



Wisconsin Briefs

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EXECUTIVE VETOES OF BILLS PASSED BY THE 2003 WISCONSIN LEGISLATURE FROM NOVEMBER 13, 2003 THROUGH DECEMBER 20, 2003

I. INTRODUCTION

This brief contains the veto messages of Governor Jim Doyle affecting legislation of the 2003 Wisconsin Legislature, which was vetoed by the Governor during the period from November 13, 2003, through December 20, 2003.

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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

2003 Senate Bill 214: Carrying or Going Armed with a Concealed Weapon and Background Checks for Handgun Purchases

On October 23, 2003, the senate adopted Senate Substitute Amendment 2 [as amended by Senate Amendments 1 (as amended by Senate Amendment 1), 2, 4, 22 and 48] to Senate Bill 214 on a voice vote, S.J. 10/23/03, p. 444, and passed Senate Bill 214 as amended, by a vote of 24 to 8, S.J. 10/23/03, p. 444.

On November 5, 2003, the assembly adopted Assembly Amendment 70 to Senate Bill 214 by a vote of 98 to 1, A.J. 11/05/03, p. 513, and concurred in Senate Bill 214 as amended, by a vote of 64 to 35, A.J. 11/05/03, p. 513.

On November 11, 2003, the senate concurred in Assembly Amendment 70 to Senate Bill 214 on a voice vote, S.J. 11/11/03, p. 476.

On November 18, 2003, the Governor vetoed Senate Bill 214, S.J. 11/19/03, p. 492.

TEXT OF GOVERNOR'S VETO MESSAGE

November 18, 2003

To the Honorable Members of the Senate:

I am vetoing **Senate Bill 214** in its entirety.

Wisconsin is one of the safest states in the country and boasts one of the lowest crime rates nationwide. Violent crime has decreased dramatically in our state in the past decade. We have maintained this low crime rate at the same time we have banned the carrying of concealed weapons.

It is a testament to the people of Wisconsin that our state is not only one of the safest places to live in the country, but also has a proud tradition of responsible gun ownership and use. Wisconsin has long been known for the world class hunting and sport shooting opportunities available to Wisconsin citizens and tourists from other states. Just as our state's ban on concealed weapons has not interfered with these Wisconsin traditions, Wisconsin's gun owners will not be harmed in any way by rejection of this legislation.

Perhaps these traditions are among the reasons why those we most entrust with protecting our safety—our highly trained law enforcement officers—overwhelmingly oppose Senate Bill 214. Wisconsin law enforcement agencies agree that allowing under-trained, untested citizens to carry and use concealed weapons will compromise the safety of officers and citizens alike.

The bill itself has serious flaws and is unworkable. First, the bill compromises the safety of our children by lowering penalties for carrying handguns and other dangerous weapons in a school zone or on school grounds. In fact, while the bill has been extensively amended to exempt certain locations, Senate Bill 214 allows individuals to carry concealed weapons into most public places: shopping malls, public libraries, public buildings like the

State Capitol and city halls, Boys and Girls Clubs, banks, university campuses, movie theaters, concert venues like Alpine Valley, fair grounds like Summerfest and the State Fair, parades, parking lots, farmers markets, and so on.

The bill's exemption for private businesses is highly unworkable. While businesses seeking to ban concealed weapons from their premises must post warning signs at their front doors, people could not be convicted of breaking the law unless they had been "orally and personally" warned that their weapon was not permitted on site. A business owner would actually have to approach each person suspected of carrying a concealed weapon and personally ask that person to leave the premises. Moreover, Senate Bill 214 creates a significant liability disparity between businesses that allow concealed weapons on their premises and those who wish to restrict them. Under the bill, employers that allow their employees and customers to carry concealed weapons have immunity from liability, but business owners who prohibit concealed weapons from their premises *would not* have immunity under the law.

Second, Senate Bill 214 would require insufficient training from those seeking to carry and handle concealed lethal weapons. The bill requires only one-time training to carry a handgun and requires no training for tear gas guns, authorized knives, and billy clubs. In contrast, on-going and intensive training is a requirement for law enforcement officers who routinely handle and discharge weapons.

