



Executive Vetoes of Bills Passed by the 2019 Legislature Excluding the Executive Budget Act



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INTRODUCTION

This report contains the veto messages of Governor Tony Evers affecting all legislation, except the executive budget act, 2019 Wisconsin Act 9, as passed by the 2019 Wisconsin Legislature. See *LRB Reports*, volume 3, number 7, for the partial vetoes of 2019 Wisconsin Act 9.

Status of Legislation

During the 2019 regular legislative session, there were 1,969 bills introduced, of which 186 were enacted into law, 20 were vetoed in full, and 2 were vetoed in part. There were 5 special legislative sessions called in the 2019–20 biennium: the October 2019 special session, the January 2020 special session, the February 2020 special session, and two April 2020 special sessions. The governor introduced 12 special session bills, of which none was enacted.

Report Format

This report provides the following information:

1. The legislative action for each fully or partially vetoed bill, including the vote for final passage in each house and the page number of the loose-leaf journals in each house referring to the vote. “S.J.” stands for Senate Journal; “A.J.” stands for Assembly Journal.
2. The text of the governor’s veto message for each vetoed bill.
3. For partially vetoed bills, the sections of the act in which the veto occurred, with the vetoed material indicated by a distinguishing shading.

HISTORY OF VETO PROCESS

Wisconsin governors have had the constitutional power to veto bills in their entirety since the ratification of the Wisconsin Constitution in 1848. In November 1930, the people of Wisconsin approved a constitutional amendment granting the governor the additional power to veto appropriation bills in part. The new partial veto authority was used immediately beginning with the 1931 session.

Article V, section 10, of the Wisconsin Constitution grants the veto power to the governor. The following is reprinted from the *Annotated Wisconsin Constitution*, published February 18, 2020:

Governor to approve or veto bills; proceedings on veto. SECTION 10. [*As amended Nov. 1908, Nov. 1930, April 1990 and April 2008*]

- (1) (a) Every bill which shall have passed the legislature shall, before it becomes a law, be presented to the governor.
 - (b) If the governor approves and signs the bill, the bill shall become law. Appropriation bills may be approved in whole or in part by the governor, and the part approved shall become law.
 - (c) In approving an appropriation bill in part, the governor may not create a new word by rejecting individual letters in the words of the enrolled bill, and may not create a new sentence by combining parts of 2 or more sentences of the enrolled bill.
- (2) (a) If the governor rejects the bill, the governor shall return the bill, together with the objections in writing, to the house in which the bill originated. The house of origin shall enter the objections at large upon the journal and proceed to reconsider the bill. If, after such

reconsideration, two-thirds of the members present agree to pass the bill notwithstanding the objections of the governor, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present it shall become law.

(b) The rejected part of an appropriation bill, together with the governor's objections in writing, shall be returned to the house in which the bill originated. The house of origin shall enter the objections at large upon the journal and proceed to reconsider the rejected part of the appropriation bill. If, after such reconsideration, two-thirds of the members present agree to approve the rejected part notwithstanding the objections of the governor, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present the rejected part shall become law.

(c) In all such cases the votes of both houses shall be determined by ayes and noes, and the names of the members voting for or against passage of the bill or the rejected part of the bill notwithstanding the objections of the governor shall be entered on the journal of each house respectively.

(3) Any bill not returned by the governor within 6 days (Sundays excepted) after it shall have been presented to the governor shall be law unless the legislature, by final adjournment, prevents the bill's return, in which case it shall not be law. [*1905 J.R. 14, 1907 J.R. 13, 1907 c. 661, vote Nov. 1908; 1927 J.R. 37, 1929 J.R. 43, vote Nov. 1930; 1987 A.J.R. 71, 1989 S.J.R. 11, vote April 1990; 2005 J.R. 46, 2007 J.R. 26, vote April 2008*]

BILLS VETOED IN FULL

Assembly Bill 4: Increasing the maximum deduction under the individual income tax sliding scale standard deduction

On February 12, 2019, the assembly adopted Assembly Amendment 1 to Assembly Bill 4 on a voice vote, A.J. 2/12/19, p. 41, and passed Assembly Bill 4, as amended, by a vote of 61 to 33, paired 2, A.J. 2/12/19, p. 42.

On February 13, 2019, the senate concurred in Assembly Bill 4 by a vote of 19 to 14, S.J. 2/13/19, p. 67.

On February 20, 2019, the governor vetoed Assembly Bill 4, A.J. 2/22/19, p. 49.

TEXT OF GOVERNOR'S VETO MESSAGE

February 20, 2019

To the Honorable Members of the Assembly:

I am vetoing **2019 Assembly Bill 4** in its entirety, and I am returning it to the Assembly.

The bill would make modifications to the standard deduction under the individual income tax starting with tax years beginning after December 31, 2019.

I am vetoing the bill because I object to passing a major fiscal policy item outside of the biennial budget process, which will begin in less than ten days, especially given that this bill would be unsupported going forward as it relies simply on draining the projected opening balance for the upcoming biennium.

