fund, under s. 20.505 (2) (a), to pay risk management claims.

I am vetoing this provision because the department currently repays the general fund for use of the GPR sum sufficient fund, but a required three year timetable is too short and could create an unnecessary financial burden on state agencies.

SECTION 122g. 16.865 (8) of the statutes is amended to read:

16.865 (8) Annually in each fiscal year, allocate as a charge to each agency a proportionate share of the estimated costs attributable to programs administered by the agency to be paid from the appropriation under s. 20.505 (2) (k) ~~in the current fiscal year, and at least one-third of the actual expenditures, if any, from the appropriation under s. 20.505 (2) (a) during each of the previous 3 fiscal years~~. The department may charge premiums to agencies to finance costs under this subsection and pay the costs from the appropriation on an actual basis. The department shall deposit all collections ~~attributable to costs of the current fiscal year~~ under this subsection in the appropriation account under s. 20.505 (2) (k). ~~The department shall deposit all collections attributable to expenditures from the appropriation under s. 20.505 (2) (a) in previous fiscal years into the general fund as general purpose revenue earned.~~ Costs assessed under this subsection may include judgments, investigative and adjustment fees, data processing and staff support costs, program administration costs, litigation costs and the cost of insurance contracts under sub. (5). In this subsection, "agency" means an office, department, independent agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in ch. 231, 232 ~~or~~, 234 or 235.

Vetoed in Part

Vetoed in Part

Vetoed in Part

C 5. Division of Hearings and Appeals

Sections 3004m and 9154 (2) (f)

Section 3004m requires the Division of Hearings and Appeals Administrator to consult with the Department of Transportation on the promulgation of any rules related to the functions of the Office of the Commissioner of Transportation that are being transferred to the Division. I am partially vetoing this provision because it is unnecessary for the Legislature to direct the Division of Hearings and Appeals Administrator to consult with the Department of Transportation when promulgating new rules related to the transferred functions.

Section 9154 (2) (f) requires the Secretaries of the Departments of Administration and Transportation, the chairperson of the Public Service Commission and the Commissioner of Transportation to identify all rules that relate to the duties assigned to the Division of Hearings and Appeals, and requires the Division of Hearings and Appeals

Administrator, the Department of Transportation and the Public Service Commission to submit any new rules that would take effect on January 1, 1994, to the Legislative Council by November 15, 1993. I am partially vetoing these provisions because it is unnecessary and administratively cumbersome for the Legislature to direct the Division of Hearings and Appeals Administrator to consult with other parties when promulgating new rules, and for all parties to submit any proposed new rules that would take effect on January 1, 1994, to the Legislative Council by November 15, 1993.

SECTION 3004m. 227.43 (1) (d) of the statutes is amended to read:

227.43 (1) (d) Promulgate rules relating to the exercise of the administrator's and the division's powers and duties under this section. ~~The administrator of the division shall consult with the department of transportation in promulgating any rules relating to the functions assigned to the division under pars. (bg) and (br).~~ **Vetoed in Part**

SECTION 9154. **Nonstatutory provisions; transportation.**

(2) ABOLISHING THE OFFICE OF COMMISSIONER OF TRANSPORTATION; TRANSITIONAL PROVISIONS.

(f) *Rules.*

1. The secretaries of administration and transportation, the chairperson of the commission and the commissioner of transportation, acting jointly, shall identify all rules promulgated by the office that are in effect on January 1, 1994, and that relate to the functions assigned to the division under section 227.43 (1) (bg) and (br) of the statutes, as created by this act. All such rules remain in effect until their specified expiration date or until amended or repealed by the division. ~~If the administrator of the division promulgates rules that are to take effect on January 1, 1994, and that relate to the functions assigned to the division under section 227.43 (1) (bg) and (br) of the statutes, as created by this act, the administrator of the division shall, after consultation with the department of transportation, submit the proposed rules to the legislative council staff for review under section 227.15 (1) of the statutes no later than November 15, 1993.~~ **Vetoed in Part**

2. The secretaries of administration and transportation, the chairperson of the commission and the commissioner of transportation, acting jointly, shall identify all rules promulgated by the office that are in effect on January 1, 1994, and that relate to the functions assigned to the department under this act. All such rules remain in effect until their specified expiration date or until amended or repealed by the department. ~~If the department promulgates rules that are to take effect on January 1, 1994, and that relate to the functions assigned to the department as a result of the elimination of the office by this act, the department shall submit the proposed rules to the legislative council staff for review under section 227.15 (1) of the statutes no later than November 15, 1993.~~ **Vetoed in Part**

3. Those rules promulgated by the office that are in effect on January 1, 1994, and that are not identified under subdivisions 1 and 2 remain in effect until their specified expiration date or until amended or repealed by the commission. ~~If the commission promulgates rules that are to take effect on January 1, 1994, and that relate to the functions assigned to the commission as a result of the elimination of the office by this act, the commission shall submit the proposed rules to the legislative council staff for review under section 227.15 (1) of the statutes no later than November 15, 1993.~~ **Vetoed in Part**

C 6. Milwaukee Parental Choice Program: Public Awareness

Section 9101 (11w)

Section 9101 (11w) requires the Department of Administration to submit a plan for the expenditure of the funds appropriated under s. 20.505 (1) (e) for the development and implementation of a public awareness campaign for the Milwaukee Parental Choice program to the Joint Committee on Finance by December 1, 1993. The Joint Committee on Finance must then approve the plan before the funds may be encumbered.

I am vetoing this provision because it is unnecessary and inefficient for the department to seek approval from the Joint Committee on Finance for the expenditure of these funds.

SECTION 9101. **Nonstatutory provisions; administration.**

Vetoed in Part

~~(11w) PARENTAL CHOICE PUBLIC INFORMATION PROGRAM. The department of administration may not encumber funds appropriated in the 1993-95 fiscal biennium under section 20.505 (1) (e) of the statutes, as created by this act, without the approval of the joint committee on finance. The department of administration shall submit a plan for expenditure of the funds to the joint committee on finance by December 1, 1993.~~

DISTRICT ATTORNEYS

C 7. Assistant District Attorney Positions

Section 153 [as it relates to s. 20.475 (1) (d)]

This provision authorizes an additional $286,500 GPR in fiscal year 1993-94 and $343,800 in fiscal year 1994-95 for 9.0 additional assistant district attorney (ADA) positions beginning in fiscal year 1993-94, to be allocated as follows: 1.0 GPR FTE ADA position for Racine County, 2.0 GPR FTE ADA positions for Winnebago County, 1.0 GPR FTE ADA position for La Crosse County, 0.5 GPR FTE ADA position for Douglas County, 1.0 GPR FTE ADA position for Marathon County, 0.5 GPR FTE ADA position for Chippewa County, 1.0 GPR FTE ADA position for Grant County, 1.0 GPR FTE ADA position for Monroe County and 1.0 GPR FTE ADA position for Wood County. Although there is no language in the budget bill that authorizes these positions and the related funding, a budget motion passed by the Joint Committee on Finance provided the allocation by county and increased the s. 20.475 (1) (d) appropriation to fund the positions.

I am partially vetoing this provision to provide funding for an additional 4.5 GPR FTE ADA positions allocated as follows: 1.0 GPR FTE for Racine County, 2.0 GPR FTE ADA positions for Winnebago County, 0.5 GPR FTE ADA position for Douglas County and 1.0 GPR FTE ADA position for La Crosse County. My partial veto retains funding for additional

positions in those counties that ranked highest in need based on the caseload information obtained from the court system. By lining out the district attorneys' s. 20.475 (1) (d) appropriation and writing in a smaller amount to delete $143,100 GPR in fiscal year 1993-94 and $171,900 GPR in fiscal year 1994-95, I am vetoing the part of the bill which funds the additional ADA positions that were provided for Marathon, Chippewa, Grant, Monroe and Wood counties. I am also requesting the Department of Administration Secretary not to allot these funds.

I am pleased that the district attorneys are making progress in implementing a time reporting study that will generate stronger data with which to evaluate requests for additional ADA positions. However, as I have said in the past, I will continue to be reluctant to approve additional ADA positions and the corresponding state funding in the absence of the time reporting results.

SECTION 153.

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1993-94	1994-95	
20.475 District attorneys					
(1) DISTRICT ATTORNEYS					
(d) Salaries and fringe benefits	GPR	A	22,692,800 ~~22,835,900~~	22,710,000 ~~22,881,900~~	Vetoed in Part

C 8. Transfer Position Authority Between Prosecutorial Units

Section 3870m

This section requires the Department of Administration to transfer position authority for GPR assistant district attorney (ADA) positions from a prosecutorial unit that is below the statewide average caseload to the prosecutorial unit that has the highest caseload of those units that submitted, as a request for inclusion in the most recent department budget request under s. 16.42, a request to the department for at least one additional GPR ADA position if: (a) there is a vacancy in a GPR ADA position in the prosecutorial unit that is below the statewide average caseload; and (b) following the transfer, the county losing the position would remain below the statewide average caseload as calculated at the time the vacancy occurs. This section also requires the Department of Administration to promulgate rules to administer this section. Until rules are promulgated, the department is required to use the most recent available data, weighted as specified in the bill, from the director of state courts in determining caseload and statewide average caseload.

I am vetoing this section entirely because requiring the transfer of vacant ADA positions between prosecutorial units at this time is unwise and premature. 1991 Wisconsin Act 39 required the Department of Administration (acting on behalf of district attorneys) to develop a case management and time reporting methodology for use by each district attorney, deputy district attorney and assistant district attorney. The Joint Committee on Finance at its June 24, 1993 s. 13.10 meeting approved a time reporting methodology for the district attorneys which will be implemented during fiscal year 1993-94. For the same reason I am hesitant to provide additional ADA positions, I am also uncomfortable reallocating prosecutorial positions in the absence of the more reliable workload data that will result from the time reporting study.

Vetoed in Part

SECTION 3870m. 978.043 of the statutes is created to read:

978.043 Transfer of position authority between prosecutorial units. (1) The department of administration shall transfer position authority for 1.0 general purpose revenue assistant district attorney position from a prosecutorial unit that is below the statewide average case load to the prosecutorial unit that has the highest case load of those units that have submitted, as a request for inclusion in the most recent department budget request under s. 16.42, a request to the department for at least 1.0 additional general purpose revenue assistant district attorney position if the following conditions are met:

(a) There is a vacancy in a general purpose revenue assistant district attorney position in that prosecutorial unit that is below the statewide average case load.

(b) Following the proposed reduction in position authority, the county losing the position would remain below the statewide average case load. For calculations under this paragraph, the department shall use the statewide average case load that existed when the prosecutorial unit's vacancy occurred.

(2) (a) The department shall promulgate rules to administer this section. The rules shall include definitions of "case load" and "statewide average case load" and those definitions may assign weights to different types of cases.

