

Ninety-First Regular Session

WEDNESDAY, August 11, 1993

The chief clerk makes the following entries under the above date.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 385

Relating to the requirement that certain charitable organizations file annual financial reports with the department of regulation and licensing.

By Senators Chvala, Breske, Huelsman and Moore; cosponsored by Representatives Plache, Notestein, Bock, Plombon, Hanson, Musser, Robson, Hasenohrl, Baldus, La Fave, Johnsrud and Hahn.

To committee on State Government Operations and Corrections.

Senate Bill 386

Relating to customer access to credit reports.

By Senators Chvala, Clausing, Moen, Wineke, Burke, Plewa and Moore; cosponsored by Representatives Plombon, Carpenter, Notestein, R. Young, Cullen, Riley, Grobschmidt, Gronemus, Boyle, Musser, Turner, Robson, Hasenohrl, Baldus, Johnsrud and Hahn.

To committee on Financial Institutions and Cultural Affairs.

Senate Bill 387

Relating to the property tax exemption for the Young Men's and Young Women's Christian associations.

By Senators Farrow, Helbach and Buettner; cosponsored by Representatives Grobschmidt, Gruszynski, Welch, Turner, Prosser, La Fave, Porter, Schneiders, Jensen, Gard, Klusman, Ladwig, Lehman, Ott, Underheim and Vrakas.

To Joint Survey committee on Tax Exemptions.

Senate Bill 388

Relating to authorizing a county to enact and enforce an ordinance to impose and collect a charge for worthless payments that are issued to a county agency or office and to retain or waive certain overpayments or underpayments that are made to a county.

By Senators Potter, Buettner, Huelsman, Breske, Plewa and Moore; cosponsored by Representatives Ziegelbauer, Bolle, Plombon, La Fave, Huber, Boyle, Plache and Ryba.

To committee on Transportation, Agriculture, Local and Rural Affairs.

Senate Bill 389

Relating to the application of the consumer act, fees on consumer credit transactions, deficiency judgments in certain consumer transactions and providing a penalty.

By Senators Adelman, Burke and Chvala; cosponsored by Representative Bell.

To committee on Judiciary and Insurance.

Senate Bill 390

Relating to employment of minors 11 years of age or older in the sale of newspapers.

By Senators Andrea and Darling; cosponsored by Representatives Wirch, Porter, Turner, Ladwig, Lorge, Duff, Bock, Ziegelbauer, Kaufert, Seratti, Ryba, Vergeront and Klusman.

To committee on Human Resources, Labor, Tourism, Veterans and Military Affairs.

Senate Bill 391

Relating to allowing tax incremental financing project costs to be used for environmental remediation.

By Senators Rosenzweig, Buettner, Farrow, Petak, Rude, Darling, Drzewiecki and Moore; cosponsored by Representatives Bell, Panzer, Huber, Riley, Duff, Grobschmidt, Ourada, Silbaugh, Jensen, Notestein, Turner, Hahn, Schneiders, Ziegelbauer, Hanson, Carpenter, Walker, Klusman and Robson.

To committee on Business, Economic Development and Urban Affairs.

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Senator Ellis

May 11, 1993

To the Honorable the Senate:

Pursuant to Senate Rule 20(1)(ag), the following is a correction requested by the minority party of committee appointment for the Senate:

Senate Statutory Committees

Submerged Cultural Resources Council
Senators Darling and Jauch

Sincerely,
Michael G. Ellis, Chair
Senate Organization

State of Wisconsin
Legislative Audit Bureau

August 5, 1993

To the Honorable the Legislature:

We have completed an evaluation of the management of student family housing within the University of Wisconsin-Madison's Division of Housing, as requested by the Joint Legislative Audit Committee. The Division is responsible for managing 1,122 apartments for students and 150 apartments for faculty and academic staff.

In 1988, the Division developed a master plan for the renovation of all student family apartments. The renovation project was to be completed by the year 2000, and total project costs were estimated to be approximately \$26.3 million. However, remodeling costs have been higher than expected: we estimate that these

costs will be at least \$12 million more than originally projected. The remodeling project is also behind schedule. Through June 1993, only 309 apartments have been renovated.

State of Wisconsin
Office of the Governor

August 10, 1993

In addition to increasing costs and delays in the project's completion, we also found tenant dissatisfaction with the current rent structure, which requires tenants in unremodeled apartments to share in the cost of renovations. Furthermore, we found serious problems with the Division's preventive maintenance program and its financial management of the apartments. The Division's Student and Family Housing unit has lost money in every year since the remodeling projects began.

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.