Third, the bill does not adequately prevent concealed weapons from falling into the wrong hands. While proponents argue that only law-abiding citizens would be able to secure a permit to carry a concealed weapon, there are countless examples of violent criminal acts—including

ing homicides—that have been perpetrated by individuals with no prior criminal history. Under Senate Bill 214, those individuals would have been able to commit their crimes with a concealed weapon. For example, the Wisconsin Council Against Domestic Violence has found, “When examining Wisconsin’s 2000 and 2001 domestic homicide cases, it is evident that the majority of firearm domestic homicide perpetrators would have qualified for a conceal and carry permit.”

Fourth, Senate Bill 214 creates a host of implementation problems, not the least of which is a cumbersome new underfunded state mandate for local law enforcement. Senate Bill 214 requires the sheriff in each county to issue permits to qualified applicants. This mandate necessitates time-consuming reviews of each and every application and background checks on each and every applicant that seeks to carry a concealed weapon. This mandate is exacerbated by the onerous requirement that the local sheriff’s office must act within 30 days on each application. These mandates will mean that, rather than devoting time to pending criminal cases and crime prevention efforts, local law enforcement officials will be forced to spend their time and resources processing expedited applications.

Moreover, at least 65 of 72 sheriffs have already vowed to “opt out” of the requirements of Senate Bill 214. If all but a handful of Wisconsin county sheriffs “opted out” of the permitting process, the law would be rendered totally unworkable. Individuals would be forced to travel potentially hundreds of miles to apply for permits and sheriffs in the few participating counties would be required to conduct background checks on thousands of individuals that lived far away.

The bill does not provide adequate resources to the state and local government that would be required to process the permits. The proposed funding is insufficient to cover most of the anticipated costs, estimated by the Department of Justice to be \$3.7 million for local governments and \$1.18 million for DOJ in the first year alone. The bill does not identify funding sources to assist the court system, the district attorneys, and the sheriffs to address the staffing required to process the huge amounts of paper work required by this bill.

In a time of budget deficits, position cuts, and increasing property tax pressures, it is irresponsible to add these new burdens on local law enforcement agencies. Rather than devoting their time to pending criminal cases and crime prevention efforts that have kept Wisconsin one of the safest states in the country, law enforcement agents would be forced to spend their limited time and resources processing expedited gun applications.

Fifth, and finally, this bill carves out a new loophole in Wisconsin’s open records law to prevent the public from knowing who has concealed weapons. It is just absurd that under this bill, hunting and fishing licenses would be subject to open records, but not permits to carry lethal weapons into shopping malls.

The bill even limits access to information by the police. For example, before approaching a car on a routine traffic stop, officers will have access to a person’s driving record, but not whether that person has a concealed weapon.

This veto does not result in an absolute ban on the carrying of concealed weapons in one’s home or private business, nor does this action eliminate any rights of Wisconsin citizens. The Wisconsin Supreme Court recently held in *State v. Hamdan* that, while the carrying of a concealed weapon in one’s home or privately-owned business is constitutional, the current law prohibiting the carrying of concealed weapons in other places is reasonable. The Court stated “...Wisconsin’s prohibition on the carrying of concealed weapons is, as a general matter, a reasonable exercise of the police power ... and serves many valuable purposes in promoting public safety.”

Senate Bill 214 is a fundamentally flawed piece of legislation. I join the majority of Wisconsin law enforcement in my belief that lifting the state’s 133-year-old ban on the carrying of concealed weapons is neither warranted nor appropriate.

Respectfully submitted,

JIM DOYLE

Governor

**2003 Assembly Bill 85: Incorporation of the Town of Campbell
in LaCrosse County as a Village**

On June 24, 2003, the assembly passed Assembly Bill 85 by a vote of 53 to 43, A.J. 06/24/03, p. 282.

On November 11, 2003, the senate concurred in Assembly Bill 85 by a vote of 18 to 14, S.J. 11/11/03, p. 477.

On December 18, 2003, the Governor vetoed Assembly Bill 85, A.J. 12/19/03, p. 681.

TEXT OF GOVERNOR’S VETO MESSAGE

December 18, 2003

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 85** in its entirety. This bill allows towns with populations over 4,000 and equalized property value over \$125 million, which are located on land completely surrounded by navigable waterways and comprise less than 15 square miles, to incorporate as a city or village without receiving approval by a circuit court and the state Department of Administration. Currently, only the Town of Campbell in LaCrosse County meets these criteria.

I am vetoing this bill because I believe that local governments affected by this legislative proposal should work

cooperatively, amongst themselves, to develop their boundaries and, if desired, service agreements. These local governments and their elected officials are in a better position than state officials to determine the appropriate boundaries for their communities.

