



JIM DOYLE
GOVERNOR
STATE OF WISCONSIN

November 13, 2009

TO THE HONORABLE MEMBERS OF THE ASSEMBLY:

I am vetoing AB 138 in its entirety. This bill would require the Secretary of the Department of Natural Resources to be nominated by the Natural Resources Board, and with the advice and consent of the Senate, appointed for a four-year term.

The appointment of the Secretary of the Department of Natural Resources has long been debated in Wisconsin, with impassioned supporters on both sides. However, I believe the people and natural resources of our state are best served with a Secretary appointed by the Governor. Our impressive environmental record shows this to be the case.

With the strong backing of the Governor, we have taken significant steps to improve our environment. Among our many accomplishments are:

- **RENEWABLE PORTFOLIO STANDARDS:** We were one of the first states in the nation to establish renewable portfolio standards, setting energy policies that create jobs, clean our air and water and save us money.
- **CHARTER STREET:** We converted the largest coal burning power plant in state government into a 100% biomass and natural gas plant, reducing our reliance on fossil fuels and creating markets for agriculture and forest products.
- **REGULATORY REFORM:** We eliminated the backlog in air permits while maintaining the highest environmental standards. Air permits that used to take as long as two or three years are now issued, on average, in 50 days, with water permits issued in 45 days. Many of the permits allow existing companies to install new technologies to reduce pollution, a benefit to the environment and public health.
- **LAND CONSERVATION:** We fought for the reauthorization and expansion of the Stewardship program to preserve valuable natural areas and wildlife habitat, protect water quality and expand opportunities for outdoor recreation. Since 2003, we have protected nearly 250,000 acres of land.
- **IMPROVED AIR QUALITY:** We improved Wisconsin's air quality by reducing mercury emissions by 90 percent and implementing a series of air quality rules, protecting public health and the environment.
- **INCREASED ENFORCEMENTS:** In my time as Governor, DNR has averaged more notices of violation and more referrals to the Department of Justice for environmental violations than the previous nine years.

- **GROUNDWATER PROTECTIONS:** As Governor, I called for, and signed into law, a bill that ensures communities will have access to the clean water for their citizens and for future generations.
- **GREAT LAKES PROTECTION:** We made history with the passage of the Great Lakes Compact, ensuring the protection of the world's largest fresh water basin for generations to come.
- **WATER QUALITY:** We made it a priority to clean up PCBs and polluted sediment in our water. Projects like the Kinnickinnic River clean-up in Milwaukee and the St. Louis River in Superior and Duluth are now complete. And after years of lawsuits, major dredging finally began on the Lower Fox River, the largest river clean-up in U.S. history.
- **INVASIVE SPECIES:** In my budgets, we have tripled funding to fight aquatic invasive species and launched a program to help communities and organizations stop their spread.
- **CARP BARRIER:** We have worked with other Midwest Governors and the federal government to construct a barrier to keep Asian Carp out of Lake Michigan, providing more than \$67,000 in DNR resources.
- **SUSTAINABLE FORESTRY MANAGEMENT:** For the first time, we have developed Biomass Harvest Guidelines to ensure our forests are managed sustainably, allowing harvesting for our paper industry and emerging bio-fuels while maintaining our forests for future generations.
- **FOREST CERTIFICATION:** We made forest certification an important part of my Grow Wisconsin initiative. Now all Wisconsin state and county forest land has been third-party certified as sustainable, providing a competitive edge in this green industry and assuring citizens that our forest resources will be available in the future.

A board appointed Secretary could not have achieved these and other important environmental measures alone. A Secretary alone could not have brought together Governors from eight states to pass the Great Lakes Compact. A Secretary alone could not have prioritized and expanded Stewardship funds during tough budget times. A Secretary alone could not have moved forward major air quality measures. But working with a direct line to the Governor, major environmental progress is possible.

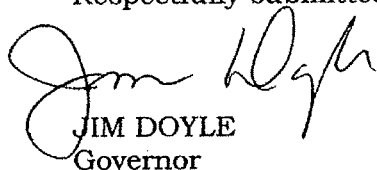
The DNR Secretary is also an integral part of a Governor's Cabinet, playing a regular and key role in interagency projects. The DNR sits on the Governor's BioCabinet, developing new policies to grow green jobs in Wisconsin and practices to conserve energy. In June 2008, the DNR worked closely with the Department of Transportation to respond to massive flooding, working with DOT to quickly restore Lake Delton after the lake was drained due to historic floods. The Cabinet, and state government, is able to do more with the DNR at the table.

Finally, a Secretary appointed by the Governor ensures a direct line of accountability for citizens concerned about the natural resources policy of the State of Wisconsin. All Cabinet agencies provide critical functions, yet no one suggests the Secretaries of Revenue or Health Services should not be accountable to the Governor and the people of the state. While sound science, data and citizen input will always be the guiding forces of decision making at the DNR, voters choose a Governor because they agree with the vision he or she has for the entire state – including protecting natural resources.

Over the past 50 years, the scope of the department's authority to protect natural resources has grown dramatically. With this comes great responsibility to exercise power wisely. When the department is part of the Governor's Administration, the Governor is directly responsible for decisions made by the department.

When I ran for office I pledged to be a strong defender of the environment, to reform our regulatory process, to work to remove mercury from our air, to expand the Stewardship program, to increase the use of biofuels and move towards energy independence. I believe we were able to accomplish these and other major environmental efforts because a Governor was working closely with a Governor-appointed DNR Secretary.

Respectfully submitted,



JIM DOYLE
Governor

State of Wisconsin



2009 Assembly Bill 138

Date of enactment:
Date of publication*:

2009 WISCONSIN ACT

AN ACT to amend 15.05 (1) (c), 15.34 (2) (a) and 17.20 (1) of the statutes; relating to: the appointment and term of service of the secretary of natural resources and vacancies on the Natural Resources Board.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 15.05 (1) (c) of the statutes is amended to read:

15.05 (1) (c) The secretary of natural resources shall be nominated by the ~~governor~~ natural resources board, and with the advice and consent of the senate appointed, ~~to serve at the pleasure of the governor for a 4-year term.~~

SECTION 2. 15.34 (2) (a) of the statutes is amended to read:

15.34 (2) (a) The natural resources board shall consist of 7 members appointed for staggered 6-year terms. Upon the expiration of the term of a member nominated after January 2, 2011, the position that was held by the member is vacant.

SECTION 3. 17.20 (1) of the statutes is amended to read:

17.20 (1) GENERAL. Vacancies in appointive state offices shall be filled by appointment by the appointing power and in the manner prescribed by law for making regular full term appointments thereto, and appointees to fill vacancies therein shall hold office for the residue of the unexpired term or, if no definite term of office is fixed by law, until their successors are appointed and qualify, except that an appointee to fill a vacancy in the office of secretary of natural resources is appointed to a full 4-year term beginning on the date of appointment and qualification.

SECTION 4. Nonstatutory provisions.

(1) The secretary of natural resources serving on the effective date of this subsection shall serve a 4-year term beginning on the date on which the secretary was appointed by the governor.

* Section 991.11, WISCONSIN STATUTES 2007-08 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].