

STATE OF WISCONSIN
Assembly Journal
Eighty-Eighth Regular Session

TUESDAY, April 26, 1988

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

195 (partial veto) ----- **397** ----- April 23, 1988
190 (partial veto) ----- **398** ----- April 23, 1988

Respectfully submitted,
TOMMY G. THOMPSON
 Governor

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
99 (partial veto) -----	342 -----	April 21, 1988
753 -----	343 -----	April 21, 1988
903 -----	344 -----	April 21, 1988
176 -----	345 -----	April 21, 1988
224 -----	346 -----	April 21, 1988
577 -----	347 -----	April 21, 1988
599 -----	348 -----	April 21, 1988
748 (partial veto) -----	349 -----	April 21, 1988
843 -----	350 -----	April 21, 1988
278 -----	353 -----	April 21, 1988
205 -----	355 -----	April 22, 1988
384 -----	356 -----	April 22, 1988
525 -----	357 -----	April 22, 1988
634 -----	358 -----	April 22, 1988
656 -----	359 -----	April 22, 1988
705 -----	360 -----	April 22, 1988
923 -----	361 -----	April 22, 1988
954 -----	362 -----	April 22, 1988
975 -----	363 -----	April 22, 1988
985 -----	364 -----	April 22, 1988
299 -----	370 -----	April 22, 1988
531 -----	371 -----	April 22, 1988
619 -----	372 -----	April 22, 1988
730 -----	373 -----	April 22, 1988
788 -----	374 -----	April 22, 1988
797 -----	375 -----	April 22, 1988
845 -----	376 -----	April 22, 1988
858 -----	377 -----	April 22, 1988
870 -----	378 -----	April 22, 1988
922 -----	379 -----	April 22, 1988
929 -----	380 -----	April 22, 1988
957 -----	381 -----	April 22, 1988
978 -----	383 -----	April 22, 1988
680 (partial veto) -----	394 -----	April 23, 1988

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 744 -----	257 -----	April 21, 1988
Assembly Bill 604 -----	263 -----	April 21, 1988
Assembly Bill 606 -----	264 -----	April 21, 1988
Assembly Bill 201 -----	266 -----	April 21, 1988
Assembly Bill 336 -----	267 -----	April 21, 1988
Assembly Bill 742 -----	268 -----	April 21, 1988
Assembly Bill 769 -----	269 -----	April 21, 1988
Assembly Bill 902 -----	270 -----	April 21, 1988
Assembly Bill 60 -----	273 -----	April 21, 1988
Assembly Bill 189 -----	274 -----	April 21, 1988
Assembly Bill 351 -----	275 -----	April 21, 1988
Assembly Bill 449 -----	276 -----	April 21, 1988
Assembly Bill 507 -----	277 -----	April 21, 1988
Assembly Bill 996 -----	278 -----	April 21, 1988
Assembly Bill 43 -----	284 -----	April 25, 1988
Assembly Bill 389 -----	285 -----	April 25, 1988
Assembly Bill 759 -----	286 -----	April 25, 1988
Assembly Bill 33 -----	290 -----	April 25, 1988
Assembly Bill 589 -----	291 -----	April 25, 1988
Assembly Bill 648 -----	292 -----	April 25, 1988
Assembly Bill 650 -----	293 -----	April 25, 1988

DOUGLAS La FOLLETTE
 Secretary of State

VETOES

The chief clerk reports the following assembly proposals vetoed by the governor during the week of April 18:

Assembly Bill 24
Assembly Bill 99 (partial veto)
Assembly Bill 160
Assembly Bill 184

Assembly Bill 190 (partial veto)
Assembly Bill 195 (partial veto)
Assembly Bill 247
Assembly Bill 261
Assembly Bill 272
Assembly Bill 324
Assembly Bill 499
Assembly Bill 514
Assembly Bill 617
Assembly Bill 621
Assembly Bill 662 (partial veto)
Assembly Bill 680 (partial veto)
Assembly Bill 681
Assembly Bill 689
Assembly Bill 748 (partial veto)
Assembly Bill 750
Assembly Bill 813
Assembly Bill 814
Assembly Bill 835
Assembly Bill 863
Assembly Bill 864
Assembly Bill 882
Assembly Bill 891
Assembly Bill 935
Assembly Bill 952

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 24** in its entirety. This bill extends collective bargaining to certain academic staff of the University of Wisconsin System.

