

STATE OF WISCONSIN
Assembly Journal
Ninety-First Regular Session

THURSDAY, April 28, 1994

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

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
235 -----	379 -----	April 20, 1994
405 -----	380 -----	April 20, 1994
528 -----	381 -----	April 20, 1994
750 -----	382 -----	April 20, 1994
768 -----	383 -----	April 20, 1994
780 -----	385 -----	April 20, 1994
1163 -----	386 -----	April 20, 1994
1012 -----	388 -----	April 20, 1994
1105 -----	389 -----	April 20, 1994
461 -----	391 -----	April 20, 1994
1147 -----	392 -----	April 20, 1994
137 -----	396 -----	April 21, 1994
1018 -----	397 -----	April 21, 1994
340 -----	401 -----	April 21, 1994
714 -----	402 -----	April 21, 1994
763 -----	403 -----	April 21, 1994
1071 -----	404 -----	April 21, 1994
1098 -----	405 -----	April 21, 1994
1099 -----	406 -----	April 21, 1994
1198 -----	407 -----	April 21, 1994
701 -----	414 -----	April 22, 1994
975 -----	415 -----	April 22, 1994
872 -----	418 -----	April 22, 1994
1056 -----	419 -----	April 22, 1994
800 -----	422 -----	April 22, 1994
815 -----	425 -----	April 22, 1994
868 -----	426 -----	April 22, 1994
982 -----	427 -----	April 22, 1994
1200 -----	436 -----	April 22, 1994
1126 (partial veto) -----	437 -----	April 25, 1994
1001 -----	439 -----	April 25, 1994
711 -----	440 -----	April 25, 1994
879 -----	441 -----	April 25, 1994
853 -----	442 -----	April 25, 1994

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 25, 1994

To the Honorable Members of the Assembly:

I have approved **Assembly Bill 1126** with several partial vetoes as 1993 Wisconsin Act 437 and deposited it in the Office of the Secretary of State. The partial vetoes I am executing will clarify provisions of the bill and improve government efficiency.

Assembly Bill 1126 contains numerous provisions that I introduced in my budget adjustment bill, SB 690. A budget adjustment bill was needed to appropriate additional revenues resulting from stronger than expected economic growth, make technical corrections to items passed in the 1993-95 budget bill, respond to funding emergencies and incorporate recent changes in federal law that affect state programs.

Among the items included in AB 1126 as passed that I am signing into law are the following highlights:

- * Provides \$177.5 million general purpose revenue (GPR) in increased state aid to school districts in state fiscal year 1995 (FY95), above the \$97 million increase in Act 16, the 1993-95 budget bill.
- * Commits an additional \$22 million GPR for state property tax relief to counties and municipalities (including small municipalities) for calendar year 1995, payable in FY96.
- * Provides an additional \$1,000,000 GPR for tuition grants and \$375,000 GPR for Wisconsin higher education grants to eligible students in FY95.
- * Provides \$210,000 GPR in FY95 to make various State Historical Society sites more accessible by reducing admission fees.
- * Creates a 15-member National and Community Service Board to allocate federal funds for projects to meet specific community and state needs.
- * Provides a streamlined process to pay state aids for local roads damaged by flooding.
- * Provides a total of \$5 million in transportation funds to match expected federal funds for preliminary engineering on the Milwaukee east-west corridor.

- * Creates a beginning farmer loan program through the authorization of \$10 million in Wisconsin Housing and Economic Development Authority (WHEDA) bonds.
- * Provides \$8 million GPR and 117 positions for the Department of Corrections to deal with higher prison populations and with Dodge Correctional Institution expansion and provides \$20 million in bonding revenue to add 450 beds to state adult correctional institutions.
- * Fully funds the state share of county general relief costs for 1992 and 1993 by providing \$4.3 million to increase Medical Assistance (MA) supplemental payments to the Milwaukee County Medical Complex and to increase reimbursement to counties for general relief grants and medical services.
- * Provides \$3.8 million GPR and \$3.1 million federal revenue (FED) for the JOBS work and training program for AFDC recipients and provides \$3.6 million GPR and \$5.3 million FED for child care for AFDC recipients.
- * Provides \$2.1 million GPR to support state and county welfare fraud activities to replace lost federal funds due to a change in federal match rates.