Further, I am troubled and disappointed that this major fiscal policy was introduced and passed without bipartisan support and cooperation. The people of the State of Wisconsin expect and deserve for their leaders to work together, and I plan to do my part to ensure that happens. Going forward in the budget process, I remain committed

to working together to balance the many priorities that must be addressed in the upcoming budget, from schools and roads to tax relief and healthcare.

As I have said, I support providing meaningful middle-class tax relief for hardworking Wisconsin individuals and families, and my budget priorities will reflect those intentions. My biennial budget will provide significant tax relief for Wisconsin's middle class in both years of the upcoming biennium, and provide an overall fiscal policy framework to make that relief sustainable into the future, while also making investments in the priorities that the people of Wisconsin share, like providing fair funding for our schools, fixing our roads, and investing in communities across Wisconsin. We can do all these things, if we work together.

Respectfully submitted,
TONY EVERS
Governor

Assembly Bill 26: Direct primary care agreements

On January 21, 2020, the assembly adopted Assembly Amendment 1 to Assembly Bill 26 on a voice vote, A.J. 1/21/20, p. 487, and Assembly Amendment 2 to Assembly Bill 26 by a vote of 61 to 36, A.J. 1/21/20, p. 487, and passed Assembly Bill 26, as amended, by a vote of 61 to 36, A.J. 1/21/20, p. 487.

On February 20, 2020, the senate concurred in Assembly Bill 26 by a vote of 20 to 13, S.J. 2/20/20, p. 720.

On February 28, 2020, the governor vetoed Assembly Bill 26, A.J. 2/28/20, p. 693.

TEXT OF GOVERNOR'S VETO MESSAGE

February 28, 2020

To the Honorable Members of the Assembly:

I am vetoing **2019 Assembly Bill 26** in its entirety.

This bill relates to direct primary care agreements, which is an arrangement where a health care provider agrees to provide primary care services to a patient in exchange for a subscription fee. Under the bill, requirements would be established for a valid direct primary care agreement and valid direct primary care agreements would be exempt

from Wisconsin's insurance laws. Originally, the bill would have prohibited a health care provider, when selecting patients for a direct primary care agreement, from discriminating on the basis of age, citizenship status, color, disability, gender, gender identity, genetic information, health status, existence of a preexisting medical condition, national origin, race, religion, sex,

sexual orientation, or any other protected class. However, many of these protections were removed by an amendment. The current bill provides that a health care provider would only be prohibited from discriminating based on a preexisting medical condition, health status, age, race, creed, color, sex, or disability.

I am vetoing this bill in its entirety because I object to the Legislature removing discrimination protections for certain individuals. In addition, I object to allowing a health

care provider to choose not to enter into a direct primary care agreement with a patient based on the patient's genetics, national origin, gender identity, citizenship status, or whether the patient is LGBTQ. I believe that all individuals should be treated equally.

Respectfully submitted,
TONY EVERS
Governor of Wisconsin

Assembly Bill 53: Pupil records

On June 18, 2019, the assembly passed Assembly Bill 53 on a voice vote, A.J. 6/18/19, p. 182.

On October 8, 2019, the senate concurred in Assembly Bill 53 on a voice vote, S.J. 10/8/19, p. 431.

On November 21, 2019, the governor vetoed Assembly Bill 53, A.J. 11/21/19, p. 406.

TEXT OF GOVERNOR'S VETO MESSAGE

November 21, 2019

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 53** in its entirety.

This bill relates to pupil records. Under current law, directory data may be disclosed to any person if the public school notifies parents or guardians of the information designated as directory data, provides information on how to opt out of disclosures, and provides sufficient time to use the opt-out procedure. Under this bill, the name of a pupil's parents or guardians would be added to the list of categories that a public school must designate as directory data.

I am vetoing this bill in its entirety because I object to

implementing a mandate that will negatively impact the privacy of parents of students in Wisconsin. I also object because the bill provides Wisconsin families with fewer privacy protections than the federal Family Education Rights Privacy Act, which does not include parent or guardian names in its definition of directory data. Wisconsin law should provide greater protections for privacy than federal law, not fewer.

Respectfully submitted,
TONY EVERS
Governor

TEXT OF ERRATA

PLEASE TAKE NOTICE that corrections are made to the veto message for 2019 Assembly Bill 53, dated November 21, 2019, as follows:

- The third sentence of the first paragraph is amended by replacing "must" with "may."

- The first sentence of the second paragraph is amended by replacing "mandate" with "law."

Dated this 29th day of November 2019

TONY EVERS
Governor

Assembly Bill 76: Hours of instructional program for nurse aides

On May 15, 2019, the assembly passed Assembly Bill 76 by a vote of 66 to 31, A.J. 5/15/19, p. 137.

On November 5, 2019, the senate concurred in Assembly Bill 76 on a voice vote, S.J. 11/5/19, p. 489.

On November 20, 2019, the governor vetoed Assembly Bill 76, A.J. 11/20/19, p. 403.

TEXT OF GOVERNOR'S VETO MESSAGE

November 20, 2019

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 76** in its entirety.

This bill would prohibit the Department of Health Services from requiring that an instructional program for nurse aides exceed the minimum number of total training hours and hours of clinical experience required under federal law. State law currently requires programs to be at least 120 hours in length and include 32 hours of clinical experience. Federal law requires programs to be at least 75 hours in length and include 16 hours of clinical experience.