I have vetoed the bill because in the 1985-87 budget bill (Act 29), UW academic staff were given statutory governance authority similar to that of the faculty. This authority makes them active participants in the immediate governance and policy development of each institution -- privileges not currently extended to other state employees.

The Board of Regents believes that collective bargaining is incompatible with the shared governance traditions of the University of Wisconsin. I concur, and would further add that collective bargaining would interfere with the flexibility and control needed by the Board to effectively manage the UW system.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 21, 1988

To the Honorable Members of the Assembly:

I have approved **Assembly Bill 99** as 1987 Wisconsin Act 342, and deposited it in the office of the Secretary of State. This important piece of legislation provides the basis for orderly implementation of the provisions of the Federal Emergency Planning and Community Right-to-Know Act in Wisconsin. As a result, all communities in the state will soon have plans which prepare them to respond to potential emergencies involving hazardous materials, and fire fighters and other emergency workers will have better information concerning the hazardous substances with which they must cope at both public and private facilities.

I have exercised the partial veto power in two instances.

Section 2. Membership in the State Emergency Response Commission has been increased from 13 to 15 members by AB 99. This makes an already large decision making body more unwieldy. The role of the Department of Justice in implementing this legislation is limited to enforcement. The department does not have direct responsibilities for the substantive policy areas which dominate the commission's activities, and does not wish to be included as a member.

I am removing the requirement to add a representative of the Department of Justice through this veto. However, a representative from a public or community health service will be added to the commission as called for in the bill.

Sections 8 and 10. A portion of section 8 concerning lawsuits deviates from the federal act and common law by removing court discretion in issuing orders. Also, courts would be required to award costs of litigation, but only to the plaintiff. Under federal law the court has discretion and may award costs to whichever party prevails. In addition, the provision extends circumstances under which awards may be made to include cases in which the outcome is merely consistent with the relief sought by the plaintiff regardless of the actual disposition of the civil action. As a result, significant costs would be borne by facility owners and the state in civil suits but they would not have parallel ability to recover costs if they prevail.

By vetoing these provisions and a reference to these provisions in section 10, I have left discretion with the courts and eliminated provisions which do not parallel the federal act.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 160**, which makes changes in Wisconsin's plant closing law, in its entirety.

AB 160 contains a variety of worthy revisions to the current law, but there are still a number of problems with the bill. I have concluded these problems are sufficient justification for vetoing the entire bill since a partial veto is not possible. I am further directing the Secretary of the Department of Industry, Labor and Human Relations to work with representatives of labor, employers, and interested parties to develop a bill that improves current law.

AB 160 for example, changes the type of offense for failure to notify of a plant closing from criminal to civil. This has merit; however, the bill provides an overly strict enforcement procedure which requires DILHR to refer violations to a District Attorney for prosecution and provides for the Department of Justice to prosecute if a complaint is not filed by the District Attorney within 30 days. Because very few complaints have been filed under current law, there is no evidence DILHR or local District Attorneys have not been diligent in their enforcement. The need for a more elaborate and stringent enforcement process is not in evidence.

The bill also increases the notification requirement for businesses with over 500 employees by requiring 120 days prior notice of a merger, liquidation, disposition or relocation affecting 10 or more permanent, full-time employees. During my administration I have expressed strong support for employees dislocated by businesses which have been forced to close for economic reasons. But holding larger employers to a stricter 120 day requirement is arbitrary, when any company with over 100 employees, regardless of the number of workers it employs, faces basically the same time constraints when making decisions affecting its employees.

This bill makes some clarifications of vague language in current law, and provides some realistic exemptions for businesses. As this veto will restore current law, and as current law incorporates the usage of a number of undefined terms, including disposition, relocation, merger, liquidation, partial versus total closure and cessation of business activities, I am requesting DILHR to proceed with writing rules to clarify these terms.

Finally, my veto of this bill underlines my continuing concern that Wisconsin's existing plant closing law, one of only 3 similar state laws in the country, sends essentially a negative message to companies outside the state. In an environment of stiff competition between the states for economic development opportunities, the very existence of a plant closing law can endanger future employment and jobs growth as companies will locate in other states. With the strong concerns I have for bringing jobs to the state, any acceptable plant closing

and layoff bill must be carefully crafted. I encourage all interested parties to work with the Secretary of DILHR to put together a satisfactory proposal.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 184** in its entirety. The bill changes but does not correct problems with the Wisconsin retirement system participation requirements.

Currently, different employers may treat similar employees differently for WRS participation over a three year period based on the employer's interpretation and expectation of the number of hours worked by an employee. AB 184 modifies current law so that similar employees will continue to be treated differently but over a one year period. AB 184 identifies a problem with WRS participation and reduces, not corrects, the inequities.

