



STATE OF WISCONSIN

Assembly Journal

One-Hundred and Sixth Regular Session

FRIDAY, August 4, 2023

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

AMENDMENTS OFFERED

Assembly Amendment 1 to **Assembly Bill 272** offered by Representative Summerfield.

Assembly Amendment 2 to **Assembly Bill 272** offered by Representative Summerfield.

Assembly Amendment 1 to **Assembly Bill 364** offered by Representative Nedweski.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 373

Relating to: use of social media platforms by minors, granting rule-making authority, and providing a penalty.

By Representatives Steffen, Armstrong, Gundrum, Maxey, Murphy, Rozar, Schmidt, Stubbs, Tittl, Tusler and Wichgers; cosponsored by Senators Cowles and Cabral-Guevara.

To committee on **Consumer Protection**.

Assembly Bill 374

Relating to: selling and fitting over-the-counter hearing aids.

By Representatives Stubbs, Sortwell, Baldeh, Moore Omokunde, Dittrich, Palmeri, Bodden, Goeben, Andraca, Subeck, Gustafson, Mursau, Myers, Jacobson, Ohnstad, Ortiz-Velez, Shankland, Snodgrass, Vining and Joers; cosponsored by Senators Cabral-Guevara, Carpenter, Felzkowski, Spreitzer and Taylor.

To committee on **Regulatory Licensing Reform**.

Assembly Bill 375

Relating to: Wisconsin and Minnesota income tax reciprocity.

By Representatives Zimmerman, Petryk, Green, Magnafici, O'Connor and Wittke; cosponsored by Senators Stafsholt, Ballweg, Bradley and Quinn.

To committee on **Ways and Means**.

CHIEF CLERK REPORTS

The Chief Clerk records:

Assembly Bill 47
Assembly Bill 131

Assembly Bill 141
Assembly Bill 142
Assembly Bill 147
Assembly Bill 149
Assembly Bill 150
Assembly Bill 151
Assembly Bill 152
Assembly Bill 200
Assembly Bill 201
Assembly Bill 203
Assembly Bill 233

Presented to the Governor on Wednesday, August 2.

EDWARD A. BLAZEL
Assembly Chief Clerk

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

August 4, 2023

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 233	26.....	August 4, 2023
Assembly Bill 47	31.....	August 4, 2023
Assembly Bill 131	32.....	August 4, 2023
Assembly Bill 203	33.....	August 4, 2023

Respectfully submitted,
TONY EVERS
Governor

Pursuant to s. 35.095 (1)(b), Wisconsin Statutes, the following 2023 Acts have been published:

<u>Act Number</u>	<u>Bill Number</u>	<u>Publication Date</u>
Wisconsin Act 26	Assembly Bill 233.....	August 5, 2023
Wisconsin Act 31	Assembly Bill 47.....	August 5, 2023
Wisconsin Act 32	Assembly Bill 131.....	August 5, 2023
Wisconsin Act 33	Assembly Bill 203.....	August 5, 2023

GOVERNOR'S VETO MESSAGE

August 4, 2023

To the Honorable Members of the Assembly:

The following bills, originating in the Assembly, have been vetoed in their entirety, and were returned to their house of origin, together with the objections in writing:

<u>Bill Number</u>	<u>Date of Veto</u>
Assembly Bill 141	August 4, 2023
Assembly Bill 142	August 4, 2023
Assembly Bill 147	August 4, 2023
Assembly Bill 149	August 4, 2023
Assembly Bill 150	August 4, 2023
Assembly Bill 151	August 4, 2023
Assembly Bill 152	August 4, 2023
Assembly Bill 200	August 4, 2023
Assembly Bill 201	August 4, 2023

I am vetoing Assembly Bill 141 in its entirety.

This bill would prohibit state agencies and local units of government from restricting the use or sale of a device based on the energy source that is used to power the device or that is consumed by the device.

