



STATE OF WISCONSIN Assembly Journal

Ninety–Second Regular Session

WEDNESDAY, July 3, 1996

The Chief Clerk makes the following entries under the above date:

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 96–47

Relating to Physicians assistants.
Submitted by Department of Regulation and Licensing.
Report received from Agency, June 24, 1996.
To committee on **Health**.
Referred on July 2, 1996.

Assembly Clearinghouse Rule 96–59

Relating to education for school age parents.
Submitted by Department of Public Instruction.
Report received from Agency, June 24, 1996.
To committee on **Education**.
Referred on July 2, 1996.

Assembly Clearinghouse Rule 96–60

Relating to teacher licenses.
Submitted by Department of Public Instruction.
Report received from Agency, June 24, 1996.
To committee on **Education**.
Referred on July 2, 1996.

Assembly Clearinghouse Rule 96–61

Relating to AODA programs.
Submitted by Department of Public Instruction.
Report received from Agency, June 24, 1996.
To committee on **Education**.
Referred on July 2, 1996.

Assembly Clearinghouse Rule 96–67

Relating to sales finance companies.
Submitted by Office of Commissioner of Banking.
Report received from Agency, June 24, 1996.
To committee on **Financial Institutions**.
Referred on July 2, 1996.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

To the Honorable Members of the Assembly:

The following bill(s), originating in the Assembly, have been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
13	451	June 26, 1996
924	452	June 26, 1996
545	453	June 26, 1996
424	455	June 26, 1996
908	456	June 27, 1996
1080	457	June 27, 1996
630	460	June 27, 1996
992 (partial veto)	462	June 27, 1996
1044 (partial veto)	463	June 27, 1996
739 (partial veto)	464	June 27, 1996
733	468	June 27, 1996
608	469	June 27, 1996

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

June 27, 1996

To the Honorable Members of the Assembly:

I have approved **Assembly Bill 992** as **1995 Wisconsin Act 462** and deposited it in the Office of the Secretary of State. I have exercised my partial veto authority in several areas.

This bill ratifies the interstate insurance receivership compact which is a non–profit organization which will monitor and oversee settlements of insurance companies that have gone into receivership. The bill outlines the powers, duties and responsibilities of the commission and the compacting states and specifies that the commission will be supported by fees charged to member states and to insurers of that state on a 25%/75% split.

Several sections of the bill pertain to the state's share of financial support for the commission. Sections 3 and 4 appropriate \$25,000 GPR annually as the state's share of the

commission's cost. However, it is highly likely that costs will actually be much higher initially and will probably increase as more states join the compact. For example, the initial operating budget proposed by the commission is approaching \$800,000 for the participation of only four states. Given that the Office of the Commissioner of Insurance (OCI) currently participates in receivership actions to protect Wisconsin claimants, it is not clear that the state's financial contribution to the commission will result in appreciably larger settlements for claimants in this state. As a result, I have vetoed the GPR funding appropriated in this bill.

This potential higher cost was also recognized when a mechanism was established under the second section 5 of the bill whereby OCI, without a finding of emergency, is required to submit a request under s.13.10 to the Joint Committee on Finance and the Committee is required to fund any excess cost of the commission from its supplemental GPR appropriation. OCI is precluded from proposing the use of any other agency funds and may not charge the excess to insurers. This mechanism essentially turns an annual GPR appropriation into a sum-sufficient one. Further, it establishes an undesirable precedent of allowing agencies to request, and, in this case, be preapproved for additional funds. This is not an appropriate use of the emergency request process established under s.13.10 and I have vetoed this section.

Section 6, as it relates to the financing mechanism for the commission, outlines how states and insurers will be assessed to support the commission's operating costs. Given my concerns about the cost of participation in the compact in relation to the benefits which may accrue to the state by participating in this compact, I have partially vetoed this section with respect to the assessment on the state and its insurers.

Finally, section 6, as it relates to rules developed by the commission, states that by ratifying this compact, rules developed by the commission carry the force of law in the compacting state. This means that the state could still be subject to the assessment and other liability provisions in the compact even though I have vetoed these provisions out of the state's law. I am unwilling to commit the state to these financial obligations. As a result, I have vetoed these provisions pertaining to assessments and liabilities.

Because I support uniform regulation of legal settlements which affect multiple claimants in numerous states, I have retained all the other provisions in the bill to comply with the spirit of the commission. However, I believe that such regulation and oversight can be accomplished at a much lower cost for the commission and compacting states.