Changes to the WRS participation requirements are best addressed in the manner of a uniform hourly requirement such as that contained in AB 866, my retirement reform legislation. In addition, modifications such as this are more appropriate in comprehensive legislation relating to reform of the Wisconsin retirement system.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I have approved **Assembly Bill 190** as Wisconsin Act 398 and deposited it in the Office of the Secretary of State. I have exercised the partial veto power in one instance.

AB 190 expands the use of restitution as a remedy for criminal behavior. It allows a judge to order restitution whether or not the offender is placed on probation and adds lost wages and reward payments to the type of losses which can be recovered through restitution.

While I support many of the changes included in this bill, I am vetoing language in Sections 37 and 43 which permit a civil judgment for unpaid restitution to be entered against a person who has completed a term of probation or imprisonment. The major problem with portions of these sections is that they allow a civil judgment to be entered against a person even though there has not been

a separate trial on the issue of restitution. Thus, a person can be subject to a judgment without the opportunity to contest the issue.

AB 190 represents the culmination of several years of work to revise Wisconsin's restitution laws. I support the general thrusts of the bill in increasing protection for the rights of crime victims and commend the Judicial Council for its fine work.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I have approved **Assembly Bill 195** as Wisconsin Act 397 and deposited it in the Office of the Secretary of State. In approving the bill I have also exercised my partial veto authority.

I have vetoed language in Section 1, Section 2, Section 4, Section 6, Section 8 and Section 9. These sections allow the Department of Natural Resources to set fees by rule to perform title searches, title fees, and fees for providing boat title records.

I am vetoing language in these sections because this program could be costly, and I believe that fees should receive full legislative and gubernatorial review. To accomplish this, the fees should be set by statute. This is consistent with the manner in which other DNR fees are established, and with titling fees for vehicles.

Assembly Bill 195 provides greater consumer protection and assurance to boat purchasers that they are not buying stolen boats.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 247** in its entirety. The bill establishes guidelines for employers use of drug testing in the workplace, and sets standards for testing to assure integrity of the testing process.

The bill contains several provisions which I consider important, particularly those which would insure tests are performed with accuracy and consistency.

However, I am vetoing the bill because, as written, it contains serious flaws. I am concerned about the inability of employers to test in businesses in which the

employee is not directly supervised (e.g. truck drivers or delivery persons), making it impossible for employers to establish reasonable suspicion until something like an accident has occurred. This is of particular concern because of the likelihood public safety would be at risk in such situations.

I am concerned the bill does not allow for random testing of employees in safety-sensitive occupations. The bill also limits testing without cause after rehabilitation to once in a twelve month period. Such a limitation could severely limit the deterrent effect so helpful to employers in rehabilitating employees with drug problems.

I am concerned about the requirement that, in order to test, an employer must make available for anyone who tests positive, insurance coverage or its equivalent for at least the minimum coverage required under § 632.89(2), or an employee assistance program. This is, in effect, an insurance mandate which would be particularly onerous for small businesses. It is not appropriate to deny small businesses the right to test employees whose drug use may be a hazard to their safety and others because they cannot afford to provide such insurance.

I am concerned about the requirement that there must be reasonable suspicion drug use is affecting an employee's job performance before testing can be done. During a time when our President and all of the presidential candidates are committed to fighting drug abuse in this nation, I believe it is necessary to allow testing in order to continue our efforts to combat drug abuse in this country. Language in this bill sends the wrong message to the citizens of this state about drug use. It implies that illegal drug use is all right as long as it cannot be documented that the use affects one's competence on the job. This is not the message I want to send to our youth, and it is not the intent of the alcohol and other drug abuse initiative which I recently signed into law.

Finally, I am concerned that the bill allows for little or no flexibility in negotiating drug testing programs with unions as has been done in some companies.

I encourage the Legislature to develop legislation in this area which will include the good provisions in this bill.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 261** in its entirety. The bill would make selected persons state agents for the purpose of providing liability coverage to welfare fraud probationers who provide child care services to the children of other welfare fraud probationers

participating in a Department of Health and Social Services pilot restitution project.

I am vetoing the bill because it would establish a precedent which I believe would be undesirable from a policy perspective. The bill would extend the state's liability to a new area which has the potential for unlimited growth. I will give further consideration to addressing the specific issues identified by this bill in subsequent legislation.

