

STATE OF WISCONSIN
Assembly Journal
Eighty-Seventh Regular Session

THURSDAY, May 1, 1986.

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

796----- 323 ----- April 29, 1986
 875----- 324 ----- April 29, 1986

Respectfully submitted,
ANTHONY S. EARL
 Governor

ADMINISTRATIVE RULES

Read and referred:

Assembly Clearinghouse Rule 85-162

Relating to the property tax deferral loan program.
 Submitted by Department of Revenue.
 To committee on Ways and Means.
 Referred on April 30, 1986.

Assembly Clearinghouse Rule 86-11

Relating to the general operations of the office of the commissioner of transportation.

Submitted by Office of the Commissioner of Transportation.

To committee on Transportation.
 Referred on April 30, 1986.

Assembly Clearinghouse Rule 86-68

Relating to black bear hunting.

Submitted by Department of Natural Resources.

To committee on Tourism, Recreation and Forest Productivity.

Referred on April 30, 1986.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
 Office of the Governor
 Madison

To the Honorable, the Assembly:

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

Assembly Bill	Act No.	Date Signed
12-----	311-----	April 29, 1986
84-----	312-----	April 29, 1986
219-----	313-----	April 29, 1986
387-----	314-----	April 29, 1986
427-----	315-----	April 29, 1986
507-----	316-----	April 29, 1986
610-----	317-----	April 29, 1986
629-----	318-----	April 29, 1986
652-----	319-----	April 29, 1986
677-----	320-----	April 29, 1986
682-----	321-----	April 29, 1986
772-----	322-----	April 29, 1986

COMMUNICATIONS

State of Wisconsin
 Department of State
 Madison

To Whom It May Concern:

Dear Sir: Acts, joint resolutions and resolutions, deposited in this office, have been numbered and published as follows:

Bill or Res. No.	Act No.	Publication date
Assembly Bill 38-----	258-----	April 29, 1986
Assembly Bill 48-----	259-----	April 29, 1986
Assembly Bill 138-----	260-----	April 29, 1986
Assembly Bill 303-----	261-----	April 29, 1986
Assembly Bill 425-----	262-----	April 29, 1986
Assembly Bill 485-----	263-----	April 29, 1986
Assembly Bill 493-----	264-----	April 29, 1986
Assembly Bill 494-----	265-----	April 29, 1986
Assembly Bill 622-----	266-----	April 29, 1986
Assembly Bill 640-----	267-----	April 29, 1986
Assembly Bill 672-----	268-----	April 29, 1986
Assembly Bill 673-----	269-----	April 29, 1986
Assembly Bill 694-----	270-----	April 29, 1986
Assembly Bill 696-----	271-----	April 29, 1986
Assembly Bill 697-----	272-----	April 29, 1986
Assembly Bill 702-----	273-----	April 29, 1986
Assembly Bill 718-----	274-----	April 29, 1986
Assembly Bill 776-----	275-----	April 29, 1986
Assembly Bill 847-----	276-----	April 29, 1986
Assembly Bill 888-----	277-----	April 29, 1986
Assembly Bill 914-----	278-----	April 29, 1986
Assembly Bill 256-----	290-----	April 30, 1986
Assembly Bill 421-----	291-----	April 30, 1986
Assembly Bill 489-----	292-----	April 30, 1986
Assembly Bill 515-----	293-----	April 30, 1986
Assembly Bill 711-----	294-----	April 30, 1986
Assembly Bill 631-----	295-----	May 1, 1986

DOUGLAS La FOLLETTE
 Secretary of State

GOVERNOR'S VETO MESSAGE

April 29, 1986

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 356** because the bill could (1) cause significant delays in, and increase the stress and expense involved with, voluntary termination of parental rights (TPR) and adoption proceedings; (2) interject child support issues into all voluntary TPR proceedings which may not be desirable; and (3) counter important Wisconsin initiatives related to finding permanent homes for children or addressing the problems of adolescent pregnancy.