(b) Until rules are promulgated under par. (a), the department shall determine case load and statewide average case load using the most recent available data from the director of state courts and cases weighted according to the following:

1. Except as provided in subd. 4, one felony case equals 1.0 weighted case.

2. Except as provided in subd. 4, one misdemeanor case equals 0.7 weighted case.

3. One juvenile delinquency case equals 0.7 weighted case.

4. One criminal case under chs. 341 to 349 equals 0.4 weighted case.

5. One forfeiture case equals 0.1 weighted case.

Vetoed in Part

EMPLOYE TRUST FUNDS

C 9. Health Insurance Data Collection Funds

Section 9119

Section 9119 requires the Department of Employe Trust Funds to submit a request to the Joint Committee on Finance under section 16.515 and receive the approval of the Joint Committee on Finance in order to expend $132,500 SEG in fiscal year 1993-94 and $215,000 SEG in fiscal year 1994-95 of the funds appropriated under s. 20.515 (1) (ut) for the costs of health insurance data collection and analysis.

I am vetoing this section in its entirety because it is unnecessary and inefficient for the department to seek approval from the Joint Committee on Finance for the expenditure of these funds.

Vetoed in Part

SECTION 9119. Nonstatutory provisions; employe trust funds.

(1t) RELEASE OF HEALTH INSURANCE DATA COLLECTION AND ANALYSIS CONTRACTS. Of the moneys appropriated to the department of employe trust funds under section 20.515 (1) (hr) of the statutes, $132,500 of the amount appropriated in fiscal year 1993-94 and $215,000 of the amount appropriated in fiscal year 1994-95 for the costs of contracting for insurance data collection and analysis services may not be encumbered or expended until the secretary of employe trust funds submits for each fiscal year a specific proposal for the expenditure of those amounts in each fiscal year to the joint committee on finance. If within 14 working days after the date of submittal of the expenditure proposal the cochairpersons of the joint committee on finance do not notify the secretary of employe trust funds that the committee has scheduled a meeting for the purpose of reviewing the expenditure proposal, the moneys may be encumbered or expended. If within 14 working days after the date of submittal of the expenditure proposal the cochairpersons notify the secretary of employe trust funds that the committee has scheduled a meeting for the purpose of reviewing the expenditure proposal, the moneys may be encumbered or expended only upon approval of the committee.

Vetoed in Part

INDUSTRY, LABOR AND HUMAN RELATIONS

10. Career Counseling Centers

Sections 451 and 2170

These sections establish three career counseling centers throughout the state which will provide access to comprehensive career education and job training information. These centers will be established through the awarding of grants to nonprofit corporations and public agencies by the Department of Industry, Labor and Human Relations.

I am partially vetoing section 2170 to eliminate the provision that specifies that three career counseling centers are to be created, as well as the provision that specifies where the three centers are to be located. The department should not be limited to creating a specific number of centers if sufficient grant funding exists to create more than three centers. I am requesting the department to establish at least one career counseling center in an urban area, at least one center in a rural area and at least one center in conjunction with a youth apprenticeship program, as the vetoed language stated. The department may use its discretion in establishing other sites.

I am also partially vetoing section 2170 insofar as it requires the department to evaluate and report to the Legislature and the Governor, by September 1, 1996, recommendations regarding incorporation of the centers into schools and public employment offices. I want the department to determine whether such a report is necessary and to set its own timetable for analysis of the issue.

Finally, I am partially vetoing section 2170 and partially vetoing section 451 to eliminate the June 30, 1997, sunset date for the career counseling centers. These sunset provisions place the future of career counseling centers in doubt after the 1995-97 biennium. I am vetoing

these provisions because I want to ensure that the career counseling centers are established on a permanent basis.

SECTION 451. 20.445 (1) (ep) of the statutes is created to read:

20.445 (1) (ep) *Career counseling centers.* The amounts in the schedule to provide career counseling centers under s. 101.267. ~~No money may be encumbered from the appropriation under this paragraph after June 30, 1997.~~

Vetoed in Part

SECTION 2170. 101.267 of the statutes is created to read:

101.267 Career counseling centers. (1) The department shall award grants to nonprofit corporations and public agencies for the provision of 3 career counseling centers throughout the state. ~~One career counseling center under this section shall be located in an urban area, as determined by the department, one career counseling center under this section shall be located in a rural area, as determined by the department, and one career counseling center under this section shall be operated in conjunction with a youth apprenticeship program under s. 101.265.~~

Vetoed in Part

Vetoed in Part

~~(5) The department shall conduct an evaluation of the career counseling centers provided under this section and submit a report on that evaluation to the appropriate standing committees under s. 13.172 (3) and to the governor by September 1, 1996. The report shall include recommendations regarding the incorporation of career counseling centers provided under this section into schools and public employment offices established under s. 101.23.~~

~~(6) This section does not apply after June 30, 1997.~~

Vetoed in Part

C 11. Retention of Unclassified Division Administrator Position

Section 3025g

This section reduces the number of division administrator positions in the Department of Industry, Labor and Human Relations from seven to six. I am vetoing this section because retention of this division administrator position will provide the department with the needed management flexibility to address the potential expansion of departmental responsibilities as they arise. The effect of my veto will maintain the number of division administrator positions in the department at seven.

Vetoed in Part

~~SECTION 3025g. 230.08 (2) (e) 6 of the statutes is amended to read:~~

~~230.08 (2) (e) 6. Industry, labor and human relations — 7 6.~~

C 12. Study of Topsoil Depth for Mound Private Sewage Systems

Section 9130 (3t)

This section directs the Department of Industry, Labor and Human Relations to study the safe level of topsoil that must be present on the site of a mound private sewage system. I am partially vetoing this section to require the department to study the various types of topsoil for all private sewage systems, not just for mound private sewage

systems. This study will be invaluable in providing in-depth knowledge of the waste treatment capacities of various topsoils and will assist in the settlement of the ongoing dispute between state and county technicians.

SECTION 9130. **Nonstatutory provisions; industry, labor and human relations.**

Vetoed in Part

(3t) STUDY OF TOPSOIL DEPTH FOR ~~MOUND~~ PRIVATE SEWAGE SYSTEMS. The department of industry, labor and human relations shall complete a study to determine the safe level of topsoil that must be present on the site of a ~~mound~~ private sewage system. On or before July 1, 1994, the department shall report its findings and any recommendations for changes in current requirements to the legislature in the manner provided under section 13.172 (2) of the statutes and to the governor.

Vetoed in Part

C 13. Office of Workforce Excellence Sunset

Sections 451p and 2167d

Section 2167d charges the Office of Workforce Excellence with the coordination and implementation of the workforce excellence initiatives and programs in the Department of Industry, Labor and Human Relations. This section includes a provision specifying that the section does not apply after June 30, 1997. Section 451p provides funding for the Office of Workforce Excellence and includes a provision that no funds may be encumbered for the Office of Workforce Excellence after June 30, 1997. I am partially vetoing these sections to delete the sunset date of June 30, 1997, because the Office of Workforce Excellence is intended to be a permanent office which will promote the orderly transition of youth from school to work as well as provide adult and worker training. This veto will provide program stability and continuity and demonstrate my long-term commitment to the office.

SECTION 451p. 20.445 (1) (ev) of the statutes is created to read:

20.445 (1) (ev) *Office of workforce excellence.* The amounts in the schedule for the office of workforce excellence under s. 101.264. ~~No money may be encumbered from the appropriation under this paragraph after June 30, 1997.~~

Vetoed in Part

SECTION 2167d. 101.264 of the statutes is created to read:

101.264 Office of workforce excellence. The office of workforce excellence shall coordinate and implement the department's workforce excellence initiatives, programs and policies. ~~This section does not apply after June 30, 1997.~~

Vetoed in Part

C14. Standardized Project Cost Accounting System Implementation Requirement

Sections 2156m and 9130 (2c)

These sections direct the Department of Industry, Labor and Human Relations to contract with a private consultant to develop a standardized project cost accounting system (SPCA) for the Petroleum Storage Remedial Action program. The department is required to direct the consultant to develop the system no later than June 1, 1994. Furthermore, the department is required to adopt the system developed by the consultant.

I am vetoing section 2156m and partially vetoing section 9130 (2c) because these sections require the department to adopt the SPCA developed by the private consultant. While I agree that such a system should be developed and implemented, the department should not be required to adopt and use a specific SPCA before it has a chance to assess the proposed system. In addition, funding for implementation of the system was not provided and cost estimates for expenditures such as computer upgrades cannot be determined until the recommendations of the consultant are analyzed by the department.

Vetoed in Part

~~SECTION 2156m. 101.143 (2) (e) of the statutes is created to read:~~

~~101.143 (2) (e) The department shall adopt a standardized project cost accounting system and require the use of the system for cost estimates, invoices, claims and other documents related to costs for which a claim is submitted for reimbursement under this section.~~

SECTION 9130. **Nonstatutory provisions; industry, labor and human relations.**

(2c) STANDARDIZED PROJECT COST ACCOUNTING SYSTEM. The department of industry, labor and human relations shall contract with a private consultant to develop a standardized project cost accounting system for the petroleum storage remedial action program ~~under section 101.143 (2) (e) of the statutes, as created by this act,~~ to track costs incurred because of discharges from petroleum product storage tanks. The department shall require the consultant to develop the system no later than June 1, 1994, and to do all of the following: Vetoed in Part

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INSURANCE

C15. Office of Health Care Information Technical Veto

Sections 2994 and 9426 (22)

These sections exempt a fee which was proposed to fund activities of the Office of Health Care Information (OHCI) from rule-making authority. These sections were part of a larger health care initiative that was

removed by the Joint Committee on Finance. I am vetoing section 2994 and partially vetoing section 9426 (22) because this language was inadvertently retained in the bill and is no longer necessary.

Vetoed in Part

~~SECTION 2994. 227.01 (13) (zL) of the statutes is created to read:~~

~~227.01 (13) (zL) Establishes a fee to fund activities of the office of health care information under s. 601.315.~~

SECTION 9426. **Effective dates; health and social services.**

(22) TRANSFER OF OFFICE OF HEALTH CARE INFORMATION. The treatment of sections 15.194 (title) and (1), 15.195 (6), 20.145 (8), 20.435 (1) (hg), (hi), (hj) and (mr), 40.03 (6) (j), 150.82 (1), 153.01 (4), (4m), (5m) and (8), 153.05 (1) (e), (4) (a) and (b), (6), (6m), (7) and (8), 153.07 (2) and (3), 153.30, 153.35 (intro.), 153.40 (1) and (5), 153.45 (1) (b) and (3), 153.48, 153.50, 153.60 (1) and (2), 153.65, 153.75 (1) (intro.) and (2) (intro.), 153.90 (3), ~~227.01 (13) (zL)~~, 230.08 (2) (ym) and 601.41 (1) of the statutes, the repeal and recreation of sections 15.01 (6), 15.02 (3) (c) 2 and 150.91 (2) of the statutes and SECTION 9126 (1b) of this act take effect on October 1, 1993. Vetoed in Part

C 16. Office of Health Care Information Position Transfer Report Requirement

Section 9126 (1b) (b) and (1c) (b)

This section directs that all assets and liabilities, employes, equipment and records, contracts, rules and orders, and any other pending matters associated with the Office of Health Care Information (OHCI) and the Hospital Data Systems Unit within the Center for Health Statistics in the Department of Health and Social Services (DHSS), be transferred to the Office of the Commissioner of Insurance (OCI). This section also directs OCI to submit a report under s. 16.505 to the Joint Committee on Finance for final approval of the positions to be transferred.