While each of these items is important to our state, this budget adjustment bill will have its most significant impact in the area of property tax relief. The bill freezes statewide property tax levies for schools for two years and provides for the appointment of a commission to develop a plan to increase the state's share of K-12 school costs from the current 48% to 66.7% by 1996-97. Under this plan, most Wisconsin property taxpayers can expect a significant reduction in their property taxes for K-12 schools, typically the largest component of the property tax bill.

This is long overdue tax relief for the citizens of our state. I am proud to be able to deliver this property tax reform during my tenure as Governor. However, I also want to stress how this relief has been made possible and what will be necessary to ensure that it actually succeeds.

First, we are at this juncture today only because Wisconsin has sustained very strong economic growth during the last seven years. This sustained growth has been due in part to our efforts to promote job development and business expansion, reduce state taxes to rates more competitive with other states and limit state spending to the revenues available within existing tax rates. These policies have guided my administration and have helped put Wisconsin in the enviable position of being able to afford property tax relief.

Second, increasing state support for schools will reduce property taxes only if school spending is controlled. Previous attempts to provide tax relief simply by providing additional state support for schools, whether

through higher state taxes or greater state funding, have not succeeded because the extra state aid resulted in greater school spending, not reduced property taxes. The proposed two-year property tax freeze for schools is feasible only if school costs are contained. Similarly, an actual reduction in property taxes will occur only if costs do not outpace inflation and state revenue growth.

Third, while I have proposed property tax relief plans in each of my budget bills, the Legislature did not pass a meaningful, workable plan until control of the Legislature became bipartisan. It was only when both political parties became equal partners that the ideas and concerns of all legislators were heard.

Cost controls for local governments are now in place. The property tax plan I am signing will serve as a cost control mechanism for state government. All other areas of state spending will have to be restrained so that resources can be devoted to the priority area of property tax relief.

I will be talking in the days ahead about the need to challenge the ways state government has traditionally gone about its business. I have led efforts to control state spending, reduce state and local taxes, reform government regulations and streamline government operations. While my administration has successes in each of these areas, the previous efforts were only the beginning. With the commitment of more state support for schools, continued work is required. We must explore every possible option to make sure state government operates as efficiently and effectively as possible.

I salute the leaders and the members of both houses and both parties for making this historic property tax relief package possible. I know they understand the importance of following through on this notable beginning and will assist me in crafting a permanent plan that is fair and that works for Wisconsin.

Sincerely,
TOMMY G. THOMPSON
Governor

VETO MESSAGE

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A. Environment and Commerce

Development

1. International Trade, Business and Economic Development Grant
Section 9115 (2x)

This section requires the Department of Development (DOD) to make a grant of \$250,000 GPR to a regional planning commission that is organized to provide services to counties in the northern part of the state, for the purpose of promoting international trade, business and economic development.

I am partially vetoing this section to remove references to a regional planning commission because funding for this purpose has traditionally gone directly to counties. Instead, I am requesting the Department of Development Secretary to award this grant to a regional organization that consists of representatives of counties and private businesses and which has promoted economic development in the past or will be formed to promote economic development.

I am also requesting that the following conditions be met before the grant can be made: (1) the organization submits a plan detailing the proposed use of the grant and the Department of Development Secretary approves the plan; (2) the organization enters into a written agreement with DOD that specifies the conditions for use of the grant proceeds; and (3) the organization agrees in writing to submit a report to DOD detailing how the grant proceeds were used within six months after spending the full amount of the grant.