Sincerely,
TOMMY G. THOMPSON
 Governor

GOVERNOR'S VETO MESSAGE

June 27, 1996

To the Honorable Members of the Assembly:

I have approved **Assembly Bill 1044** as [1995 Wisconsin Act 463](#) and deposited it in the Office of the Secretary of State. I have exercised my partial veto authority in two areas.

AB 1044 makes two major changes to the state health insurance risk sharing plan (HIRSP). First, it provides additional state funding of \$1.5 million GPR annually to mitigate the cost of rate increases in the program. Second, it sunsets the program on January 1, 1998 if the Commissioner of Insurance has certified to the Reviser of Statutes by that date that a health care program that replaces HIRSP has been enacted and is operational.

Section 21 of the bill directs the Department of Health and Family Services (DHFS) and the Office of the Commissioner of Insurance (OCI) to conduct a study to establish a replacement plan for HIRSP, specifies what the study is to contain, and directs the two agencies to submit a report of the study and proposed replacement legislation to the Legislature by February 1, 1997. I am partially vetoing this section to delete the specific issues which must be addressed in the study because the list is overly prescriptive and limits the flexibility of the two agencies in determining which issues may or may not be appropriate for analysis in developing a replacement plan for HIRSP.

Sections 2, 4-13, 16-20 and 22 pertain to the sunset date to repeal the HIRSP program once a replacement program has been developed. I am vetoing these provisions since they are unnecessary in this bill. The bill requires DHFS and OCI to propose replacement legislation which creates a more cost-effective means to provide health insurance to this state's high risk population. That legislation is the appropriate place to include language to repeal HIRSP.

I support the bill's goal of protecting those who have difficulty in getting health insurance. Although the timetable for completion of the study and development of the replacement legislation included in the bill is aggressive, I support it. I look forward to a proposal that is wide ranging and considers all the possibilities including what may become available to the state as the result of future federal reforms.

Sincerely,
TOMMY G. THOMPSON
 Governor

GOVERNOR'S VETO MESSAGE

June 27, 1996

To the Honorable Members of the Assembly:

I have approved **Assembly Bill 739** as [1995 Wisconsin Act 464](#) and deposited it in the Office of the Secretary of State. I have exercised my partial veto authority in section 5.

AB 739 increases funding for various state programs for the elderly and disabled. I have always been sympathetic to

the long-term care needs of our state residents and during my Administration I have supported the creation of over 11,000 Community Options Program (COP) placements. As I worked on the 1995-97 state budget, property tax relief was my highest priority. In order to achieve that goal, many programs throughout state government were cut or eliminated and very few other programs received increased funding. This enabled [1995 Wisconsin Act 27](#), the biennial budget bill, to provide the property tax relief so beneficial to our retired Wisconsin citizens who must maintain their homes on fixed incomes. However, Act 27 still provided \$18.9 million GPR for the cost to continue over 2,500 COP and COP waiver placements created in CY95 by [1993 Acts 16 and 469](#). Now our favorable economy enables us, in AB 739, to actually increase state support for new COP placements by \$1.3 million GPR, an increase I am signing into law.

Section 5 of AB 739, provides \$91,500 GPR and 2.0 GPR FTE for the Board on Aging and Long-Term Care (BOALTC) for new ombudsmen positions. I am partial vetoing Section 5 to eliminate the increase of 2.00 FTE GPR positions for BOALTC. I object to this increase in the staffing level for the Board because there are no new duties and responsibilities assigned to the Board in AB 739. I am retaining the \$91,500 GPR contained in the bill to give the Board flexibility to contract for ombudsman services over the next three years, if caseloads increase to the extent that the Board's current staff cannot handle the work load.

Sincerely,
TOMMY G. THOMPSON
 Governor

GOVERNOR'S VETO MESSAGE

June 27, 1996

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 289** in its entirety. This bill requires that any question on a state referendum ballot be written in commonly understood language and in a clear and coherent manner, be accurate and disclose the major points of the proposal. The bill also establishes new procedures for the review of each state referendum ballot question, requiring the Attorney General to review each ballot question for a state referendum to determine if the question is written in commonly understood language, is clear, coherent and accurate, discloses the major points of the proposal and is worded to require a negative vote to disapprove or an affirmative vote to approve. If the referendum question is for a constitutional amendment, the Attorney General must determine whether the question complies with the constitutional provisions for amending the constitution. The Attorney General must then submit the determination and any rewording of a question which better meets these requirements to a new committee consisting of the members of the Joint Committee on Legislative Organization and the minority caucus chairpersons of each house. If this committee agrees that the rewording better meets these requirements, it may recommend to the Legislature a joint resolution submitting the reworded question to the voters.