I am partially vetoing this section to remove provisions that require approval by the Joint Committee on Finance under s. 16.505 before the positions can be transferred from DHSS to OCI. This provision is unnecessary and will delay the transfer of OHCI and the Hospital Data Systems Unit to OCI. Requiring an additional report after executive and legislative intent has been established to transfer these functions is an inefficient use of time and resources, as well as an inappropriate use of the s. 16.505 process.

SECTION 9126. **Nonstatutory provisions; health and social services.**

(1b) OFFICE OF HEALTH CARE INFORMATION TRANSFER.

(b) *Employe transfers.* On the effective date of this paragraph, the positions associated with the office of health care information ~~that are approved by the joint committee on finance of the legislature under section 16.505 of the statutes, as affected by this act,~~ and the incumbent employes holding those positions are transferred from the department of health and social services to the office of the commissioner of insurance. Vetoed in Part

(1c) HOSPITAL DATA SYSTEMS UNIT TRANSFER.

(b) *Employe transfers.* On the effective date of this paragraph, all positions associated with the hospital data systems unit within the center for health statistics of the division of health ~~that are approved by the joint committee on finance of the legislature under section 16.505 of the statutes~~ and the incumbent employes holding those positions are transferred from the department of health and social services to the office of the commissioner of insurance. Vetoed in Part

JUSTICE

C 17. Domestic Abuse Incident Reporting

Section 3827g

This section requires each district attorney to submit to the Department of Justice, on an ongoing basis, a domestic abuse report form for each applicable domestic abuse incident or, with the approval of the department, an annual report compiling all the statistics included in the domestic abuse report form for all applicable domestic abuse incidents during the reporting period, with totals for all statistics. The Department of Justice is provided $6,000 GPR annually in fiscal year 1993-94 and fiscal year 1994-95 and is required to provide district attorneys with domestic abuse reporting forms.

I am vetoing this section entirely to eliminate this new reporting requirement on county district attorney offices because the reporting required by this provision goes far beyond current law domestic abuse reporting requirements and would be costly and a burden for counties. I am also requesting the Department of Administration Secretary to place $6,000 GPR in fiscal year 1993-94 and $6,000 GPR in fiscal year 1994-95 into unallotted reserve in appropriation s. 20.455 (5) (a) to lapse to the general fund.

My veto retains the current law provisions relating to domestic abuse incident reporting. While it is my understanding that many counties currently provide domestic abuse data in the format required in this provision, for larger counties such as Milwaukee County, the additional reporting would require additional county resources that were not provided for in the budget bill, thereby creating an unfunded state mandate.

Vetoed in Part

SECTION 3827g. 968.075 (10) of the statutes is created to read:

968.075 (10) DOMESTIC ABUSE REPORT FORM COMPLIANCE. The department of justice shall provide district attorneys with domestic abuse reporting forms. Each district attorney shall comply with one of the following:

(a) Submit, on an ongoing basis, a domestic abuse report form for each applicable domestic abuse incident.

(b) With the approval of the department of justice, submit an annual report compiling all of the statistics included in the domestic abuse report form for all applicable domestic abuse incidents during the reporting period, with totals for all statistics. With the approval of the department of justice, a district attorney may include the annual report under this paragraph in the annual report under sub. (9).

Vetoed in Part

C 18. Legal Services Costs Study

Section 9136 (3b)

This provision requires the Department of Justice to conduct a study of the actual costs of investigation and litigation, including attorney fees, in cases of medical assistance fraud, unfair trade practices, environmental protection and pollution discharge violations, and state and federal antitrust violations. The department is required to complete the study by September 1, 1994, and to submit a report to the legislature.

I am partially vetoing this provision to remove the September 1, 1994, date for completion of the study. I am vetoing the required completion date to provide the department with sufficient time to complete implementation of its attorney time keeping and case management system which will enable the department to compile data on actual legal services costs.

SECTION 9136. **Nonstatutory provisions; justice.**

Vetoed in Part (3b) LEGAL SERVICES COSTS STUDY. ~~By September 1, 1994,~~ the department of justice shall conduct a study of the actual costs of investigation and litigation, including attorney fees, in cases of medical assistance fraud, unfair trade practices, environmental protection and pollution discharge violations and state and federal antitrust violations and submit a report to the legislature in the manner provided under section 13.172 (2) of the statutes.

PERSONNEL COMMISSION

C 19. State Employe Classification Appeals Procedures

Sections 2995, 2995b, 3011, 3011b, 3012b, 3014m, 3017m, 3019m, 3020, 3020m, 3039, 3039m, 3040m, 3041, 3041b, 3728m and 9421

Sections 2995, 2995b, 3011, 3011b, 3012b, 3014m, 3017m, 3019m, 3020m, 3039, 3039m, 3040m, 3041, 3041b, 3728m and 9421 place a sunset date of June 30, 1995, on changes to the state employe classification appeals procedures and on the Personnel Commission's authority to consolidate similar cases. I am vetoing portions of sections 2995, 3011, 3039 and 3041 and I am vetoing in their entirety sections 2995b, 3011b, 3012b, 3014m, 3017m, 3019m, 3020m, 3039m, 3040m, 3041b, 3728m and 9421 because a sunset date will eliminate these changes at the point when they will become effective in reducing the Personnel Commission's caseload and will deny employes in the future the opportunity to have their appeals heard and decided in a timely fashion.

Section 3039 also requires the arbitrator to allow a party the opportunity to obtain discovery, cross-examine witnesses, object to offers of evidence and file briefs, as well as to render a final decision that shall stand as the decision of the Personnel Commission and that is subject to review only under specified circumstances. I am partially vetoing this provision to remove the requirement that the

arbitrator allow a party the opportunity to obtain discovery, cross-examine witnesses, object to offers of evidence and file briefs because it is contradictory to the purpose of the expedited arbitration process which the appellant has elected to utilize. It is my intent that the Personnel Commission exclude these procedures from the expedited arbitration process. Appellants have the option of selecting the standard administrative hearing process if they desire a more formal legal procedure.

Section 3020 prevents the Personnel Commission from including with its decision findings of fact, conclusions of law or a list of parties for judicial review until 90 days after the judicial review has been commenced. I am partially vetoing this provision to remove the prohibition on providing a list of parties because it is inconsistent with the intent of section 227.47 (1) to delay providing a list of parties for judicial review.

SECTION 2995. 227.03 (7) of the statutes is created to read:

227.03 (7) Except as provided in s. 230.44 (4) (bm), this chapter does not apply to proceedings before the personnel commission in matters that are arbitrated in accordance with s. 230.44 (4) (bm). ~~This subsection does not apply after June 30, 1995.~~

Vetoed in Part

~~SECTION 2995b. 227.03 (7) of the statutes, as created by 1993 Wisconsin Act ... (this act), is repealed.~~

SECTION 3011. 227.44 (2s) of the statutes is created to read:

227.44 (2s) The personnel commission may order consolidation of any case with any other case involving the same parties or one or more issues arising substantially out of the same circumstances or closely related circumstances. ~~This subsection does not apply after June 30, 1995.~~

Vetoed in Part

~~SECTION 3011b. 227.44 (2s) of the statutes, as created by 1993 Wisconsin Act ... (this act), is repealed.~~

Vetoed in Part

~~SECTION 3012b. 227.44 (8) of the statutes, as affected by 1993 Wisconsin Act ... (this act), is amended to read:~~

~~227.44 (8) A stenographic, electronic or other record of oral proceedings shall be made in any class 2 or class 3 proceeding and in any class 1 proceeding when requested by a party. Each agency may establish rules relating to the transcription of the record into a written transcript and the providing of free copies of the written transcript. Rules may require a purpose for transcription which is deemed by the agency to be reasonable, such as appeal, and if this test is met to the satisfaction of the agency, the record shall be transcribed at the agency's expense, except that in preparing the record for judicial review of a decision that was made in an appeal under s. 227.47 (2) or in an arbitration proceeding under s. 230.44 (4) (bm) the record shall be transcribed at the expense of the party petitioning for judicial review. Rules may require a showing of impecuniousness or financial need as a basis for providing a free copy of the transcript, otherwise a reasonable compensatory fee may be charged. If any agency does not promulgate such rules, then it must transcribe the record and provide free copies of written transcripts upon request. In any event, an agency shall not refuse to provide a written transcript if the person making the request pays a reasonable compensatory fee for the transcription and for the copy. This subsection does not apply where a transcript fee is specifically provided by law.~~

Vetoed in Part

~~SECTION 3014m. 227.46 (2) of the statutes, as affected by 1993 Wisconsin Act ... (this act), section 3014, is amended to read:~~

Vetoed in Part

~~227.46 (2) Except as provided in sub. (2m) and s. 227.47 (2), in any contested case which is a class 2 or class 3 proceeding, where a majority of the officials of the agency who are to render the final decision are not present for the hearing, the hearing examiner presiding at the hearing shall prepare a proposed decision, including findings of fact, conclusions of law, order and opinion, in a form that may be adopted as the final decision in the case. The proposed decision shall be a part of the record and shall be served by the agency on all parties. Each party adversely affected by the proposed decision shall be given an opportunity to file objections to the proposed decision, briefly stating the reasons and authorities for each objection, and to argue with respect to them before the officials who are to participate in the decision. The agency may direct whether such argument shall be written or oral. If an agency's decision varies in any respect from the decision of the hearing examiner, the agency's decision shall include an explanation of the basis for each variance.~~

Vetoed in Part

SECTION 3017m. 227.46 (4) of the statutes, as affected by 1993 Wisconsin Act ... (this act), is amended to read:

227.46 (4) Notwithstanding any other provision of this section, in any contested case, if a majority of the officials of the agency who are to render the final decision have not heard the case or read the record, the decision, if adverse to a party to the proceeding other than the agency itself, shall not be made until a proposed decision is served upon the parties and an opportunity is afforded to each party adversely affected to file objections and present briefs or oral argument to the officials who are to render the decision. ~~Except as provided in s. 227.47 (2), the~~ The proposed decision shall contain a statement of the reasons therefor and of each issue of fact or law necessary to the proposed decision, prepared by the hearing examiner or a person who has read the record. The parties by written stipulation may waive compliance with this subsection.

