



# STATE OF WISCONSIN Assembly Journal

## April 1998 Extraordinary Session

WEDNESDAY, June 3, 1998

The Chief Clerk makes the following entries under the above date:

### EXECUTIVE COMMUNICATIONS

State of Wisconsin  
Office of the Governor  
Madison

June 2, 1998

To the Honorable Members of the Assembly:

The following bill, originating in the Assembly, has been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
AB 768 (vetoed in part)	237	June 2, 1998

Respectfully submitted,  
*TOMMY G. THOMPSON*  
Governor

State of Wisconsin  
Office of the Governor  
Madison

June 3, 1998

To the Honorable Members of the Assembly:

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

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
AB 631	238	June 3, 1998
AB 686	239	June 3, 1998
AB 402	241	June 3, 1998

Respectfully submitted,  
*TOMMY G. THOMPSON*  
Governor

### GOVERNOR'S VETO MESSAGE

June 2, 1998

To the Honorable Members of the Assembly:

I have approved **Assembly Bill 768** with 22 partial vetoes as **1997 Wisconsin Act 237** and deposited it in the Office of the Secretary of State. Assembly Bill 768 contains most of the provisions I requested in my budget adjustment bill in February. A budget adjustment bill was necessary to incorporate federal legislation enacted since the state's biennial budget took effect, to correct technical problems in Act 27 and to make limited policy changes. It was also appropriate to recommend that the greater than anticipated state surplus resulting from the continued strength of Wisconsin's economy be targeted to state taxpayers where it was prudent to do so. The budget adjustment bill I am signing today does just that.

The following highlights are included in the bill that will become law:

#### Tax Relief

- \* Provides an \$83 million, 1.5% across-the-board income tax cut to provide income tax relief to all income taxpayers.
- \* Targets a \$20 million, \$3,000 per student income tax deduction to persons incurring higher educational expenses.
- \* Provides a \$64 million exemption from property taxes for computer equipment, to maintain Wisconsin's ability to attract and retain high-tech jobs.
- \* Provides \$13 million to modify Wisconsin's tax laws so taxpayers can fully utilize recent federal tax law changes for benefits such as the Roth IRA and the Education IRA.
- \* Provides up to \$125 million of any increased budget surplus above current estimates to increase the school property tax rent credit for 1998 by approximately 50%.

#### Environmental and Commercial Resources

- \* Provides \$2.5 million GPR to rapidly respond to needs of areas of the state facing economic distress by capitalizing local revolving loan funds and providing direct construction loans for projects that enhance economic development.

- \* Provides \$500,000 for rural economic development, particularly dairy farm and agribusiness start-ups, expansions and modernization projects.
- \* Provides 18 new conservation warden positions to enhance protection of our natural resources and improve public safety.
- \* Provides \$1.5 million GPR to enhance state and local tourism promotion efforts.

**Human Resources**

- \* Provides \$16 million to provide in home care for over 2,000 additional disabled and elderly citizens over the biennium.
- \* Funds a pilot Family Care program to restructure the state's long term care system.

**Justice**

- \* Provides start-up funding and staff for the new supermaximum correctional institution that is scheduled to open in October 1999.
- \* Limits prisoners' ability to file lawsuits against the state.
- \* Provides supplemental funding for county victim and witness programs.
- \* Modifies current law to allow victims to attend and make statements at parole hearings.

**Education and Training**

- \* Revises the definition of a qualified economic offer in collective bargaining for school districts to require that the total compensation increase offered by a school board to teachers equal at least 3.8 percent in order for an offer to be deemed a qualified economic offer.
- \* Requires districts to set standards that must be met before fourth and eighth graders can advance to the next grade.
- \* Creates an award program for Wisconsin teachers who receive certification from the National Board for Professional Teaching Standards.
- \* Provides \$1.5 million for equipment and positions to expand interdisciplinary biological sciences programs at the University of Wisconsin-Madison to capitalize on the growing importance of bio-technology.

The major result of enacting this bill is lower taxes for Wisconsin, resulting in a more competitive state tax structure for individuals and businesses. In addition, we have taken steps to extend the independence of our elderly citizens, continue improving the quality of our K-12 educational system, and enable our correctional system to accommodate higher populations.

All of these measures are important to citizens, and I am pleased they have been adopted. It should be noted that the tax reductions and improvements in services are made possible

by an economy that has succeeded as never before. Our record low 2.4% unemployment, expanding numbers of manufacturing jobs, and expansions of exports and high-tech endeavors have been achieved in part as a result of state government policies. We have encouraged businesses to locate and expand in Wisconsin, cut taxes, and implemented programs that encourage people to live independently. This bill continues those policies.

