



Wisconsin Briefs

from the Legislative Reference Bureau

Brief 02-2

May 2002

EXECUTIVE VETOES OF BILLS PASSED BY THE 2001 WISCONSIN LEGISLATURE FROM JANUARY 3, 2001, THROUGH MAY 2, 2002

I. INTRODUCTION

This brief contains the veto messages of Governor Scott McCallum affecting all legislation, except 2001 Wisconsin Act 16, as passed by the 2001 Wisconsin Legislature from January 3, 2001, through May 2, 2002. See **Wisconsin Brief 01-10 for the partial vetoes of 2001 Wisconsin Act 16 (executive budget act)**.

Status of Legislation

During the 2001-02 legislative session, through May 2, 2002, there were 1,447 bills introduced, of which 107 bills were passed by both houses. Through May 2, 2002, Governor McCallum acted upon 101 bills, including the partial veto of 2 bills.

Complete Vetoes	Page
To publication time: none	1

Partial Vetoes	Page
2001 Wisconsin Act 10 (SB-9)	2

Veto Brief Format

This brief provides the following information:

- 1) The legislative action for each completely vetoed 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 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 — **like this**, and the write downs indicated by a distinguishing reverse shading of white numerals on black background — **like this**).

II. COMPLETELY VETOED BILLS

To publication time, no bill has been completely vetoed by the governor.

III. PARTIALLY VETOED BILLS

2001 Wisconsin Act 10 (Senate Bill 9): Uniform Commercial Code – Secured Transactions

On May 8, 2001, the senate adopted Senate Substitute Amendment 1 to Senate Bill 9 on a voice vote, S.J. 05/08/01, p. 190, and passed Senate Bill 9, as amended, by a vote of 33 to 0, S.J. 05/08/01, p. 190.

On June 12, 2001, the assembly concurred in Senate Bill 9 by a vote of 93 to 6, A.J. 06/12/01, p. 278.

On June 22, 2001, the Governor approved in part and vetoed in part Senate Bill 9, and the part approved became 2001 Wisconsin Act 10, S.J. 06/26/01, p. 240. The date of enactment is June 22, 2001, and the date of publication is June 25, 2001, and, as provided by section 991.11, Wisconsin Statutes, the effective date of all provisions of the act is June 26, 2001, except those provisions for which the act expressly provides a different date.

TEXT OF GOVERNOR’S VETO MESSAGE

June 22, 2001

To the Honorable Members of the Senate:

I have approved Senate Bill 9 as 2001 Wisconsin Act 10 and have deposited it in the Office of the Secretary of State. I have exercised the partial veto in sections 121m and 122g.

Senate Bill 9 is Wisconsin’s enactment of the National Conference of Commissioners on Uniform State Laws’ revision of Article 9 in the Uniform Commercial Code. The Uniform Commercial Code generally has standardized key business processes and basic rules for credit transactions throughout the United States. The Wisconsin version of Article 9 is Chapter 409 of the Wisconsin

Statutes. Senate Bill 9 repeals and recreates Chapter 409 to streamline and modernize the statutory framework for establishing, perfecting and prioritizing liens on property.

I support Wisconsin’s continued participation in a uniform commercial code. My action on this bills allows Wisconsin to adopt a significant revision to the code and to implement it successfully.

Sincerely,

SCOTT McCALLUM
Governor

Sections 121m and 122g

Governor’s written objections

Sections 121m and 122g

Section 121m provides for an increase of \$442,600 PR to the fiscal year 2000-01 s. 20.144 (1) (g) appropriation of the Department of Financial Institutions. This section also provides 3.0 FTE project positions to the department for fiscal year 2001-02. These resources are needed for the department to successfully implement Senate Bill 9. However, successful implementation of Senate Bill 9 is jeopardized by how the bill provides these resources. There is a mismatch between the year of funding and the year the positions are authorized. Further, the timing of passage and enactment virtually ensures the \$442,000 provided for implementation would lapse within days of enactment. I object to this timing mismatch and I am partially vetoing this section so the \$442,000 can be provided in fiscal year 2001-02, when the work will actually be done.

Section 122g sets a general effective date of July 1, 2001, (or the day after publication, whichever is later) for the bill. I also object to the separate provision in this section for an earlier effective date for the appropriation provision in section 121m. This provision in section 122g would make the appropriation in section 121m effective on the day after publication. I am partially vetoing this section to provide for a uniform effective date for the entire bill.

My partial veto of sections 121m and 122g will move the funding to a year these resources can actually be used, from fiscal year 2000-01 to fiscal year 2001-02. This technical veto will ensure that the department has the appropriated funding in the fiscal year that implementation work will begin and place the 3.0 FTE project positions and the funding to implement Senate Bill 9 in the same fiscal year.

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Cited segments of 2001 Senate Bill 9:

SECTION 121m. Appropriation changes.

(1) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of financial institutions under section 20.144 (1) (g) of the statutes, as affected by the acts of 2001, the dollar amount is increased by \$442,600 for fiscal year 2000-01 for the administration of chapter 409 of the statutes, including to increase the authorized FTE project positions for the

**Vetoed
In Part**

department by 3.0 PR program assistant positions for the period ending on June 30, 2002.

SECTION 122g. Effective dates. This act takes effect on July 1, 2001, or on the day after publication, whichever is later, except as follows:

**Vetoed
In Part**

(1) SECTION 121m (1) of this act takes effect on the day after publication .