I am vetoing this bill because of the financial liability that would be assumed for the specific group of persons identified in this bill.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 272** in its entirety. AB 272 requires that a coroner view a corpse and issue a cremation permit before the body is removed to a facility for scientific research.

AB 272 addresses the potential problem that unnatural causes of death could go undetected under our current anatomical donation process. Current law requires that county coroners view corpses and issue permits before a body is cremated. However, the law does not specify when such permits must be obtained. Consequently, in the case of anatomical donations, coroners are sometimes asked to view bodies after they have been used for scientific research. Because of the condition of these bodies, it may be difficult if not impossible for coroners to determine if death resulted from natural causes.

While it is important that this process be improved, I share the concerns raised by Wisconsin's two medical schools regarding the potential adverse effect this legislation could have on anatomical donations for medical research. Such donations are important for the education of tomorrow's physicians. AB 272 could cause delays in the donation process which could result in embalming costs being charged to the family members. Such costs could discourage family members from proceeding with the donation.

Unfortunately, Wisconsin's medical schools were not aware of this pending legislation until after it had passed both houses of the Legislature. As a result, these institutions did not make their concerns known during the legislative debate. Therefore, I am vetoing AB 272 in order to allow more discussion to take place between the affected parties. These parties should work together to develop a solution to this problem. If legislative changes are needed to implement this solution, I will submit and support this legislation in the January legislative session.

In addition, to facilitate discussion and clarify one of the main issues of conflicting interpretation, I will request an opinion from the Attorney General regarding the need for cremation permits for bodies donated to research facilities.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 324** in its entirety. The bill prohibits an employer or employment agency from engaging in honesty testing and using the results. Law enforcement officials from around the state have contacted me to express their opposition to this bill, honesty testing is utilized by law enforcement and correctional officers as a valuable part of their pre-hiring screening of prospective employees and for resolution of specific officer-prisoner conflicts. Employers use the tests to minimize monetary, merchandise and employer property losses, often as a means to clear, not indict, innocent employees. Companies that use polygraphs often can show dramatic decreases in property and merchandise loss, at a significant benefit to the consumer. Eliminating these tests will not serve a useful purpose.

Finally, virtually no evaluation test used by society promises to be entirely accurate. Psychological profiles, intelligence tests, self-evaluations and skill assessments all carry with them margins of error. To single out one test, which carries with it such beneficial results, is not wise.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 499** in its entirety. The bill creates a Yahara Watershed Management District governed by a Board of Commissioners to improve water quality in the Yahara Watershed. I believe the water quality of the Yahara Watershed should be addressed. I do not believe the mechanism proposed in AB 499 is appropriate for several important reasons.

AB 499 creates a new local governmental entity with taxing authority and regulatory powers with less public control than other units of government. The bill states that the Commission is part of the County government;

however, the Commission does not function as part of the County Board or like other County Board committees. The Commission will operate as a separate governmental entity.

The Commission budget is not developed as part of the county budget and does not receive the same priority setting as other county expenditures. The County Board veto power is reactive, allowing the County Board only 30 days to review an issue and requiring a two-thirds vote to override. A two-thirds vote on the County Board is unlikely. The County Board control over the Commission is insufficient and unworkable.

Wisconsin local governments have worked to eliminate free standing units of government and incorporate them into existing structures to reduce bureaucracy and increase public accountability. The creation of the Board of Commissioners goes against this state and local policy.

The Commission is given powers which duplicate county authorities and overlap municipal powers. I do not believe creation of a separate commission ensures coordination and improvement of the Yahara Watershed water quality problem.

The county has the authority to undertake the water quality initiative and raise revenues to improve the Yahara Watershed. The county is the proper local government entity to do this. If the county believes additional powers are needed and wanted, legislative changes to county powers should be sought.

AB 499 is not supported by many of the parties affected by the legislation. The Dane County Town's Association opposes the bill. Members of the Dane County Board are evenly split between those who have expressed support, opposition, or have not taken a position. The Dane County Board, Madison City Council, and several smaller cities and villages have not taken a position. The League of Municipalities and Wisconsin Counties Association have not taken a position on the bill. There is not a consensus supporting AB 499.

I believe the Commission is likely to be dominated by urban rather than rural interests because of the way the Commission members are chosen and the small rural population. Requiring one appointee to represent rural or agriculture interests does not guarantee balanced representation, considering where the regulatory burden is likely to fall.

AB 499 gives the Commission a broad range of regulatory, enforcement, and revenue raising authorities, yet does not outline goals for the Commission to achieve.