I have a special concern with one area in the bill. The bill provides that 100% of any projected improvement to the net general fund balance for both years of the biennium beyond \$20 million, as certified by the Legislative Fiscal Bureau by September 4, 1998, is to be dedicated to expanding the property tax rent credit for 1998, with this change to be continued in future years. The Department of Revenue must propose how this tax reduction is to be structured and the proposal would need the approval of the Joint Committee on Finance but not of the entire Legislature.

Signing this provision in its entirety is not good public policy. Ideally, decisions on major permanent changes in tax policy should be made by the full Legislature in the biennial budget or in budget adjustment bills, when all other tax and spending issues can be addressed. To make a permanent tax policy change contingent on a possible surplus without regard to other budget and tax issues is short-sighted. It is also not prudent or appropriate to use revenues received over two years to fund a permanent change to our ongoing annual commitments. I have therefore partially vetoed this provision to make the change in the property tax rent credit one-time and not permanent and to provide that the increase in the credit for 1998 be funded with the increase in the balance for fiscal year 1997-98, with a maximum change of \$125 million. Permanent changes to these and other tax provisions should be considered by the entire Legislature in future budgets. Under the bill as I am signing it, the property tax rent credit is likely to be increased by approximately 50%, a very generous tax reduction that I am pleased to sign into law.

I commend the leadership of both the Assembly and the Senate for providing bipartisan support for this bill. With the help of the Legislature, Wisconsin continues to build an even better future for our citizens.

Respectfully submitted,  
*TOMMY G. THOMPSON*  
 Governor

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**A. EDUCATION AND TRAINING**

**PUBLIC INSTRUCTION**

**1. National Teacher Certification Program**

*Section 361*

This section establishes a pilot program to provide annual payments to teachers who earn certification from the National Board for Professional Teaching Standards (NBPTS).

I am partially vetoing this section by: (1) deleting the provision limiting program participation to 20 teachers; and (2) eliminating annual \$2,500 state grants to teachers beyond the 1999–01 biennium. These vetoes will permit an unlimited number of teachers to receive a state grant if they earn NBPTS certification and will provide each teacher earning NBPTS certification with \$2,000 in 1999–00 and \$2,500 in 2000–01. The state's role in national teacher certification should be to encourage as many teachers as possible to seek certification rather than to provide an ongoing bonus payment to a select few.

I recognize that state incentives related to this program will need periodic review. Further changes to this program can be considered in the 1999–01 biennial budget to permit additional teachers to continue to receive grants beyond those who earn certification by July 1, 2000. In addition, I encourage all school districts to also provide financial and other incentives to teachers who are able to meet the NBPTS' rigorous standards.

**2. Professional Teaching Permits**

*Sections 362c and 362p*

These provisions would expand the fields covered by the alternative teacher training program to include the subjects of music, art, foreign language and computer science. In addition, these provisions would delete the following requirements related to the alternative teacher training program: (1) that the training program be conducted in the summer; (2) that applicants would need to pass the national teacher's exam before applying to the Department of Public Instruction (DPI), and instead, require that applicants demonstrate competency in their subject area before the State Superintendent; and (3) that a licensed teacher may supervise no more than one person holding an alternative teaching permit. These sections would also specify that an alternative teaching permit would be renewable for five years and require DPI to renew a permit or issue a permit holder a regular teaching license if the school board employing that person certifies to DPI that the person is a successful teacher.

I am partially vetoing the section requiring DPI to renew a permit or issue a regular teacher license at the direction of a local school board. Since DPI is the legal entity responsible for issuing teacher licenses and permits, the department should retain the final authority on renewal decisions.

**B. ENVIRONMENTAL AND COMMERCIAL RESOURCES**

**AGRICULTURE, TRADE AND CONSUMER PROTECTION**

**1. Fish Farming**

*Section 9236 (2c)*

Section 9236 (2c) deletes 5.0 GPR FTE positions related to fisheries management and habitat protection from the Department of Natural Resources (DNR), and decreases the appropriation amount under s. 20.370 (4) (ma) by \$265,000 GPR for fiscal year 1998–99. An equal increase in positions and funding is provided to the Department of Agriculture, Trade and Consumer Protection (DATCP) under section 9204 (1c) to perform duties related to fish farming for which responsibility was transferred from DNR to DATCP under 1997 Act 27.

I am vetoing section 9236 (2c) to restore the positions and funding to DNR because further consideration of the number of positions and amount of funding needed by both DNR and DATCP is necessary. I am also requesting the Department of Administration Secretary to take administrative action to freeze two of the five positions provided to DATCP and two of the five positions restored to DNR. Based on a review of program needs and appropriate level of fee supported activities, any further changes to position levels and funding in the two agencies can be addressed in the 1999–01 biennial budget.

