

Rep. Mary Hubler's Legislative Update

Hubler's Legislative Highlights



Representative Mary Hubler accepts a pen that Governor Jim Doyle used to sign one of her bills into law.

Here are some of the legislative proposals Rep. Mary Hubler has worked on in the 2007-08 legislative session

- A bill to allow farmers and self employed people to apply for BadgerCare without having to add depreciation on work-related equipment as income. **(Rep. Hubler's idea was adopted and passed as part of the budget bill.)**

- Bills to increase the garbage tipping fee from \$3 to \$10 to reduce the flow of out-of-state garbage. **(The fee was increased to \$4 as part of the budget bill, which is a start but not enough to stop Wisconsin from being used as a dump for Minnesota garbage.)**
- A bill that repeals the 65-year-old age requirement for veterans and surviving spouses to qualify for the veterans property tax credit. **(This idea was adopted and passed as part of the budget bill and will be effective in 2009 for taxes to be paid in 2010.)**
- A bill that allows active members of the Wisconsin National Guard to qualify for resident hunting licenses regardless of the state they live in. **(Became law)**
- A bill requiring that any official state newspaper that is paid to carry State of Wisconsin legal notices be available in every county in the state. **(The newspapers are now available in our area because of the threat of this bill.)**
- A bill to require that bids for many state projects be accepted at the project site or at a public building within a reasonable distance, rather than requiring northern contractors to travel to Madison. **(State policy on accepting bids was changed because of this bill.)**
- A bill to provide for recall elections for members of elected sanitary district boards. **(Became law)**

Governor's Veto Power Reviewed by Voters



The voters of the state of Wisconsin have voted to make changes to the Governor's veto power through a constitutional amendment. The change means the Governor will no longer be able to cross out parts of sentences to create new sentences in the budget bill as passed by the Legislature.

The Governor's extraordinary veto power has been in place for about 80 years. Wisconsin voters ratified a constitutional amendment in 1930 giving the Governor authority to use partial vetoes on budget bills. Governor Philip F. La Follette made relatively modest use of the new power, issuing 12 partial vetoes of the 1931 budget bill.

In recent decades, though, the use of the partial veto has grown substantially and in ways the people probably never intended in 1930. This powerful veto power has altered the balance between the Legislature and the Governor. Legislatures exist to make laws, but the Governor's veto power has allowed him to block the will of the Legislature or even do the opposite of what the elected lawmakers intended.

Until 1969, no Governor had partially vetoed more than five bills or issued more than 12 partial vetoes on a biennial budget. Governor Tommy Thompson issued a record 457 partial vetoes in the 1991-93 budget.

But it isn't just the number of partial vetoes the modern Governors have issued, it is the creativity they have employed in making them.

In 1931, La Follette vetoed parts of a bill as small as a paragraph. In 1961, part of a sentence was vetoed and in 1965, one figure that appeared in a bill was deleted.

Since then, however, Governors have vetoed individual digits and letters, have edited parts of bills to change their meaning, have reduced appropriation amounts by crossing out a number and writing in a different one.

Beginning with Governor Anthony Earl, our Governors used the "Vanna White veto," by which they crossed out words and letters to form new words and sentences. Governor Thompson took it to new levels.

The Wisconsin Supreme Court has reviewed this veto power on eight separate occasions and generally left it intact or even broadened it. In 1990, the last time Wisconsinites amended the constitution to restrict the Governor's veto power, they voted to block the Governor from creating new words by crossing out individual letters from words.

The Legislature and the people of the state have finally moved to limit the Governor's veto authority.



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Mary Hubler
State Representative

Dear Neighbor:

Spring 2008

The Legislature adjourned its 2007-08 Legislative session in mid-March the same way it opened it: with serious questions about how to resolve problems with the biennial budget. At this writing, the Legislature is waiting to be called back into special session to rebalance the budget, which has an estimated \$652 million hole in it.

Our Legislature spent most of last year working on the biennial budget before finally passing a budget on October 23, 115 days overdue. Since then, a lagging national economy has resulted in less income and sales tax revenue than expected, leaving the state with a \$652 million budget deficit.

The top achievement of the Legislature this session may have been the expansion of BadgerCare, Wisconsin's healthcare plan for families with children. The Legislature was called back into special session to pass the Great Lakes Compact, another important bill.

The statewide smoking ban never even got to the floor of the Senate or Assembly, however. As in previous sessions, equity in school funding and increased access to health care were not taken up.

I will discuss in this newsletter the budget and the important bills that were before this Legislature. As always, please contact my office at any time with questions and concerns.

Sincerely,

A handwritten signature in blue ink that reads "Mary".

MARY HUBLER
State Representative
75th Assembly District

Budget Bill Passed After Marathon Deliberations

The Wisconsin Legislature drew the budget process out until late October, becoming the last state in the country to enact its budget bill. The bill had been due by July 1.

The delay caused problems for school boards and other local governments that had to set their budgets without knowing how much state aid they would get. Because the budget was so late, the Legislature added \$79.3 million to the state school levy tax credit, rather than providing it through the school equalization aid formula. This helped to reduce the school tax increases on property tax bills that went out in December.

Other highlights for education in the budget

- An increase of \$525 million for school aid and the School Levy Tax Credit in order to protect our schools while taking the burden off of property taxpayers and providing 2/3 of the funding for public education.



Representative Mary Hubler addresses the Wisconsin State Assembly late in the 2007-08 legislative session.