Finally, many of the water quality problems arise from urban and rural nonpoint sources. AB 499 shifts state policy from a voluntary nonpoint program to the likelihood of mandatory local nonpoint regulations.

I understand the concerns that have been expressed by Dane County citizens about the Yahara Watershed water quality. I encourage the citizens to work toward a

coordinated solution within the existing governmental structure which can be supported by the public. I cannot support creation of a separate government entity with taxing authority and regulatory powers with less public control than other units of government.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 514** in its entirety. This bill, as passed by the Legislature, requires the state superintendent of public instruction to promulgate rules for approving programs offering continuing education credits needed for teacher license renewal. Institutions with certified teacher education programs would be exempt from this requirement.

Current rules (PI 3.03(2)(b)) already require that, unless preapproved by the state superintendent, continuing education credits must be earned at an accredited college or university and must be related to licenses held by the teacher or to the teacher's professional competency. AB 514 provides an additional level of regulation and control which needlessly duplicates existing accreditation.

The need for an additional level of regulation is dubious at best. I believe that the existing system for accrediting colleges and universities provides sufficient quality control over continuing education programs. My administration will continue to oppose the creation of new regulations and controls that accomplish no purpose other than increasing state interference in local decision-making.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 617** in its entirety. This bill creates a grant program in the Department of Natural Resources (DNR) for innovative technology studies to evaluate potential groundwater impacts of proposed land disposal facilities.

The grant program would provide funds to municipalities which are required by the Department of Natural Resources to study potential groundwater impacts when a land disposal facility is proposed in a location which may not adequately protect the groundwater or when the proposed design is less

stringent than state regulations. These study costs have been the responsibility of the land disposal facility developer. When a questionable location is proposed, the developer is responsible for demonstrating that groundwater standards can be met with the proposed design.

AB 617 would set a precedent for state funding of local environmental studies required by the DNR. Such funding may encourage poor disposal designs and siting locations which may weaken groundwater standards achievement. I believe the provisions of AB 617 run counter to Wisconsin's commitment to protect groundwater and our policy on siting disposal facilities in locations to protect our groundwater.

The AB 617 fiscal note estimates that \$200,000 annually would be needed to fund all eligible projects under the program. Because the grant funding for the program comes from the Groundwater Fund, I am concerned about the long-term effect on the Fund's resources. The Groundwater Fund receives a general purpose revenue (GPR) supplement and additional draws from the Fund for the new grant program may require additional GPR supplement dollars in the future.

I believe the current arrangement where the land disposal facility developer pays for the study costs to evaluate poor facility sites is working well and should not be changed.

Finally, some view this legislation as a vehicle to recover costs incurred as a result of past legislative and state agency action. I believe it would be more appropriate for the affected parties to present their case to the State Claims Board.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 621** in its entirety. This bill creates a public information program to make more people aware of the election campaign fund. The election campaign fund, which receives revenues from the \$1 check-off on Wisconsin income tax forms, has faced declining taxpayer contributions the past few years. The promotion program would receive 3% of the moneys transferred annually to the campaign fund.

I am vetoing this bill because it is unclear that publicity alone would effectively address the low participation problem. The transfer would also initially reduce funds available for grants to candidates. In addition, it is likely the bill would result in higher costs to the Department of Revenue.

I am not convinced of the wisdom of spending limited campaign funds on a program that will have a questionable impact on the long-term viability of public financing of election campaigns. In addition, the check-off, which does not increase taxpayer liability, diverts money that would otherwise be credited to the general fund. If the public information program was successful, which is doubtful, general fund revenues would decrease. I am, therefore, vetoing AB 621.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 20, 1988

To the Honorable Members of the Assembly:

I have approved **Assembly Bill 662** as 1987 Wisconsin Act 339, and deposited it in the office of the Secretary of State. I have exercised the partial veto power in one instance.

AB 662, the "Omnibus Alcohol and other Drug Abuse Bill", provides a balanced approach to the issues facing the state in the area of alcohol and other drug abuse. It focuses particularly on underserved populations, with funds provided for women, minorities and children, but does not neglect the all important areas of prevention, intervention, and evaluation of effective use of funds.

Although I support this bill, I am vetoing the words "assessment and treatment" in Section 58 which deals with grants made by the Department of Public Instruction to school districts. It was the intent of the many persons who worked with such effort on this bill to have that Department making grants for prevention and intervention to school districts. Programs of assessment and treatment are the responsibility of the county community programs boards, rather than of school districts.