Because it is an auxiliary enterprise that is expected to be self-sustaining, the Division needs to realistically evaluate its costs for operating and renovating the student family apartments, as well as the fairness of the current rent structure. Therefore, we recommend the Division formally reassess its plans for completing and financing the remodeling project.

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.

We appreciate the courtesy and cooperation extended to us by the University of Wisconsin-Madison's Division of Housing staff. The Division's response is the appendix.

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.

Sincerely,
Dale Cattanach
State Auditor

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.

State of Wisconsin
Department of Corrections
August 6, 1993

To the Honorable the Legislature:

The Department of Corrections has no claims under ss. 227.485 and 814.245, Wisconsin Statutes, to report for the fiscal year ending June 30, 1993. Our legal counsel personnel have reviewed settlements during FY 93 and have determined that non apply to ss. 227.485 and 814.245 of the Wisconsin Statutes.

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.

Sincerely,
Patrick J. Fiedler
Secretary

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.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
August 10, 1993

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State:

Senate Bill	Act No.	Date Approved
44partial veto -----	16 -----	August 10, 1993

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.

Respectfully,
TOMMY G. THOMPSON
Governor

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 employee 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 lower income 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 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

VETO MESSAGE
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A. EDUCATION

EDUCATIONAL COMMUNICATION BOARD

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.

HIGHER EDUCATIONAL AIDS BOARD

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.

PUBLIC INSTRUCTION

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 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.

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.

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.

UNIVERSITY OF WISCONSIN SYSTEM

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.

VOCATIONAL, TECHNICAL AND ADULT EDUCATION

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.

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.

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.

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.

B. ENVIRONMENT AND COMMERCE

AGRICULTURE, TRADE AND CONSUMER PROTECTION

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

NATURAL RESOURCES

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.

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.

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.

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.

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.

16. 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.

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.

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.

TRANSPORTATION

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.

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.

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.

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.

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.

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.

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.

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.

C. GOVERNMENT OPERATIONS

ADMINISTRATION

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.

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.

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.

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.

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.

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.

DISTRICT ATTORNEYS

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.

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.

EMPLOYE TRUST FUNDS

9. Health Insurance Data Collection Funds

Section 9119

Section 9119 requires the Department of Employee 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.

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.

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.

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.

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.

14. 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.

INSURANCE

15. 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.

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.

JUSTICE

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.

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.

PERSONNEL COMMISSION

19. State Employee 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, crossexamine 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.

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.

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.

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.

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.

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.
Health

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.

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.

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.

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.

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. Economic Support

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.

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.

Community Services

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.

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.

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.

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.

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.

Departmentwide

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.

CORRECTIONS

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. **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.

E. TAX POLICY

GENERAL FUND TAXES

1. Cigarette Tax Stamps

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

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.

PUBLIC SERVICE COMMISSION

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.

SHARED REVENUE AND PROPERTY TAX RELIEF

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.

SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 93-9

Relating to season tables, open and closed seasons, size and bag limits and measurements.

Submitted by Department of Natural Resources.

Report received from agency, August 5, 1993.

Referred to committee on Environment and Energy, August 11, 1993.

Senate Clearinghouse Rule 93-35

Relating to hunting.

Submitted by Department of Natural Resources.

Report received from agency, August 5, 1993.

Referred to committee on Environment and Energy, August 11, 1993.

Senate Clearinghouse Rule 93-39

Relating to sport fishing and fish refuges.

Submitted by Department of Natural Resources.

Report received from agency, August 5, 1993.

Referred to committee on Environment and Energy, August 11, 1993.

Senate Clearinghouse Rule 93-73

Relating to sport and commercial fishing on Wisconsin-Minnesota and Wisconsin-Iowa boundary waters.

Submitted by Department of Natural Resources.

Report received from agency, August 5, 1993.

Referred to committee on Environment and Energy, August 11, 1993.

Senate Clearinghouse Rule 93-75

Relating to the national recreational trails program.

Submitted by Department of Natural Resources.

Report received from agency, August 5, 1993.

Referred to committee on Environment and Energy, August 11, 1993.

Senate Clearinghouse Rule 93-99

Relating to the administration of the forest crop law and the managed forest law.

Submitted by Department of Natural Resources.

Report received from agency, August 5, 1993.

Referred to committee on Environment and Energy, August 11, 1993.

The committee on Health, Human Services and Aging reports and recommends:

Senate Clearinghouse Rule 93-57

Relating to requirements for renewal.

No action taken.

Carol A. Buettner
Chair

CHIEF CLERK'S REPORT

The chief clerk records:

Senate Bill 44.

Correctly enrolled and presented to the Governor on August 9, 1993.