Vetoed in Part

SECTION 3019m. 227.47 (1) of the statutes, as affected by 1993 Wisconsin Act ... (this act), is renumbered 227.47 and amended to read:

227.47 Decisions. ~~Except as provided in sub. (2),~~ ~~every~~ Every proposed or final decision of an agency or hearing examiner following a hearing and every final decision of an agency shall be in writing accompanied by findings of fact and conclusions of law. The findings of fact shall consist of a concise and separate statement of the ultimate conclusions upon each material issue of fact without recital of evidence. Every proposed or final decision shall include a list of the names and addresses of all persons who appeared before the agency in the proceeding who are considered parties for purposes of review under s. 227.53. The agency shall by rule establish a procedure for determination of parties.

SECTION 3020. 227.47 (2) of the statutes is created to read:

227.47 (2) Except as otherwise provided in this subsection, a proposed or final decision of the personnel commission, hearing examiner or arbitrator concerning an appeal of the decision of the secretary of employment relations made under s. 230.09 (2) (a) or (d) shall not be accompanied by findings of fact, conclusions of law or a list of parties for purposes of review under s. 227.53. If within 30 days after the commission issues a decision in such an appeal either party files a petition for judicial review of the decision under s. 227.53 and files a written notice with the commission that the party has filed such a petition, the commission shall issue written findings of fact, conclusions of law and a list of parties for purposes of review under s. 227.53 within 90 days after receipt of the notice. The court shall stay the proceedings pending receipt of the findings, conclusions and list of parties.

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

SECTION 3020m. 227.47 (2) of the statutes, as created by 1993 Wisconsin Act ... (this act), is repealed.

SECTION 3039. 230.44 (4) (bm) of the statutes is created to read:

230.44 (4) (bm) 1. Upon request of an employe who files an appeal of the decision of the secretary made under s. 230.09 (2) (a) or (d), the appeal shall be heard by a commissioner or attorney employed by the commission serving as arbitrator under rules promulgated for this purpose by the commission. ~~Subject to s. 901.05, in any such arbitration, the arbitrator shall, in accordance with rules promulgated by the commission, allow a party the opportunity to obtain discovery and the opportunity to cross-examine witnesses, to object to offers of evidence and to file briefs.~~ In such an arbitration, the arbitrator shall orally render a decision at the conclusion of the hearing affirming, modifying or rejecting the decision of the secretary. The decision of the arbitrator is final and is not subject to review by the commission. An arbitrator's decision may not be cited as precedent in any other proceeding before the commission or before any court. The arbitrator shall promptly file his or her decision with the commission. The decision of the arbitrator shall stand as the decision of the commission. The decision of the commission is subject to review under ss. 227.53 to 227.57 only on the ground that the decision was procured by corruption, fraud or undue means or that the arbitrator or the commission exceeded the arbitrator's or the commission's power. The record of a proceeding under this paragraph shall be transcribed as provided in s. 227.44 (8).

Vetoed in Part

Vetoed in Part

~~2. Subdivision 1 does not apply after June 30, 1995.~~

SECTION 3039m. 230.44 (4) (bm) of the statutes, as created by 1993 Wisconsin Act ... (this act), is repealed.

Vetoed in Part

SECTION 3040m. 230.44 (4) (c) of the statutes, as affected by 1993 Wisconsin Act ... (this act), is amended to read:

230.44 (4) (c) After conducting a hearing ~~or arbitration~~ on an appeal under this section, the commission ~~or the arbitrator~~ shall either affirm, modify or reject the action which is the subject of the appeal. If the commission ~~or the arbitrator~~ rejects or modifies the action, the commission may issue an enforceable order to remand the matter to the person taking the action for action in accordance with the decision. Any action brought against the person who is subject to the order for failure to comply with the order shall be brought and served within 60 days after the date of service of the decision of the commission ~~or the arbitrator~~.

SECTION 3041. 230.45 (1) (am) of the statutes is created to read:

230.45 (1) (am) Designate a commissioner or an attorney employed by the commission to serve as an arbitrator in arbitrations under s. 230.44 (4) (bm). ~~This paragraph does not apply after June 30, 1995.~~

Vetoed in Part

Vetoed in Part

SECTION 3041b. 230.45 (1) (am) of the statutes, as created by 1993 Wisconsin Act ... (this act), is repealed.

Vetoed in Part

SECTION 3728m. 788.01 of the statutes, as affected by 1993 Wisconsin Act ... (this act), is amended to read:

788.01 Arbitration clauses in contracts enforceable. A provision in any written contract to settle by arbitration a controversy thereafter arising out of such contract, or out of the refusal to perform the whole or any part thereof, or an agreement in writing between two or more persons to submit to arbitration any controversy existing between them at the time of the agreement to submit, shall be valid, irrevocable and enforceable save upon such grounds as exist at law or in equity for the revocation of any contract. This chapter shall not apply to contracts between employers and employes, or between employers and associations of employes, except as provided in s. 111.10 nor to agreements to arbitrate disputes under s. 220.44 (4) (bm).

Vetoed in Part

Vetoed in Part

SECTION 9421. Effective dates; employment relations department.

(12) STATE EMPLOYE CLASSIFICATION APPEALS PROCEDURES. The treatment of sections 227.44 (8) (by SECTION 3012b), 227.46 (2) (by SECTION 3014m) and (4) (by SECTION 3017m), 227.47 (1) (by SECTION 3019m), 230.44 (4) (c) (by SECTION 3040m) and 788.01 (by SECTION 3728m) of the statutes and the repeal of sections 227.03 (7), 227.44 (2e), 227.47 (2), 230.44 (4) (bm) and 230.45 (1) (am) of the statutes take effect on July 1, 1995.

D. HUMAN RESOURCES

HEALTH AND SOCIAL SERVICES

Medical Assistance

1. Specialized Medical Vehicle (SMV) Services

Section 9126 (14x)

This section requires the Department of Health and Social Services (DHSS) to receive approval from the Joint Committee on Finance (JCF) to increase SMV rates in fiscal year 1994-95. JCF approval to issue the rate increase can occur only after the committee receives a Legislative Audit Bureau (LAB) performance audit of the SMV program, which is requested elsewhere in the bill.

I am vetoing this section because I do not believe SMV rates should be increased in either fiscal year. 1991 Wisconsin Act 269 reduced base rates for SMV carriers by 10% to contain the growth rate of this service and to promote the use of common carriers, when appropriate. Based on this reduction, I proposed no rate increase to SMV carriers for this biennium. This veto restores my intent.

In addition, I am requesting the Department of Administration Secretary to place $287,600 GPR in fiscal year 1993-94 and $657,700 GPR in fiscal year 1994-95 for the SMV rate increases in appropriation s. 20.435 (1) (b) into unallotted reserve to lapse to the general fund at the end of the biennium.

JCF requested the performance audit of SMV services because of concerns about the SMV industry. It is my hope that the LAB audit can serve as the basis for an SMV rate review in the future. As part of this audit, I am requesting that LAB investigate the feasibility of charging recipients copayments for SMV services.

SECTION 9126. **Nonstatutory provisions; health and social services.**

Vetoed in Part

(14x) SPECIALIZED MEDICAL VEHICLE SERVICES FUNDING LIMITATION. Of the amounts appropriated under section 20.435 (1) (b) of the statutes, as affected by this act, the department of health and social services may not in fiscal year 1994-95 increase rates paid for services of specialized medical vehicle providers unless the expenditure is approved by the joint committee on finance after the committee receives the results of the audit that is requested under SECTION 9137 (3z) of this act.

Vetoed in Part

2. Nursing Home Resource Allocation Program (RAP)

Sections 943m, 2639g and 9326 (1i)

These sections require the Department of Health and Social Services (DHSS) to detail the reasons why an application to increase the bed capacity of a nursing home has been approved. The approval finding must also include a statement from the area's interagency long-term support planning committee.

I am vetoing these sections because the additional requirements are unnecessary and serve only to increase DHSS workload, while potentially delaying the timely review of RAP applications. Applicants already provide the type of data the new requirement stipulates and DHSS uses this information in making bed capacity decisions.

Vetoed in Part

SECTION 943m. 46.27 (4) (d) of the statutes is created to read:

46.27 (4) (d) The planning committee shall, if requested by the department, provide to the department a statement, as specified in s. 150.39 (3).

Vetoed in Part

SECTION 2639g. 150.35 (3) of the statutes is amended to read:

150.35 (3) Except as provided under sub. (3m), the department shall issue an initial finding to approve or reject the application within 75 days after the date it publishes its notice under s. 150.33 (4) or 150.34 (3), unless all applicants consent to an extension of this period. The department may extend by 60 days the review cycle of all applications being concurrently reviewed if it finds that completing the reviews within 75 days after the date it publishes its notice under s. 150.33 (4) or 150.34 (3) is not practicable due to the volume of applications received. The department shall base its initial finding on a comparative analysis of applications, relying on the criteria specified in s. 150.39. If the department approves an application for an increase in the bed capacity of a nursing home, the department shall specifically list and demonstrate, in its findings, the reasons why s. 150.39 (8) applies to the circumstances of the applicant and shall include in its findings a statement on this issue that the department shall obtain from the area's interagency long-term support planning committee created under s. 46.27 (3) (a). The applicant has the burden of proving, by a preponderance of the evidence, that each criterion specified in s. 150.39 has been met or does not apply to the project. The department may approve fewer additional nursing home beds than allowed by the statewide bed limit if the cost of adding those beds exceeds the medical assistance allocation for new beds projected in s. 150.31 (1) (a). Unless an adversely affected applicant makes a timely request for a public hearing under sub. (4), the department's initial finding under this subsection is its final action.

Vetoed in Part

SECTION 9326. **Initial applicability; health and social services.**

Vetoed in Part

(1i) NURSING HOME EXPENDITURE AND EXPANSION REVIEW. The treatment of sections 46.27 (4) (d) and 150.35 (3) of the statutes first apply to applications received under section 150.33 or 150.34 of the statutes on the effective date of this subsection.

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3. Primary Provider Program

Sections 1397m and 9126 (12g)

These sections require the Department of Health and Social Services (DHSS) to submit proposed rules to the Joint Committee on Finance within 12 months of federal approval of the waiver request for the Primary Provider program under the state's Medical Assistance program.

I am vetoing these sections because the program details can be specified in the contractual agreements made with providers and need not be specified by departmental rule. Recipient rights are already covered by existing DHSS rules. Further, the requirement to develop unnecessary rules could delay implementation of the program, thereby reducing the anticipated savings from program implementation.

Vetoed in Part

SECTION 1397n. 49.45 (24) of the statutes is amended to read:

49.45 (24) PRIMARY CARE PROVIDER PILOT. The department may request a waiver from the secretary of the federal department of health and human services under 42 USC 1396n (b) (1) to permit the establishment of a primary care provider pilot project. If the waiver is granted, the department may establish a primary care provider pilot project under which primary care providers act as case managers for medical assistance beneficiaries. If the department establishes a primary care provider pilot project, it shall promulgate rules that specify the way in which the project shall be implemented and shall reimburse a case manager for the allowable charges for case management services provided to a beneficiary participating in the pilot project.