I am vetoing this bill in its entirety because I object to providing less training for those who care for our state's most

vulnerable citizens. Research has shown that higher training standards result in better outcomes for patients, lower staff turnover, and higher job satisfaction. There are better ways to address the shortage of nurse aides than reducing the quality of training programs. That is why I directed the Governor's Task Force on Caregiving with developing strategies to attract and retain a strong direct care workforce.

Respectfully submitted,
TONY EVERS
 Governor

Assembly Bill 179: Requirements for children born alive following an abortion or attempted abortion

On May 15, 2019, the assembly passed Assembly Bill 179 by a vote of 62 to 35, A.J. 5/15/19, p. 138.

On June 5, 2019, the senate concurred in Assembly Bill 179 by a vote of 18 to 14, S.J. 6/5/19, p. 235.

On June 21, 2019, the governor vetoed Assembly Bill 179, A.J. 6/24/19, p. 203.

TEXT OF GOVERNOR'S VETO MESSAGE

June 21, 2019

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 179** in its entirety.

This bill relates to healthcare provider standards of care following an abortion and provides a criminal penalty.

I am vetoing this bill in its entirety because I object to the political interference between patients and their healthcare

providers. Further, this bill is redundant because the protections this bill seeks to provide already exist in state law.

Respectfully submitted,
TONY EVERS
 Governor

Assembly Bill 180: Informed consent regarding a certain abortion-inducing drug regimen and reporting requirements for induced abortions

On May 15, 2019, the assembly passed Assembly Bill 180 by a vote of 62 to 35, A.J. 5/15/19, p. 138.

On June 5, 2019, the senate concurred in Assembly Bill 180 by a vote of 19 to 13, S.J. 6/5/19, p. 236.

On June 21, 2019, the governor vetoed Assembly Bill 180, A.J. 6/24/19, p. 203.

TEXT OF GOVERNOR'S VETO MESSAGE

June 21, 2019

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 180** in its entirety.

This bill would require a physician to inform a woman of certain state-mandated information if she is considering or planning to have an abortion induced by a drug regimen that includes mifepristone, and requires written

materials provided to a woman considering an abortion include certain information.

I am vetoing this bill in its entirety because I object to the political interference between patients and their healthcare providers, especially this bill's requirement that

physicians inform their patients of a medical alternative that is not evidence-based. This bill interferes with the patient-physician relationship, the physician's application of their training and expertise, and the patient's ability to make a medical decision based on factual information. Politicians should not require medical

providers to inform patients of inaccurate and misleading information.

Respectfully submitted,
TONY EVERS
Governor

Assembly Bill 182: Sex-selective, disability-selective, and other selective abortions

On May 15, 2019, the assembly passed Assembly Bill 182 by a vote of 62 to 35, A.J. 5/15/19, p. 138.

On June 5, 2019, the senate concurred in Assembly Bill 182 by a vote of 19 to 13, S.J. 6/5/19, p. 236.

On Jun 21, 2019, the governor vetoed Assembly Bill 182, A.J. 6/24/19, p. 203.

TEXT OF GOVERNOR'S VETO MESSAGE

June 21, 2019

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 182** in its entirety.

This bill creates certain prohibitions on performing an abortion and allows claims for damages to be brought if a prohibited abortion is performed.

I am vetoing this bill in its entirety because I object to the political interference between patients and their healthcare providers. I believe that all Wisconsinites have the right to make their own medical and healthcare decisions without interference from politicians. The provisions of this bill perpetuate harmful stereotypes and put women

at risk by making reproductive healthcare less accessible. Policies such as this interfere with deeply personal decisions and confidential conversations between patients and healthcare providers. Licensed healthcare professionals should be trusted to give appropriate, evidence-based medical advice. Patients should be trusted to make decisions that are best for themselves and their families.

Respectfully submitted,
TONY EVERS
Governor

Assembly Bill 183: Certification of abortion providers under the Medical Assistance program

On May 15, 2019, the assembly passed Assembly Bill 183 by a vote of 64 to 32, A.J. 5/15/19, p. 139.

On June 5, 2019, the senate concurred in Assembly Bill 183 by a vote of 19 to 13, S.J. 6/5/19, p. 236.

On June 21, 2019, the governor vetoed Assembly Bill 183, A.J. 6/24/19, p. 203.

TEXT OF GOVERNOR'S VETO MESSAGE

June 21, 2019

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 183** in its entirety.

This bill prohibits the Department of Health Services from certifying, and requires the department to decertify by July 1, 2020, a provider under the Medical Assistance program that is a private entity that provides abortion services or is an affiliate of a person that provides abortion services, with certain exceptions. The bill also requires the department to seek any waiver of federal law, state plan amendment or other federal approval to implement this prohibition.

I am vetoing this bill in its entirety because I object to this

restriction on women's access to basic reproductive healthcare. Current state and federal law preclude taxpayer funding from supporting abortion services. This bill unnecessarily restricts access and choices for women seeking general healthcare, including pregnancy testing and related services, cancer screening and prevention, sexually transmitted disease screening and treatment, and well-woman exams.