**2. Soil and Water Resource Management Engineering Positions**

*Section 9204 (1wx) and (1wy)*

These provisions appropriate \$100,700 GPR in fiscal year 1998–99 and authorize 2.0 GPR FTE positions in the Department of Agriculture, Trade and Consumer Protection to provide training, consultation and oversight to county conservation staff. The provisions also decrease funding for the Soil and Water Resource Management Grant Program by \$100,700 GPR in fiscal year 1997–98.

I am vetoing these provisions because a decision to create and fund 2.0 GPR FTE positions should be made in the context of other priorities during development of the 1999–01 biennial budget. The Soil and Water Resource Management Program received an additional \$2,000,000 GPR in fiscal year 1997–98 in 1997 Act 27. The department has the authority to use a portion of that additional funding to contract with a public or private entity to supply necessary services to county conservation staff.

**NATURAL RESOURCES**

**3. Nonpoint Source Water Pollution Abatement Program**

*Sections 9131 (1p) and 9136 (2v)*

Section 9131 (1p) requests the Joint Legislative Audit Committee to direct the Legislative Audit Bureau to perform a financial audit of the Nonpoint Source Water Pollution Abatement Program and the long–term state financial

obligations related to the program. The Legislative Audit Bureau must file its report by January 1, 2000. Section 9136 (2v) provides up to an additional \$33,000 for cost–share grants to landowners in the Sugar–Honey Creek priority watershed project in Racine and Walworth counties. The additional funding must be provided by June 30, 1999.

I am vetoing the audit request because it is unnecessary. The Nonpoint Source Water Pollution Abatement Program is in the preliminary stages of implementing the restructuring adopted in 1997 Act 27. This restructuring is being done in response to several audits of the program that have been completed in recent years. Another audit of the program is premature and could slow efforts to implement necessary changes.

I am also vetoing the Sugar–Honey Creek earmark because it diverts funding from other priority watershed projects. These projects are implemented over several years. At the direction of the Legislature, the Department of Natural Resources has been working to allocate funding on the basis of available revenue. I am concerned that a funding earmark of this nature will undermine attempts to bring Nonpoint Source Pollution Abatement Program expenditures in line with available funding.

**4. Landfill Remediation Study**

*Section 9136 (2d)*

This provision requires the Department of Natural Resources (DNR) to use existing resources to contract for a study identifying all closed landfills and the estimated cost of their remediation. In addition, DNR must identify potential funding mechanisms for these remediation projects.

I am vetoing this provision because it does not address the problems of landfill cleanup in a comprehensive manner. Furthermore, it directs the DNR to use existing resources to identify all closed landfills and remediation alternatives. In order to address the issue in an effective manner, funds would be needed that the department does not currently have available. However, I do recognize the importance of this issue and request the department to develop approaches for identifying, assessing, and cleaning up closed landfills in a cost–effective and balanced manner.

**5. Brownfields Fee for Petroleum Environmental Cleanup Fund Administration (PECFA) Related Services**

*Sections 486p, 9136 (1c) and 9236 (3g)*

These provisions limit the ability of the Department of Natural Resources (DNR) to charge fees for services as authorized under s. 292.55 (2). In addition, the department is authorized 3.0 SEG FTE positions and \$147,300 SEG under s. 20.370 (2) (dw). An equal amount of PR funding is eliminated under s. 20.370 (2) (dh), along with the associated positions.

I am vetoing these provisions because they unnecessarily limit the department’s flexibility to charge fees for services. Providing staff to the department to expedite the implementation of the Brownfields initiative is very important for the revitalization and redevelopment of abandoned commercial properties. I am requesting the

department to implement its Brownfields fee emergency rule no later than September 1, 1998. The department should establish fees that cover the costs of the services provided to businesses and individuals.

I am also requesting the Department of Commerce (Commerce) to include DNR Brownfields fees associated with providing assistance related to s. 101.143 as an eligible cost for reimbursement under the PECFA program. I consider this reimbursement approach a short-term measure that will be fully reviewed in the context of the 1999-01 biennial budget. In preparation for the next budget, I am requesting that the Departments of Administration, Commerce and Natural Resources develop a comprehensive redesign of the PECFA program. This redesign should build on the strong foundation established recently in the revised memorandum of understanding between DNR and Commerce by addressing long-term financing concerns, reviewing reimbursement mechanisms and enhancing cost control measures.

## TOURISM

### 6. Marketing Appropriation

#### *Section 9247 (1)*

This section provides \$750,000 GPR in fiscal year 1997-98 and \$750,000 GPR in fiscal year 1998-99 to increase funding for tourism marketing and promotion. I am partially vetoing this section to allocate all of the funding increase in fiscal year 1998-99 because the department can utilize the additional funding more effectively in the second year of the biennium. The department should use the additional funding to provide for an expanded spring campaign, to develop an opportunity marketing program to capitalize on special events, and to expand the Joint Effort Marketing program to assist local businesses and communities in tourism promotion.