SECTION 9126. **Nonstatutory provisions; health and social services.**

Vetoed in Part

(12g) PRIMARY PROVIDER PILOT PROJECT; RULES. If the department of health and social services receives a waiver under 42 USC 1396n (b) 1 of the federal medicaid laws from the federal department of health and human services that authorizes the implementation of a primary provider pilot project, including targeted managed care, under section 49.45 (24) of the statutes, as affected by this act, the department of health and social services shall, by the date that is 12 months after the waiver is granted, submit proposed rules about the program to the legislative council staff for review under section 227.19 (1) of the statutes.

D 4. Home Health Monitoring

Section 9126 (13h)

This section directs the Department of Health and Social Services (DHSS) to procure a computer software package to monitor home health agencies to ensure that the agencies bill the federal Medicare program before billing the Medical Assistance program. The provision specifies that DHSS must use a Request for Proposal (RFP) procurement process.

I am vetoing this section in part because it unnecessarily restricts DHSS' flexibility in procuring the software package. This veto allows DHSS to use the request for bid process if it is deemed more appropriate than the RFP process.

SECTION 9126. **Nonstatutory provisions; health and social services.**

Vetoed in Part

(13h) COMPUTER SOFTWARE FOR HOME HEALTH CARE BILLING. The department of health and social services shall ~~issue requests for proposals to~~ contract for the development, distribution and maintenance of computer software that will be owned by the state, by the contractor or by another entity that purchases the rights to the software, to maximize payments under the federal medicare program under 42 USC 1395 for home health care services to persons who are enrolled in the federal medicare program and are recipients of medical assistance under section 49.46 or 49.47 of the statutes, as affected by this act. When the computer software has been developed, it shall be distributed to providers of home health services free of charge.

D 5. Burial Expenses

Section 1415b

This section authorizes the Department of Health and Social Services (DHSS) to apply for a federal waiver to limit the allowable amount that Medical Assistance recipients can set aside for burial expenses. The provisions limit the amount to $8,000, of which no more than $1,000 can be set aside for cemetery expenses. Before implementing the waiver requirements, DHSS is required to gain approval from the Joint Committee on Finance (JCF).

I am vetoing this section in part to remove the requirement that DHSS must seek JCF approval before implementing the waiver program because the waiver has been fully considered by the Legislature and no further delay to this cost containment measure is warranted, should federal approval of the waiver request be granted.

SECTION 1415b. 49.47 (4) (i) of the statutes is created to read:

49.47 (4) (i) 1. The department shall request a waiver from the secretary of the federal department of health and human services to permit the application of subd. 2. The waiver shall request approval to implement the waiver on a statewide basis, unless the department of health and social services determines that statewide implementation of the waiver would present an obstacle to the approval of the waiver by the secretary of the federal department of health and human services, in which case the waiver shall request approval to implement the waiver in 48 pilot counties to be selected by the department of health and social services. Within 30 days after the effective date of this subdivision .... [revisor inserts date], the department of regulation and licensing shall notify funeral directors licensed under ch. 445, cemetery associations, as defined in s. 157.061 (1r), and cemetery authorities, as defined in s. 157.061 (2), of the terms of the waiver required to be requested under this subdivision. If the waiver is approved by the secretary of the federal department of health and human services, ~~the department of health and social services shall submit to the joint committee on finance a copy of the waiver and, if the waiver does not provide for statewide implementation, a list of the 48 pilot counties selected by the department. If the joint committee on finance approves the waiver~~ and if the waiver remains in effect, subd. 2 shall apply. ~~Subdivision 2 shall not apply unless the joint committee on finance approves the waiver and the waiver remains in effect.~~

Vetoed in Part

Vetoed in Part

Health

D 6. Program Operations Staff

Section 153 [as it relates to s. 20.435 (1) (a)]

Section 153 [as it relates to s. 20.435 (1) (a)] provides funding for 3.0 GPR FTE positions. One position would provide staff support for the new Council on American Indian Health and the other two positions would support a proposed lead poisoning prevention program. Although there is no language in the budget bill that authorizes these increases, the funding and position authorizations were included in budget motions of the Joint Committee on Finance.

I object to these staff increases for two reasons. First, I believe that the workload associated with the Council on American Indian Health can be absorbed by existing staff. Second, the program specifications of the statewide lead poisoning prevention program have not yet been

defined. Instead, $1,200,000 GPR has been placed in the Joint Committee on Finance's supplemental appropriation and $46,500 GPR in each fiscal year was added to the Division of Health's general program operations appropriation for the 2.0 GPR FTE positions. Since the program specifics are unknown at this time, it appears premature to authorize two staff.

By lining out the Division of Health's general program operations appropriation, s. 20.435 (1) (a), and writing in a smaller amount that deletes $46,500 GPR in each fiscal year for staff to the Council on American Indian Health and that deletes $69,600 GPR in fiscal year 1993-94 and $84,300 GPR in fiscal year 1994-95 for the lead poisoning prevention staff, I am vetoing the part of the bill which funds these positions. I am also requesting the Department of Administration Secretary not to allot these funds and to freeze these positions so that they cannot be filled.

SECTION 153.

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1993-94	1994-95	
20.435 Health and social services, department of					
(1) HEALTH SERVICES PLANNING, REGULATION AND DELIVERY					
(a) General program operations	GPR	A	15,016,100 ~~15,132,200~~	15,067,600 ~~15,198,400~~	Vetoed in Part

D 7. Cross-Cultural Training Grants

Sections 153 [as it relates to s. 20.435 (7) (bk)], 438p and 1534m

These sections require certain community programs boards authorized under s. 51.42 to provide cross-cultural training to their members and staff and appropriate $8,000 GPR in each fiscal year for grants for this purpose. These $1,000 grants would be awarded once in a three-year period to community programs boards in counties which contain American Indian reservations, for boards to provide the required cross-cultural training. I am vetoing the training requirement and the funding for these grants because the training represents an unnecessary mandate placed on the boards and, if such training is a high priority for a board, it should absorb the cost.

SECTION 153.

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1993-94	1994-95	
20.435 Health and social services, department of					
(7) COMMUNITY SERVICES; AIDS AND LOCAL ASSISTANCE					
~~(bk) Cross-cultural training grants~~	~~GPR~~	~~B~~	~~8,000~~	~~8,000~~	Vetoed in Part

Vetoed in Part

SECTION 438p. 20.435 (7) (bk) of the statutes is created to read:

20.435 (7) (bk) *Cross-cultural training grants.* Biennially, the amounts in the schedule for cross-cultural training grants under s. 51.42 (4) (e).

Vetoed in Part

SECTION 1534m. 51.42 (4) (e) of the statutes is created to read:

51.42 (4) (e) *Cross-cultural training.* Once each 3 years, beginning in the 3-year period from July 1, 1994, to June 30, 1997, each county community programs board of a single-county or multicounty department of community programs that serves an area that contains all or part of one or more federally recognized American Indian reservations shall provide a cross-cultural training program for its members and staff of the department of community programs concerning issues related to the provision of services to American Indians. From the appropriation under s. 20.435 (7) (bk), the department shall award a grant of $1,000 to conduct each training program required under this paragraph. The department shall establish a schedule under which each one-third of the county community programs boards under this paragraph shall conduct a cross-cultural training program in one year of the 3-year period.

Vetoed in Part

D 8. Emergency Medical Services

Sections 407m, 2578h, 2578k and 2578p

Sections 407m, 2578h and 2578k establish a funding carryover provision for the Department of Health and Social Services (DHSS) emergency medical services (EMS) grants to ambulance service providers and for reimbursement of training costs to the Vocational, Technical and Adult Education (VTAE) districts. If all of the grant funds are not distributed or encumbered by December 31, the funds would lapse to the transportation fund unless the Joint Committee on Finance approved a transfer to the next calendar year. I am partially vetoing these provisions because they are unnecessary and, in fact, will complicate the way in which funds are expended. When the program began, funds were not distributed in a timely manner, but this is no longer a problem. As a result, a statutory deadline of December 31 is not needed to ensure that the funds are distributed in a timely manner. In addition, the December 31 deadline for reconciling the appropriation is unworkable due to the timing of services rendered by VTAE districts.

In addition, the bill abolishes two EMS advisory bodies, combines them into one body and specifies the new duties of the EMS Board. I am partially vetoing these provisions in section 2578p to remove the requirements that the new board review and make recommendations on rules regarding Medical Assistance reimbursement for transportation and that the board coordinate public information and education regarding EMS and injury prevention. These duties are more properly the responsibility of the DHSS Secretary in consultation with the department staff.

Vetoed in Part

SECTION 407m. 20.435 (1) (rm) of the statutes is amended to read:

20.435 (1) (rm) *Emergency medical services, aids.* From the transportation fund, the amounts in the schedule to pay the costs for emergency medical technician — basic training and examination aid under s. 146.55 (5) and for ambulance service vehicles or vehicle equipment, emergency medical services supplies or equipment or emergency medical training for personnel under s. 146.55 (4). All funds distributed by the department under s. 146.55 (4) or (5) but not encumbered by December 31 of each year lapse to the transportation fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance.

Vetoed in Part

SECTION 2578h. 146.55 (4) (a) of the statutes is amended to read:

146.55 (4) (a) From the appropriation under s. 20.435 (1) (rm), the department shall annually ~~allocate, by December 31,~~ distribute funds for ambulance service vehicles or vehicle equipment, emergency medical services supplies or equipment or emergency medical training for personnel to an ambulance service provider that is a public agency, a volunteer fire department or a nonprofit corporation, under a funding formula consisting of an identical base amount for each ambulance service provider plus a supplemental amount based on the population of the ambulance service provider's primary service or contract area, as established under s. 146.50 (5).

Vetoed in Part

SECTION 2578k. 146.55 (5) of the statutes is amended to read:

146.55 (5) EMERGENCY MEDICAL TECHNICIAN TRAINING AND EXAMINATION AID. From the appropriation under s. 20.435 (1) (rm), the department shall annually ~~allocate, by December 31,~~ distribute funds to entities, including vocational, technical and adult education districts, whose courses or instructional programs are approved by the department under s. 146.50 (9), to assist the entities in providing the training required for licensure and renewal of licensure as an emergency medical technician — basic under s. 146.50 (6), and to fund each examination administered by the entity for licensure or renewal of licensure as an emergency medical technician — basic under s. 146.50 (6) (a) 3 and (b) 1.

Vetoed in Part

SECTION 2578p. 146.58 of the statutes is created to read:

146.58 Emergency Medical Services Board.

~~(2) Review rules and proposed rules of the department relating to reimbursement under medical assistance for transporting patients and recommend appropriate rule changes to the department.~~

~~(3) Coordinate activities of the department that relate to public information and education regarding emergency medical services and injury prevention.~~

Vetoed in Part

D 9. Poison Control Centers

Sections 48r, 2578m and 9126 (16i)

These sections require the establishment of a Council on the Statewide Poison Control System and specify the duties of the poison control center grant recipients. While I am retaining the grant funding for the poison control centers, I am vetoing these specific sections.