I am vetoing this bill in its entirety because I object to the Legislature permanently preventing state agencies and local units of government from taking certain steps to limit certain types of devices based on energy source.

As innovative clean energy technologies and industries continue to improve, evolve, and become more competitive, cost efficient, and accessible, we should be working to make it easier, not harder, for our state to meet the needs of a 21st-century infrastructure, workforce, and economy. This bill ignores that basic reality. Signing this bill would not only jeopardize our state's and our communities' ability to meet current and future consumer needs and demands but would also diminish our collective ability to help combat climate change by moving toward new, innovative industries and technology.

Further, I also object to the Legislature's continued efforts to preempt local control and undermine trust in local governments across our state. The state should be a partner in – not an obstacle to – addressing the unique challenges facing our local communities.

I am vetoing Assembly Bill 142 in its entirety.

This bill would prohibit state agencies and local units of government from restricting the use or sale of motor vehicles based on the energy source used to power the motor vehicle, including use for propulsion or use for powering other functions of the motor vehicle.

I am vetoing this bill in its entirety because I object to the Legislature permanently preventing state agencies and local units of government from taking certain steps to limit certain types of devices based on energy source.

As innovative clean energy technologies and industries continue to improve, evolve, and become more competitive,

cost efficient, and accessible, we should be working to make it easier, not harder, for our state to meet the needs of a 21st-century infrastructure, workforce, and economy. This bill ignores that basic reality. Signing this bill would not only jeopardize our state's and our communities' ability to meet current and future consumer needs and demands but would also diminish our collective ability to help combat climate change by moving toward new, innovative industries and technology.

Further, I also object to the Legislature's continued efforts to preempt local control and undermine trust in local governments across our state. The state should be a partner in – not an obstacle to – addressing the unique challenges facing our local communities.

I am vetoing Assembly Bill 147 in its entirety.

This bill would make several modifications to the unemployment insurance laws and to worker's compensation relating to temporary disability. The bill would also provide that whenever unemployment benefits are augmented by congressional action or by executive action of the President of the United States, such augmentations must be approved by the Joint Committee on Finance.

'Reforms' to change or restrict economic assistance programs that are definitionally designed to support individuals and families experiencing economic hardship are not a silver-bullet solution to our state's workforce challenges. Indeed, if they were, then presumably the broad, sweeping changes passed by Republicans in this Legislature – many of whom are still serving – and enacted under my predecessor years ago now would have yielded substantial or material workforce benefits. And yet, our state's workforce challenges persist.

I continue to be perplexed by the Legislature's misplaced emphasis on changing and restricting economic assistance programs while offering no other comprehensive solutions or plans to meaningfully address our state's workforce challenges. Especially concerning is that, rather than supporting and passing the solutions and plans I have offered to comprehensively address our state's workforce challenges even in the absence of any plans of their own, the Legislature's apparent focus remains re-passing bills I have previously vetoed.

The people of Wisconsin expect their legislators to prioritize pressing issues facing our state and to work together to find real, impactful solutions to address those issues. The workforce challenges that have long plagued our state – challenges I believe will be imminently exacerbated by the looming fiscal cliff facing our state's child care industry – deserve the Legislature's immediate attention and urgent effort. The continued failure to address these challenges head-on will be catastrophic for our state's workforce, our communities, and our economy.

My commitment to the people of Wisconsin remains – I will always try to do the right thing, and I am committed to working with any legislator on either side of the aisle who shares my concerns and is ready to work together on

substantive legislation to comprehensively address our state's workforce challenges.