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## C. HUMAN RESOURCES

### HEALTH AND FAMILY SERVICES

#### 1. Milwaukee County Child Welfare Services

##### *Section 9222 (3f)*

This section reduces the Department of Health and Family Services' Milwaukee child welfare services general program operations appropriation by \$427,500 GPR in fiscal year 1998-99.

I am vetoing this section because I want to ensure that the department has adequate resources to effectively operate the child welfare system in Milwaukee County and that direct services for children and families will not be adversely affected. In addition, this veto corrects a technical error because the general program operations appropriation was reduced rather than the appropriation containing funding for safety services, as originally intended by the Joint Committee on Finance.

#### 2. Kinship Care

##### *Section 152m*

Section 152m requires the Department of Health and Family Services to promulgate rules to provide assessment criteria for determining whether a kinship care relative is eligible to receive payment of \$215 per month for the care of the child. This section also requires the department to include in the rule criteria for determining whether a relative is eligible for the payment in cases in which the safety of the child is not an immediate concern but placement of the child with the relative could avoid the need for more costly intervention services.

I am vetoing the provision that requires the department to include eligibility criteria for cases in which the safety of the child is not an immediate concern but placement with the relative could avoid the need for more costly intervention services. I am concerned that this provision may result in an expansion of the kinship care program beyond the original intent of providing funding to relatives for the support of children who are not safe in their own homes.

#### 3. Community Options Program

##### *Sections 22 [as it relates to s. 20.435 (7) (bb)], 44L, 98m, 98n, 203g, 203h and 203i*

Sections 22 [as it relates to s. 20.435 (7) (bb)] and 44L create a GPR continuing appropriation for moneys transferred from the Medical Assistance (MA) appropriation for increasing funding for the Community Options Program (COP). Sections 98m and 98n specify that the Department of Health and Family Services (DHFS) must allocate funds from the new appropriation for the COP and COP waiver programs. Section 203g requires that the report that DHFS must annually submit to the Joint Committee on Finance on the utilization of beds by recipients of MA in facilities be submitted by October 1, except for fiscal year 1997-98. Sections 203h and 203i require DHFS to submit a proposal for transferring funds from the MA appropriation to the COP appropriation for the Committee's 14 day passive review and allow the Committee to approve or modify the proposal submitted by the department.

I am vetoing sections 22 [as it relates to s. 20.435 (7) (bb)], 98m and 98n because I do not believe that a GPR continuing appropriation is necessary for the MA-COP transfer. The current COP appropriation which allows for the transfer of funds between fiscal years is sufficient to facilitate the transfer. I am partially vetoing section 203g to eliminate the October 1 report due date and am vetoing sections 203h and 203i to eliminate the overly prescriptive process for the MA-COP transfer. In my veto message in [1997 Wisconsin Act 27](#) relating to the COP transfer I requested the Secretary of DHFS to consult with the Secretary of Administration on the transfer amount. This consultation will provide sufficient oversight regarding the transfer.

#### 4. Caretaker Supplement

##### *Section 9122 (4e) (b)*

This section requires the Department of Health and Family Services (DHFS), if additional Temporary Assistance for Needy Families (TANF) funding is needed for the caretaker



supplement for recipients of Social Security Income, to submit a request to the Secretary of Administration to transfer funds from the Department of Workforce Development (DWD) to DHFS. The Secretary of Administration must submit the request to the Joint Committee on Finance (JCF) for the Committee's 14 day passive review.

I am vetoing this provision because DWD will have to amend the TANF plan and seek approval of JCF if DHFS needs additional funding. The requirement for DHFS to also seek JCF approval is an additional unnecessary approval for the same funds.

**5. Provider Assessments**

*Sections 393se, 393sh, 393sk and 9422 (6k)*

These sections pertain to the collection of health care data from individual health care providers such as doctors. The bill provides \$250,000 GPR in fiscal year 1998-99 on a one-time basis to support the cost of a pilot data collection effort to gather this information from those providers. I am retaining the \$250,000 GPR funding for fiscal year 1998-99 in order to assure that the pilot data collection effort goes forward. This will allow data to be collected for 1998-99 without the need for assessment of fees on individual health care providers. However, I believe the issue of how to pay for the costs of data collection in the future requires further discussion.