Respectfully submitted,
TONY EVERS
Governor

Assembly Bill 249: Bills making honorary designations of state highways or bridges

On June 20, 2019, the assembly adopted Assembly Amendments 1 and 2 to Assembly Bill 249 on a voice vote, A.J. 6/20/19, p. 196, and passed Assembly Bill 249, as amended, on a voice vote, A.J. 6/20/19, p. 197.

On November 5, 2019, the senate concurred in Assembly Bill 249, S.J. 11/5/19, p. 490.

On November 19, 2019, the governor vetoed Assembly Bill 249, A.J. 11/20/19, p. 403.

TEXT OF GOVERNOR'S VETO MESSAGE

November 19, 2019

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 249** in its entirety.

This bill relates to the designation and marking of a highway or bridge for an honoree. Under the legislation, houses of the legislature are prohibited from considering a bill to designate a highway or bridge to an honoree unless specific criteria are met.

I am vetoing this bill in its entirety because I object to limiting the ability to commemorate those who have made significant contributions to or sacrifices for the

people of Wisconsin. Recent legislation that honors the victims of the 9 / 11 terrorist attacks, for example, would not meet the criteria in this bill. Further, I object to this bill because it places an unconstitutional limit on the deliberations or actions of future legislatures. See *Flynn v. Dep't of Admin.*, 216 Wis. 2d 521, 543, 576 N.W.2d 245, 254 (1998).

Respectfully submitted,
TONY EVERS
Governor

Assembly Bill 273: Bids proposing the use of alternate subbase materials

On June 20, 2019, the assembly adopted Assembly Amendment 1 to Assembly Bill 273 on a voice vote, A.J. 6/20/19, p. 197, and passed Assembly Bill 273, as amended, by a vote of 61 to 35, A.J. 6/20/19, p. 197.

On June 26, 2019, the senate concurred in Assembly Bill 273 by a vote of 19 to 14, S.J. 6/26/19, p. 286.

On August 6, 2019, the governor vetoed Assembly Bill 273, A.J. 8/7/19, p. 253.

TEXT OF GOVERNOR'S VETO MESSAGE

August 6, 2019

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 273** in its entirety.

This bill requires the Department of Transportation to maintain a list of at least seven subbase materials and their associated thicknesses needed to provide equivalent structural support of a highway improvement. It further allows all bidders to base their bids on this list of subbase materials unless the engineer of a project specifies, in writing, his or her determination to prohibit one or more subbases from the project.

I am vetoing this bill in its entirety because I object to law changes that are both unnecessary and cumber-

some. As acknowledged in the bill's nonstatutory provision, the department already specifies a list of equivalent materials for road projects. Department engineers likewise already determine what subbases are appropriate for each individual project. Requiring the department to also specify in writing which of the listed subbases would be inappropriate for a project creates unnecessary administrative duties.

Respectfully submitted,
TONY EVERS
Governor

Assembly Bill 284: Discretionary merit awards by the Department of Transportation

On June 20, 2019, the assembly passed Assembly Bill 284 by a vote of 61 to 35, A.J. 6/20/19, p. 198.

On June 26, 2019, the senate concurred in Assembly Bill 284 by a vote of 19 to 14, S.J. 6/26/19, p. 286.

On August 6, 2019, the governor vetoed Assembly Bill 284, A.J. 8/7/19, p. 253.

TEXT OF GOVERNOR’S VETO MESSAGE

August 6, 2019

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 284** in its entirety.

This bill would require the Department of Transportation to develop a discretionary merit compensation (DMC) award program for the purpose of providing lump sum awards to classified employees under the DMC program currently administered by the Department of Administration.

I am vetoing this bill in its entirety because I object to this encroachment on the Department of Administration’s authority to administer state employee compensation policy pursuant to the provisions of the compensation

plan, as approved by the Joint Committee on Employment Relations. Furthermore, this bill is unnecessary. The Department of Transportation already participates in the DMC program administered by the Department of Administration, which provides a means for the department to financially reward employees who have excelled in any number of ways, including identifying cost-saving and efficiency-improving measures.

Respectfully submitted,
TONY EVERS
Governor

Assembly Bill 805: Recommendation to revoke parole, probation, and extended supervision if a person is charged with a crime

On February 11, 2020, the assembly adopted Assembly Amendments 1 and 2 to Assembly Bill 805 on a voice vote, A.J. 2/11/20, p. 557, and passed Assembly Bill 805, as amended, by a vote of 61 to 38, A.J. 2/11/20, p. 557.

On February 19, 2020, the senate adopted Senate Amendment 1 to Assembly Bill 803 on a voice vote, S.J. 2/19/20, p. 708, and concurred in Assembly Bill 805, as amended, S.J. 2/19/20, p. 708.

On February 20, 2020, the assembly concurred in Senate Amendment 1 to Assembly Bill 805 by a vote of 59 to 40, A.J. 2/20/20, p. 644.

On February 28, 2020, the governor vetoed Assembly Bill 805, A.J. 2/28/20, p. 693.

