

JOURNAL OF THE SENATE [May 5, 1982]

STATE OF WISCONSIN

Senate Journal

Eighty-Fifth Regular Session

WEDNESDAY, May 5, 1982.

11:00 A.M.

The senate met.

The senate was called to order by the president of the senate.

By request of Senator Berger, with unanimous consent, the calling of the roll was dispensed with.

COMMITTEE REPORTS

The committee on Agriculture and Natural Resources reports and recommends:

JACOBS, HELEN, of Milwaukee, as a member of the Air Resources Allocation Council, to serve for the term ending July 1, 1983.

Confirmation:

Ayes, 5 -- Senators Harnisch, Strohl, Thompson, Krueger and Opitz;

Noes, 0 -- None.

THOMAS W. HARNISCH

Chair

2083

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PETITIONS AND COMMUNICATIONS

State of Wisconsin
Department of State

May 4, 1982

To the Honorable, the Senate:

I have the honor to transmit to you the following information pursuant to s. 13.695(8):

Yours very truly,
VEL PHILLIPS
Secretary of State

Lobbyist Terminations:

Gerrard, M. William, effective May 1, 1982, for First Bank (N.A.)

Herzer, David G., effective May 1, 1982, for First Bank (N.A.)

Klauser, James R., effective May 1, 1982, for First Bank (N.A.)

Lauri, Carl, effective May 1, 1982, for First Bank (N.A.)

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 30, 1982

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	Chapter No.	Date Approved
783 ---partial vetoes-----	317 -----	April 29, 1982
204 -----	334 -----	April 29, 1982
250 -----	335 -----	April 29, 1982
269 -----	336 -----	April 29, 1982
314 -----	337 -----	April 29, 1982
374 -----	338 -----	April 29, 1982
461 -----	339 -----	April 29, 1982
519 -----	340 -----	April 29, 1982

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581 -----	341 -----	April 29, 1982
695 -----	342 -----	April 29, 1982
699 -----	343 -----	April 29, 1982
700 -----	344 -----	April 29, 1982
773 -----	345 -----	April 29, 1982

Sincerely,
LEE SHERMAN DREYFUS
Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 29, 1982

To the Honorable, the Senate:

I have signed Senate Bill 783, and deposited it with the Secretary of State. While it took a long time for the process to work, the process we have relied on for over two hundred years in this country did finally work. I want to commend the legislative leadership of both parties in both houses for working on what is really the first bipartisan budget during my term as Governor. I commend each of them for their efforts and each of the legislators who were willing to put their name on the line for a tax increase when they believed it was truly necessary. Taxation by representation is not easy. It should not be. It insures the people are in on the decision. Restoring that basic principle was one of my goals and, I believe, one of my accomplishments as Governor.

I have exercised my constitutional power to item veto. I avoided wholesale changes even though I do not like all the individual parts of the compromise. I looked at the implications of items on the operation of the government and on the long-term impact on the state budget and the state economy. The projected balance at the end of the biennium remains precariously slim for these economic times, and that ending balance strongly influenced my decisions.

While there still may be difficulties ahead with federal changes and economic uncertainties, we can rightly say to the financial community and to the people that we have put our house in order.

When I proposed my budget adjustment bill in February, I had two related goals: to raise enough additional revenue to get the state through this biennium, and to provide for the people of this state meaningful and lasting property tax relief which directly reduces property tax bills. This bill accomplishes both.

Through use of my item veto, I have made the property tax relief program permanent, insuring that at least one cent of sales tax

revenue goes to direct property tax relief. \$75 million in new direct property tax relief will start January 1, 1983 and over \$250 million in each year thereafter. I vetoed in such a way that the tax relief will be in place whether the sales tax is 4% or 5%. In my judgement it is not possible to maintain our current level of state services and the new property tax relief program without a sales tax of 5%. The level of tax remains tied to the constitutional amendment and I strongly urge the next Legislature to swiftly approve it and send it to the people.

One final word about the cuts in this budget. Let no one be mistaken that they will not hurt, that some services will be affected. But they are a necessary price to get us through this storm. And let no one mislead that this Governor and this Legislature are not caring for those less fortunate and in need. This bill in conjunction with the biennial budget maintains a level of service and support consistent with Wisconsin's traditions. We are not, in these times, able to do all we would like, but we have maintained our commitment.