Therefore, I am vetoing this bill in its entirety because I object to creating additional barriers for individuals applying for and receiving benefits from a program that is designed to support people and families experiencing economic hardship. I also object to the Legislature's unnecessary interference in future unemployment benefit augmentations. As I noted to the Legislature when vetoing this bill previously, the people of Wisconsin have regularly experienced the consequences of the Legislature's – and, more specifically, the Joint Finance Committee's – refusal and failure to act expeditiously despite urgent and significant need. As just one example, the Legislature's needless delays in 2020 during the coronavirus pandemic caused the state to lose out on approximately \$25 million in federal funding to support additional economic assistance for Wisconsinites. By way of further example, if this bill had previously been enacted during the coronavirus as the state was implementing the Federal Pandemic Unemployment Compensation program, the two-week period necessary to accommodate the Joint Finance Committee's passive review period alone would have resulted in an estimated more than \$360 million in lost funds. The people of Wisconsin simply cannot afford the Legislature's unnecessary, costly, and detrimental delays when they are facing economic uncertainty and our state is in the midst of an economic crisis.

Further, I object to this bill because the department already has substantial eligibility requirements and fraud prevention mechanisms in place to protect the unemployment system from potentially fraudulent activity. Since this bill would drastically alter the definition of misconduct in the statutes, there is risk that future unemployment insurance federal administration funds would be endangered, creating significant harm to the unemployment insurance system.

Finally, as I have indicated to this Legislature on previous occasions, modifications proposed to the state's unemployment insurance law should be considered as part of the long-established process of review and recommendation by the Unemployment Insurance Advisory Council, or in consultation with the council and the department. The process is intended to ensure that proposed modifications reflect the expertise and agreement of employers, workers and the department.

I am vetoing Assembly Bill 149 in its entirety.

This bill would make various changes under unemployment insurance law related to an individual's availability for work and work search requirements.

'Reforms' to change or restrict economic assistance programs that are definitionally designed to support individuals and families experiencing economic hardship are not a silver-bullet solution to our state's workforce challenges. Indeed, if they were, then presumably the broad, sweeping changes passed by Republicans in this Legislature – many of whom are still serving – and enacted under my predecessor years ago now would have yielded substantial or

material workforce benefits. And yet, our state's workforce challenges persist.

I continue to be perplexed by the Legislature's misplaced emphasis on changing and restricting economic assistance programs while offering no other comprehensive solutions or plans to meaningfully address our state's workforce challenges. Especially concerning is that, rather than supporting and passing the solutions and plans I have offered to comprehensively address our state's workforce challenges even in the absence of any plans of their own, the Legislature's apparent focus remains re-passing bills I have previously vetoed.

The people of Wisconsin expect their legislators to prioritize pressing issues facing our state and to work together to find real, impactful solutions to address those issues. The workforce challenges that have long plagued our state – challenges I believe will be imminently exacerbated by the looming fiscal cliff facing our state's child care industry – deserve the Legislature's immediate attention and urgent effort. The continued failure to address these challenges head-on will be catastrophic for our state's workforce, our communities, and our economy.

My commitment to the people of Wisconsin remains – I will always try to do the right thing, and I am committed to working with any legislator on either side of the aisle who shares my concerns and is ready to work together on substantive legislation to comprehensively address our state's workforce challenges.

Therefore, I am vetoing this bill in its entirety because I object to creating additional barriers for individuals applying for and receiving unemployment insurance benefits, which is designed to provide critical support during economic hardships. State law already has several protections in place to prevent the fraudulent activity this bill purports to address, which makes this bill unnecessary and duplicative. Current law states that claimants must be able and available for work, actively look for work, and provide documentation for completing work search actions on a weekly basis. Claimants also must report weekly whether they have refused job offers or job referrals. Failure to meet or comply with these existing requirements may result in an individual losing benefits, rectifying overpayments, or being assessed penalties. Further, the required investigation and enforcement of the new provisions under the bill would create additional workload for the department, and the legislation does not provide any additional resources associated with these additional responsibilities.

Finally, as I have indicated to this Legislature on previous occasions, modifications proposed to the state's unemployment insurance law should be considered as part of the long-established process of review and recommendation by the Unemployment Insurance Advisory Council, or in consultation with the council and the department. The process is intended to ensure that proposed modifications reflect the expertise and agreement of employers, workers and the department.