TEXT OF GOVERNOR’S VETO MESSAGE

February 28, 2020

To the Honorable Members of the Assembly:

I am vetoing **2019 Assembly Bill 805** in its entirety.

This bill requires that the Department of Corrections recommend revoking a person’s extended supervision, parole, or probation if the person is charged with a crime while on extended supervision, parole, or probation. Individuals who are participating in the alternatives to revocation program at the Department of Corrections are exempt from the sanctions of this bill.

I am vetoing this bill in its entirety because I object to this unfunded mandate on the Department of Corrections that moves Wisconsin in the wrong direction on criminal justice reform. This bill is estimated to have a fiscal impact of more than \$200 million in just the first two years and hundreds of millions of dollars in unknown, ongoing costs to state taxpayers in the years to follow. This significant price tag does not include construction costs to build additional state correctional facilities, which would likely be needed, or take into account the fiscal impact on local governments.

Investing in evidence-based programming that addresses barriers to reentry, enhances educational and vocational opportunities for returning citizens, and provides treatment for mental health and substance use issues has shown to be an effective way to reduce recidivism and save taxpayer money while improving public safety. My budget made strides by investing in the Opening Avenues to Reentry Success and Treatment, Alternatives, and Diversion programs. My budget also proposed a two-percent increase in shared revenues for our local governments that would have helped them manage public safety costs. Sadly, this funding increase for local governments was removed by the legislature.

Research also indicates that early childhood education and after school programs have been shown to reduce crime and improve outcomes for kids. I would support additional investments in evidence-based programming, our public schools, and our local governments as an effective way to improve public safety and strengthen our communities. I welcome a conversation with legislators

about these investments and hope to see broad, bipartisan support for these commonsense ideas.

Leaders at the federal level and in states like Pennsylvania, Mississippi, and Texas have been able to enact meaningful and bipartisan criminal justice reform through policies that focus on rehabilitation and reduce incarceration, particularly the over-incarceration of poor people and people of color. A massive and costly expansion of our prison system would take Wisconsin down the wrong path.

I also object to removing the discretion of the Department of Corrections to recommend whether to revoke an individual's extended supervision, parole, or probation and to

the lack of due process the bill provides. Even if the new charges against the individual are dismissed or the person is found not guilty, the person could still have his or her extended supervision, probation, or parole revoked.

The provisions included in 2019 Assembly Bill 805 revert to antiquated policies which resulted in mass incarceration. I will not move Wisconsin in the wrong direction on criminal justice reform and public safety.

Respectfully submitted,
TONY EVERS
Governor of Wisconsin

**Assembly Bill 806: Acts for which a juvenile may be placed in correctional placement
or the Serious Juvenile Offender Program**

On February 11, 2020, the assembly adopted Assembly Amendment 1 to Assembly Bill 806 on a voice vote, A.J. 2/11/20, p. 557, and passed Assembly Bill 806 by a vote of 60 to 38, A.J. 2/11/20, p. 557.

On February 19, 2020, the senate concurred in Assembly Bill 806, S.J. 2/19/20, p. 708.

On February 28, 2020, the governor vetoed Assembly Bill 806, A.J. 2/28/20, p. 693.

TEXT OF GOVERNOR'S VETO MESSAGE

February 28, 2020

To the Honorable Members of the Assembly:

I am vetoing **2019 Assembly Bill 806** in its entirety.

The bill would expand eligibility for placement in the serious juvenile offender program to include all offenses that, if committed by an adult, would constitute a Class G felony or higher.

I am vetoing this bill in its entirety because I object to increasing the number of youths that could be placed in the serious juvenile offender program when science informs us that a punitive disposition system leads to worse outcomes. As I have said, what's best for our kids is what's best for our state, and it is vital that our efforts

in reforming our criminal justice system recognize that our kids are worth much more than the worst decision they ever made. In addition, the Legislature has chosen not to provide the necessary funding for facilities to replace the Lincoln Hills and Copper Lake schools. A youth offender has the greatest opportunity to redeem themselves and be rehabilitated only when the appropriate investment is made in programs and facilities that enable success.

Respectfully submitted,
TONY EVERS
Governor of Wisconsin

Assembly Bill 808: Prosecuting a violent felon for the crime of illegal possession of a firearm

On February 11, 2020, the assembly passed Assembly Bill 808 by a vote of 62 to 36, A.J. 2/11/20, p. 557.

On February 19, 2020, the senate concurred in Assembly Bill 808, S.J. 2/19/20, p. 708.

On Feb 28, 2020, the governor vetoed, A.J. 2/28/20, p. 693.

TEXT OF GOVERNOR'S VETO MESSAGE

February 28, 2020

To the Honorable Members of the Assembly:

I am vetoing **2019 Assembly Bill 808** in its entirety.

The bill would prohibit a prosecutor from dismissing or amending a charge of illegally possessing a firearm or

placing the individual in a deferred prosecution program if an individual has been previously convicted, or found not guilty by reason of mental disease or defect,

of committing a violent crime, unless the dismissal or amending of the charge is approved by the court. The bill would further require the court to notify the Legislature if the court approves the dismissal or amending of a charge of illegally possessing a firearm.