And let me reinforce my strong belief that better times are ahead. This state is strong economically, politically and morally and times like these, which test us all, will in the long run make us even stronger.

Sincerely,

LEE SHERMAN DREYFUS

Governor

I. Human Resources

A. Recovery of Public Assistance Payments

Section 24m and 29r

These sections would allow counties to retain 15% of the state share of the AFDC and MA payments that are recovered as a result of recipient error or fraudulent activity. My item veto would delete the reference to "error" in these sections, allowing counties to retain 15% of the state share of the AFDC or MA payments which were recovered from those cases involving fraudulent activity. I am vetoing the reference to "error" because it would be difficult to implement administratively and because it could result in unnecessary disputes between the state and counties. The identification of an agency or recipient error is a difficult one to distinguish in income maintenance programs. This item veto more clearly emphasizes the importance the state places on detecting welfare fraud and provides a reasonable incentive for counties to pursue these cases.

II. Education

A. Higher Education and Tuition Grants

Sections 2122(1) and 2122(2)

This veto deletes an increase of \$1,600,000 GPR in the 1982-83 appropriations for financial aid to students in the Tuition Grant and Wisconsin Higher Education Grant programs. I am vetoing this section because the \$20.5 million in this account should be sufficient to meet the projections for eligible students in 1982-83. It is \$1.9 million more than the expenditures for this year. Although I would like to provide more, this is a reasonable appropriation level given the fiscal condition of the state.

B. Critical Manpower Loan Obligations

Section 2022(2) and Relating Clause

This veto allows the Higher Educational Aids Board (HEAB) to fulfill existing contractual obligations to students who have agreed to practice certain careers in the State of Wisconsin. The State Employment and Training Council determined in the 1970's that Wisconsin had a critical manpower shortage in dentistry, dental hygiene, optometry and veterinary medicine. In exchange for working in Wisconsin, students in those fields were forgiven part of their student loan. No loans have been made under this program since July of 1976.

Failure to fulfill these existing contractual obligations would cause HEAB to default on these loans. The Legislature's action would not save the state any money; it would just delay until the next biennium a payment we would have to make anyway. That is unfair and reflects badly on the State's credibility.

C. Indian Student Assistance Grants

Sections 23rm, 2122(1m), 2203(22) (a) and Relating Clause

Under current law, all Indian students are eligible for Indian Student Assistance Grants including those attending higher education institutions less than half time. This section of the bill would have removed eligibility for those enrolled for less than half time. The veto of this section will return the program to current law which is intended to help Indian students successfully make the transition to institutions of higher education. As a state, we have an obligation and we ought not change a program which works.

D. State Laboratory of Hygiene - Breathalyzer Expert

Section 2159(1)(m)(2)

This appropriation funds the salary of a breathalyzer expert who provides services for the Operating While Intoxicated Program. There is no flexibility to reduce this appropriation because it supports only one position. Also, the revenues received through penalty assessments on drivers which funds this position are down from original estimates and may be insufficient to cover expenditures to date. We have recently toughened our drunk driving law. This is not the time to weaken our ability to assist that program.

III. Tax Issues

A. Cigarette Taxes on Indian Sales

Sections 84g, 84j; 85aab, 85aam, 85aar, 85aat, 85aav, 85aaw; 2204(45)(j) and Relating Clause

I am vetoing conversion of the current occupational tax on cigarettes to an excise tax effective July, 1983. Sale of unstamped cigarettes to non-Indians is a serious and mounting problem in Wisconsin with an estimated revenue loss of more than \$4 million annually. There is no question that state government and Wisconsin's tribes must have serious discussions to resolve this and other tax problems. However, such negotiations are more likely to be conducted in "good faith" if a forced mid-1983 solution is not in the statutes. The tribes should understand that the intent of the Legislature to end the serious erosion of our cigarette tax base is absolutely clear. A comprehensive and fair solution to state-tribe tax problems must be found and soon, or the legislature will re-enact this law.

B. Earned Income Tax Credit

Sections 54c, 2202(45)(a), and Relating Clause

The creation of a new state earned income tax credit is vetoed. While I sympathize with the goals of the program, this plan falls short in a number of respects.

This is not the time to be creating new programs. State government has been facing a deficit, and programs are being cut -- not expanded. Such a major new program ought to be considered in the biennial budget when priorities must be set.