There is also nothing in this veto that prevents the Town of Campbell from negotiating a mutually acceptable resolution of its boundaries with other local governments.

Respectfully submitted,

JIM DOYLE

Governor

2003 Assembly Bill 126: Directing the Legislative Audit Bureau to Conduct a Study of the Milwaukee Parental Choice Program

On March 18, 2003, the assembly adopted Assembly Substitute Amendment 1 [as amended by Assembly Amendment 6] to Assembly Bill 126 by a vote of 79 to 19, A.J. 03/18/03, p. 133, and on May 6, 2003, passed Assembly Bill 126 as amended, by a vote of 70 to 28, A.J. 05/06/03, p. 193.

On September 30, 2003, the senate concurred in Assembly Bill 126 as amended, by a vote of 20 to 13, S.J. 09/30/03, p. 391.

On November 26, 2003, the Governor vetoed Assembly Bill 126, A.J. 12/01/03, p. 557.

TEXT OF GOVERNOR’S VETO MESSAGE

November 26, 2003

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 126** in its entirety. This bill directs the Legislative Audit Bureau to conduct a longitudinal study of the Milwaukee Parental Choice Program.

While I share the desire to evaluate the Choice program in a meaningful way, I am vetoing this bill because it fails to require all Choice schools and students to participate in the study. Without such a requirement, the Legislative Audit Bureau will be unable to create truly representative samples of students participating in the program. A sample bias will be created as successful Choice schools continue to participate in the study, while unsuccessful and failing Choice schools withdraw from participation. Such a flaw is contrary to basic research methods, will likely skew results, and will hinder the usefulness of the study.

Further, the sample bias created under this bill may, in fact, create a false sense of accountability for Choice schools. While there are many exemplary schools with demonstrable results participating in the Choice program, there are other schools that are truly unaccountable to the parents and taxpayers who support them. To

achieve true academic accountability, all Choice schools and students would need to participate throughout the length of the study.

Finally, I am concerned that long-term funding of Legislative Audit Bureau positions from private sources, particularly if those funds are provided by organizations that formally support or oppose the Choice program, creates a conflict of interest. Not only will this potentially compromise the study’s objectivity, it could negatively impact the deeply held respect that the Bureau has earned over many years.

In conclusion, while I support the Legislature’s efforts to work toward a meaningful evaluation of the Milwaukee Parental Choice Program, this bill falls short of that goal. I encourage the Legislature to continue to work toward true accountability on behalf of the children and parents who utilize the voucher program, and the taxpayers who subsidize it.

Respectfully submitted,

JIM DOYLE

Governor

**2003 Assembly Bill 228: Environmental Compliance Audits, Environmental Management Systems,
Providing Incentives for Improving Environmental Performance,
Providing Immunity from Civil Penalties for Certain Violations of
Environmental Requirements, and Access to Certain Information**

On May 6, 2003, the assembly adopted Assembly Amendment 1 to Assembly Bill 228 on a voice vote, A.J. 05/06/03, p. 197, and on May 29, 2003, the assembly passed Assembly Bill 228 as amended, by a vote of 65 to 30, A.J. 05/29/03, p. 221.

On September 23, 2003, the senate concurred in Assembly Bill 228 by a vote of 20 to 13, S.J. 09/23/03, p. 377.

On December 5, 2003, the Governor vetoed Assembly Bill 228, A.J. 12/09/03, p. 569.

TEXT OF GOVERNOR'S VETO MESSAGE

December 5, 2003

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 228** in its entirety. This bill creates two new programs in the Department of Natural Resources in an effort to provide incentives to public and private entities for voluntarily improving environmental performance. While I fully support giving reasonable incentives for environmentally innovative practices to businesses that have proven environmental compliance track records, this legislation goes too far and threatens Wisconsin's environment and the public.

The first portion of the bill creates the Environmental Results Program. This program appropriately provides state incentives for companies with a history of environmental compliance and a commitment to implement an environmental management system, a comprehensive structure enabling the company to evaluate environmental performance and to improve such performance at covered facilities. I have supported this concept and have called for this type of legislation in my "Grow Wisconsin" economic development plan. This concept was developed over several years of discussions with a broad range of stakeholders and legislators from both parties. Assembly Bill 700, introduced by Representative Mark Miller, accomplishes these objectives and I encourage the Legislature to quickly pass this proposal.