I am vetoing Assembly Bill 289 because I believe that the bill does not significantly improve upon current law. Under current law, every proposal for legislation which is submitted to the voters must include a complete statement of the referendum question. The question may not be worded so as to require a negative vote to approve a proposition or an affirmative vote to disapprove a proposition. Further, the notice of a referendum must include an explanatory statement of the effect of either a "yes" or a "no" vote. While I agree that some referenda questions may be written in a confusing manner, creating a new and bureaucratic process for a non-binding review of state referenda questions does not achieve the intent of this legislation, which is to improve the clarity of state referenda questions for the voters.

Sincerely,
TOMMY G. THOMPSON
 Governor

COMMUNICATIONS

State of Wisconsin
 Office of the Secretary of State
 Madison

To Whom It May Concern:

Acts, Joint Resolutions and Resolutions deposited in this office have been numbered and published as follows:

<u>Joint Res. Number</u>	<u>Enrolled Number</u>	<u>Pub. Date</u>
Assembly Jt. Res. 53 27	June 25, 1996
Assembly Jt. Res. 16 28	June 25, 1996

Sincerely,
DOUGLAS LA FOLLETTE
 Secretary of State

State of Wisconsin
 Revisor of Statutes Bureau
 Madison

July 1, 1996

Charles R. Sanders
 Assembly Chief Clerk

Donna Doyle
 Senate Chief Clerk's Office

The following rules have been published:

Clearinghouse Rule 95-12	effective	7-1-96
Clearinghouse Rule 95-63	effective	7-1-96
Clearinghouse Rule 95-113	effective	7-1-96
Clearinghouse Rule 95-149	effective	7-1-96
Clearinghouse Rule 95-163	effective	7-1-96
Clearinghouse Rule 95-173	effective	7-1-96
Clearinghouse Rule 95-188	effective	7-1-96
Clearinghouse Rule 95-192	effective	7-1-96 (part)
Clearinghouse Rule 95-193	effective	7-1-96
Clearinghouse Rule 95-198	effective	7-1-96
Clearinghouse Rule 95-199	effective	7-1-96

Clearinghouse Rule 95-205 effective 7-1-96
Clearinghouse Rule 95-209 effective 7-1-96
Clearinghouse Rule 95-218 effective 7-1-96
Clearinghouse Rule 95-231 effective 7-1-96
Clearinghouse Rule 96-4 effective 7-1-96
Clearinghouse Rule 96-10 effective 7-1-96
Clearinghouse Rule 96-11 effective 7-1-96
Clearinghouse Rule 96-12 effective 7-1-96

Sincerely,
GARY L. POULSON
Deputy Revisor of Statutes

June 25, 1996

Speaker David Prosser
211 West Wing
State Capitol
Madison, Wisconsin 53702

Dear Speaker Prosser:

As Chair of the Assembly Colleges and Universities Committee, I have formed a Subcommittee on UW-Centers and Higher Education. The members would include myself as chair, Rep. Sheryl Albers and Rep. Bill Murat.

This subcommittee will travel to various UW-Centers to explore the different educational options that these two-year institutions provide. On July 10, 1996, the subcommittee will hold a hearing at the UWC-Richland to discuss the tuition surcharge and expanding course offerings for high school students during the summer terms.

If you have any questions regarding this action, please do not hesitate to contact me.

Best Wishes,
ROB G. KREIBICH
State Representative
93rd Assembly District

TO: Jody Nussbaum
Assembly Chief Clerk's Office

FROM: State Representative Bonnie Ladwig

DATE: June 25, 1996

RE: Sub-committee

The following members of the Assembly Children and Families committee have been appointed to the Shared Custody sub-committee on June 1, 1996.

- John Dobyns (Chair)
- Bonnie Ladwig
- Scott Gunderson
- Bob Goetsch
- Rebecca Young
- Bill Murat

If you have any questions or need information, don't hesitate to contact me.