Even if revenues were available to fund this credit, I question its effectiveness. Disincentives to work do exist in our social service system, and they must be eliminated from that system. A tax credit with relatively small benefits will, however, have little effect on worker behavior.

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In terms of tax relief for those with low and moderate incomes, the earned income credit is also deficient. It does not benefit the elderly, nor does it help workers without dependents.

In the past three years, Wisconsin has, in percentage terms, provided the largest income tax reductions to those with modest means. We have maintained the low income allowance and expanded the Homestead credit. If further tax relief is desired, we should first move to consolidate the programs we already have.

C. Sales Tax/Property Relief

Sections 2v, 64m, 70k, 70L

I have vetoed these provisions to provide permanent direct property tax relief by removing the tie between the new property tax relief program and the sales tax while retaining the tie between the sales tax increase and the constitutional amendment. The sales tax would return to 4% on July 1, 1983 unless the constitutional amendment is passed, but at least 1 cent of the sales tax will go to direct property tax credits in any event, half based on school aids and half in proportion to school levies.

I have voted in this way to ensure that the people can expect real direct property tax relief in the future. The legislature would have to vote it out for it not to happen. It will be up to the legislature and the people to determine whether that will be financed out of a 4% or 5% sales tax. I have consistently supported the use of the additional cent of sales tax for property tax relief. I still support that position.

I have also vetoed section 64m to clarify the tie between the constitutional amendment and sales tax and to ensure that the legislature can deal with it in a substantive, not procedural, way.

D. Oil Company "Unitary Tax"

Sections 30ix; 30j; 38m, 54f, 54m, 2203(45)e and Relating Clause

There are two provisions in the bill which affect the taxation of oil companies.

The first relates to apportionment of corporate "situs income" -- a provision more commonly known as the "wellhead tax." This represents a responsible answer to those asking for increased taxes on oil companies, and I support it.

I cannot support the more extreme "unitary tax" on integrated oil companies, and I have vetoed it. Wisconsin has made real progress in the last year to make its tax system more attractive to mining development. We cannot afford to further increase taxes on companies that will bring mining-related jobs to the North over the next decade. Because of the number of conflicting opinions I have received on the impact on mining and the decision-making by those companies in to mining, I just cannot take the risk that enactment of this tax will chill and delay mining decisions. The people in the North

need those jobs; our mining equipment industry needs those jobs. I should note that the unitary tax is not the same as the oil tax proposal I previously endorsed.

This new tax also represents a fundamental change in Wisconsin tax policy. Wisconsin would be the first state in the nation to single out one industry for additional corporate income taxes on a significant part of its worldwide operations. Given the unusual nature of this provision, a long and protracted legal battle over the "unitary tax" would no doubt result.

E. Assessment Review

Sections 2s, 57b, 2045(2), 2145(6), 2204(45)(i) and Relating Clause

Transfer of the Department of Revenue's assessment review activities under s. 73.08 from program to general purpose revenue is vetoed. I support removing state mandated assessment review without providing the corresponding state funds. However, Assembly Bill 707 addresses this same issue in a more careful manner and I will sign it. It ends program revenue funding with the end of this biennium, thereby requiring the next Governor and Legislature to either discontinue the program altogether or commit general fund resources to its continuation.

F. Tax Deductions for Adoption Expenses

Sections 54, 2203(45)(a), and Relating Clause

Senate Bill 783 repeals the current state tax deduction for adoption expenses in favor of the new federal deduction for adoption of "special needs children". That repeal is vetoed. By allowing families to use either the current state treatment or the new federal treatment of adoption expenses, we are maximizing the incentive to adopt while avoiding the unfortunate categorization of children. Permanent, caring families should be found for as many children as possible, and our tax laws should reflect this goal.

IV. Environmental/Commercial Resources

A. Inland Lakes

Sections 2b, 2fg, 2fr, 23fr, 23jr, 2204(38)(b) and Relating Clause

These sections: 1) create a new appropriation of \$34,500 GPR in 1982-83 for Inland Lakes Renewal Aids project evaluations; 2) give the Secretary of DNR broad power to transfer any amount of money between the Inland Lakes Resource Aids local assistance appropriation to the new Aids Administration evaluation appropriation; 3) require that, beginning in 1983-85, the evaluation appropriation equal at least 3% of the grants appropriation; and 4) make planning, design and engineering eligible for financial assistance.