Natural Resources

2. Federal Energy Regulatory Commission Relicensing
Section 9242 (2)

Section 9242 (2) (a) provides 6.0 FTE PR positions and \$354,500 PR in fiscal year 1994-95 to the Department of Natural Resources to maintain state program review related to the federal licensing of hydroelectric facilities program after June 30, 1994. Section 9242 (2) (b) and (c) decreases existing position authority in the Department of Natural Resources by 1.0 GPR FTE position and 1.0 SEG FTE position and associated funding of \$59,100 GPR and \$59,100 SEG in fiscal year 1994-95. The net effect of these provisions is to maintain the level of effort currently provided by 4.0 FTE PR positions and 8.0 FTE GPR and SEG positions in fiscal year 1993-94, but to switch 2.0 FTE positions in fiscal year 1994-95 from GPR and SEG funding to fees charged for state program reviews related to FERC relicensing.

I am partially vetoing section 9242 (2) because a restructuring of base level position authority is counterproductive to the relicensing program. Hydropower companies are already required to support 4.0 PR FTE positions through fees charged for relicensing work. I object to changing the current manner in which base program staff are funded. In order to maintain the program at current staffing levels, I am requesting the Department of Administration Secretary to place \$118,200 PR in unallotted reserve in appropriation s. 20.370 (3) (di) in fiscal year 1994-95 to lapse and freeze 2.0 PR FTE positions that are provided in the bill in fiscal year 1994-95 for this purpose.

Transportation

3. Local Roads Improvement Program
Section 193g

This section revises s. 86.31 (2) (a), which directs the Department of Transportation (DOT) to administer a local roads improvement program to accelerate the improvement of seriously deteriorating local roads by reimbursing political subdivisions for improvements. This section directs county highway commissioners to coordinate and process applications by all political subdivisions in the county to DOT for funding under the Local Roads Improvement Program. Under current administrative rules, political subdivisions with a population of 20,000 or more apply directly to DOT. Applications from political subdivisions with a population of less than 20,000 are coordinated by the county highway commissioner. The section also includes a provision that directs DOT to notify each county highway commissioner of any deadline that affects eligibility for reimbursement no later than 15 days before such deadline.

I am partially vetoing this section to remove the provision that directs county highway commissioners to coordinate and process applications for all political

subdivisions within the county because it unnecessarily complicates the process. Requiring counties to coordinate applications from larger political subdivisions creates unnecessary work and may lead to greater confusion. By retaining the requirement that the Department of Transportation notify county highway commissioners of any deadlines, the primary concern regarding reimbursement eligibility is addressed.

B. Government Operations

Administration

1. National and Community Service Board
Sections 25, 26 and 27

These sections prohibit the release of funds from the appropriations of the National and Community Service Board without the approval of the Joint Committee on Finance. I am partially vetoing these sections because I believe that it is the responsibility of the National and Community Service Board, as required by the 1993 federal National and Community Service Act, to allocate the funds as the National and Community Service Board deems appropriate. Requiring the approval of the Joint Committee on Finance in order to release the funds is not necessary and would delay the process of distributing the funds.

2. Property Tax Deferral Loan Program
Section 9101 (2g)

This section directs the Department of Administration (DOA) to include in its 1995-97 biennial budget request a proposal to transfer the property tax deferral loan program from the Wisconsin Housing and Economic Development Authority to DOA. This proposal must include one or more specific methods to fund the program to ensure that it has sufficient funding to make loans to all eligible persons who wish to participate in the program.

I am requesting DOA to thoroughly review the operation of the property tax deferral loan program as it develops its biennial budget request and to include in its request any changes needed to improve the operation of the program. However, I am vetoing this section entirely because I believe that it is premature to require DOA to include a specific proposal in its biennial budget request. DOA should have the flexibility to request whatever option it believes is most appropriate.

Circuit Courts

3. Guardian Ad Litem Compensation
Sections 58m, 64m, 244m, 249m, 259m and 261

These sections repeal provisions of 1993 Wisconsin Act 16 that established rates for counties to pay in compensating guardians ad litem. I am vetoing these sections to eliminate the repeal of the 1993 Wisconsin Act 16 provisions that limited guardian ad litem compensation to amounts not to exceed the compensation paid to private attorneys under s. 977.08 (4m). My veto will retain the guardian ad litem

compensation provisions as enacted in 1993 Wisconsin Act 16. I am vetoing these sections because I believe that the current law limits placed on guardian ad litem compensation should be maintained. All government agencies are going to have to be looking for ways to restrain spending in the coming years, so we should not be increasing reimbursement rates now.