I am vetoing Assembly Bill 150 in its entirety.

This bill would make several changes to the unemployment insurance program, including: (a) changing the name of the program to "reemployment assistance," (b) creating additional work searches requirements for claimants after three weeks of benefit eligibility, (c) requiring the Department of Workforce Development to provide a list of at least four potential work opportunities each week for every claimant, (d) requiring a claimant to participate in employment workshops or training programs if the claimant is at risk of fully exhausting all unemployment benefits, (e) requiring the department to immediately promulgate administrative rules for drug testing claimants in certain occupations, and (f) requiring the department to continue participating in the federal Reemployment Services and Eligibility Assessment program.

'Reforms' to change or restrict economic assistance programs that are definitionally designed to support individuals and families experiencing economic hardship are not a silver-bullet solution to our state's workforce challenges. Indeed, if they were, then presumably the broad, sweeping changes passed by Republicans in this Legislature – many of whom are still serving – and enacted under my predecessor years ago now would have yielded substantial or material workforce benefits. And yet, our state's workforce challenges persist.

I continue to be perplexed by the Legislature's misplaced emphasis on changing and restricting economic assistance programs while offering no other comprehensive solutions or plans to meaningfully address our state's workforce challenges. Especially concerning is that, rather than supporting and passing the solutions and plans I have offered to comprehensively address our state's workforce challenges even in the absence of any plans of their own, the Legislature's apparent focus remains re-passing bills I have previously vetoed.

The people of Wisconsin expect their legislators to prioritize pressing issues facing our state and to work together to find real, impactful solutions to address those issues. The workforce challenges that have long plagued our state – challenges I believe will be imminently exacerbated by the looming fiscal cliff facing our state's child care industry – deserve the Legislature's immediate attention and urgent effort. The continued failure to address these challenges head-on will be catastrophic for our state's workforce, our communities, and our economy.

My commitment to the people of Wisconsin remains – I will always try to do the right thing, and I am committed to working with any legislator on either side of the aisle who shares my concerns and is ready to work together on substantive legislation to comprehensively address our state's workforce challenges.

Therefore, I am vetoing this bill in its entirety because the department already performs many of the same functions this bill requires, such as assisting employers in finding available workers, or providing claimants with job services, training and employment assistance. In addition, the department

already participates in and administers the Reemployment Services and Eligibility Assessment program, assisting claimants with conducting work searches, employment counseling and career exploration, and referrals to job training programs. Further, I object to creating additional barriers for individuals and families applying to receive economic assistance when they are facing significant economic hardship.

Finally, as I have indicated to this Legislature on previous occasions, modifications proposed to the state's unemployment insurance law should be considered as part of the long-established process of review and recommendation by the Unemployment Insurance Advisory Council, or in consultation with the council and the department. The process is intended to ensure that proposed modifications reflect the expertise and agreement of employers, workers and the department.

I am vetoing Assembly Bill 151 in its entirety.

This bill would require state agencies and authorities that coordinate, oversee or operate workforce development programs to track and report the performance of each such program using performance indicators similar to those used in federal Workforce Innovation and Opportunity Act (WIOA) reporting. This bill specifies that the following programs would fall under the definition of a workforce development program: (a) Transform Milwaukee Jobs and Transitional Jobs programs, (b) initiatives offered by the Department of Corrections that reintegrate offenders, (c) employment and training programs administered by the Department of Children and Families, and (d) the Wisconsin Works program administered by the Department of Children and Families.

'Reforms' to change or restrict economic assistance programs that are definitionally designed to support individuals and families experiencing economic hardship are not a silver-bullet solution to our state's workforce challenges. Indeed, if they were, then presumably the broad, sweeping changes passed by Republicans in this Legislature – many of whom are still serving – and enacted under my predecessor years ago now would have yielded substantial or material workforce benefits. And yet, our state's workforce challenges persist.