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Creating a new appropriation for evaluation of an existing program in a time of fiscal crisis is not advisable. The appropriation transfer powers for a department secretary are too broad and not in keeping with standard appropriation control practices. The effort to include planning design and engineering as eligible cost categories, as in the Point Source Program, is not based on proven need or urgency. I maintain my general opposition to this type of formula based funding. Funding should be based on true program need if we are to encourage efficient and effective allocation of state funds. These changes go beyond the scope of rectifying significant problems in the Inland Lakes Renewal program as identified in the recent Legislative Audit Report, therefore, I have vetoed them.

B. State Patrol - 2% /4% SEG Reduction

Section 2158(1)(d)7

Section 2158(1)(d) of the bill decreases certain Department of Transportation appropriations by \$5,168,000 SEG in 1981-83, with the dollars transferred to the General Fund. Included in these amounts are reductions for the State Patrol of \$412,300 SEG in 1981-82 and \$832,700 SEG in 1982-83. It is my belief that the State Patrol performs a crucial role in making our highways safe for the people of our state and is essential for industry, tourism and agriculture. Citizens have demanded increased law enforcement to combat drunk driving. Speed and weight enforcement must remain a top priority regardless of the financial condition of the General Fund. This veto will exempt the State Patrol from these reductions.

C. Plat Review - 2% /4% PRO Reduction

Section 2159(1)(d)

Section 2159(d) of this bill requires that \$8,100 be lapsed to the general fund from the Department of Development PRO Plat Review Appropriation (s. 20.143(3)(h)). This section is vetoed because the Plat Review Appropriation is already below estimates with the significant decline in new housing starts, even after a large boost in fees last fall. This service to localities cannot be maintained with these reductions.

D. Industrial Promotion

Section 2110(lm)

Section 2110(lm) of this bill totally eliminates the \$80,000 amount in the 1982-83 Department of Development appropriation 20.143(1)(b) which funds industrial promotion activities. The promotion appropriation funds two general categories of expenditures: 1) the production of publications to help attract industry to the state and to provide basic information about the state's economy, and 2) advertising efforts in various national industrial and business publications to stress the advantages of considering the state as a place to locate a business. Advertising funds are also used for a targeted direct mail program to stress advantages of doing business in the State to those companies contemplating relocations. This section has been vetoed because it is essential, especially now, to maintain our efforts to promote economic recovery through establishment of new businesses and jobs in the state.

E. Division of Housing Appropriation

Section 2110(5d)

Section 2110(5d) eliminates \$540,000 in 1982-83 from the Department of Development appropriation 20.143(3)(a) which funds housing activities. This would eliminate, in total, the Housing Division in DOD. This section is vetoed because the department's efforts are absolutely essential given current economic conditions and the especially poor condition of the housing industry. Further, this provision is inconsistent with recent actions by the legislature to expand the department's role in the housing area. For example, Senate Bill 407 expands DOD's role in developing and implementing a state housing policy. DOD would be unable to carry out its role under this legislation if the proposed cut in the housing appropriation is maintained. In addition the bill would eliminate: staff necessary to operate the Housing and Neighborhood Conservation Program, staff used to promote housing technical assistance to local units of government, public housing authorities and other sponsors of housing for low and moderate income households and staff necessary to operate the Farmland Preservation Program. Also, it appears that a new Housing Voucher Program and a Housing Block Grant Program may be authorized at the federal level. With the proposed appropriation cut, the department would be unable to plan for the implementation of these programs. I do not believe anyone wants to scuttle any of these state and federal programs.

F. Water Quality Planning

Section 2138(10v)

The Legislature decreased the Department of Natural Resources water quality planning aids appropriation by \$106,000 for 1982-83. However, this is a biennial appropriation in which DNR commits funds on a calendar year basis. All but \$61,000 has already been encumbered for 1982.

I have overturned this decrease to preserve all existing commitments. This will allow vital sewer service and wasteload allocation studies to go forward in the Fox River Valley, southeastern Wisconsin, and other affected areas.