I recently signed [1997 Wisconsin Act 231](#) which gave DHFS the authority to assess a fee on individual health care providers to support the cost of data collection from those providers. Under the budget adjustment bill, the Legislature has shown a willingness to support the initial pilot data collection effort with GPR and I will support this. However, I believe the long-range solution included in this bill to fund a state-wide data collection effort is inequitable. The provision in this bill would place the entire cost of collecting the data from all individual providers on hospitals and ambulatory surgery centers who already pay \$1.5 million to provide health care data from their own facilities. As a result, I am partially vetoing section 393se in order to restore the authority to assess individual health care providers in the future while retaining the one-time GPR for use in fiscal year 1998-99. I am also vetoing sections which shift the cost of data collection to hospitals and surgery centers since it is inequitable to make these facilities bear the entire cost of data collection.

I am sympathetic to the concerns of all parties regarding the apportionment of the costs of data collection. However, any solution must be fair to the payers. Therefore, I am asking all concerned parties to work with my office to develop a funding method for data collection which is equitable for all.

**INSURANCE**

**6. Specialist Physicians**

*Sections 566cdf and 566cfk*

These provisions refer to the access that patients in managed care plans would have to specialist physicians. As part of the much broader regulation of managed care plans included in this bill, the plans must insure that a patient has access to a primary care physician and must also provide access to

specialists if the patient requires such services. However, the language as written refers to specialist physicians. Since not all specialists, such as optometrists, have medical degrees, there is some ambiguity about how these sections should be interpreted. I am vetoing these sections and requesting that the Office of the Commissioner of Insurance include remedial language in its next biennial budget request to fix this ambiguity.

**7. Prior Authorization for Diagnostic Procedures**

*Section 594p*

This section requires prior authorization for any diagnostic procedures or any medically necessary surgical or nonsurgical treatment for the correction of temporomandibular disorders. I am vetoing the requirement that prior authorization be obtained for diagnostic procedures since it will unnecessarily hamper a patient's access to tests which will dictate the needed treatment.

In a related matter, the bill also places a cap of \$1,250 annually on the reimbursement for costs associated with the treatment of temporomandibular disorders. I believe that this limit should be adjusted for inflation to keep pace with cost increases and that such an adjustment should be included as a provision in the 1999-01 biennial budget.

**WORKFORCE DEVELOPMENT**

**8. Wage Claim Liens**

*Sections 354m, 354p, 354r and 9355 (1f)*

These provisions amend the state wage payments, claims and collections law. The provisions define "employee" to exclude certain officers, partners and managers of a business, modify the definition of "wages" for the purposes of that law to exclude remuneration that was not received as payment for services performed, limit wage claim liens to a maximum of \$1,000 and alter the priority of wage claim liens with respect to liens filed in advance of them.

I am partially vetoing these provisions to preserve the effectiveness of the wage claim lien as a means to assist workers to recover wages and other benefits due them. I am concerned that the limit placed on liens will prevent some workers from recovering the full amount of wages they are owed. Therefore, I am partially vetoing section 354r to remove the lien limit. I am also vetoing section 354p to restore the current definition of "wages". The modifications to the definition of "wages" could prevent workers from recovering some benefits, and could impair the operation of the state's plant closing law. Finally, I am partially vetoing section 354m to remove the requirement that covered employees must work in this state, and the exclusion of officers and directors of cooperatives and associations from the definition of "employee". These changes will allow the Department of Workforce Development to continue to assist employees of Wisconsin companies who work outside of Wisconsin. The partial veto of section 354m will also allow officers and directors of cooperatives and associations continued access to the protections of the state wage payments, claims and collections law.

I am requesting that the Department of Workforce Development work with affected parties to reach agreement

on further modifications to the statutes governing wage payments, claims and collections, in particular modifications governing the priority of wage claim liens and limits on their size, that will enhance protections for both workers and creditors.

**TRANSPORTATION**

**7. License Plate Reissuance**

*Sections 512fm, 512fp and 9148 (1d) (a)*

These provisions direct the Department of Transportation (DOT) to redesign and reissue most license plate types between July 1, 2000, and July 1, 2003. The designs for the new license plates must be as similar in appearance as practicable and approved by the groups that are currently consulted for special license plate designs. DOT is also required, as part of its budget request for the 1999–01 biennium, to submit a proposal to make funds available to pay for the production and issuance of the new license plates. This proposal may not create or increase any fee related to vehicle registration, obtaining replacement plates or the reissuance of any license plate.

I am partially vetoing sections 512fm, 512fp and 9148 (1d) (a) to remove the provisions that restrict DOT from creating, increasing or charging fees to recoup license plate reissuance costs. DOT needs the flexibility to review alternatives for recouping costs associated with license plate reissuance.

I am also partially vetoing section 512fm, with respect to Sesquicentennial commemorative license plates, to eliminate the requirement that these plates be reissued between July 1, 2002, and July 1, 2003. These plates have just recently been issued and it may not be fiscally prudent to replace these plates within the specified time period.