- \$27 million to expand SAGE and \$3 million to expand 4-year old kindergarten as well as \$1.8 million for supplemental special education funding. SAGE is a program that helps keep elementary class sizes smaller.
- The UW System received an additional \$159 million in this budget which fully funds their Growth Agenda at campuses across the state.
- Funding for tuition assistance is increased by \$32 million and nearly \$12 million is included to fund tuition costs for Wisconsin veterans. The budget also includes the Wisconsin Covenant, which ensures that Wisconsin students with good grades have a spot in the UW System and the assistance they need to afford it.

Budget highlights for the environment

- More money is invested in renewable energy than in any budget in Wisconsin history. The budget commits \$15 million for renewable energy grants.
- The Stewardship Fund is reauthorized at \$85 million per year for 10 years with legislative oversight.

Budget highlights for Tax Relief

- The budget eliminates the tax on Social Security benefits and includes several targeted tax cuts to benefit middle class families including:
 - Health Insurance Premium Tax Deduction – Begins January 1, 2008, and cuts \$11.8 million in 2008-09 and \$149 million when fully phased-in.
 - Retirement Pension Tax Exemption – Begins January 1, 2009, and cuts \$2.5 million in 2008-09.
 - Child Care Tax Deduction – Begins on January 1, 2009, and cuts \$16 million per year when fully phased-in.
 - College Tax Deduction – Expands existing exemption by \$4.8 million beginning January 1, 2009.

Last Minute Action Preserves Virtual School Option

The Wisconsin Legislature and Governor James Doyle worked out an acceptable compromise and preserved virtual schools as an option late in the 2007-08 legislative session.

Virtual schools are public charter schools that operate on the internet. They have a regular curriculum, textbooks and other material. The online schools allow students to study at home. Teachers may also use software to tutor students one on one, update parents and attend online staff meetings with other teachers.

For awhile it looked as if this option might be taken away by the courts and a failure by the Legislature to act quickly enough. The court had ruled that the Wisconsin Virtual Academy operated by the Northern Ozaukee School District had violated statutes regarding teacher certification, charter

schools and open enrollments. The court barred the school from receiving state funds, which amount to about \$5,845 per student. The court ruling affected all virtual schools and thousands of students in Wisconsin.

The Senate balked at the Assembly proposal because the Governor seemed unlikely to sign a bill that expanded the enrollment cap and allowed it to fluctuate with overall enrollment. The Assembly balked at the Senate proposal in the belief that the enrollment cap in that bill was too restrictive.

In the waning hours of the regular legislative cycle the two sides reached an agreement on a new bill that would cap enrollment at 5,250 students. The Governor signed it into law.

The new law requires a study of the costs and effectiveness of virtual schools.

BadgerCare Plus is Budget Highlight

BadgerCare Plus was one of the most important changes passed with the long-awaited Wisconsin state biennial budget.

BadgerCare Plus guarantees that children under 19 years old will have access to health care, regardless of income. The program replaces BadgerCare, which also provided health care to families with children under 19, provided they met income guidelines.

The new program is not meant to replace private insurance. BadgerCare Plus rules will prevent most people from dropping private coverage to enroll in the state program.

BadgerCare Plus went into effect on February 1.

Under BadgerCare Plus, 98 percent of Wisconsin children will have access to health and medical care. Any family that wants to purchase health insurance for their children can do so, regardless of income.

Besides offering coverage to all children, BadgerCare Plus expands coverage to pregnant women and caretaker relatives. The new program covers youths between the ages of 18 and 20 who are leaving foster care.



Representative Hubler discusses bills before the Assembly with her colleagues, including (left to right) Asst. Minority Leader Jon Richards, Minority Leader Jim Kreuser and Representative Kim Hixon.

Wisconsin already had fewer uninsured children than most other states. BadgerCare Plus should begin to cover those who were falling through the cracks.

A BadgerCare website at access.wi.gov will answer questions about benefits and enrollment. Those without internet access may call 1-800-362-3002 with questions.

Great Lakes Compact

The Great Lakes Compact was developed over four years with the input of American and Canadian officials from the states and provinces which border the Great Lakes. The compact is a regional water use plan designed to protect the lake system that contains 20% of the world's fresh water and 90 percent our nation's fresh surface water. The compact would establish the legal framework for prohibiting most new or increased diversions of water outside of the Great Lakes basin. There have been rumblings in western states about building a pipeline to the Great Lakes; the Compact would effectively prevent that from happening.

This spring the Wisconsin Legislature passed the Great Lakes Compact. The measure had been held up in the State Assembly when Assembly Republican leadership refused to allow a vote. Some communities just west of Milwaukee would be prevented from using water from Lake Michigan because they are outside of the watershed. The representatives from those areas prevented a vote. In mid-April, however, compromises were reached and Governor Doyle called for a special session to approve the compact.

The compact had already been ratified by New York, Illinois, Indiana and Minnesota.

Old Docks Allowed to Remain

The State Legislature unanimously approved a bill which will allow docks built before February 6, 2004, to be statutorily grandfathered in. In 2004, in an effort to control large docks or decks being built over Wisconsin waters and to ensure boating safety, the Legislature passed Wisconsin ACT 118 establishing standards for new docks and requirements for getting permits for existing docks. However, the application of the new standards was often confusing to both homeowners and DNR officials. This new legislation was drafted after a series of statewide hearings gave property owners a chance to offer their opinions.

Property owners will have three years to register their docks with the DNR and no fee will be charged for the registration. A grandfathered dock may not be more than eight feet wide and may not have a platform at the end of the dock that is more than 200 square feet. The new legislation will also allow the owner to repair, maintain or replace an exempt grandfathered dock or wharf but they may not enlarge it.