V. General Government

A. Work Incentive Program

Sections 2025(3)(a) and (3)(b), and Relating Clause

Sections 2025(3)(a) and (3)(b) of this bill requires the Department of Industry, Labor and Human Relations to encumber all available FED and GPR Work Incentive Program (WIN) funds in state fiscal year 1081-82 before June 30, 1982. The intent of this provision was to enable Wisconsin to run an expanded State WIN program during fiscal year 1981-82. Increased expenditure of these funds would deplete the remaining federal funds and leave the state without resources to operate a WIN program for the balance of the federal fiscal year (7/1/82 - 9/30/82). Wisconsin would then be unable to comply with federal law which could possibly jeopardize the receipt of AFDC funds for the Department of Health and Social Services.

Finally, it is not clear at this time what will happen to the federal WIN program. The bill tends to restrict the state's flexibility in responding to future federal or congressional actions. For these reasons, I am vetoing this section of the bill.

B. Program Priority Listing

Sections 1m, 1r, and Relating Clause

Sections 1m, and 1r of this bill create a requirement that each state agency list all current programs in priority order as part of their biennial budget submission.

I am sympathetic to the need for more detailed information on the programmatic priorities of administrative agencies. However, I do not believe the vetoed language would provide the type of information the sponsors of the sections really desire. I would reaffirm the commitment of my administration to work in an open and constructive fashion to share information and a more detail sense of programmatic priorities. This language would result in a considerable work effort without providing truly usable information. As the 1983-

85 budget is prepared, this administration will pledge to provide the information sought by this proposal.

C. Employee Pay Plan Supplements

Section 2057(2) (e)

This is a technical adjustment. My item veto makes it clear that all pay plan supplements, regardless of fund source, are affected by the 25% reduction for FY 1982-83.

D. Permanent Property Reduction

Sections 17m and 2057(4)

This section directs the Secretary of Administration to withhold all unencumbered GPR permanent property funds (estimated at \$13 million) appropriated in 1982-83 so they may lapse to the general fund. It further creates a supplemental appropriation of \$5 million from which the Secretary of Administration may release funds to agencies for labor-saving permanent property items, or to the University of Wisconsin for any essential property items, subject to notification and possible review by the Joint Finance committee.

I have vetoed the stipulation that supplements for agencies must be limited to "labor-saving" items. Many essential purchases will not meet this limiting condition. The approval by the Secretary of DOA and review by Joint Finance should provide adequate control over nonessential purchases.

E. Professional Nursing

Section 30f

Section 30f creates a statutory requirement that nursing homes employ charge nurses to supervise patient care and requires that the Department of Health and Social Services create rules to define the duties of a charge nurse. The section also specifies that a charge nurse must be a professional nurse or an LPN supervised by a professional nurse.

A very small portion of the section is vetoed as a technical change which clarifies that supervision of patient care is the responsibility of professional nurses, as outlined in other sections of the statutes. An Attorney General's opinion highlighted the need to modify statutes on nursing professionals to reflect existing practice. However, concerns have been raised that these four words are not needed to achieve that codification and may result in conflict with other statutory requirements, such as that patient care be provided by nursing professionals. In order to limit the language to codification of existing practices, I have vetoed this language.

F. Unprofessional Conduct

Section 85m and Relating Clause

I have vetoed this section because it is wrong to charge a doctor as unprofessional because he is willing to help medically a woman who has made the decision to bear a new life. The decision to bear a child when made consciously by any woman is of such personal and human magnitude that it overshadows for me the issue of current economic status of that woman. The counseling and communicative relationship between doctor and patient must deal in subject matter which makes pure economic sources pale into insignificance. The subject I refer to certainly involves motherhood, the sacredness of life, love, care and, above all, the future. To interfere with that relationship in the way proposed here is unacceptable to me.

Sincerely,
LEE SHERMAN DREYFUS
Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 30, 1982

To the Honorable, the Senate:

The basic issue for me in this case is balancing the right to individual choice with insuring the fruits of collective bargaining are not unfairly received. I believe the current system of fair share agreements is the best in terms of protecting the rights of association of individuals while insuring individuals exercising those rights do not unfairly receive the benefits of collective bargaining. That system requires a 2/3 vote of those voting to achieve fair share. Seven of the 12 units in this state have voted for fair share.

The bill would change the rules so that in a fair share election if the 2/3 were not achieved but a majority were, maintenance of membership agreement would be imposed. This would exempt current state employees who choose not to pay union dues but would require any new employees to pay them.