Termination of parental rights and adoption proceedings, which go hand-in-hand, are often time-consuming, stressful, emotional and expensive, for all parties. Assembly Bill 356 would add yet another source of delay by involving local child support agencies in all voluntary TPR proceedings. Delay could result from improper service of a copy of the TPR petition on the child support agency, or from postponed hearings if that agency is unable to prepare or present testimony at the scheduled hearing. Even more significant, delay could occur in cases where the court delays disposition of a TPR petition until paternity is established, and where the alleged father contests paternity -- a process which may take as long as one year to complete.

I question the appropriateness of interjecting child support matters into all voluntary TPR proceedings. Current statutes under s. 48.426 provide that "the best interests of the child shall be the prevailing factor considered by the court," and child support is not identified as a factor for the court to consider. Furthermore, the effects of the bill go well beyond the specific type of case which prompted introduction of this legislation. Under Assembly Bill 356, child support agencies could be involved in all voluntary TPR proceedings, including cases where neither parent will retain parental rights and an adoption is pending, or where stepparent adoptions are planned. Despite the fact that these are cases where a pending adoption would provide financial and emotional support for the child, and presumably are not the impetus for this bill, they could still be affected.

Wisconsin has achieved wide recognition for a commitment to finding permanent homes for children, and to addressing the difficult problems of adolescent pregnancy -- 1985 Wisconsin Act 56 is an example of this commitment. I believe that Assembly Bill 356 may work counter to these initiatives. Additional delays and stress in TPR proceedings may be particularly difficult for adolescents. If the prospect of greater delay and stress cause adolescent mothers to decide against completing TPR and adoption proceedings, then the young mother and child may be vulnerable to the problems common to adolescent parenthood -- interrupted schooling, lack of parenting skills and dependence on public assistance. My veto avoids the risk to these initiatives posed by Assembly Bill 356.

I firmly believe that child support obligations should be fulfilled, but Assembly Bill 356 is not an appropriate means to that end. For gains in child support collections which could well prove to be minimal, this bill would add points of delay to an already cumbersome process; would interject issues which may have little relationship to the best interests of children; would involve child support agencies in all voluntary TPR proceedings; and would place at risk important Wisconsin initiatives. I encourage the Legislature to study the problems which this bill would have addressed and to develop legislation to address these issues with a better focus.

Respectfully submitted,
ANTHONY S. EARL
Governor

GOVERNOR'S VETO MESSAGE

April 29, 1986

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 439** because this bill allows night shooting with the use of artificial light which creates safety and administrative problems. I am aware that wildlife damage to agricultural crops is a major problem, but Assembly Bill 439 is not the desirable solution.

Shooting at night with the use of artificial light is dangerous. The artificial light shining on the deer effectively impairs the ability to see objects behind the target deer. High caliber ammunition used in deer hunting travels a considerable distance and can easily cross property lines and roads. Assembly Bill 439 does contain a provision which requires notification of all residents within a one mile radius before nightshooting and shining is allowed. This notification requirement is not adequate to ensure safe conditions, nor is it enforceable.

Assembly Bill 439 prohibits the Department of Natural Resources from placing any limitations on shooting except during the state deer gun season. Under current law, the Department limits the permits by restricting the number of people shooting deer and limiting the number of deer to be taken. Assembly Bill 439 effectively eliminates the Department control over shooting permits, hours during which the permit can be used, and number of deer taken. This impedes the Department's ability to manage herd levels and the wildlife damage problem. In addition, the bill does not establish any threshold amount of damage which must be met before a permit is issued.

Allowing farmers to shoot deer at night will not solve the wildlife damage situation. It may provide limited relief, but a broader program is necessary. There is already a comprehensive program to address the wildlife damage program. A Wildlife Damage and Abatement Program with the emphasis on abatement was reestablished in the 1983-85 biennial budget and a one

dollar surcharge on hunting licenses was implemented in the 1985-87 biennial budget to fund the program.