However, the second half of Assembly Bill 228 – creating the Environmental Improvement Program ("EIP") – provides similar benefits to participants who have not demonstrated historical or prospective commitment to obeying Wisconsin's environmental laws. Under this second half of the legislation, in return for conducting a nominal in-house environmental compliance audit, any company that has not been sued by the Wisconsin Department of Justice or been issued a citation for an environmental violation in the two years preceding the submission of the audit results receives a variety of preferential treatments.

These include civil forfeiture immunity for self-reported violations corrected within 90 days of submission of the

audit and the ability of the company to set its own (or no) stipulated penalties for failure to meet deadlines to remedy violations that will take more than 90 days to fix. Furthermore, the two-year period covers only the facility subject to the EIP; thus, a company with recent or even ongoing enforcement actions at some of its facilities in the State would not be precluded from participating in an EIP at other locations. As a result, a company with a long history of poor – even criminal – environmental performance could reap the unearned benefits of participation in the program. Rewarding companies with a poor record of compliance and no commitment for the future jeopardizes the State's citizens and environment and will diminish the value of the Environmental Results Program.

Real and meaningful regulatory reform, without threatening our natural resources or restricting public input, is critical to Wisconsin's future. I strongly support reform efforts to assist companies with strong environmental histories who have made meaningful commitments for the future. I believe both the public and all Wisconsin businesses should receive timely and consistent review of permit applications. However, this legislation will not accomplish these objectives.

In sum, the overall benefits of this legislation to our citizens and economy are outweighed by the law's potential for rewarding companies that have not invested the needed effort in proactive environmental protection.

I remain committed to working with the Legislature to produce a bill that both supports Wisconsin's economic interests and protects our extraordinary environmental assets.

Respectfully submitted,

JIM DOYLE

Governor

2003 Assembly Bill 255: Liability of Cities, Villages, Towns, and Counties for Damages Caused by an Insufficiency or Want of Repair of a Highway

On September 25, 2003, the assembly passed Assembly Bill 255 by a vote of 55 to 40, A.J. 09/25/03, p. 385.

On November 13, 2003, the senate concurred in Assembly Bill 255 on a voice vote, S.J. 11/13/03, p. 487.

On December 17, 2003, the Governor vetoed Assembly Bill 255, A.J. 12/17/03, p. 577.

TEXT OF GOVERNOR’S VETO MESSAGE

December 17, 2003

To the Honorable Members of the Assembly:

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

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

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

Respectfully submitted,

JIM DOYLE

Governor

2003 Assembly Bill 259: Eligibility for Participation in the Milwaukee Parental Choice Program

On October 1, 2003, the assembly passed Assembly Bill 259 by a vote of 56 to 41, A.J. 10/01/03, p. 401.

On October 22, 2003, the senate concurred in Assembly Bill 259 by a vote of 19 to 13, S.J. 10/22/03, p. 431.

On November 26, 2003, the Governor vetoed Assembly Bill 259, A.J. 12/01/03, p. 558.

TEXT OF GOVERNOR’S VETO MESSAGE

November 26, 2003

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 259** in its entirety. This bill allows a student to continue in the Milwaukee Parental Choice Program regardless of family income. It also deletes the cap on the number of students who may participate in the program and eliminates the prior year attendance requirements.

I am vetoing this bill because it significantly expands the program beyond its original intent, it has significant financial implications to both Milwaukee Public Schools and the state, and it could jeopardize the quality of the program. By removing the cap on family income, the program would no longer be targeted solely at low-income Milwaukee families. For example, a family whose income may be temporarily below the 175 percent of poverty threshold while one or both parents attend medi-

cal school would be forever eligible to have taxpayer paid tuition even if its income increases to several times the state average.

Completely repealing the Choice program enrollment cap, which is currently set at 15 percent of Milwaukee Public Schools enrollment, has both long-term cost and quality implications. Every additional 1,000 students who would attend choice schools due to a repeal of the cap would cost Milwaukee taxpayers an additional \$2.7 million and state taxpayers another \$3.3 million. In addition, the problems with the quality of education in a few Choice schools, due in part to the Legislature’s reluctance to enact any meaningful measures to hold these largely taxpayer supported schools accountable for the quality of the services they provide, will no doubt be exacerbated if enrollment limits were completely removed.