4. Circuit Court Support Grant Modifications
Sections 245, 246, 247, 248 and 9310

These sections expand the eligible uses for the circuit court support grants to include costs of witnesses and expert witnesses requested by District Attorneys and the State Public Defender. In addition, section 248 prohibits the use of actual cost data reported to the Director of State Courts by counties in determining the amounts granted to each county.

I am vetoing these sections because they duplicate and in some cases conflict with the provisions of Assembly Bill 1152 which I signed and which was enacted as 1993 Wisconsin Act 206. Specifically, Act 206 sufficiently clarified counties' authorization to use the circuit court support payments for the purpose of paying all of their witness costs. In addition, Act 206 contained provisions detailing specifically how the county court cost data could be used.

District Attorneys

5. Special Prosecutor Compensation
Sections 244g and 264m

These sections repeal the provisions of 1993 Wisconsin Act 16 that established rates for compensating court-appointed special prosecutors and recreate the pre-Act 16 provisions authorizing courts to appoint special prosecutors in certain circumstances, authorizing the courts to fix the amount of court-appointed special prosecutor compensation and requiring the Department of Administration to pay the compensation ordered by the court. I am vetoing these sections entirely to maintain current law because I believe the Legislature has the authority to establish limits on costs affecting appropriations in the district attorney budget and I believe that the current law limits should be maintained. All government agencies are going to have to be looking for ways to restrain spending in the coming years, so we should not be increasing reimbursement rates now.

C. Human Resources

Health and Social Services

1. Juvenile Correctional Institution Studies and Reports
Sections 9121 (1g) and 9126 (1g) (b) and (c)

These sections establish requirements for several studies and reports related to the Department of Health and Social Services' (DHSS) juvenile correctional institutions. Section 9121 (1g) requires the Department of Employment Relations to study the need for changes in the classification, compensation and training of the

direct service personnel in those institutions for submission in its 1995-97 biennial budget request. Section 9126 (1g) (b) requires DHSS to submit quarterly reports to the Joint Committee on Finance (JCF) concerning the use of positions, overtime, limited term employes and funding for vacant positions at DHSS juvenile correctional institutions. Section 9126 (1g) (c) requires DHSS, in consultation with the Department of Administration, to review staffing requirements and other factors affecting the level of funding of the juvenile correctional institutions and to include the results of that review in the DHSS biennial budget submission.

I am signing into law the requirements that these studies and reports be completed because I believe they will be useful and will ensure that important issues will be reviewed in an appropriate manner. I am, however, vetoing the requirements in sections 9121 (1g) and 9126 (1g) (c) that the DER and DHSS studies be submitted as parts of the agencies' biennial budgets because I believe that it is premature to require agencies to include specific items in their biennial budget requests. Agencies should have the flexibility to request whatever options they believe are most appropriate. In addition, I am vetoing the requirement in section 9126 (1g) (b) that DHSS submit reports to JCF on a quarterly basis because I believe DHSS needs more flexibility in timing its reports to JCF.

D. Tax Policy

Revenue

1. Motor Vehicle Fuel Tax

Sections 168, 170, 171, 174, 175m and 9448 (2)

These provisions preclude liability for wholesalers for taxes they cannot recover from other wholesalers or retailers, allow a wholesaler who buys fuel which is later destroyed or sold for a tax-exempt purpose to credit the amount of tax on a later purchase and allow dyed diesel fuel to be used for all federally exempt purposes.

I am partially vetoing the wholesaler bad tax debt provisions to allow wholesalers to, with proper documentation, claim a refund for the unrecovered taxes from the Department of Revenue. I am vetoing the part of this provision which would enable wholesalers to credit the amount of the bad tax debt on a future payment because it would be difficult to administer two methods for making wholesalers whole for bad tax debts. The department will promulgate rules specifying the circumstances under which wholesalers may claim these refunds and specifying procedures.