This bill represents an important step forward in the fight against alcoholism and drug abuse. I commend the many people who made this bill possible.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I have approved **Assembly Bill 680** as 1987 Wisconsin Act 394, and deposited it in the Office of the Secretary of State. I have exercised the partial veto to eliminate parts of the bill which I find objectionable because they impose

unfunded mandates on counties and increase expenditures for administration at the state level.

AB 680 addresses issues related to mental health services for jail inmates which is primarily the responsibilities of county mental health agencies and jails. AB 680 with some modifications can help to ensure that adequate and appropriate services are provided. The following partial vetoes address my objections:

1. *Section 1:*

I have vetoed the requirement for DHSS to submit a summary report to the Legislature based on reports from counties on the mental health treatment of prisoners. This veto reduces administrative costs to DHSS while still having the information available for the Legislature.

2. *Section 15:*

This section contains a requirement that counties have available crisis intervention services on a 24-hour basis. I have vetoed the requirement to provide services on a 24-hour basis to give local governments more flexibility in providing adequate services.

3. *Section 18, 19, 22m:*

These sections require 120 hours of preparatory training for all jail officers, including those exempt under current law and 40 hours of additional training for jail officers who have completed 80 hours under current law. Of the additional 40 hours, 16 hours shall be devoted to mental health special needs of inmates. This requirement is excessive and I have, therefore, vetoed the language in a way which restores the 80-hour requirement and extends it to those jail officers who were exempt. Of the additional 40 hours, I have reduced the hours to the 16 required to address special needs training and I have also vetoed the appropriation. It is intended that the 16 hours of special needs training be in addition to the 80 hours of training required by all jail officers. The § 16.515 process will be used if existing appropriations are insufficient to fund the 16 hours of additional training and the training for previously exempt jail officers.

4. *Section 21, 22:*

These sections require DHSS to establish an Office of Jails, and appropriate \$4,300 GPR in 1987-88 and \$51,800 GPR in 1988-89 to fund 1.5 FTE GPR positions for this purpose. I have partially vetoed the language creating the Office of Jails and the appropriation because DHSS is reviewing its internal organization and will consider appropriate changes for administering its responsibilities related to jails and houses of correction as identified in Section 21.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 681** in its entirety. The bill would prohibit providing \$1 million or more in state economic development financial assistance to a company unless specifically authorized by the Legislature.

I am vetoing the bill because it would create unacceptable procedural obstacles for providing economic development assistance. The bill would make state development financing inflexible, unable to respond quickly to affect business decisions. The separate legislation requirement would substantially slow the approval process. The Legislature is not always in session and it may be inappropriate to call special sessions for each major economic development project.

The bill also adversely affects the trust and confidentiality of negotiations between the Governor and business executives. Business executives must feel comfortable in negotiations that they are dealing with someone who can speak for the state and that sensitive information about technologies, business plans, and competitive strategies will not be repeated. The bill would destroy this relationship by requiring legislative approval of each project and a report by the Department of Development which would disclose the substance of confidential negotiations.

The current system for approving major economic development projects works well. The legislature, appropriately, approves total spending and the criteria of approving projects. The selection of individual projects meeting these statutory standards is the responsibility of the Governor, the Department of Development and the Wisconsin Development Finance Board, and is a management function. Each project is carefully reviewed, proposed to the board in public meetings, and concluded with a signed contract with specific performance requirements including audit provisions. This process protects the state's investment in economic development and, in fact, prevented the state from signing a contract with Chrysler when they refused to provide job retention assurances.

Finally, from the beginning of my administration, I have made it a consistent practice to keep legislators from affected districts informed of the progress of negotiations on development projects. I have done the same with legislative leaders and I will continue to do so.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 689** in its entirety. The bill indexes the rate of pay for state employed non-represented teachers at the average of all school district employed teachers in Wisconsin thereby taking salary determination outside the scope of collective bargaining.

AB 689 indexes the salary of a small number of teachers to the state average. I do not believe this indexing is good public policy as it sets aside the collective bargaining process and potentially takes the determination of expenditures out of the hands of the Legislature by encouraging other employee groups to request formula determined salaries or benefits. It is appropriate for the Legislature to have authority and control over such expenditures.

I recently signed into law Wisconsin Act 331 (Senate Bill 570) which expanded the scope of bargaining to make assignment and reassignment of classifications to pay ranges a mandatory subject of bargaining. AB 689 is contradictory to and not in the spirit of Wisconsin Act 331 in that it restricts the scope of bargaining.