**D. JUSTICE**

**JUSTICE**

**1. Governor’s Appointment of Special Counsel**

*Section 4n*

This provision requires the Governor to appoint special counsel in the following instances:

- a. Cases where substantial questions exist concerning the location of legal boundaries of an Indian reservation and where the public interest requires resolution of the questions.
- b. Cases seeking declaratory judgment, whenever the public interest requires, to ensure the respect of civil and property rights of non-Indians who own property within the exterior boundaries of any Indian reservation in this state.

I am vetoing this provision entirely because the Attorney General has assured me that he is prepared to undertake aggressive, focused legal action in Indian reservation boundary disputes and other Indian sovereignty issues. As an indication of my strong views on this matter, I will ask the Attorney General in the very near term to pursue a declaratory

judgment action in federal court to ascertain the boundaries of the Stockbridge–Munsee Reservation in Shawano County.

I am also vetoing this provision because I believe the Governor has sufficient authority to appoint special counsel within the current context of s. 14.11, Wisconsin Statutes, to address any issue affecting the interests of the state and its citizens. I am prepared to appoint special counsel under that section if necessary to ensure that the interests of the state and its property owners are protected in these boundary and sovereignty disputes. In the event that representation by the Attorney General is not sufficient, the need for this provision can be reviewed within the context of the 1999–01 biennial budget.

I am also vetoing this provision because the Attorney General and I share very strong concerns about the constitutionality of this provision.

A copy of the Attorney General’s letter to me regarding section 4n is attached to this message (see Attachment A).

**E. TAX, FINANCE AND LOCAL GOVERNMENT**

**GENERAL FUND TAXES — INDIVIDUAL INCOME TAX**

**1. Part–Year and Nonresident Deductions**

*Sections 282 and 9342 (6)*

These sections inadvertently deny deductions for student loan interest, alimony payments and supplemental unemployment compensation repayments to Wisconsin residents. While it was the intent of the Legislature to provide these deductions to both Wisconsin residents (current law) and part–year residents and nonresidents, an error in the drafting process inadvertently eliminated the deduction for all taxpayers.

I am vetoing these sections to restore current law because I believe it is important to retain these deductions for Wisconsin residents. This veto also will also accomplish the Legislature’s intent of providing a deduction for interest on qualified education loans. However, further legislation will be necessary to provide deductions to part–year residents and nonresidents for alimony and supplemental unemployment benefit repayments.

**2. Property Tax Rent Credit**

*Sections 285c and 9256 (2c)*

These sections establish a procedure under which any estimated surplus in the general fund exceeding \$20 million in the 1997–99 biennium would be used to increase the property tax rent credit. Under this procedure, the Legislative Fiscal Bureau (LFB) would be required, no later than September 4, 1998, to prepare a reestimate of the net general fund balance as of June 30, 1999. The LFB would certify the amount by which the estimated net closing balance exceeds \$20 million to the Joint Committee on Finance and the Secretary of Revenue. By September 15, 1998 the Secretary of Revenue would submit to the Joint Committee on Finance a proposal to expand the property tax rent credit using the amount certified.

This expansion would first apply to the 1998 tax year. The Committee, at its third quarterly meeting in 1998, would either approve or modify the Secretary's proposal.

I am partially vetoing these sections in order to provide that the expansion of the property tax rent credit will be funded with the increase in the state's ending balance for fiscal year 1997-98. I am also vetoing section 9256 (2c) in order to make the increase in the expansion of the property tax rent credit program a one-time occurrence. While expansion of this program is certainly worthwhile, I believe it is prudent and appropriate to match increases in 1998 tax relief with increases in fiscal year 1997-98 revenues. The balance of any increase in the 1997-99 ending balance will be kept on hand and used to provide tax relief for the 1999-01 biennium. My intent is that the Department of Revenue propose a one-time expansion of the property tax rent credit applicable to tax year 1998 and equal to the amount by which the fiscal year 1997-98 ending balance exceeds the amount estimated when this bill is signed, but with a maximum of \$125 million to be used for expansion of the property tax rent credit for tax year 1998.

I am also vetoing these sections to modify the role of the Joint Committee on Finance so that it receives a copy of the Secretary of Revenue's proposal but does not have to hold a meeting to approve or modify the proposal. My intent is to ensure fiscal restraint and to provide for expeditious implementation of the property tax rent credit proposal.

I am committed to making continued efforts to reduce the tax burden on Wisconsin's citizens. This veto will assure Wisconsin's taxpayers of additional tax relief in 1998 and further tax relief in the future.