I am vetoing sections 48r and 9126 (16i), which create the Council on Statewide Poison Control, because it is not necessary to establish a new council for each new grant program. The two centers which will receive grants are already operating, and the Department of Health and Social Services (DHSS) currently has the authority to consult with those having an interest in poison control issues.

I am also partially vetoing section 2578m, which outlines the requirements that a poison control center must meet in order to obtain a grant. The centers are required to maintain a toll-free hotline, 24 hours day, seven days a week, to provide information and education to the public, to establish and maintain a data collection and reporting system, and to meet the standards for accreditation by the American Association of Poison Control Centers. While I believe these activities are valuable and should represent the ideal services which the centers should provide, I am vetoing these provisions because it is not known whether all of these activities can be performed given a maximum grant award of $187,500 to each center. Since I am concerned that the state derives maximum benefits without placing additional burdens on the centers, I am requesting DHSS to incorporate as many of these provisions

as possible in its contracts with poison control centers to ensure the provision of an optimal level of service within the constraints of the available funds.

Vetoed in Part

SECTION 48r. 15.197 (18) of the statutes is created to read:

15.197 (18) COUNCIL ON THE STATEWIDE POISON CONTROL SYSTEM. There is created in the department of health and social services a council on the statewide poison control system. The council shall consist of the following members appointed for 3-year terms:

(a) A representative of each regional poison control center that is operating in this state.

(b) A physician who is licensed under ch. 448, who is not associated with the operation of a regional poison control center and who has practiced for at least 100 hours in a hospital emergency room.

(c) A registered nurse who is licensed under ch. 441, who is not associated with the operation of a regional poison control center and who has practiced for at least 100 hours in a hospital emergency room.

(d) A pharmacist who is licensed under ch. 450 and who is not associated with the operation of a regional poison control center.

(e) Two members who do not have any of the qualifications required for membership under pars. (a) to (d).

SECTION 2578m. 146.57 of the statutes is created to read:

Vetoed in Part

146.57 Statewide poison control system. (1) COUNCIL; DUTIES. (a) The council on the statewide poison control system shall do all of the following:

1. By January 1, 1994, provide the department with advice and recommendations concerning the structure, operational details, implementation timetable and operating cost estimates for a statewide poison control system that would be sufficient to meet the needs for advice and information to the public in cases of poisonings in this state.

2. Study and recommend solutions to issues relating to poison control, prevention and treatment, including the following:

a. Coordination of educational efforts statewide.

b. Dissemination of information.

c. Development of uniform educational materials for statewide distribution.

(b) The department shall provide staff assistance to the council on the statewide poison control system and expend moneys for expenses of the council under s. 20.435 (1) (a).

(2) STATEWIDE POISON CONTROL SYSTEM. The department, with the advice and recommendations of the council on the statewide poison control system, shall design a statewide poison control system that includes establishment and maintenance of regional poison control centers whose operation meets the requirements for certification by the American association of poison control centers.

Vetoed in Part

(3) REGIONAL POISON CONTROL CENTERS. (a) By July 1, 1994, the department shall designate no more than 2 regional poison control centers and shall implement any other aspects of a statewide poison control system. From the appropriation under s. 20.435 (1) (ds), the department shall, if the requirement under par. (b) is met, distribute, for fiscal year 1994-95, not more than $187,500 to each regional poison control center that is so designated to supplement the operation of the centers and to provide for the statewide collection and reporting of poison control data by the centers. Each regional poison control center that is designated and funded under this paragraph shall do all of the following:

Vetoed in Part

1. Provide emergency information and assistance to the public and to health care professionals concerning the treatment of poisoning by operating a toll-free telephone hotline 24 hours a day, 7 days a week.

2. Provide educational services and information to the public and to health care professionals on the treatment and prevention of poisoning.

3. Establish and maintain a data collection system that is sufficiently detailed to yield the information required by the department for uniform statewide poison control reporting and program evaluation, and, by April 1, 1995, report the collected data to the department.

4. Meet requirements for certification by the American association of poison control centers.

SECTION 9126. **Nonstatutory provisions; health and social services.**

Vetoed in Part

(16) COUNCIL ON THE STATEWIDE POISON CONTROL SYSTEM. Notwithstanding the length of terms specified for the members of the council on the statewide poison control system under section 15.197 (18) (intro.) of the statutes, as created by this act, the initial members of the council shall be appointed by the first day of the 3rd month beginning after the effective date of this subsection for the following terms:

(a) The registered nurse, the pharmacist, and one of the 2 members who are specified under section 15.197 (18) (e) of the statutes, as created by this act, for terms expiring on July 1, 1996.

(b) The representative of each regional poison control center that is operating in this state, the licensed physician, and one of the 2 members who are specified under section 15.197 (18) (e) of the statutes, as created by this act, for terms expiring on July 1, 1997.

D 10. Lead Poisoning Abatement

Sections 2646p and 2646r

These sections establish an effective date of July 1, 1994 for the start of the lead abatement certification program. I am partially vetoing these provisions because they could result in a disruption in program service. The certification program is currently operating under emergency rules which authorize the implementation of the program. However, the rules will expire before the proposed statutory start date of July 1, 1994. Technically, retaining the statutory effective date would mean the program would cease operation between the time the emergency rules expired and the new budget provisions became effective, which would be disruptive to the program's operation.

SECTION 2646p. 151.03 (3) of the statutes is created to read:

Vetoed in Part

151.03 (3) ~~After July 1, 1994,~~ no person may act as a lead inspector or lead contractor without being certified as such under s. 151.09 (8).

SECTION 2646r. 151.03 (4) of the statutes is created to read:

151.03 (4) ~~After July 1, 1994,~~ no person may offer a training course for the purpose of obtaining certification as a lead inspector or a lead contractor under s. 151.09 (8), unless the course has been accredited by the department under s. 151.09 (9).

Vetoed in Part

Economic Support

D 11. AFDC Transitional Child Care

Sections 1430m and 1430n

These sections require the Department of Health and Social Services to request a federal waiver to extend the time that transitional child care is available to former Aid to Families with Dependent Children (AFDC) recipients from 12 to 18 months.

I am vetoing these sections for several reasons. First, I am concerned about the fiscal impact of such an extension. The additional costs of this waiver could be significant, since it creates an additional entitlement. Moreover, it is not clear that such a waiver could be designed to be cost neutral in order to gain federal approval without requiring that the state fund more than its usual share of the additional costs of the entitlement. In addition, I believe that the current time limit on this entitlement is appropriate. The state should and does provide some level of benefits to former AFDC recipients to assist them in making the transition to independence. However, I believe there should be some reasonable limit on the period for which a recipient may receive entitlement benefits after losing eligibility for AFDC, and one year seems appropriate to make the transition.

This bill enacts a number of my recent welfare initiatives -- the Parental and Family Responsibility pilot, Learnfare expansion, the AFDC Two-Tier Benefits pilot, and the AFDC Vehicle Asset Limit and Education and Employability Accounts waivers -- and I am pleased that the

Legislature worked in a bipartisan manner to approve and fund these welfare reform efforts. In addition, I intend this fall to propose another time-limited Work Not Welfare program. These programs all demonstrate my continued commitment to reduce welfare dependency and promote self-sufficiency while providing individuals with an appropriate amount of governmental assistance in making the transition.

Vetoed in Part

SECTION 1430m. 49.50 (6g) of the statutes is renumbered 49.50 (6g) (a) and amended to read:

49.50 (6g) (a) The department shall pay the child care costs of an individual who secures unsubsidized employment and loses eligibility for aid to families with dependent children because of earned income or number of hours worked for up to 12 months following the loss of eligibility if the child care is provided by a child care provider. The department shall establish a formula for assistance based on ability to pay. The rates for child care services under this subsection paragraph shall be determined under s. 46.98 (4) (d), or, if a higher rate is established under s. 46.98 (4) (e) and if the child care services meet the quality standards established under s. 46.98 (4) (e), the rates for child care services under this subsection paragraph that meet those standards shall be determined under s. 46.98 (4) (e). The department shall promulgate rules for the disbursement of funds under this subsection paragraph.

Vetoed in Part

SECTION 1430n. 49.50 (6g) (b) of the statutes is created to read:

49.50 (6g) (b) The department shall request, but may not implement, a waiver from the secretary of the federal department of health and human services to extend the period of time for which child care costs may be paid under par. (a) to up to 18 months following the loss of eligibility for aid to families with dependent children. The department shall request the waiver no later than January 1, 1994.

D 12. Sanction Criteria for Learnfare Teens

Section 1442

This section defines the criteria under which an individual who is 13 to 19 years of age may be subject to a benefit sanction under Learnfare, a program which currently requires teen recipients of Aid to Families with Dependent Children (AFDC) to attend school or possess a high school diploma as a condition of receiving those benefits. The section specifies that a teen can only be sanctioned if case management is offered by a county, nonattendance then continues and is verified, and a lack of good cause is determined.

I am partially vetoing this provision to remove the specific requirements for sanctions because they restrict the Department of Health and Social Services' ability to sanction Learnfare pupils for attendance violations. The criteria for sanctions are currently set by rule and do not need to be placed in the statutes. In my budget, I proposed that case management be offered to teens and that teens be sanctioned if they failed to cooperate with case management. The Legislature provided the funds for such case management but removed the sanction for noncooperation. While I am disappointed by this action, I am approving the additional funds for case management because I believe that making an effort to help a family improve a pupil's attendance is appropriate.

SECTION 1442. 49.50 (7) (h) 1 of the statutes is renumbered 49.50 (7) (h) 1m and amended to read:

Vetoed in Part

49.50 (7) (h) 1m. An individual who is 13 to 19 years of age and fails to meet the requirements under par. (g) is subject to sanctions as provided by the department by rule only if the county department under s. 46.215, 46.22 or 46.23 complies with par. (gm) and, after that compliance, the individual is absent from school without an acceptable excuse, as defined by the school, for 3 or more full school days during a month and if the absences are verified by, and a lack of good cause for the absences is determined by, the department, a county department under s. 46.215, 46.22 or 46.23, or a 3rd party providing services for the department pursuant to a contract.

Vetoed in Part

Community Services

D 13. Foster Grandparents

Section 153 [as it relates to s. 20.435 (7) (dh)]

This provision appropriates $45,500 GPR in fiscal year 1993-94 and $45,500 GPR in fiscal year 1994-95 for reimbursement to volunteers in the foster grandparent program. Although there is no language in the budget bill that authorizes this increase, the Joint Committee on Finance passed a motion during its budget deliberations to authorize these funds for foster grandparents. The funds were included in the committee's substitute amendment to the budget bill and were retained throughout the legislative process.