I agree, however, that state teacher salaries need to be competitive. As recently as January 1987, the Department of Employment Relations implemented a survey recommending increased compensation to state employed teachers. As a result of this survey, under my administration state teachers "caught up" to their counterparts employed by school districts. In an effort to maintain the appropriate level of state teacher compensation, I have instructed the Department of Employment Relations to conduct a detailed survey and monitor on an annual basis the compensation level of state employed teachers. It is my desire that state teachers do not fall behind in compensation levels again as they were when I took office.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 21, 1988

To the Honorable Members of the Assembly:

I have approved **Assembly Bill 748** as Wisconsin Act 349 and deposited it in the Office of the Secretary of State. In approving the bill I have also exercised my partial veto authority.

I am vetoing language in Section 44m, appropriation changes, which would have provided 5.5 permanent positions to the Department of Transportation.

This veto is necessary to continue to hold down the size of state government.

I have not vetoed the \$334,500 SEG funds included in Section 44m since that amount includes funding earmarked for reimbursement of local costs and for other non-salary costs associated with the bill. However, I have asked the Department of Administration to place the funds in unallotted reserve. An appropriate amount will be released on approval of a Department of Transportation plan for expenditure of the funds.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 750** in its entirety. This bill authorizes the City of Milwaukee to regulate ambulance services requested by the City.

I am vetoing the bill because it is unnecessary. Ambulance service providers in Wisconsin are currently regulated and licensed under § 146.50 of the Wisconsin statutes. The need for any further regulation should be identified and justified by the Department of Health and Social Services which is responsible for the administration of Chapter 146.

I am also vetoing the bill because it could restrict competition among ambulance service providers. I believe the most effective way to provide quality ambulance service at reasonable rates is through competition that occurs in the marketplace. By vetoing AB 750, no ambulance company is unreasonably excluded from city-generated business in Milwaukee and the City of Milwaukee is still free to select among various ambulance companies operating in the City.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 813** in its entirety. The bill would provide funds to the Wisconsin Conservation Corps for operating an employee personnel development program.

I am vetoing the bill because it expands the efforts of the Wisconsin Conservation Corps beyond providing employment and on-the-job work experience to include broader personal development assistance. This assistance is more appropriately provided and coordinated by existing social service and education providers.

The bill would also reduce the number of people employed by the WCC by funding the development program by reallocating from wages for Corps enrollees. The emphasis of the WCC program should be to employ as many people as possible.

Finally, the bill would eliminate the requirement that the WCC hire at least 50 percent of its members from among those eligible to receive public assistance and instead direct the board to attempt to hire at least 50 percent of those who have, are, or may receive public assistance. I recognize the difficulty in meeting the goal but believe the requirement should remain for a longer time period before any reduction in the standard is considered.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 814** in its entirety. The bill allows Wisconsin Conservation Corps members to be compensated at the state or federal minimum wage rate, whichever is higher. Assembly Bill 814 also provides that compensation for corps members may be set at 105% of the state or federal minimum wage and requires that corps members be paid on the last day of the work week.

I am vetoing this bill because it will reduce the number of young people employed by the program by providing wage increases within the existing budget. The emphasis of the program should be employment of as many people as possible.

The Wisconsin Conservation Corps program already includes incentives to remain in the program. Corps members may choose either a \$500 cash voucher or a tuition voucher for up to \$1,500 upon completion of employment with the corps. In addition, this bill is unnecessary because the state and federal minimum wage are identical, and I have vetoed Senate Bill 484 which raises the state minimum wage.

Finally, I am vetoing the bill because the provision which requires payment of members at the end of the work week is ambiguous and could be construed to require weekly payments. This would be inconsistent with the way in which other state agencies on central payroll are handled and would require major modifications to payroll processing and increased costs.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 835** in its entirety. This bill provides a supplemental payment through Community Aids for the care of individuals in foster homes who lose exceptional foster care benefits on their eighteenth birthday.

Although the provision of this supplement might encourage the continued placement of these individuals in the community, I am vetoing this bill because the funds provided are far from sufficient to meet the estimated cost.

As passed, the appropriation in the bill would meet only 30% of the estimated cost for 1987-89. If lack of this supplement causes these individuals to be institutionalized after age 18, this level of underfunding would result in funds being spent without any appreciable impact on the rate of institutionalization. When resources are scarce, it is necessary to use them effectively, which this bill does not do.