I am vetoing the provision which allows wholesalers who buy motor fuel which is later destroyed or sold for a tax-exempt purpose to claim a credit for the amount of the tax on a later purchase from the supplier. This provision would make administration of the motor fuel tax more difficult for the department.

I am vetoing the provisions regarding federally tax-exempt diesel fuel because they do not make any

provision for the payment of the tax and because they do not require licensing of the person liable for the tax. The lack of these provisions would cause administrative difficulties for the department.

2. Sales and Use Tax

Section 159

This provision allows a purchaser of tangible personal property to file a claim for refund of sales or use tax wrongly paid under certain conditions. One of those conditions is that the seller must have either a seller's permit or use tax registration.

I am partially vetoing this provision to remove the requirement that the seller have a seller's permit or use tax registration. This requirement is unnecessarily restrictive and could prevent a buyer from claiming a refund in a situation in which the seller has gone out of business.

GOVERNOR'S VETO MESSAGE

April 22, 1994

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 84** in its entirety. This bill authorizes appointing authorities (state agency heads) to conduct surveillance of employees provided the authority has developed and distributed to employees policies and procedures regarding the use of surveillance. In addition, the bill subjects electronic mail messages to the state open records law.

I am vetoing this bill because I am concerned it will have the opposite effect of the legislative intent. I am concerned that the provisions of the bill provide too much latitude for appointing authorities to engage in surveillance activities and therefore may diminish the rights of privacy for individuals and may further complicate the law with regard to surveillance of individuals. Under current law, judicial approval is required for the use of electronic surveillance. This bill substantially undermines this requirement by allowing surveillance after an appointing authority develops and distributes to its employees written policies and procedures on how potential surveillance activities should be conducted.

In addition, because the bill leaves the establishment of written policies and procedures regarding surveillance to each appointing authority, I believe the bill may result in the establishment of inconsistent and potentially unconstitutional policies across state agencies. Consequently, if enacted, the bill would weaken and diminish the present protection against the misuse of surveillance that is provided to employees under current law and could expose the state to expensive litigation surrounding the use of surveillance.

I am also concerned that the surveillance provisions of the bill could be interpreted to limit the legitimate and

legally sanctioned law enforcement use of surveillance by the Attorney General, district attorneys and other law enforcement agencies by imposing additional requirements with which they, as appointing authorities, must comply. I am confident that this was not the intent of the author of this bill.

I do not have concerns about the provision regarding electronic mail. However, since this is not an appropriation bill, I cannot veto the provision on surveillance while leaving the electronic mail provision intact. Therefore, I must veto the bill in its entirety. Because electronic mail is such a complicated subject, it should be addressed in a separate piece of legislation. There also needs to be more debate on this subject so that we pass a more meaningful bill that truly guarantees access to government by the media and the public. I urge the Legislature to pass a bill relating to electronic mail during its next full session in order to continue Wisconsin's strong tradition of open government.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 22, 1994

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 493** in its entirety. The bill deletes the June 30, 1993 sunset date on the requirement for the Board of Commissioners of Public Lands to annually reserve for school districts, to the extent practicable, at least 50% of the money available for state trust fund loans; creates additional priority requirements for the board in making loans; prohibits making loans to municipalities for the purpose of paying litigation expenses incurred by the municipality in legal action against the state; allows the Milwaukee public school system to borrow long term from the state trust fund without a referendum; and, in response to a technical question regarding the authority of the Milwaukee public school system to borrow from the state trust fund, makes a change to the procedure by which a 1st class city applies for a loan.

While I support the prohibition on litigation expenses, I am vetoing the bill for three reasons. First, the reserve requirement restricts the Board of Commissioners of Public Lands' ability to allocate loans according to demand. Although I am aware of concerns regarding availability of funds for school districts and encourage the board to keep school districts the top priority, the reserve is not necessary to ensure school districts have sufficient funds available to them. Demand for school district loans has barely exhausted the 50% reserve in the past and it appears unlikely demand will increase significantly in the future.