I object to the expansion of state funding for this program at the level approved by the Legislature. Federal regulations increased the amount of the stipend individuals are to receive without providing additional funding to meet the new requirements. It is inappropriate for the state to automatically provide increased state funding to comply with unfunded federal mandates. By lining out the Department of Health and Social Services' s. 20.435 (7) (dh) appropriation and writing in a smaller amount that deletes $45,500 GPR in fiscal year 1993-94 and $45,500 GPR in fiscal year 1994-95 for this purpose, I am vetoing the part of the bill which funds this program at the level approved by the Legislature and have provided a reduced amount. I am also requesting the Department of Administration Secretary not to allot these funds.

SECTION 153.

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1993-94	1994-95	
20.435 Health and social services, department of					
(7) COMMUNITY SERVICES; AIDS AND LOCAL ASSISTANCE					
(dh) Programs for senior citizens and elder abuse services	GPR	A	6,871,400 ~~6,916,900~~	7,145,900 ~~7,192,400~~	Vetoed in Part

D 14. Federal Reimbursement for Crisis Respite Care

Sections 445d, 962g and 9426 (24t)

These sections require the Department of Health and Social Services (DHSS) to claim additional reimbursement from federal Title IV-A (Aid to Families with Dependent Children) and Title IV-E (foster care) for day care services to assist families in stress and preserve family units (crisis respite care) and to distribute any additional funds received for these services to counties to be used for crisis respite day care services and also require counties that receive funds to report to DHSS the amounts that are expended for these day care services.

I am vetoing these provisions because I am concerned about the potential adverse financial impact these provisions will have on counties. County workloads will increase and some counties may have to incur costs to modify their computer programs in order to differentiate day care services by type and funding source. In addition, Title IV-A is a statewide entitlement, and there is the potential that some counties would have to use property tax dollars to provide the match to generate the federal funds for these crisis respite day care services.

However, I am committed to maximizing federal reimbursement whenever possible. For example, this budget contains provisions that will allow the state to capture additional federal funds in the Medical Assistance program for youth education at the Centers for the Developmentally Disabled and for services at the Veterans Home at King. Thus, I am requesting DHSS to intensively investigate the feasibility of claiming additional Title IV-A and IV-E reimbursement for crisis respite day care services, including methods to minimize county computer and reporting costs, and to report the findings to my office and to the Department of Administration by March 1, 1994.

Vetoed in Part

SECTION 445d. 20.435 (7) (e) of the statutes, as affected by 1993 Wisconsin Act ... (this act), sections 444 and 445, is amended to read:

20.435 (7) (e) *Federal aid; community aids.* All federal moneys received in amounts pursuant to allocation plans developed by the department for the provision or purchase of services authorized under par. (b) and s. 46.70; all federal moneys received as child welfare funds under 42 USC 620 to 626 as limited under s. 48.985; all federal child care and development block grant funds received under 42 USC 9858 that are allocated under s. 46.40 (4) (a) for distribution under s. 46.98 (2); all federal moneys received as child care grants under 42 USC 603 (a) as allocated under s. 46.40 (4) (a) and distributed under s. 46.98 (2); any additional federal reimbursements received under 42 USC 601 to 617 and 670 to 679a for child care services to assist families in stress and to preserve family units under s. 46.40 (3) (b); and all unanticipated federal social services block grant funds received under 42 USC 1397 to 1397e for distribution under s. 46.40. Disbursements from this appropriation may be made directly to counties for social and mental hygiene services under s. 46.03 (20) (b) or 46.031 or directly to counties in accordance with federal requirements for the disbursal of federal funds or directly to tribal governing bodies under s. 46.70.

SECTION 962g. 46.40 (3) (b) of the statutes is created to read:

46.40 (3) (b)

Vetoed in Part

2. The department shall claim additional federal reimbursement under 42 USC 601 to 617 and 670 to 679a for child care services to assist families in stress and to preserve family units that are paid for with funds distributed under this subsection and, if the department receives any additional federal reimbursement for those child care services, the department shall distribute that additional federal reimbursement for child care services to assist families in stress and to preserve family units. A county department under s. 46.215, 46.22 or 46.23 or a private nonprofit organization as described in s. 46.98 (2) (a) that receives funding under this subsection for child care services to assist families in stress and to preserve family units shall report to the department the amounts that it expends for those child care services.

SECTION 9426. **Effective dates; health and social services.**

Vetoed in Part

(24t) CHILD CARE FUNDING. The amendment of section 20.435 (7) (e) (by SECTION 445d) of the statutes, the renumbering of section 46.40 (3) of the statutes and the creation of section 46.40 (3) (b) of the statutes take effect on January 1, 1994.

D 15. Independent Living Centers

Sections 1075 and 9126 (14h)

Section 1075 requires all Independent Living Centers (ILC) that receive grants of state or federal funds awarded by the Department of Health and Social Services (DHSS) to comply with specified requirements that are the same as certain federal requirements for the program. I am partially vetoing the provision that requires the governing body of an ILC to have at least one-third of its members be severely disabled individuals since the provision conflicts with the federal requirement that a majority be disabled individuals. This veto will enable ILCs that receive federal dollars to comply with federal requirements and at the same time allow for flexibility of board structure for ILCs that receive only state dollars.

Section 9126 (14h) requires distribution of not more than $322,400 GPR in fiscal year 1993-94 and not more than $644,700 GPR in fiscal year 1994-95 as additional funding to ILCs that are funded by the state. I am vetoing this provision because it is inappropriate to provide funds only to expand current ILCs when not all the areas of the state are served by an ILC. However, I recognize the value of these centers and am requesting DHSS to use the newly appropriated funds to support one or two new ILCs as needed in the western part of the state and to distribute the remaining funds among the current seven ILCs.

SECTION 1075. 46.96 (3m) of the statutes is created to read:

46.96 (3m) (a)

1. The independent living center shall have a board of directors that is the principal governing body of the independent living center ~~and at least one-third of the members of the board shall be severely disabled individuals~~. **Vetoed in Part**

SECTION 9126. **Nonstatutory provisions; health and social services.**

~~(14h) INDEPENDENT LIVING CENTERS ADDITIONAL FUNDING. From the appropriation under section 20.435 (7) (c) of the statutes, the department of health and social services shall distribute not more than $322,400 in fiscal year 1993-94 and not more than $644,700 in fiscal year 1994-95 as funding that is in addition to the grants awarded under section 46.96 of the statutes to those independent living centers, as defined in section 46.96 (1) (a) of the statutes, that are funded by the state.~~ **Vetoed in Part**

D 16. County Budget Submission

Sections 860b and 860c

These sections require that the final budgets submitted by county departments that provide social services be submitted on a uniform budget reporting form developed and distributed by the Department of Health and Social Services (DHSS) and specify the types of information to be included. I am partially vetoing these provisions because they represent an unfunded mandate that places an unnecessary burden on county departments. 1985 Wisconsin Act 120, effective January 1, 1987, eliminated the requirements that counties submit budgets in a uniform format with detailed expenditures because these requirements were

unnecessarily burdensome and costly to counties. I am concerned that the provisions in this bill will significantly increase county reporting costs and reestablish the onerous requirements eliminated in 1985 Act 120. I am retaining the provision that changes the current county requirement from the submission of a proposed budget by September 30 to the submission of a final budget by December 31. These final budgets submitted by counties and the expenditure reporting requirements for the Human Services Reporting System should provide DHSS with the information needed to monitor community programs.

Vetoed in Part SECTION 860b. 46.031 (1) (a) of the statutes is ~~renumbered 46.031 (1) (a) (intro.) and~~ amended to read:

Vetoed in Part 46.031 (1) (a) ~~(intro.)~~ Each county department under s. 46.215, 46.22, 46.23, 51.42 or 51.437 shall submit its ~~proposed~~ final budget for services directly provided or purchased to the department by ~~September 30~~ December 31 annually. ~~The final budget shall be submitted on a uniform budget reporting form that the department shall develop and distribute for use and that shall include at least all of the following:~~

Vetoed in Part

~~SECTION 860b. 46.031 (1) (a) 1 to 3 of the statutes are created to read:~~

~~46.031 (1) (a) 1. Uniform definitions of target populations and of programs and services that a county provides or purchases using funds allocated and distributed under s. 46.40.~~

Vetoed in Part

~~2. Planned expenditures for the programs and services specified in subd. 1 that are separately identified by at least the following sources of funding:~~

~~a. State-distributed funds.~~

~~b. Funds obtained from levy of county property tax.~~

~~c. Client and 3rd-party fees.~~

~~d. Other funds.~~

~~3. Estimates of the number of clients to be served under each program or service that the county plans to provide or purchase using funds allocated and distributed under s. 46.40.~~

D 17. Family Preservation Program

Section 9126 (15d)

This section establishes funding levels and details the responsibilities of the Department of Health and Social Services (DHSS) and of counties receiving grants for the Family Preservation program created in this Act. I am partially vetoing the requirements that a county provide services for a period not to exceed ten weeks per family and that the county ensure that the case load not exceed three families per worker at any time because these limitations reduce the flexibility needed by DHSS and counties in implementing this new program. DHSS will be developing guidelines in these areas as it implements the program.

I am also partially vetoing the provision that requires DHSS to submit a final report on the evaluation of this program to the Legislature by January 1, 1988, since this is clearly a typographical error. I am requesting DHSS to submit the report by January 1, 1998.

SECTION 9126. **Nonstatutory provisions; health and social services.**

(15d) FAMILY PRESERVATION SERVICES PILOT PROGRAM.

(b) Of the amounts distributed under section 46.40 (3) (a) of the statutes, as affected by this act, for services for children and families, the department of health and social services shall distribute $300,000 in the first 6 months of 1994, $450,000 in the last 6 months of 1994 and $450,000 in the first 6 months of 1995 as grants to county departments for the provision of family preservation services. A county department that receives a grant under this paragraph shall use the funds awarded under the grant to provide family preservation services to families for which the county department has determined that a child will be removed from the home of the family to ensure the child's safety if family preservation services are not

provided. A county department that receives a grant under this paragraph shall make family preservation services available 24 hours a day, 7 days a week, and shall provide those services for a period not to exceed 10 weeks per family. A county department that receives a grant under this paragraph shall provide staff training as required by the department of health and social services and shall ensure that the case load of its family preservation workers does not exceed 3 families per worker at any one time.

Vetoed in Part

Vetoed in Part

(c) The department of health and social services shall monitor the use by county departments of funds distributed under paragraph (b), conduct an evaluation of the success of the family preservation services funded under paragraph (b), submit an interim report of that evaluation to the governor and to the appropriate standing committees under section 13.172 (3) of the statutes by July 1, 1996, and submit a final report of that evaluation to the governor and the appropriate standing committees under section 13.172 (3) of the statutes by January 31, 1988.

Vetoed in Part

Departmentwide

D 18. Unanticipated Federal Funds Report

Section 6m

This section requires the Department of Administration (DOA) to report quarterly to the Joint Committee on Finance (JCF) regarding the receipt of any unanticipated federal funds by the Department of Health and Social Services (DHSS) and the expected disposition of the funds. I am vetoing this section because such a report would be duplicative. A report regarding the intended use of unanticipated federal funds is currently forwarded by DHSS to JCF annually. Further, quarterly reports are also currently submitted by DOA, as required under s. 16.54 (8), to inform JCF of federal funds received in excess of those budgeted.