I am bothered by the no lose element of the referendum under this proposal. Referenda ought to be limited to one issue -- fair share or not, maintenance of membership or not. This country has a long history of requiring extraordinary votes to permit majorities to impose obligations on minorities or to restrict their freedom of choice. This is such a case.

One reason expressed for the necessity to enact this into law is because of the heavy cost the unions must expend in the grievance

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process for nonpaying employees of the unit. This problem, which I believe is real and which unfairly depletes union treasuries, could be handled in another way, through some alternative funding mechanism. Therefore, I am vetoing **Senate Bill 71**.

Sincerely,
LEE SHERMAN DREYFUS
Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 30, 1982

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	Chapter No.	Date Approved
72 ----partial veto-----	346-----	April 30, 1982
150 -----	347 -----	April 30, 1982
234 -----	348 -----	April 30, 1982
407 ----partial veto-----	349-----	April 30, 1982
417 -----	450 -----	April 30, 1982
600 -----	351 -----	April 30, 1982
621 -----	352 -----	April 30, 1982
716 -----	353 -----	April 30, 1982

Sincerely,
LEE SHERMAN DREYFUS
Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 30, 1982

To the Honorable, the Senate:

I have signed **Senate Bill 72** and deposited it with the Secretary of State. **Senate Bill 72** improves the organizational structure of state Soil and Water Conservation Programs. Soil conservation functions appropriately belong in the Department of Agriculture, Trade and Consumer Protection and will receive more attention and focus located in an independent agency of state government. The bill also appropriately consolidates preservation and conservation functions in

the Agriculture Department. The referendum procedure included in the bill protects private landowner rights to a degree greater than current law.

I have also exercised my constitutional partial veto authority to:

- (1) insure that the money transferred from UW-Extension to the Department of Agriculture is only transferred once,
- (2) remove complexities created in the plat review process, and
- (3) maintain county home rule authority in the relationship between county boards and the county land conservation committees.

The vetoes which relate to county government authority are made to be consistent with recommendations of my County Government and Administration Task Force earlier this year and included in my Local Government Initiatives Bill that the Legislature failed to act on this session. These vetoes do not interfere with the implementation of Chapter 92 revisions or the transfer of soil and water conservation functions between UW-Extension and the Department of Agriculture. They are made only to recognize that counties already have individual administrative procedures to appoint committee chairpersons, keep records and store property, and do not need new prescriptive statutory language in order to fulfill these responsibilities.

My section by section vetoes are as follows:

Technical, Funding Transfer

Section 13

I have vetoed \$155,900 in a land conservation general program operations line because the bill appropriates this amount to the Department of Agriculture, Trade and Consumer Protection twice. In another section of the bill this amount is transferred from UW-Extension to the Department of Agriculture as the Legislature intended.

Chair Selection, Budget Preparation, Delegation of Authority, Plat Review

Section 34, 92.06(3) and (5)

These sections are vetoed because each county board has its own procedures for choosing committee chairs and preparing committee budgets. It is not necessary to specify these procedures in statute. This veto is consistent with recommendations of the Governor's Task Force on County Organization and Administration to respect county home rule authority.

92.07(1)

I have vetoed the words "under this section" to make it clear that the land conservation committee powers delegated by the state to the county land conservation committees are subject to the approval of the county board. County boards object to "super committees" that are free standing, have non-county board representatives they do not appoint, or have statutory authority not subject to the authority of the county board.

relating clause, (4)

These sections are vetoed because counties must already approve land plats under Chapter 236. This veto does not preclude county land conservation committees from reviewing plats for compliance with a soil erosion ordinance, it simply removes an additional step to the plat review process that is already working and in place in another section of the statutes.

92.09

I have vetoed the language "under the direction of the committee as it relates to local land conservation committee staff supervision to recognize that various counties may handle their administrative responsibilities differently. For example, land conservation committee staff could be in a division which reports to a department head, who in return reports to a committee.

92.11(6)

Specific language relating to the County Zoning Board of Adjustment is eliminated by this veto to allow counties the flexibility to determine the membership of the Board to the planning and development committee if it so chooses.

92.12

Unnecessary references to "land conservation committee" are vetoed to make clear that counties, cities, villages and towns are responsible for the inter-governmental cooperation required in this section.

