



STATE OF WISCONSIN Assembly Journal

Ninety-Sixth Regular Session

WEDNESDAY, December 17, 2003

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

AMENDMENTS OFFERED

Assembly substitute amendment 2 to **Assembly Bill 153** offered by Representative Musser.

Assembly amendment 1 to Assembly substitute amendment 2 to **Assembly Bill 153** offered by Representative Musser.

Assembly amendment 1 to **Assembly Bill 589** offered by Representative Zepnick.

Assembly amendment 1 to **Assembly Bill 615** offered by Representative Musser.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 704

Relating to: extending tax credit carry-over provisions for income tax and franchise tax purposes.

By Representatives Wieckert, Schooff, F. Lasee, Olsen, Ott, Townsend, Hines, Owens, Jeskewitz, Bies, Weber, Gielow and Lothian; cosponsored by Senators Reynolds, Lassa, Roessler and Stepp.

To committee on **Ways and Means**.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

December 16, 2003

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>
Assembly Bill 656	107	December 16, 2003
Assembly Bill 657	108	December 16, 2003

Respectfully submitted,
JAMES DOYLE
Governor

COMMUNICATIONS

State of Wisconsin
Office of the Secretary of State
Madison

To Whom It May Concern:

Acts, Joint Resolutions and Resolutions deposited in this office have been numbered and published as follows:

<u>Bill Number</u>	<u>Act Number</u>	<u>Publication Date</u>
Assembly Bill 165	103	December 29, 2003
Assembly Bill 71	104	December 29, 2003
Assembly Bill 548	105	December 30, 2003
Assembly Bill 187	106	December 30, 2003
Assembly Bill 656	107	December 26, 2003
Assembly Bill 657	108	December 26, 2003

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

GOVERNOR'S VETO MESSAGE

December 17, 2003

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 255** in its entirety. This bill repeals the specific exception to the immunity provision related to litigation involving failure of local governments to repair highways.

I am vetoing this bill because I object to preventing citizens from receiving reimbursement from local governments for damages incurred because those governments failed to repair roads on a timely basis. While the bill retains the immunity exception for failure to remove ice and snow from highways on a timely basis, the sponsors provide no rationale for why immunity should be extended to

the failure to make road repairs. Drivers should be able to expect that roads will be kept in good repair and that local governments will pay them damages when they fail to make repairs on a timely basis. The existing statutory cap of \$50,000 provides a reasonable limit for such damages, and serves as an important incentive to local governments for maintaining the safety of our roads.

Respectfully submitted,
JAMES DOYLE
Governor

December 17, 2003

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 267** in its entirety. I am committed to implementing by the end of the year the most aggressive regulatory reform effort in the Midwest – regulatory reform that makes the system work faster and more efficiently without compromising critical public safety or environmental protections.

Unfortunately, Assembly Bill 267 will accomplish neither goal. This legislation will slow down the administrative rule process and provides broad immunity for criminal and civil violations of public safety and environmental laws. Assembly Bill 267 contains provisions that simply go too far and jeopardize the public health and safety, and our natural resources.

I support regulatory reform for all businesses in our state – small and large. We need to speed up the permit review processes, reduce duplication, and provide the public and the regulated community with more consistency and clear decisions. I support several of the concepts incorporated in this legislation, including efforts to encourage more active participation in the administrative rulemaking process by both small businesses and the public and to help small businesses voluntarily address and correct possible violations of public safety regulations.

However, this legislation creates a broad loophole to prevent prosecution for both civil and criminal violations. Assembly Bill 267 provides immunity for criminal and civil violations if the violation is self-reported within 45 days of its discovery, and provides no concrete timeframe for correcting the violation. This loophole is substantially broader than that in legislation I vetoed earlier this month and would likely eliminate our ability to effectively enforce child labor, public safety, and environmental laws.

This proposal also creates a powerful new, non-elected Small Business Regulatory Review Board. The Board's wide-ranging mandate will result in longer administrative

rulemaking processes, and gives the Board broad powers to delay administrative rulemaking proposals. And finally, at the same time we are committed to reducing the size of the state work force, this proposal imposes large and potentially costly additional workloads on agencies undergoing staff and budget cuts.

My administration is committed to working with the legislature to develop compromise legislation that will maintain critical public safety standards, encourage voluntary compliance for small businesses and speed up the regulatory process. I am encouraged that the legislature has worked with my administration to correct many of Assembly Bill 267 flaws in companion legislation, Senate Bill 100, which is still in the state Senate. I encourage the legislature to continue its efforts to pass that bill as appropriately amended.

Respectfully submitted,
JAMES DOYLE
Governor

REFERRAL OF AGENCY REPORTS

State of Wisconsin
University of Wisconsin System
Madison

December 12, 2003

To the Honorable, the Legislature:

The 1999-2001 State of Wisconsin Biennial Budget, [1999 Wisconsin Act 9](#), included a provision to change the University of Wisconsin System's appropriation for tuition and fee revenues (Academic Student Fees, Fund 131) from an annual, sum certain appropriation to a continuing appropriation.

Wisconsin Act 9 required the Board of Regents to report annually, beginning on December 15, 2000, the amount by which actual expenditures in the previous fiscal year, in this case 2002-2003, exceeded the amount in the schedule for that appropriation in the previous fiscal year. That report, including the purposes for which the additional revenues were spent and the amount spent for each purpose, is attached. The Board of Regents approved this report for submission at its December 5, 2003 meeting.

Please contact Freda Harris at (608) 262-6423, if you have any questions related to this report.

Sincerely,
DEBORAH A. DURCAN
Vice President of Finance

Referred to committee on **Colleges and Universities**.