## GENERAL FUND TAXES — SALES AND EXCISE TAX

### 3. Sales Tax Exemption for Auction Sales

#### *Section 313cm*

This section would extend the current sales tax exemption for auction sales of farm property or household goods at locations where the auctioneer holds three or fewer auctions during the year, to twelve or fewer auctions during the year.

I am vetoing this section because the provision is a deviation from current sales tax policy. Expanding the current provision from three to twelve auctions will create tax inequity adversely affecting hall auctions and auction houses, who as retailers must collect the sales tax from all auctions held at their business locations. Additionally, auction sales occurring at any one location in which there may be as many as twelve auctions during a calendar year should not be considered occasional sales and therefore should not qualify for the sales tax exemption for occasional sales.

While I am vetoing this provision, I am concerned that current law in this area is ambiguous and confusing and may have certain unintended impacts. Therefore, I am requesting the Secretary of Revenue to conduct a review of this section of the statutes, meet with interested groups and legislators and recommend any appropriate changes for consideration in the 1999-01 biennial budget.

## REVENUE

### 4. Delinquent Tax Warrant

#### *Section 299r*

Under current law, the Department of Revenue (DOR) may file with a clerk of court a delinquent tax warrant on a delinquent taxpayer's property. This section modifies current law so that, if a taxpayer requests, the Department of Revenue shall indicate on the warrant the amount that was paid to satisfy the warrant. I am partially vetoing this provision to eliminate the phrase "on the warrant" because this requirement would be unworkable. The department has no means to modify tax warrants once filed. My veto eliminates this unworkable provision while still providing a way to satisfy the desires of taxpayers. Instead of changing the warrant, my veto allows DOR to simply indicate in a letter to the taxpayer the amount that was paid to satisfy the warrant. If they so choose, taxpayers can then present such letters to credit bureaus or others to clarify their debt histories.

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## REMARKS BY THE DALAI LAMA TO THE WISCONSIN STATE ASSEMBLY MAY 13, 1998

Pursuant to the unanimous consent request made by Representative R. Potter on Tuesday, May 5, 1998 (Page 852 of the Assembly Journal), the remarks made by His Holiness, The 14th Dalai Lama, Ngawang Lobsang Tenzin Gyatso of Tibet, to the members of the Assembly on Wednesday, May 13, 1998 (Page 896 of the Assembly Journal) follow:

"Your Excellency the Governor, Honorable Speaker, President of the Senate, Honorable members of the Assembly and the Senate and distinguished guests. It is a great honor for me to be invited to address the Wisconsin State Legislature and it is also a great pleasure for me to be welcomed with such warmth.

I visited the state on several occasions in the past and therefore I also have quite a lot of old friends here. So it is particularly joyful today to have another opportunity to visit this most beautiful state.

Now I want to speak through my broken English in order to save time and also to communicate with you directly. But I must say my English is very broken. Sometimes there could be danger to get wrong understanding. So, be careful when you listen to my broken English.

Let me take this opportunity to mention here that some of the points that I wanted to touch upon are contained in the written text or statement that you already have. So I am not going to repeat these. Since I have this opportunity I want to share a few other points with you.

I always consider myself as another human being like anybody else. On this level the entire 5.7 billion humanity is the same; mentally, emotionally, basically, physically. And then the most important thing, I feel, is that everyone has the desire for happiness, the desire for a happy life and a happy



future. Here the most obvious method in fulfilling that desire is through material development. Towards this end everyone is making every effort and I think a great deal has been achieved.

On the other hand, there is another way to achieve happiness through inner peace. There are different religious traditions in the world and each one of them have immense potential to provide that goal. I think it is wrong to think that all our problems will be solved by means of material development. On the contrary we should also pay equal attention to inner spiritual development. Spirituality does not necessarily mean religious faith. But spirituality rather means the day today practice of the basic messages of various religious traditions that manifests in the good qualities of a human being like a good heart, a compassionate heart, a sense of caring for others, a sense of commitment, patience, tolerance and contentment. These are some of the basic good human values. I always try to promote these values. Irrespective of whether one is a believer or a non-believer, these basic human values are very essential to be kept alive.

Now when you have a sense of caring and a compassionate attitude, then people everywhere talk about the concept of peace and non-violence. Peace, I believe, is not the mere absence of violence. But genuine peace has to be achieved through inner peace. The main basis to bring about inner peace is through human affection. Therefore, peace and non-violence is primarily a reflection or manifestation of human compassion. At the same time when we make efforts to sustain peace and promote the concept of non-violence we have to find an appropriate way to resolve conflict and differences among human beings. Non-violence does not mean that we remain indifferent. Here the only weapon available is by means of dialogue in the spirit of compromise and reconciliation. Differences do exist, not only between political parties, but even within the family and often times within one self. You may have a different set of ideas and beliefs in the morning and at the end of the day you may have totally different views and ideas. So there is contradiction everywhere.