Plat Review

Section 36

I am vetoing this section because counties already have the authority to object to land plats under Chapter 236 of the statutes. There is no reason to add another step to the plat approval process when there is a workable review process already in place.

Committee Chair, 1

Section 38g

I am vetoing language in this section to recognize that counties already have their own administrative procedures for appointing committee chairs.

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Committee Chair, 2

Section 38r

I am vetoing language in this section to recognize that counties already have their own administrative procedures for appointing committee chairs.

Custody of Property and Records

Section 42

I have vetoed language which indicates in whose custody property and records relating to the land conservation committee are held. Each county can determine who and how records and property are transferred according to their own administrative procedures.

Sincerely,

LEE SHERMAN DREYFUS

Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 30, 1982

To the Honorable, the Senate:

Senate Bill 407 is critical for the future of housing in this state. It establishes a Home Ownership Mortgage Loan Program that is intended to both stimulate investment in the currently depressed housing market as well as encourage stability and improved housing conditions. My commitment for this program dates back several years when I placed a similar bill on the call for a special session. It has taken two years, but we are now in a position to utilize the tax exempt status of revenue bonds for home ownership in this state.

The bill also contains additional bonding authority for the Wisconsin Housing Finance Authority as well as several changes to WHFA, many of which were recommended in a recent audit of the authority. These changes should make WHFA more responsive to the state's housing needs. Finally, the bill directs the Department of Development to prepare a state housing plan that is intended to provide direction for the state in future housing activities.

Collectively, this bill represents a comprehensive improvement of the state's current efforts in the housing area. However, there are several provisions in the bill which incorporate sections of the federal Ullman Legislation into state law. Experts in the housing field believe that action will be taken at the federal level to relax some of these restrictions. In order to provide maximum flexibility for the

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state's program should action occur at the federal level, I am exercising my item-veto authority to remove those Ullman provisions.

Sincerely,
LEE SHERMAN DREYFUS
Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 30, 1982

To the Honorable, the Senate:

For the first time in my governorship, I am allowing a bill to become law without my signature. **Senate Bill 77** deletes the requirement for United States citizenship and good moral or good professional character from employment and licensing statutes. Primarily affected are occupations licensed by the State Departments of Agriculture, Trade and Consumer Protection, Regulation and Licensing and Revenue. Municipal laws affected include bartenders and owners. This law was passed to conform all our statutes with court decisions and Attorney General opinions.

I am allowing it to become law without my signature because, while I respect the need to clarify state law, I in no way want to suggest to the people of this state that good moral or professional character is no longer considered a valid requirement. Hopefully the standards those broad terms were designed to achieve can be adhered to in the more specific and therefore acceptable job qualifications.

Sincerely,
LEE SHERMAN DREYFUS
Governor

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 80-234

A RULE to repeal and recreate ch. NR 132, relating to metallic mineral mining.

Submitted by Department of Natural Resources.

Report received by agency, May 5, 1982.

Referred to committee on Aging, Business and Financial Institutions and Transportation, May 5, 1982.

Clearinghouse Rule 80-235

A RULE to create Ch. NR 131, relating to metallic mineral prospecting.

JOURNAL OF THE SENATE [May 5, 1982]

Submitted by Department of Natural Resources.

Report received by agency, May 5, 1982.

Referred to committee on Aging, Business and Financial Institutions and Transportation, May 5, 1982.

Clearinghouse Rule 80-236

A RULE to create ch. NR 182, relating to regulation of metallic mining wastes.

Submitted by Department of Natural Resources.

Report received from agency, May 5, 1982.

Referred to committee on Aging, Business and Financial Institutions and Transportation, May 5, 1982.

Clearinghouse Rule 81-161

AN ORDER to amend A-E 5.01 (2); and to create A-E 5.02, relating to property surveys.

Submitted by Department of Regulation and Licensing.

Report received from agency, April 30, 1982.

Referred to committee on State and Local Affairs and Taxation, May 5, 1982.

Clearinghouse Rule 81-191

AN ORDER to amend A-E 1.15 (5) (e); and to create A-E 1.175, relating to examination and experience requirements for professional engineers.

Submitted by Department of Regulation and Licensing.

Report received from agency, April 30, 1982.

Referred to committee on State and Local Affairs and Taxation, May 5, 1982.