I am vetoing this bill in its entirety because I object to restricting the discretion of prosecutors and judges to address the alleged violation before them. I also object because the bill restricts the availability of deferred prosecution programs. As I have said, we need to be

smarter on crime. Evidence suggests that diversion programs, including deferred prosecution programs, are more cost-effective and have better outcomes than traditional incarceration. I further object because the bill would create an administratively burdensome reporting requirement.

Respectfully submitted,
TONY EVERS
Governor of Wisconsin

Assembly Bill 809: Earned release from parole or extended supervision and discharge from probation

On February 11, 2020, the assembly adopted Assembly Amendment 1 to Assembly Bill 809 on a voice vote, A.J. 2/11/20, p. 557, and passed Assembly Bill 809, as amended, by a vote of 61 to 37, A.J. 2/11/20, p. 557.

On February 19, 2020, the senate concurred in Assembly Bill 809, S.J. 2/19/20, p. 709.

On February 28, 2020, the governor vetoed Assembly Bill 809, A.J. 2/28/20, p. 694.

TEXT OF GOVERNOR’S VETO MESSAGE

February 28, 2020

To the Honorable Members of the Assembly:

I am vetoing **2019 Assembly Bill 809** in its entirety. This bill further limits who is eligible to participate in prison early release programs and who is eligible for early discharge from probation. I am vetoing this bill in its entirety because I object to further restricting the Department of Corrections’ discretion to determine who is eligible for certain early release programs and who is a good candidate for early discharge from probation. The Department of Corrections has an important role to play in working to improve public

safety while also providing opportunities for meaningful rehabilitation. That includes identifying when people have paid their debt to society for prior actions and ensuring fair and compassionate decisions are made when they are able to safely return to our communities. We should be coming up with ways to reduce prison populations and incentivize rehabilitation, not the other way around.

Respectfully submitted,
TONY EVERS
Governor of Wisconsin

Senate Bill 43: Paddlewheel raffles

On June 5, 2019, the senate passed Senate Bill 43 on a voice vote, S.J. 6/5/19, p. 233.

On February 20, 2020, the assembly concurred in Senate Bill 43, A.J. 2/20/20, p. 667.

On March 3, 2020, the governor vetoed Senate Bill 43, S.J. 3/4/20, p. 760.

TEXT OF GOVERNOR’S VETO MESSAGE

March 3, 2020

The Honorable, the Senate:

I am vetoing **2019 Senate Bill 43** in its entirety. This bill would allow an organization with a Class B raffle license to conduct a raffle by using a paddlewheel. I am vetoing this bill because I object to the bill’s expansion of what constitutes a raffle. Such an expansion could threaten the exclusive rights of Tribal Nations to conduct

Class III gaming in Wisconsin. The gaming compacts signed by the State of Wisconsin and the Tribes enable revenue-sharing payments from the Tribes to the State. At the same time, the compacts prohibit the State from substantively altering the charitable games authorized by the State and from allowing the operation of an additional Class III game. By expanding the definition of raffles,

this bill could be considered a violation of the compacts, which could result in a significant loss of past, current, and future gaming revenue to the State.

Respectfully submitted,
TONY EVERS
Governor

Senate Bill 60: Applicability of 2017 Wisconsin Act 184; time frame for reports for sexually violent persons petitioning for supervised release; and placement of sexually violent persons on supervised release

On October 8, 2019, the senate adopted Senate Amendment 2 to Senate Bill 60 on a voice vote, S.J. 10/8/19, p. 425, and passed Senate Bill 60, as amended, on a voice vote, S.J. 10/8/19, p. 425.

On November 12, 2019, the assembly concurred in Senate Bill 60 on a voice vote, A.J. 11/12/19, p. 392.

On November 22, 2019, the governor vetoed Senate Bill 60, S.J. 11/25/19, p. 516.

TEXT OF GOVERNOR'S VETO MESSAGE

November 22, 2019

The Honorable, the Senate:

I am vetoing **Senate Bill 60** in its entirety.

The bill would make several changes to current law relating to the placement of sexually violent persons who qualify for supervised release, which was amended by 2017 Wisconsin Act 184. Among other things, the bill would eliminate the prohibition on placing a sexually violent person within 1,500 feet of any school premises, child care facility, public park, place of worship, or youth center. Instead, the bill would require the county to consider the distance between the person's placement and particular types of properties.

I am vetoing the bill because I object to weakening the protections in current law requiring residential options for sexually violent persons to be a specific distance from any school premises, child care facilities, public parks, places of worship, or youth centers. Providing as safe of a place as we can for our kids to grow, learn, and play is one of the most vital responsibilities of our society.

Respectfully submitted,
TONY EVERS
Governor

Senate Bill 292: Notices of eligibility to receive a prize

On November 5, 2019, the senate passed Senate Bill 292 on a voice vote, S.J. 11/5/19, p. 485.

On February 20, 2020, the assembly concurred in Senate Bill 292, A.J. 2/20/20, p. 668.

On March 3, 2020, the governor vetoed Senate Bill 292, S.J. 3/4/20, p. 760.

TEXT OF GOVERNOR'S VETO MESSAGE

March 3, 2020

The Honorable, the Senate:

I am vetoing **2019 Senate Bill 292** in its entirety.