Lastly, repealing the prior year attendance requirements would begin to shift the program away from its intent to provide an alternative to Milwaukee Public Schools and more towards creating a system of taxpayer supported sectarian and nonsectarian private schools. In times of limited state resources and the importance of strong public schools to the economic future of the state, the focus of state resources should be on strengthening public

schools throughout the state. While private school choice has provided an alternative to address the unique circumstances and problems facing education in Milwaukee, it should remain the exception rather than the rule.

Respectfully submitted,

JIM DOYLE

Governor

2003 Assembly Bill 260: Extending the Milwaukee Parental Choice Program to All Private Schools in Milwaukee County

On October 1, 2003, the assembly passed Assembly Bill 260 by a vote of 56 to 42, A.J. 10/01/03, p. 402.

On October 23, 2003, the senate concurred in Assembly Bill 260 by a vote of 18 to 14, S.J. 10/23/03, p. 433.

On November 26, 2003, the Governor vetoed Assembly Bill 260, A.J. 12/01/03, p. 558.

TEXT OF GOVERNOR'S VETO MESSAGE

November 26, 2003

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 260** in its entirety. This bill allows any private school located in Milwaukee County to participate in the Milwaukee Parental Choice Program. Current law limits schools participating in the program to those located in the City of Milwaukee.

I am vetoing this bill because it clearly expands the Choice Program well beyond its original parameters. When the Milwaukee Parental Choice Program was created, the intent was to establish a program within the

City of Milwaukee for City of Milwaukee students. By allowing schools located outside the city to participate, even if enrollment remains limited to Milwaukee residents, the program would begin to lose its focus of providing viable educational alternatives for Milwaukee school children within the City of Milwaukee.

Respectfully submitted,

JIM DOYLE

Governor

2003 Assembly Bill 261: Charter Schools Located in a 1st Class City School District

On October 1, 2003, the assembly passed Assembly Bill 261 by a vote of 63 to 35, A.J. 10/01/03, p. 403.

On October 23, 2003, the senate adopted Senate Amendment 1 to Assembly Bill 261 on a voice vote, S.J. 10/23/03, p. 434, and concurred in Assembly Bill 261 as amended, by a vote of 18 to 14, S.J. 10/23/03, p. 444.

On November 4, 2003, the assembly concurred in Senate Amendment 1 to Assembly Bill 261 on a voice vote, A.J. 11/04/03, p. 479.

On November 26, 2003, the Governor vetoed Assembly Bill 261, A.J. 12/01/03, p. 558.

TEXT OF GOVERNOR'S VETO MESSAGE

November 26, 2003

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 261** in its entirety. This bill allows any student in the state to attend a charter school

created under section 118.40 (2) (r), Wisconsin Statutes (the Milwaukee charter school program). The bill also includes language providing the board of school directors for Milwaukee public schools the same authority as

other school boards to transport kids to non-public schools and expands that authority for all school districts to include charter schools.

I am vetoing this bill because I object to the expansion of enrollment in the Milwaukee charter school program to include pupils residing outside of the Milwaukee Public Schools District. The original and still valid intent of this program was to allow the City of Milwaukee, the University of Wisconsin-Milwaukee, and the Milwaukee Area Technical College to create charter schools in order to provide educational options for students residing in the Milwaukee Public Schools attendance area. Expanding this program to include students who do not reside in the City of Milwaukee does not serve the interests of Milwaukee students and may, in fact, create incentives for these charter schools to focus their efforts on attracting

non-Milwaukee residents, rather than improving educational programs for Milwaukee children.

Furthermore, since the Milwaukee charter school program is funded by reallocating general school aids from the state's 426 school districts, a greatly expanded charter school program will reduce state resources available to all public school districts at the expense of increased property taxes.

Finally, modifications to charter school law should not be considered in isolation, but as a part of a comprehensive reform effort that benefits all of Milwaukee's school children.

Respectfully submitted,

JIM DOYLE

Governor

2003 Assembly Bill 267: Administrative Rules and Guidelines Regarding Small Businesses, Data Used by Administrative Agencies in Preparing Proposed Rules, Increasing Attorney Fees, Creating an Internet Site for Proposed Rules, and Creating a Small Business Regulatory Review Board

On October 2, 2003, the assembly adopted Assembly Amendments 1, 2, 3 and 7 on a voice vote, A.J. 10/02/03, p. 412, and on October 23, 2003, the assembly passed Assembly Bill 267 as amended, by a vote of 64 to 33, A.J. 10/23/03, p. 451.