Clearinghouse Rule 81-227

AN ORDER to create Ins 14.04, relating to compulsory surplus and security surplus.

Submitted by Office of the Commissioner of Insurance.

Report received from agency, April 30, 1982.

Referred to committee on Insurance and Utilities, May 5, 1982.

Clearinghouse Rule 82-32

AN ORDER to repeal and recreate ch. PSC 5, relating to assessment of costs.

Submitted by Public Service Commission.

Report received from agency, April 30, 1982.

Referred to committee on Insurance and Utilities, May 5, 1982.

Clearinghouse Rule 82-41

AN ORDER to create Tax 12.073, relating to providing a definition and procedure for estimating fair market value taxable property.

JOURNAL OF THE SENATE [May 5, 1982]

Submitted by Department of Revenue.

Received from agency on April 30, 1982.

**Referred to committee on State and Local Affairs and Taxation,
May 5, 1982.**

Clearinghouse Rule 81-212

AN ORDER to create NR 1.96, relating to the scenic beauty policy.

Report withdrawn by agency, May 5, 1982.

**The committee on Aging, Business and Financial Institutions and
Transporta reports and recommends:**

Clearinghouse Rule 82-40

**AN ORDER to repeal Trans 6.04; to amend Trans 6.01, 6.02 (4)
and (5), 6.03 (1), 6.05 (1) (a), (b) and (c) and (2), 6.07 (1), 6.08
(1) and 6.09 (6); and to repeal and recreate Trans 6.06, relating to
the rural and small urban area public transportation assistance
program.**

No action taken.

**TIM CULLEN
Chair**

**State of Wisconsin
Revisor of Statutes Bureau
Madison, Wisconsin**

May 1, 1982

**Donald J. Schneider
Senate Chief Clerk
State Capitol
Madison, Wisconsin**

Dear Mr. Schneider:

The following rules have been published and are effective:

Clearinghouse Rule 79- 12 effective May 1, 1982.

Clearinghouse Rule 80-124 effective May 1, 1982.

Clearinghouse Rule 81- 68 effective May 1, 1982.

Clearinghouse Rule 81-117 effective May 1, 1982.

Clearinghouse Rule 81-127 effective May 1, 1982.

Clearinghouse Rule 81-169 effective May 1, 1982.

Clearinghouse Rule 81-179 effective May 1, 1982.

Clearinghouse Rule 81-195 effective May 1, 1982.

Clearinghouse Rule 81-196 effective May 1, 1982.

Clearinghouse Rule 81-197 effective May 1, 1982.

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Clearinghouse Rule 81-199 effective May 1, 1982.
Clearinghouse Rule 81-201 effective May 1, 1982.
Clearinghouse Rule 81-202 effective May 1, 1982.
Clearinghouse Rule 81-203 effective May 1, 1982.
Clearinghouse Rule 81-204 effective May 1, 1982.
Clearinghouse Rule 81-205 effective May 1, 1982.
Clearinghouse Rule 81-214 effective May 1, 1982.
Clearinghouse Rule 81-215 effective May 1, 1982.
Clearinghouse Rule 81-218 effective May 1, 1982.
Clearinghouse Rule 81-222 effective May 1, 1982.
Clearinghouse Rule 81-224 effective May 1, 1982.
Clearinghouse Rule 81-228 effective May 1, 1982.
Clearinghouse Rule 81-229 effective May 1, 1982.
Clearinghouse Rule 81-243 effective May 1, 1982.
Clearinghouse Rule 82- 18 effective May 1, 1982.

Sincerely,
GARY L. POULSON
Assistant Revisor

MESSAGE FROM THE ASSEMBLY

By David R. Kedrowski, chief clerk.

Mr. President:

I am directed to inform you that the assembly has concurred in:

Senate Joint Resolution 65

Nonconcurrent in:

Senate Joint Resolution 66

Adopted and asks concurrence in:

Assembly Joint Resolution 107

MESSAGE FROM THE ASSEMBLY CONSIDERED

Assembly Joint Resolution 107

Relating to the final adjournment of the April 1982 extended and special sessions.

By Representative Jackamonis.

Read and referred to committee on Senate Organization.

Upon motion of Senator Berger the senate adjourned until 10:00 A.M. Friday, May 7.

11:02 A.M.