Second, the provisions regarding the priority requirement and the prohibited use of loans undermine the board's internal process for prioritizing loans. In addition, prioritization of loans is rarely necessary because funds are available for nearly all loan requests made to the board.

I am confident the board will continue to make school districts the top priority. However, I believe this bill will unduly complicate the state trust fund loan process.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 22, 1994

To the Honorable Members of the Assembly:

Assembly Bill 534 deletes a five year minimum vesting period that employees must meet to become eligible for an annuity in the Wisconsin Retirement System. I believe that to eliminate the vesting requirement may increase long term payouts from the retirement fund and remove a source of internal financing in the fund that was intended when the Early Retirement Bill of 1989 put the vesting requirement in place. For these reasons I am vetoing the bill.

Significant changes to the retirement system should not be done on a piecemeal basis. Instead, elimination of the five year vesting should be considered as a part of a total analysis of the Wisconsin Retirement System that I have directed the Department of Administration to complete during the next session.

Sincerely,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 22, 1994

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 663** in its entirety. The bill reduces the penalty for paying property taxes late if the payment is received by the local treasurer within five working days of the due date.

While I strongly support efforts to reduce the burden of the property tax, I am vetoing this bill because of its mandated implications on the local governments and the precedent the bill sets for other tax deadlines.

The bill places a new burden on municipalities during a peak workload period. While an earlier version of the bill would have allowed local governments the option to adopt its changes, the final version requires its application statewide, thus creating a new mandate on local governments.

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The bill simply shifts the date after which the strong penalty for delinquent payments becomes effective. Those who miss the five day grace period by a day or two will feel mistreated just as those who miss the current deadlines feel. The bill sets a bad precedent of weakening tax deadlines by creating a new class of taxpayer who is neither timely nor delinquent.

Since the bill has a worthy purpose, I am instructing the Department of Revenue to work with local governments to find a workable approach to this issue that avoids or at least limits the negative aspects I've cited above. I will request the Department to include its recommendations as part of its 1995-97 budget. Some form of local option should be one of the alternatives considered.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 25, 1994

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 1069** in its entirety.

This bill exempts from the sales tax materials which a skylight manufacturer buys and uses to build skylights, if those skylights are sent to another state and installed there by the manufacturer or the manufacturer's subcontractor.

I am vetoing this bill because it treats one type of business differently than it treats other businesses which are similarly situated. Skylight manufacturers are not uniquely in this position and any legislation must address the entire situation.

I am concerned about firms which may face double taxation. I am instructing the Secretary of Revenue to undertake a comprehensive review of the tax code and to recommend possible changes to the provisions relating to the imposition of sales and use tax on materials used in manufacturing. Any changes should address all businesses affected by these provisions and not just a single business.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

COMMUNICATIONS

State of Wisconsin
Department of State
Madison

To Whom It May Concern:

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 250	219	April 21, 1994
Assembly Bill 751	220	April 21, 1994
Assembly Bill 823	221	April 21, 1994
Assembly Bill 903	222	April 21, 1994
Assembly Bill 1022	223	April 21, 1994
Assembly Bill 470	233	April 22, 1994
Assembly Bill 572	234	April 22, 1994
Assembly Bill 68	239	April 22, 1994
Assembly Bill 732	240	April 22, 1994
Assembly Bill 803	241	April 22, 1994
Assembly Bill 1076	246	April 22, 1994
Assembly Bill 680	247	April 22, 1994
Assembly Bill 788	248	April 22, 1994
Assembly Bill 970	249	April 22, 1994
Assembly Bill 939	250	April 22, 1994
Assembly Bill 551	251	April 22, 1994
Assembly Bill 552	252	April 22, 1994
Assembly Bill 619	254	April 22, 1994
Assembly Bill 563	259	April 25, 1994
Assembly Bill 785	260	April 25, 1994
Assembly Bill 1052	263	April 25, 1994
Assembly Bill 38	264	April 26, 1994
Assembly Bill 211	265	April 26, 1994
Assembly Bill 248	266	April 26, 1994
Assembly Bill 289	267	April 26, 1994
Assembly Bill 298	268	April 26, 1994
Assembly Bill 824	269	April 26, 1994
Assembly Bill 837	270	April 26, 1994
Assembly Bill 1036	271	April 26, 1994
Assembly Bill 719	279	April 27, 1994
Assembly Bill 71	280	April 27, 1994
Assembly Bill 194	281	April 27, 1994
Assembly Bill 305	282	April 27, 1994
Assembly Bill 893	283	April 27, 1994
Assembly Bill 1144	284	April 27, 1994
Assembly Bill 5	291	April 27, 1994
Assembly Bill 777	292	April 27, 1994
Assembly Bill 1032	293	April 27, 1994
Assembly Bill 1249	295	April 27, 1994
Assembly Bill 1277	296	April 27, 1994
Assembly Bill 3	299	April 28, 1994
Assembly Bill 272	300	April 28, 1994
Assembly Bill 664	301	April 28, 1994
Assembly Bill 671	302	April 28, 1994
Assembly Bill 684	303	April 28, 1994
Assembly Bill 713	304	April 28, 1994
Assembly Bill 818	305	April 28, 1994
Assembly Bill 1043	306	April 28, 1994
Assembly Bill 1095	307	April 28, 1994
Assembly Bill 1096	308	April 28, 1994
Assembly Bill 295	312	April 28, 1994
Assembly Bill 738	313	April 28, 1994

Sincerely,
DOUGLAS La FOLLETTE
Secretary of State

COMMUNICATIONS

State of Wisconsin
Department of State
- Madison

To Whom It May Concern:

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

Resolution No.	Enrolled No.	Publication date
Assembly Jt. Res. 68	-----13	----- Not published
Assembly Jt. Res. 74	-----14	----- Not published
Assembly Jt. Res. 89	-----15	----- Not published
Assembly Jt. Res. 90	-----16	----- Not published
Assembly Jt. Res. 91	-----17	----- Not published
Assembly Jt. Res. 113	-----18	----- Not published
Assembly Jt. Res. 3	-----19	----- April 27, 1994
Assembly Jt. Res. 81	-----20	----- April 27, 1994
Assembly Jt. Res. 121	-----21	----- April 27, 1994

Sincerely,
DOUGLAS La FOLLETTE
Secretary of State

COMMUNICATIONS

DATE: April 8, 1994
TO: Representative Walter Kunicki
Speaker of the Assembly
FROM: Representative Lary J. Swoboda

I hereby resign from the Wisconsin State Assembly, effective Monday, April 11, 1994. Serving is an honor. Wear the title proudly, with that as your only goal.

Sincerely,
LARY J. SWOBODA
Representative
1st Assembly District

DATE: April 9, 1994
TO: Representative Walter Kunicki
Speaker of the Assembly
FROM: Representative Lary J. Swoboda

I hereby withdraw my resignation from the Wisconsin State Assembly as stated in my letter to you of April 8, 1994. I am NOT resigning from the Wisconsin State Assembly.

Sincerely,
LARY J. SWOBODA
State Representative
1st Assembly District

DATE: April 14, 1994
TO: Representative Walter Kunicki
Speaker of the Assembly
FROM: Representative Lary J. Swoboda

I hereby resign from the Wisconsin State Assembly, effective Monday, April 11, 1994 as stated in my original letter of April 8, 1994.

Sincerely,
LARY J. SWOBODA
Representative
1st Assembly District

April 14, 1994

Thomas T. Melvin
Assembly Chief Clerk
Suite 402, One East Main Street
P.O. Box 8952
Madison, WI 53708

Dear Mr. Melvin:

Representative Lary Swoboda vacated his seat in the Wisconsin Assembly by assuming an incompatible office, the Executive Director of the National and Community Service Board, on April 11, 1994. Under Wisconsin law, it is a long-settled principle that when a legislator assumes a position that is incompatible with a legislative office, that legislator vacates his or her legislative office. State ex rel. Johnson v. Nye, 148 Wis. 659 (1912). The position of Executive Director of the National and Community Service Board is clearly incompatible with a legislative office, because a person who would hold these two positions could directly influence the duties and appropriations of the board for which he or she serves, as well as directly influence the amount of salary he or she would receive as the Executive Director. He would, therefore, be both an employe and the supervisor of the Board. Because Representative Swoboda reported for employment as the Executive Director on April 11, 1994, his last day of employment as a member of the Assembly was April 10, 1994.

