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# Wisconsin Briefs

from the Legislative Reference Bureau

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Brief 09–5–Supplement

August 14, 2009

## EXECUTIVE PARTIAL VETO OF ASSEMBLY BILL 75

### Executive Budget Bill Passed by the 2009 Wisconsin Legislature

(2009 Wisconsin Act 28)

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#### SUPPLEMENT

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#### Item D–4. ICF–MR Preservation Study

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*Section 9122 (7i)*

This provision requires the Department of Health Services to appoint a committee to study the need for and preservation of remaining intermediate care facilities for the mentally retarded (ICF–MR) in the state and submit a report to the Joint Committee on Finance by December 1, 2009.

The Joint Committee on Legislative Organization concluded that the governor partially vetoed this provision in violation of article V, section 10 (1) (c), of the Wisconsin Constitution, which prohibits the governor from creating “a new sentence by combining parts of 2 or more sentences of the enrolled bill.” Acting in its policy–making board capacity under section 13.90 (1), Wis. Stats., the Joint Committee on Legislative Organization directed the Legislative Reference Bureau to publish a supplement to 2009 Wisconsin Act 28, showing SECTION 9122 (7i) of the act as contained in enrolled 2009 Assembly Bill 75 and without the markings indicating a partial veto by Governor James E. Doyle. Accordingly, item D–4, the governor’s written objections, and the cited segments of 2009 Assembly Bill 75 relating to SECTION 9122 (7i) are for all intents and purposes removed from *Wisconsin Brief* 09–5.

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