This bill eliminates certain disclosure provisions and other requirements included under Wisconsin's prize offer and sweepstakes law. Also, this bill eliminates all disclosure requirements from prize notices for uniform prizes.

I am vetoing this bill in its entirety because I object to eliminating the consumer protections that exist in current

law. The provisions of 2019 Senate Bill 292 would put Wisconsin at odds with neighboring states that provide more robust prize disclosures. The consumer confusion created by this bill could harm legitimate sweepstakes and fundraisers.

Respectfully submitted,
TONY EVERS
Governor

Senate Bill 613: Repossession of collateral or leased goods

On February 19, 2020, the senate passed Senate Bill 613, S.J. 2/19/20, p. 698.

On February 20, 2020, the assembly concurred in Senate Bill 613, A.J. 2/20/20, p. 656.

On February 28, 2020, the governor vetoed Senate Bill 613, S.J. 2/28/20, p. 743.

TEXT OF GOVERNOR’S VETO MESSAGE

February 28, 2020

The Honorable, the Senate:

I am vetoing **2019 Senate Bill 613** in its entirety.

The bill specifies that in determining whether a “breach of the peace” occurs in the repossession of property (when undertaken without a judgement), only the action of the creditor and its authorized reposessor is to be considered and that any action by the customer, debtor, lessee or any bystander may not be considered. The bill also limits the liabilities of creditors, authorized repossessors, and independent contractors undertaking repossession of vehicles if they comply with all applicable requirements.

I am vetoing the bill because I object to excluding the conduct, actions or statements by a customer, debtor, lessee or any bystander in determining if a repossession occurs without a breach of the peace. Because some individuals, especially low-income individuals, move more frequently, they may not receive any of the notifications

(including notice of a debtor’s potential courses of action) that state law requires prior to a repossession. As a result, the repossession action itself may be an individual’s first knowledge of a pending repossession. Preventing individuals from having their objection receive legal weight denies them important protections, such as the right to a hearing. As a result, the bill could unjustly deprive vulnerable individuals of their vehicles and result in these individuals losing their employment if they cannot find other means of transportation. The risk that the bill creates for individuals who may unjustly have their vehicles repossessed does not outweigh any efficiencies in the repossession process that the bill is intended to create.

Respectfully submitted,
TONY EVERS
Governor

Senate Bill 821: Property tax exemption for machinery, income tax deduction, and reduction of state general obligation and variable rate debt

On February 20, 2020, the senate passed Senate Bill 821 by a vote of 19 to 14, S.J. 2/20/20, p. 719.

On February 20, 2020, the assembly concurred in Senate Bill 821 by a vote of 65 to 34, A.J. 2/20/20, p. 641.

On February 26, 2020, the governor vetoed Senate Bill 821, S.J. 2/26/20, p. 737.

TEXT OF GOVERNOR’S VETO MESSAGE

February 26, 2020

The Honorable, the Senate:

I am vetoing **2019 Senate Bill 821** in its entirety.

The bill would make modifications to the standard deduction under the individual income tax starting with tax years beginning after December 31, 2019. The bill would also extend the property tax exemption of machinery, tools, and patterns used for nonmanufacturing equipment to include all such personal property not presently exempted beginning with 2020 assessments.

Additionally, under the bill, if no deposit may be made to the budget stabilization fund because its balance is in excess of the five percent of general fund expenditures limitation, fifty percent of the revenue surplus must be

used to reduce the state’s general obligation and variable rate debt supported by general purpose revenues. The remaining fifty percent of the revenues would be deposited in the general fund.

Finally, the bill would require that the state’s general obligation and variable rate debt supported general purpose revenue be reduced by \$100 million in fiscal year 2020–21.

I am vetoing the bill because I object to its unbalance and unsustainable approach to state fiscal policy. Specifically, this bill would reduce the estimated budget stabilization fund balance by \$123.8 million in fiscal year 2020–21 according to the Legislative Fiscal Bureau.

Moreover, this bill fails to acknowledge or address the continued, inordinate burden that has been placed on our public schools, local governments, and Wisconsin families. Since 2011, nearly one million Wisconsinites have voted to raise their own taxes to support local schools. In 2018 alone, voters approved more than \$2 billion in debt and revenue increases for local schools.

This is not sustainable.

In my recent special session call, I proposed a balanced package of proposals to deploy some of the state’s projected revenue surplus to both renew our state’s historic, bipartisan promise of two-thirds funding for K–12 education in Wisconsin and provide meaningful property tax relief across the state. This package also included critical investments for students with disabilities, student mental health services, programming for American Indian students, rural schools, and summer school programs. Unfortunately, Republican leadership in the Legislature chose to dismiss these ideas without any discussion or public input, even though many of these proposals have previously

received bipartisan support and were recommended by the 2017 Blue Ribbon Commission on School Funding.