Furthermore, this legislation, which has significant fiscal impact, should be dealt with in the budget process so it can be properly balanced against other priorities within the Community Aids Program.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 863** in its entirety. AB 863 directs the Department of Health and Social Services to establish a nursing incentive grant program and creates a fourteen-member council to develop grant-awarding procedures and criteria, determine appropriate levels of state funding, and procure supplementary private and federal funding. These grants are to be given to qualifying health care facilities for initiatives designed to evaluate or reduce problems experienced by health care facilities in recruiting and retaining nurses or to make nursing a more attractive career choice. The bill creates a GPR appropriation for these grants but does not provide any funding.

The state, as an employer, recently undertook such a study for state employed nurses. Last November, by Executive Orders 26 and 29, I established the Governor's Nursing Study Committee to address the potential effect of the shortage of nurses on state health care services. The committee, which very recently completed their work, was directed to study various issues relating to nurses employed in state service, including but not

limited to hiring, retention, promotion, staffing, education and minority opportunities. I will carefully review their report and recommendations.

In addition, there is other legislation this session that addresses, in part, the problem of recruiting and retaining qualified nurses. I am also aware of efforts being undertaken at the federal level to address this problem, and I am requesting the Department of Health and Social Services to review options in seeking available federal and private funding. I believe we should study the recommendations of my Nursing Study Committee and observe the effectiveness of recently passed legislation before creating a new council and potentially expensive new programs.

Should these measures prove insufficient in addressing the nursing shortage, measures can be taken to further remedy the situation by Executive Order or by implementing specific programs through additional legislation.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 864** in its entirety. Under current law, certain persons are not required to report, as suspected or threatened child abuse, sexual intercourse or sexual contact involving a child.

AB 864 expands the reporting exception to include persons who provide reproductive health care services, persons who provide pupil services, and persons who refer a child to a health care provider or a pupil services provider.

The objections which generated my veto of this language when it was part of Wisconsin 1985 Act 27 still pertain. I am primarily concerned about the possible connection between reproductive health services and abortion related services and the connection between pupil services and school-linked or school-based clinics.

I am also concerned about the broadness of the provision excepting persons who refer children to pupil health or services providers because this could except from reporting any child who is sexually active.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 882** in its entirety. The bill would allow the Board of Commissioners of Public Lands to sell state trust fund loans and to make additional loans with the proceeds.

I am vetoing the bill because it would allow the creation of a large state operated municipal bond bank to finance conventional municipal projects. Private sector lenders are effectively meeting the need for financing of municipal public purpose projects and there is no persuasive evidence that an expanded state program is needed. A dramatic expansion in state loans would be an inefficient duplication of services and would put the state in competition with private lenders. The program restructuring allowed by the bill could adversely affect the conditions on loans currently made by the Board of Commissioners of Public Lands. Assembly Bill 882 is not supported by many of the parties affected by the legislation. Both the league of Wisconsin Municipalities and the Wisconsin Association of School Boards oppose the bill.

Finally, the bill, while described as providing economic development financing, places no priority on economic development loans and provides no procedures to assure that only needed and cost effective projects are approved.

I am sympathetic to proposals which would allow the sale of trust fund loans solely to increase the yield on trust fund investments. However, the bill is much broader in scope and includes requirements that the loan sale proceeds be used to increase municipal lending rather than enhancing trust fund earnings.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 891** in its entirety. This bill extends filing deadlines for congressional, state and local offices by three days if the incumbent does not file a statement of noncandidacy by the second Friday before the filing deadline and if the incumbent does not qualify for the ballot. I am vetoing this bill because it would lessen the element of finality regarding filing deadlines. Although this bill addresses a problem that faces potential candidates, I believe it is important to preserve

the concept of a predetermined and publicized conclusion to the nomination period.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 935** which increases the amount of bond required of non-attorney notaries public.

I believe this bill is unnecessary and imposes a hardship on many notaries who provide a needed and valuable service in small communities. In addition, it puts the notary who is not an attorney at a disadvantage in comparison to attorneys who are not required to provide a bond for performing the same notary services.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 23, 1988

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 952** in its entirety. This bill transfers surplus funds, approximately \$150,000, from the account that provides public financing for supreme court candidates election campaigns to the legislative and special elections candidates account on a one-time basis.

I am vetoing this bill because it contradicts the campaign fund distribution process by giving more than the statutory percentage to the legislative and special election account. The bill would cause higher public financing of legislative and special elections than the statutes currently provide and I am willing to support. I am, therefore, vetoing AB 952.

Respectfully submitted,
TOMMY G. THOMPSON
Governor