On November 11, 2003, the senate concurred in Assembly Bill 267 by a vote of 21 to 11, S.J. 11/11/03, p. 478.

On December 17, 2003, the Governor vetoed Assembly Bill 267, A.J. 12/17/03, p. 578.

TEXT OF GOVERNOR'S VETO MESSAGE

December 17, 2003

To the Honorable Members of the Assembly:

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

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

I support regulatory reform for all businesses in our state – small and large. We need to speed up the permit review processes, reduce duplication, and provide the public and the regulated community with more consistency and

clear decisions. I support several of the concepts incorporated in this legislation, including efforts to encourage more active participation in the administrative rulemaking process by both small businesses and the public and to help small businesses voluntarily address and correct possible violations of public safety regulations.

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

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

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

My administration is committed to working with the legislature to develop compromise legislation that will maintain critical public safety standards, encourage voluntary compliance for small businesses and speed up the

regulatory process. I am encouraged that the legislature has worked with my administration to correct many of Assembly Bill 267 flaws in companion legislation, Senate Bill 100, which is still in the state Senate. I encourage the legislature to continue its efforts to pass that bill as appropriately amended.

Respectfully submitted,

JIM DOYLE

Governor

2003 Assembly Bill 472: Milwaukee Parental Choice Program Income Limit

On October 1, 2003, the assembly adopted Assembly Amendment 1 to Assembly Bill 472 by a vote of 77 to 21, A.J. 10/01/03, p. 403, and passed Assembly Bill 472 as amended, by a vote of 66 to 32, A.J. 10/01/03, p. 403.

On October 23, 2003, the senate concurred in Assembly Bill 472 by a vote of 20 to 12, S.J. 10/23/03, p. 433.

On November 26, 2003, the Governor vetoed Assembly Bill 472, A.J. 12/01/03, p. 559.

TEXT OF GOVERNOR'S VETO MESSAGE

November 26, 2003

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 472** in its entirety. This bill allows a student to continue in the Milwaukee Parental Choice Program so long as the family income of the student is below 220 percent of the federal poverty level. Under current law, the family's income must be under 175 percent of the federal poverty level for the pupil to remain in the program.

Providing reasonable flexibility to families with children already in the Choice program has merit. However, I am vetoing this legislation because I object to increasing state expenditures for the Choice program in isolation. Flexibility for the Choice program must be considered as a part of a larger educational reform initiative that addresses the educational needs of all of the children in

the City of Milwaukee, including the vast majority of children who will remain in the public school system.

In addition, before any increases in funding for the Choice program are considered, Wisconsin taxpayers must be assured that Choice schools accepting public dollars meet reasonable accountability standards. It is not satisfactory that most schools in the Choice program are providing a high quality education. All must.

I applaud the genuine efforts of the legislators who developed this bill. However, I cannot sign this legislation into law until there is agreement on comprehensive reform that benefits all of Milwaukee's school children.

Respectfully submitted,

JIM DOYLE

Governor

2003 Assembly Bill 503: Enrollment of the Charter School Established by the University of Wisconsin-Parkside

On October 1, 2003, the assembly passed Assembly Bill 503 by a vote of 59 to 39, A.J. 10/01/03, p. 404.

On October 23, 2003, the senate concurred in Assembly Bill 503 by a vote of 20 to 12, S.J. 10/23/03, p. 445.

On November 26, 2003, the Governor vetoed Assembly Bill 503, A.J. 12/01/03, p. 559.

TEXT OF GOVERNOR'S VETO MESSAGE

November 26, 2003

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 503** in its entirety. This bill increases the enrollment limit for the charter school established by the chancellor of the University of Wisconsin-Parkside from 400 to 480 students beginning in the 2004-05 school year.

I am vetoing this bill because the current limit of 400 students provides adequate room for the school to grow this biennium. Current enrollment estimates indicate that 300 to 310 students will be attending the charter school in 2003-04.

Further, I am vetoing this bill because modifications to charter school law should be considered as part of a larger reform effort that benefits public school children.

Increasing the enrollment limit at the University of Wisconsin-Parkside charter school may have merit. However, at a time when the cap is not interfering with enrollment, and there is no agreement on comprehensive reform that addresses the needs of public school children, I cannot sign this bill into law.

Respectfully submitted,

JIM DOYLE

Governor

III. PARTIALLY VETOED BILLS

No bill was partially vetoed by the Governor during the period from November 13, 2003, to December 20, 2003.