As long as there exists this wonderful human faculty of intelligence, we always find differences and contradictions. These contradictions and differences are not necessarily destructive by themselves. But because of these contradictions there is always progress and there is the ability to overcome and synthesize these problems. Sometimes I jokingly tell people, if we really want a world without any contradiction then let us start a world without any human beings. The world truly becomes safer then! Perhaps, in a way, out of the several thousand species of living beings, humans are the only troublemakers. The other living species inflict harm on others when it is absolutely necessary. But we human beings create problems to others sometimes unnecessarily and still we think we are smart. In one way the human species is really troublesome, but at the same time, if we look from a different angle, the human beings are the only species that has the ability to develop an immense sense of caring—not only to its own kind—but also extend to other

species. Innate altruism can be developed only by human beings. To achieve these ends, an affectionate attitude and a respect for others' views and interests is very important.

Especially in a democratic system, there is bound to be a variety of differing views and ideas. People should always resort to a healthy side of constructive criticism in resolving their problems rather than stay in perpetual conflict.

As mentioned earlier, the various religious traditions have the potential to bring happiness, mainly inner happiness and inner peace. However, unfortunately, not only in the past, but even today, the existence of different religious beliefs have brought about some conflicts and in some worse cases even bloodshed. If we try to realize the values of other traditions and respect them, we can certainly contain these conflicts and unfortunate events. All religions, in spite of differing philosophies, have the potential to relay deep inner values. All religions carry the message of love, compassion, sense of brotherhood, sisterhood and tolerance. Therefore if a follower of any religion truly and sincerely practices and implements even some of the basic tenets and gain some spiritual experience, it greatly helps the person to understand the value and respect of other religious traditions. As there is a variety of mental dispositions among humans and different kinds of physical objects to satisfy a variety of needs, one religious tradition cannot satisfy the spiritual needs of human beings. It is therefore necessary to have a variety of religious traditions.

Judging from this level, there is a way to develop a genuine spiritual harmony within the different religious traditions. I always try to promote this viewpoint. Whenever I visit predominantly Christian countries like the United States, I always tell people that it is better to keep your own Christian traditions rather than follow Buddhism and particularly Tibetan Buddhism. In some individual cases, when a person has lost interest in his traditional values, it is then perhaps better to follow some other religious tradition than remain a radical atheist. Well if someone feels comfortable in remaining a radical atheist, it is a matter of individual right. It is fine too. No problems. Promotion of harmony among different religious traditions is one of my efforts.

As a Tibetan and as the Dalai Lama, I have a traditional responsibility to Tibet and the Tibetan people. Today, the Tibetans, and particularly the Tibetans inside Tibet have immense trust on me and I have a great moral responsibility to them. I am trying to help them in whatever way I can. I am a Buddhist monk. My main concern is preservation of Tibetan Buddhist culture and Buddhist spirituality, which I see, has a great potentiality to bring happiness, not only to the six million Tibetans, but several millions of people in that part of the world. That means the whole of modern India, modern Nepal, Bhutan, Inner and Outer Mongolia and some republics in the Russian Federation, and most importantly of all, to millions of young Chinese. Tibetan Buddhism can certainly help them to achieve inner peace in a meaningful way. At this very moment you can see people simply lost in their principles and only think of money. As a result a lot of unhealthy things

happen. I therefore feel that preservation of Tibetan Buddhist culture and spirituality is in the greater interest of people.

Then talking about the ecological problems facing Tibet. Major rivers covering the whole of that big continent – from Pakistan to India, China, Bangladesh and former Indo-China – they originate from Tibet. When dramatic ecological changes take place inside Tibet it will affect a large area in the region. The best way to solve this problem is to save the Tibetan Buddhist culture and Buddhist spirituality by way of dialogue with the Chinese government.

Therefore, I am making every effort to open a dialogue with the Chinese government on the basis of the middle way approach. I am not seeking independence, but simply trying to achieve a meaningful autonomy. That is my main effort.

This is not about my own future or my own privilege. Six years ago, in 1992, I made it politically clear that as soon as the Chinese return with an offer of a certain degree of freedom to the Tibetan people, I will hand over all my legitimate authority to the government. And that government should be an elected one. I will then no longer be the head of the Tibetan government. I will truly be a simple Buddhist monk. That is my ambition. I want to spend the rest of my life on meditation and things like that. That is about Tibet.

I am encouraged and inspired by people like you. Many young students in the United States, especially, have really been a great source of inspiration and encouragement in our struggle. I want to take this opportunity to express my deep appreciation. Thank you very much.”