I continue to be perplexed by the Legislature's misplaced emphasis on changing and restricting economic assistance programs while offering no other comprehensive solutions or plans to meaningfully address our state's workforce challenges. Especially concerning is that, rather than supporting and passing the solutions and plans I have offered to comprehensively address our state's workforce challenges even in the absence of any plans of their own, the Legislature's apparent focus remains re-passing bills I have previously vetoed.

The people of Wisconsin expect their legislators to prioritize pressing issues facing our state and to work together to find real, impactful solutions to address those issues. The workforce challenges that have long plagued our state – challenges I believe will be imminently exacerbated by the

looming fiscal cliff facing our state's child care industry – deserve the Legislature's immediate attention and urgent effort. The continued failure to address these challenges head-on will be catastrophic for our state's workforce, our communities, and our economy.

My commitment to the people of Wisconsin remains – I will always try to do the right thing, and I am committed to working with any legislator on either side of the aisle who shares my concerns and is ready to work together on substantive legislation to comprehensively address our state's workforce challenges.

Therefore, I am vetoing this bill in its entirety because I object to the duplicative, unnecessary and burdensome provisions created in this bill. The Department of Workforce Development, in coordination with its various workforce partners, already works to enhance program alignment across agencies and streamline workforce-related reporting required under federal law. Further, many of the state's workforce development programs do not fit within the current reporting structure under WIOA and have separate requirements under current state law.

I am vetoing Assembly Bill 152 in its entirety.

This bill would make several modifications to the unemployment insurance laws, including changes related to identify verification processes, training for employers and claimants, and call center operations.

'Reforms' to change or restrict economic assistance programs that are definitionally designed to support individuals and families experiencing economic hardship are not a silver-bullet solution to our state's workforce challenges. Indeed, if they were, then presumably the broad, sweeping changes passed by Republicans in this Legislature – many of whom are still serving – and enacted under my predecessor years ago now would have yielded substantial or material workforce benefits. And yet, our state's workforce challenges persist.

I continue to be perplexed by the Legislature's misplaced emphasis on changing and restricting economic assistance programs while offering no other comprehensive solutions or plans to meaningfully address our state's workforce challenges. Especially concerning is that, rather than supporting and passing the solutions and plans I have offered to comprehensively address our state's workforce challenges even in the absence of any plans of their own, the Legislature's apparent focus remains re-passing bills I have previously vetoed.

The people of Wisconsin expect their legislators to prioritize pressing issues facing our state and to work together to find real, impactful solutions to address those issues. The workforce challenges that have long plagued our state – challenges I believe will be imminently exacerbated by the looming fiscal cliff facing our state's child care industry – deserve the Legislature's immediate attention and urgent effort. The continued failure to address these challenges head-on will be catastrophic for our state's workforce, our communities, and our economy.

My commitment to the people of Wisconsin remains – I will always try to do the right thing, and I am committed to working with any legislator on either side of the aisle who shares my concerns and is ready to work together on substantive legislation to comprehensively address our state's workforce challenges.

Therefore, I am vetoing this bill in its entirety because I object to creating additional barriers for individuals applying for and receiving unemployment insurance benefits, which is designed to provide critical support during times of economic hardship. The department currently engages in robust fraud prevention and detection efforts (including identity proofing), and codifying identity proofing measures for unemployment insurance is both restrictive and redundant to the agency and burdensome on claimants. In addition, the department already provides training and information not only for employers, but individuals seeking assistance claiming unemployment benefits, making the training and informational material sections of the bill duplicative as well. Further, the provisions under the bill would create additional workload for the department, and the legislation does not provide any additional resources associated with these additional responsibilities.

Moreover, the department is currently building a modernized unemployment insurance system, which includes a modern web-based call delivery system that allows agents increased flexibility in answering calls.

Finally, modifications proposed to the state's unemployment insurance law should be considered as part of the long-established process of review and recommendation by the Unemployment Insurance Advisory Council, or in consultation with the council and the department. The process is intended to ensure that proposed modifications reflect the expertise and agreement of employers, workers and the department.