Sincerely,
WALTER KUNICKI
Assembly Speaker

March 31, 1994

SPEAKER'S APPOINTMENTS

April 26, 1994

Speaker Kunicki
Room 212 North, State Capitol
P.O. Box 8952
Madison, WI 53708

Representative Glenn Grothman
100 N. Hamilton, Room 416
P.O. Box 8952
Madison, WI 53708

Dear Speaker:

Dear Representative Grothman:

I would like to inform you that I am resigning as a member of the Joint Committee for Review of Administrative Rules, effective immediately.

Due to the resignation of Representative Bob Welch from the Joint Committee for Review of Administrative Rules, it is my pleasure as Speaker of the Assembly to appoint you to this committee to fill his vacancy.

Sincerely,
ROBERT T. WELCH
State Representative
41st Assembly District

This appointment is effective immediately.

Sincerely,
WALTER KUNICKI
Assembly Speaker

April 12, 1994

Speaker Wally Kunicki
Room 212 North, State Capitol
P.O. Box 8952
Madison, WI 53708

COMMUNICATIONS

State of Wisconsin
Office of the Commissioner of Insurance
Madison

March, 1994

Dear Speaker Kunicki:

To the Honorable the Legislature:

I am writing to inform you that I am officially resigning as a member/Chair of the Migrant Labor Council, effective April 12, 1994.

Pursuant to the requirements of section 9125 (5) of 1991 Wisconsin Act 250, I am pleased to submit to the Governor and to the Legislature the *1991 Wisconsin Act 250 Outcomes Study*. This fulfills the requirement concerning "methods to collect and present health plan outcomes and costs."

Sincerely,
ROBERT T. WELCH
State Representative
41st Assembly District

Sincerely,
JOSEPHINE W. MUSSER
Commissioner

SPEAKER'S APPOINTMENTS

April 14, 1994

Representative Ben Brancel
137 South, State Capitol
P.O. Box 8952
Madison, WI 53708

State of Wisconsin
Department of Health and Social Services
Madison

March 1, 1994

Dear Representative Brancel:

To the Honorable the Assembly:

Due to the resignation of Representative Bob Welch, it is my pleasure as Speaker of the Assembly to appoint you to the Council on Migrant Labor, pursuant to Section 15.227 (8) of the Wisconsin Statutes.

The biennial budget bill, 1983 Wisconsin Act 27, enacted s. 46.275, Community Integration Program (CIP) for Residents of State Centers. The intent of this program "is to relocate persons from the state centers for the developmentally disabled into appropriate community settings with the assistance of home and community-based services and with continuity of care. The intent of the program is also to minimize its impact on state employees through redeployment of employees into vacant positions." S. 46.275(5m) requires the Department to submit a report to the Joint Committee on Finance and to the Chief Clerk of each house of the Legislature describing the program's impact during the preceding calendar year on state employees, including

This appointment is effective immediately.

Sincerely,
WALTER KUNICKI
Assembly Speaker

JOURNAL OF THE ASSEMBLY [April 28, 1994]

the Department's efforts to redeploy employees into vacant positions and the number of employees laid off.

For the period of January 1, 1993 to December 31, 1993, there were 57 CIP placements, 3 DIP returnees, and 4 CIP diversions. For fiscal year 1993, reductions of \$1,073,682 and 51 FTE were made in the budget for the purpose of CIP placements. For the period July 1, 1993 through December 31, 1993, sufficient reductions will be

made in the fiscal year 1994 operating budget to reflect reductions for CIP placements. Reductions of positions and dollars have been made for calendar year 1993 with no layoff of employees.

Sincerely,
GERALD WHITBURN
Secretary, DHSS