Vetoed in Part

SECTION 6m. 13.107 of the statutes is created to read:

13.107 Unanticipated federal funds reports. Beginning on October 1, 1993, and quarterly thereafter, the department of administration shall submit to the joint committee on finance a summary of the receipt and disposition by the department of health and social services of all unanticipated federal funds.

Vetoed in Part

CORRECTIONS

D 19. Intensive Treatment Program for Female Offenders

Section 9112 (1e)

This section provides purchase of services funding beginning in fiscal year 1994-95 to support an intensive treatment program for women offenders which is comparable in requirements and sanctions to a placement in a conventional prison.

I am partially vetoing this section to remove the requirement that the sanctions must be comparable to a placement in a conventional prison

because this language is too restrictive and would prohibit using the intensive sanctions model that has been used for male offenders as the basis for the intensive treatment program for female offenders.

SECTION 9112. **Nonstatutory provisions; corrections.**

(1e) SPECIALIZED PROGRAMMING FOR WOMEN OFFENDERS. Of the moneys appropriated to the department of corrections under section 20.410 (1) (d) of the statutes, the department shall expend $360,000 in fiscal year 1994-95 to purchase services for an intensive treatment program for women offenders ~~that is comparable in requirements and sanctions to a placement in a type 1 prison, as defined in section 301.01 (5) of the statutes~~. **Vetoed in Part**

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20. Telephone Commission Revenues and Expenditures

Sections 153 [as it relates to s. 20.410 (1) (gt)] and 377t

These provisions create an annual appropriation to receive commissions paid by telephone companies which have contracts to provide telephone services to inmates. These provisions require that funds from the appropriation be used to purchase or maintain recreational or educational equipment for inmates.

I am partially vetoing these sections because I believe that the limitation to recreational and educational equipment is too restrictive. The effect of the veto is to allow the funds to be used to make purchases for inmates which would include supplies and services as well as purchase or maintenance of recreational and educational equipment.

SECTION 153.

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1993-94	1994-95	
20.410 Corrections, department of					
(1) CORRECTIONAL SERVICES					
(gt) Telephone company commissions~~; equipment for inmates~~	PR	A	272,800	272,800	**Vetoed in Part**

SECTION 377t. 20.410 (1) (gt) of the statutes is created to read: **Vetoed in Part**

20.410 (1) (gt) *Telephone company commissions*~~; *equipment for inmates*~~. The amounts in the schedule to purchase ~~or maintain recreational or educational equipment~~ for inmates. All moneys received under s. 301.105 (2) shall be credited to this appropriation account. **Vetoed in Part** **Vetoed in Part**

E. TAX POLICY

GENERAL FUND TAXES

E 1. Cigarette Tax Stamps

Sections 2376, 2378, 2379m, 2379p, 2388, 9148 (1) and (4t), and 9448 (2) (b) [2389]

These provisions allow cigarette distributors to buy cigarette tax stamps with cash or by credit, prohibit the use of meter impressions after January 1, 1998, and impose criminal penalties for the nonpayment or fraudulent withholding of tax moneys.

I object to these provisions because they present administrative problems. I am partially vetoing these provisions so that the state will move more quickly to a more uniform method of payment of cigarette taxes. To accomplish this, I am restoring the requirement that conditions for filing be prescribed by the Department of Revenue by rule, and restoring the Department of Revenue Secretary's authority to regulate the use of meters. This will lessen the difficulties the Department of Revenue faces in administering three separate payment schemes. I am partially vetoing the theft provision in order to punish only fraudulent withholding or failure to pay. I am partially vetoing the provision regarding paying the printing costs of stamps to ensure that distributors will pay those costs when they pay for stamps.

Vetoed in Part ~~SECTION 2376. 139.32 (title) of the statutes is amended to read:~~

~~139.32 (title) Purchase of stamps.~~

Vetoed in Part ~~SECTION 2378. 139.32 (4) of the statutes is repealed.~~

SECTION 2379m. 139.32 (5m) of the statutes is created to read:

Vetoed in Part 139.32 (5m) ~~When they purchase stamps,~~ distributors and manufacturers shall pay to the department the cost of printing and shipping those stamps.

SECTION 2379p. 139.32 (6) of the statutes is amended to read:

Vetoed in Part 139.32 (6) Manufacturers and distributors having a permit from the secretary may purchase stamps on credit. ~~The secretary may require manufacturers and distributors who purchase stamps on credit to file a payment guarantee bond, or other form of security acceptable to the secretary, in the amount and under the conditions prescribed by the secretary by rule. The secretary, upon finding that to do so would not jeopardize state revenues, may allow manufacturers and distributors to cancel payment guarantee bonds.~~

Vetoed in Part

SECTION 2388. 139.395 of the statutes is created to read:

139.395 Theft of tax moneys. All cigarette tax moneys received by a distributor or manufacturer for the sale of cigarettes on which the tax under this subchapter has become due and has not been paid are trust funds in the hands of the distributor or manufacturer and are the property of this state. Any distributor or manufacturer who ~~fails or refuses to pay the tax to this state at the time required under this subchapter or~~ who fraudulently withholds, appropriates or otherwise uses cigarette tax moneys that are the property of this state is guilty of theft under s. 943.20 (1), whether or not the distributor or manufacturer has or claims to have an interest in those moneys.

Vetoed in Part

~~SECTION 2389. 139.44 (1m) of the statutes is repealed.~~

Vetoed in Part

SECTION 9148. **Nonstatutory provisions; revenue.**

Vetoed in Part

~~(1) CIGARETTE METERS. Notwithstanding section 139.321 (1) of the statutes, as renumbered and amended by this act, it is lawful to possess cigarettes that have a meter impression but no stamp if the impression was properly made before the effective date of this subsection.~~

~~(4t) METER IMPRESSIONS. Notwithstanding the repeal of section 139.32 (9g) of the statutes, the amount calculated under that subsection for December 1997 is due on January 15, 1998.~~

Vetoed in Part

SECTION 9448. **Effective dates; revenue.**

(2) CIGARETTE STAMPS.

~~(b) The treatment of sections 139.30 (13), 139.32 (title) and (4) and 139.44 (1m) of the statutes and Sec. 9148 (1) of this act take effect on January 1, 1998.~~

Vetoed in Part

PUBLIC SERVICE COMMISSION

E 2. Intervenor Financing

Section 153 [as it relates to s. 20.155 (1) (j)]

Section 153 [as it relates to s. 20.155 (1) (j)] provides $350,000 PR in fiscal year 1994-95 for intervenor financing. This is an increase of $150,000 PR over the current base.

I object to this increase in funding because an increase of more than $100,000 is too large. By lining out the Public Service Commission's s. 20.155 (1) (j) appropriation and writing in the smaller amount of $250,000 PR in fiscal year 1994-95, I am vetoing the part of the bill which funds this provision. This will provide the Public Service Commission with adequate funding for intervention activities in that year. I am also requesting the Department of Administration Secretary not to allot these funds.

SECTION 153.

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1993-94	1994-95	
20.155 Public service commission					
(1) REGULATION OF PUBLIC UTILITIES					
(j) Intervenor financing	PR	A	550,000	~~350,000~~ 250,000	Vetoed in Part

SHARED REVENUE AND PROPERTY TAX RELIEF

E 3. County Assessment Systems and State Aid

Sections 1712m, 1714 and 9348 (2x)

These sections reduce from 75% to 50% the share of county assessment costs reimbursed by the state. County assessment aid payments are currently the lesser of 75% of actual costs or 75% of a formula amount based on property value and the number of parcels. These sections also change from 60% to a simple majority the percentage of county board member votes necessary to approve adoption of a county assessment system.

County assessment aid is intended to encourage more equitable and accurate assessments on a countywide basis. I am vetoing the reduction in the reimbursement rate because this cuts the incentive promised by the state when the only county to take advantage of this program adopted its assessment system.

I am vetoing the lowering of the threshold for passage of resolutions adopting county assessment systems to ensure that sufficient support exists prior to commitment of time and money to a new system.

Vetoed in Part

SECTION 1712m. 70.99 (1) of the statutes is renumbered 70.99 (2) and amended to read:

70.99 (2) A county assessor system may be established for any county by passage of a resolution or ordinance adopting such a system by an approving vote of ~~60%~~ a majority of the entire membership of the county board. After passage of this enabling resolution or ordinance by the county board, the county executive, or the county administrator, or the chairperson of the county board with the approval of the county board, shall appoint a county assessor from a list of candidates provided by the department of revenue who have passed an examination and have been certified by the department of revenue as qualified for performing the functions of the office. Certification shall be granted to all persons demonstrating proficiency by passing an examination administered by the department. The persons selected for listing shall first have been given a comprehensive examination, approved by the department of revenue, relating to the work of county assessor. A person appointed as county assessor shall thereafter have permanent tenure, after successfully serving the probationary period in effect in the county, and may be removed or suspended only for the reasons named in s. 17.14 (1) or for such cause as would sustain the suspension or removal of a state employe under state civil service rules. If employes of a county are under a county civil service program, the county assessor may, and any person appointed as a member of his or her staff shall, be incorporated into the county civil service program but tenure is dependent on the foregoing provision.

Vetoed in Part

SECTION 1714. 70.99 (12) of the statutes is renumbered 70.99 (12) (a) and amended to read:

70.99 (12) (a) Under a county assessor system, the state shall pay the lesser of ~~75%~~ 50% of the actual cost of the operation of the county assessment system or ~~75%~~ 50% of the sum of two-tenths of one mill multiplied by the full value of a county and $3.95 multiplied by the total number of all land parcels in the county as reported by the county assessor and reviewed by the department of revenue (but in either case not including any expense of any municipal civil service examination, any examination given by the division of merit recruitment and selection in the department of employment relations, any expense of the municipal board of review or any expense of developing basic computer programs available from the state free of charge).

Vetoed in Part

Vetoed in Part

(b) The county treasurer shall, on or before February 15, certify to the department of revenue the expense of operating the county assessor system for the preceding calendar year and ~~such~~ other information ~~as~~ that is necessary on forms prescribed by the

department. When satisfied with the correctness of the information submitted and after verifying the county's compliance with sub. (13), the department of revenue shall compute the state's share of the expense of operating the county assessor system and shall certify that amount to the department of administration for payment to the county under s. 20.835 (6) (a) not later than July 1. No county ~~whose~~ the county assessor system of which fails to meet one or more of the requirements in sub. (13) ~~shall be~~ is eligible for any payment under this section.

SECTION 9348. **Initial applicability; revenue.**

~~(2x) COUNTY ASSESSMENT AID. The treatment of section 70.99 (12) of the statutes first applies to payments made in 1994.~~ **Vetoed in Part**

VETO MESSAGE

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