I am vetoing Assembly Bill 200 in its entirety.

This bill would require the Department of Safety and Professional Services to report on various statistics related to the issuance of occupational credentials in its biennial report to the Legislature. Statistics included in the biennial report under the bill would include: (a) the number of applications the department or any credentialing board receives for initial, renewal, and reciprocal credentials, and the total number of those issued; (b) the lowest, highest, and median number of days from the date a credential application is initiated to the date a determination is made; (c) the median number of contacts made to and received from an applicant for an initial, renewal, or reciprocal credential before a final determination is issued; (d) the number of applications for initial, renewal, and reciprocal credentials for which the department or a credentialing board requested more information; and (e) the number of applications for initial, renewal, and reciprocal credentials that required the department or a credentialing board to review an arrest, conviction, or other offense record. The bill requires the department to report this information in total and separately for each profession.

I am vetoing this bill in its entirety for several reasons. I object to the Legislature requiring the department to provide arbitrary metrics that not only would not offer meaningful information to applicants but would divert critical resources away from the department's critical goal of processing applications efficiently and effectively. More specifically, I object to the Legislature mandating additional reporting requirements without providing the necessary resources for implementation, most especially given that the Legislature is acutely aware of urgent resource needs at the department but nevertheless refused to fulfill my request for additional staffing and resources to meet the department's current workload. The failure to do so has once again ensured that existing, pressing needs at the department will go unmet. The preparation and continual updating of the metrics on the department's website would divert valuable staff time away from the actual evaluation and processing of applications. The bill would not only not speed up the licensure process but would actually cause processing delays by placing unnecessary burdens on the department. Without providing the necessary, additional resources to implement the requirements of the bill, I cannot support it.

I am vetoing Assembly Bill 201 in its entirety.

This bill would require the Department of Safety and Professional Services to post and update specific information on its website for each license, permit, or certificate that it issues every month. The department would have to post and update the following credential metrics, for each credential and collectively: (a) the median number of days from the day that all required application fees for an initial, renewal, or reciprocal credential application are submitted to the date a final determination is made; (b) the number of initial, renewal, or reciprocal credential applications submitted over the prior month; (c) the number of final determinations made on initial, renewal, and reciprocal credential applications over the prior month; and (d) the number of initial, renewal, and credential applications for which more than 45 days have passed since the applicant submitted all required fees or, if a fee is waived, since the application was submitted. In addition, the department would be required to report the number of applications undergoing legal review and where necessary information to complete the review from the applicant or a third party is pending.

I am vetoing this bill in its entirety for several reasons. I object to the Legislature requiring the department to provide arbitrary metrics that not only would not offer meaningful information to applicants but would divert critical resources away from the department's critical goal of processing applications efficiently and effectively. More specifically, I object to the Legislature mandating additional reporting requirements without providing the necessary resources for implementation, most especially given that the Legislature is acutely aware of urgent resource needs at the department but nevertheless refused to fulfill my request for additional staffing and resources to meet the department's current workload. The failure to do so has once again ensured that existing, pressing needs at the department will go unmet. The preparation and continual updating of the metrics on the department's website would divert valuable staff time away from the actual evaluation and processing of applications. The bill would not only *not* speed up the licensure process but would actually cause processing delays by placing unnecessary burdens on the department. Without providing the necessary, additional resources to implement the requirements of the bill, I cannot support it.

Respectfully submitted,
TONY EVERS
 Governor

COMMUNICATIONS

August 2, 2023

Edward A. Blazel
 Assembly Chief Clerk
 17 West Main Street, Suite 401
 Madison, WI 53703

Dear Chief Clerk Blazel:

Please add my name as a coauthor of Assembly Bill 232, relating to directing school boards to provide instruction on Hmong Americans and Asian Americans.

Sincerely,
TOD OHNSTAD
 State Representative
 65th Assembly District