In addition, the Department has been granted the authority for extending the deer hunting season, and issues bonus permits, which will increase the deer harvest. The Department is also conducting a deer kill goal and boundary review.

The Department already issues daytime shooting permits to farmers to control crop damage, and if the situation warrants it, night shooting is performed by the Department if that assistance is requested. The demand for these shooting permits has been low.

The Department of Natural Resources is currently in the process of developing an administrative rule to address the wildlife damage problem. The proposed rule includes provisions for daytime shooting permits during the closed and open deer gun season.

The proposed rule establishes permanent rules and criteria on the issuance of shooting permits during the closed gun-deer season which will provide statewide uniformity. It will provide a program which will match landowners with licensed hunters during the gun-deer season to remove excess deer. This "hot spot" program is designed to address localized deer damage.

I am directing the Department to work with farmers to develop a satisfactory solution to control crop damage.

Respectfully submitted,
ANTHONY S. EARL
Governor

GOVERNOR'S VETO MESSAGE

April 30, 1986

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 464** in its entirety.

The bill has some elements which are consistent with other elections legislation I have signed recently, but on balance it creates a marked potential for abuse and should not become law.

It contains provisions which could weaken the political party system by altering the nomination process for poll workers. Candidates who successfully campaign under the Republican or Democratic label, but who are in fact members of extremist organizations, could do harm to the legitimate functioning of these parties.

It opens the door to adverse influence on poll worker efforts which could jeopardize the essential fairness and impartiality of elections. It also fails to provide a transition for the appointment of new poll inspectors in 1987, which could leave the February and April elections without proper supervision.

The bill also imposes unnecessary, inflexible, burdensome procedures which local appointing bodies would have to follow as they consider lists of poll worker nominees.

The veto of this bill will help preserve moderation and objectivity at the polling place and the integrity of party identification.

Respectfully submitted,
ANTHONY S. EARL
Governor

GOVERNOR'S VETO MESSAGE

April 29, 1986

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 625** which would have allowed any hospital or non-hospital facility in the state to establish or to expand an adult open heart surgery or an adult or pediatric cardiac catheterization program without review and approval under the Capital Expenditure Review Program. This legislation is in direct opposition to the goal of regionalization of specialized services and runs counter to the state's health care cost containment efforts.

Health care cost containment and the provision of quality care are important public policy goals. And, based on available data, enactment of **Assembly Bill 625** would have likely resulted in both a substantial increase in the costs of cardiac surgery/catheterization programs on a per capita basis and a concomitant rise in hospital mortality rates for these procedures.

Currently, there is sufficient capacity to meet patient needs in the existing cardiac programs. The state has 15 cardiac surgery and 19 cardiac catheterization programs for non-pediatric care and one pediatric cardiac catheterization and surgery program. In 1984, these cardiac surgery programs operated at only 57.6 percent of capacity and catheterization programs at only 66.6 percent of capacity even though Wisconsin physicians already perform 50 percent more of these procedures than the national average. Because it is expected that new treatment techniques will mean the leveling off of demand for cardiac surgery, adding several more cardiac programs at this time would likely lead to higher per capita costs.

In addition, studies have demonstrated a negative correlation between low utilization of cardiac services and the quality of care. Expansion of the number of available services will decrease utilization of existing services by further diluting the pool of patients. Extensive national research has revealed strong and consistent evidence that a high volume of surgical procedures is associated with better outcomes for the patient.

While I do not support the unchecked development of cardiac programs, I have some sympathy for the argument that hospitals which already have a certified cardiac catheterization program ought to be able to add a cardiac surgery program in order to ensure continuity of cardiac-related services. I have asked representatives of my administration to further pursue this issue with the approximately four hospitals that could be affected.

JOURNAL OF THE ASSEMBLY [May 1, 1986]

I believe this issue can be resolved without the additional potential consequences of Assembly Bill 625 -- the erosion of health care cost containment and the quality of patient care.

Respectfully submitted,
ANTHONY S. EARL
Governor