The budget I signed last year made a down payment on doing what’s best for our kids and what’s best for our state. Our projected revenue surplus presents the opportunity to continue our progress by investing in two-thirds funding—reversing years of underinvestment in our kids and K12 schools—while also proving meaningful property tax relief for Wisconsin families. We do not have to choose between funding for our kids and our schools and providing property tax relief—we can and should do both. I am ready and willing to work across the aisle to fund a compromise that will get to two-thirds funding while still providing tax relief and reducing our state debt. I am hopeful Republican and Democratic leadership in the Legislature will come to the table to get this done for the people of our state.

Respectfully submitted,
TONY EVERS
Governor

BILLS VETOED IN PART

2019 Wisconsin Act 183 (Senate Bill 583): Regulation of all-terrain vehicles and utility terrain vehicles and all-terrain vehicle projects

On February 19, 2020, the senate adopted Senate Amendments 1 and 2 to Senate Bill 583 on a voice vote, S.J. 2/19/20, p. 697, and passed Senate Bill 583, as amended, S.J. 2/19/20, p. 697.

On February 20, 2020, the assembly concurred in Senate Bill 583 by a vote of 99 to 0, A.J. 2/20/20, p. 654.

On March 3, 2020, the governor approved in part and vetoed in part Senate Bill 583, and the part approved became 2019 Wisconsin Act 183, S.J. 3/4/20, p. 759. The date of enactment is March 4, 2020, and the date of publication is March 5, 2020, and, as provided by section 991.11, Wisconsin Statutes, the effective date of all provisions of the act is March 5, 2020, except those provisions for which the act expressly provides a different date.

TEXT OF GOVERNOR’S VETO MESSAGE

March 3, 2020

The Honorable, the Senate:

I have approved in part **2019 Senate Bill 583** as 2019 Wisconsin Act 183 and have deposited it in the Office of the Secretary of State. I have exercised the partial veto in Sections 12 and 25.

Senate Bill 583 would make numerous changes to the regulation of all-terrain vehicles and utility terrain vehicles. These updates include changing the requirements for the usage of lights, requiring safe transport of passengers on public lands, clarifying that operators must obey posted traffic signs, and providing an exception from certain operation restrictions for certain operators that are responding to an emergency. Further, this bill would increase the funding available for all-terrain vehicle and utility terrain vehicle trail maintenance reimbursement.

While I support this bill, I am using my partial veto authority under Article V, Section 10 of the Wisconsin Constitution to make the following changes.

I am partially vetoing the requirement that the prohibition on unauthorized passengers only applies to designated routes and trails because I object to allowing the potentially unsafe operation of all-terrain vehicles and utility terrain vehicles in undesignated areas on private land. If an all-terrain vehicle or utility terrain vehicle is not designed for passengers, then it should not be operated with passengers, except for those exceptions provided for in Section 33. The safe transportation of passengers, regardless of location, is essential to the prevention of

injuries and fatalities associated with all-terrain and utility terrain vehicle use.

all-terrain vehicle and utility terrain vehicle operators area able to fully enjoy their experience.

These changes build upon the Legislature’s great work on this bill. I believe that these changes will ensure that public safety remains a top priority, while also ensuring that

Respectfully submitted,
TONY EVERS
Governor

Sections 12 and 25

Governor’s written objections

I have exercised the partial veto in Section 12, relating to the operation of all-terrain vehicles and utility terrain vehicles on public and private land. Current law prohibits a person from operation a utility terrain vehicle, regardless of location, if a passenger is riding in or on the vehicle and said vehicle is not designed for passengers. Section 12 would prohibit a person from operating an all-terrain vehicle or utility terrain vehicle with a passenger, if the vehicle is not designed for passengers, only on an all-terrain vehicle route, all-terrain vehicle trail, or an authorized roadway.

I have exercised the partial veto in Section 25, relating to being a passenger on an all-terrain vehicle or utility terrain vehicle on public and private land. Current law prohibits a person from being a passenger on a utility terrain vehicle, regardless of location, if said vehicle is not designed for passengers. Section 25 would prohibit a person from being a passenger on an all-terrain vehicle or utility terrain vehicle that is not designed for passengers only on an all-terrain vehicle route, all-terrain vehicle trail, frozen water, or an authorized highway. This section would specifically not apply the prohibition to private property.

Cited segments of 2019 Senate Bill 583:

SECTION 12. 23.33 (3) (em) of the statutes is amended to read:

23.33 (3) (em) With Except as provided in sub. (11m), with a passenger riding in or on any part of a- an all-terrain vehicle or utility terrain vehicle that is not designed or intended to be used by passengers while the all-terrain vehicle or utility terrain vehicle is being operated on an all-terrain vehicle route, all-terrain vehicle trail, or roadway as authorized in this section .

SECTION 25. 23.33 (6r) of the statutes is amended to read:

23.33 (6r) PASSENGER RESTRICTIONS. No Except as provided in sub. (11m), no person may ride in or on any part of a- an all-terrain vehicle or utility terrain vehicle that is not designed or intended to be used by passengers while the all-terrain vehicle or utility terrain vehicle is being operated on an all-terrain vehicle route, all-terrain vehicle trail, frozen water, or highway as authorized by this section . This subsection does not apply to the operation of an all-terrain vehicle or utility terrain vehicle on private property .

**Vetoed
In Part**

**Vetoed
In Part**

**Vetoed
In Part**