

JOURNAL OF THE ASSEMBLY [April 28, 1976]

STATE OF WISCONSIN

Assembly Journal

Eighty-Second Regular Session

WEDNESDAY, April 28, 1976.

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

COMMUNICATIONS

State of Wisconsin
Elections Board
Madison

April 14, 1976

To the Honorable the Assembly
Attention: Mr. Everett Bolle, Chief Clerk

Dear Sir:

Please be advised that Wayne Wood, Democrat, 2429 Rockport Road, Janesville, Wisconsin 53545, was elected Representative to the Assembly at the Special Election held in the 48th Assembly District on April 6, 1976.

Enclosed is a copy of the signed official canvass.

Sincerely,
GERALD J. FERWERDA
Executive Secretary

OATH OF OFFICE

I, Wayne W. Wood, who have been elected to the office of Representative to the Assembly, 48th District, but have not yet entered upon the duties thereof, swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Wisconsin, and will faithfully discharge the duties of said office to the best of my ability. So help me God.

WAYNE W. WOOD

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Subscribed and sworn to before me this 16th day of April, 1976.

HORACE WILKIE
Chief Justice

COMMUNICATION

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, Jt. Res. or Res.	Chapter No.	Publication date
Assembly Bill 201	201	April 15, 1976
Assembly Bill 1149	202	April 15, 1976
Assembly Bill 1150	203	April 15, 1976
Assembly Bill 297	207	April 15, 1976
Assembly Bill 806	208	April 16, 1976
Assembly Bill 48	209	April 19, 1976
Assembly Bill 114	211	April 23, 1976
Assembly Bill 199	212	April 23, 1976
Assembly Bill 1118	213	April 23, 1976

Respectfully submitted,
DOUGLAS LaFOLLETTE,
Secretary of State.

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	Chapter No.	Date Approved
114	211	April 15, 1976
199	212	April 15, 1976

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1118	-----	213	-----	April 15, 1976
22	-----	219	-----	April 26, 1976
1040	-----	220	-----	April 27, 1976
(Partial Veto)				
1415	-----	221	-----	April 27, 1976

Respectfully submitted,
PATRICK J. LUCEY,
Governor.

GOVERNOR'S VETO MESSAGES

April 27, 1976

To the Honorable, the Assembly:

I have approved **Assembly Bill 1040** as Chapter 220, Laws of 1975, and deposited it in the office of the Secretary of State.

This bill would establish, for the first time, a program designed to facilitate the transfer of students from one school to another for the purpose of eliminating racial imbalance. This goal would be realized through voluntary student transfers within and between school districts. Only where students and their parents desire such transfers will school boards proceed in the development of annual written transfer agreements.

I view this bill as the culmination of a constructive effort by the Legislature to deal with racial imbalance in Wisconsin's public schools. It will provide state aid for the full costs incurred by districts in transporting and providing programs for transferred students. Sending school districts will in effect be "held harmless" in terms of membership for general school aid purposes. In instances where a school district receives 5% or more of its enrollment through transfer agreements, additional state financial support will be provided.

One strength of the bill that should be noted is the fact that revenues will support program results rather than aspirations. From this perspective, the bill offers a rare opportunity to achieve an important social goal without a major initial investment in organizational overhead. This is a goal I have sought throughout the last two state budgets for state policies generally.

There are provisions in the bill which do not entirely agree with my own policy views, but in these instances other factors must be

taken into account. If the mechanism of voluntary transfers contained in this bill is successful in eliminating or reducing racial imbalances, then the limited compromise with my policy on full equalization will be justified. I am confident that school districts will recognize the social and financial benefits that will result from a serious attempt to implement transfer agreements.

I have taken the following actions which I believe will improve the bill and minimize any administrative difficulties that might result from its enactment.

Section 5 will exclude tuition payments received under s. 121.85 (6)(b) 2 and 3 from treatment as operational receipts in computing general school aid. Currently, only general school aid payments and tax levy receipts are excluded. The rationale for not excluding categorical aid payments is to avoid having the state pay general aid on those receipts. In principle, if the receipts were not subtracted from shared cost, the increase in shared cost would become eligible for state sharing.

In order to maintain the integrity of this principle associated with full equalization, and to facilitate the administration of transfer programs, I have deleted this section.

Section 7 (6)(b)(1) provides that aid shall be paid to the school district of residence "throughout the period of transfer." Even though this period for payment of aid appears to be equitable, it is administratively unfeasible.

Membership is established for school aid purposes on the third Friday in September. This is done in order to provide a reference point for computing both school aids and cost controls. If the variable is allowed to fluctuate, then it will necessitate significant adjustments in both aid payments and expenditures under cost controls. In my view, the marginal equity derived from basing aid and cost controls on "the period of transfer" is outweighed by the administrative problems it would create. For this reason, I have deleted the words "throughout the period of transfer."

Section 8 would exclude the costs of implementing special transfer programs from cost controls. This provision is not necessary since a cost control appeal is already available for such costs in s. 121.91 (5)(c).

One primary distinction between a cost control appeal and excluded costs is that in the case of an appeal, program costs can be identified clearly for voters in a school district. I believe that

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underlying goal of cost controls supports this type of financial disclosure. New costs associated with transfer programs do deserve a special consideration under cost controls since they are not included in a school district's base year. I am confident that the current appeal procedure will allow an appropriate consideration of those costs that exceed the current 9-1/2% limitation. For this reason, I have deleted Section 8 of the bill.

Respectfully submitted,

PATRICK J. LUCEY,

Governor.

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Assembly substitute amendment 1 to **Assembly Bill 573**

In enrolling, the following change was made:

On page 2, line 8, after "aged", delete the comma.

Note: In the drafting instructions for LRB-1108/5, which became Assembly Bill 573, no comma was indicated in this place. However, a comma was mistakenly inserted in the typed copy. The error was carried forward when Assembly Substitute Amendment 1 (LRB-4964/2) was prepared and it was this document, as amended, which passed.