

# STATE OF WISCONSIN

# Senate Journal

## One-Hundred and Sixth Regular Session

FRIDAY, March 22, 2024

The Chief Clerk made the following entries under the above date.

### PETITIONS AND COMMUNICATIONS

State of Wisconsin  
Office of the Governor

March 22, 2024

The Honorable, the Senate:

The following bill(s), originating in the Senate, have been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
Senate Bill 67	139	March 21, 2024
Senate Bill 163	152	March 21, 2024
Senate Bill 271	153	March 21, 2024
Senate Bill 313	154	March 21, 2024
Senate Bill 323	140	March 21, 2024
Senate Bill 351	141	March 21, 2024
Senate Bill 355	155	March 21, 2024
Senate Bill 363	156	March 21, 2024
Senate Bill 374	147	March 21, 2024
Senate Bill 398	142	March 21, 2024
Senate Bill 413	157	March 21, 2024
Senate Bill 431	158	March 21, 2024
Senate Bill 451	134	March 21, 2024
Senate Bill 460	159	March 21, 2024
Senate Bill 485	133	March 21, 2024
Senate Bill 591	160	March 21, 2024
Senate Bill 616	146	March 21, 2024
Senate Bill 626	129	March 21, 2024
Senate Bill 628	132	March 21, 2024
Senate Bill 654	161	March 21, 2024
Senate Bill 753	162	March 21, 2024
Senate Bill 759	127	March 21, 2024
Senate Bill 768	163	March 21, 2024
Senate Bill 773	128	March 21, 2024
Senate Bill 787	135	March 21, 2024
Senate Bill 810	169	March 21, 2024
Senate Bill 822	126	March 21, 2024
Senate Bill 880	136	March 21, 2024
Senate Bill 898	130	March 21, 2024
Senate Bill 915	137	March 21, 2024

Sincerely,  
*TONY EVERS*  
Governor

Pursuant to s. 35.095 (1)(b), Wisconsin Statutes, the following 2023 Act(s) have been published:

<u>Act Number</u>	<u>Bill Number</u>	<u>Publication Date</u>
Wisconsin Act 126	822	March 22, 2024
Wisconsin Act 127	759	March 22, 2024
Wisconsin Act 128	773	March 22, 2024
Wisconsin Act 129	626	March 22, 2024
Wisconsin Act 130	898	March 22, 2024
Wisconsin Act 132	628	March 22, 2024
Wisconsin Act 133	485	March 22, 2024
Wisconsin Act 134	451	March 22, 2024
Wisconsin Act 135	787	March 22, 2024
Wisconsin Act 136	880	March 22, 2024
Wisconsin Act 137	915	March 22, 2024
Wisconsin Act 139	67	March 22, 2024
Wisconsin Act 140	323	March 22, 2024
Wisconsin Act 141	351	March 22, 2024
Wisconsin Act 142	398	March 22, 2024
Wisconsin Act 146	616	March 22, 2024
Wisconsin Act 147	374	March 22, 2024
Wisconsin Act 152	163	March 22, 2024
Wisconsin Act 153	271	March 22, 2024
Wisconsin Act 154	313	March 22, 2024
Wisconsin Act 155	355	March 22, 2024
Wisconsin Act 156	363	March 22, 2024
Wisconsin Act 157	413	March 22, 2024
Wisconsin Act 158	431	March 22, 2024
Wisconsin Act 159	460	March 22, 2024
Wisconsin Act 160	591	March 22, 2024
Wisconsin Act 161	654	March 22, 2024
Wisconsin Act 162	753	March 22, 2024
Wisconsin Act 163	768	March 22, 2024
Wisconsin Act 169	810	March 22, 2024

State of Wisconsin  
Office of the Governor

March 21, 2024

The Honorable, the Senate:

I am vetoing **Senate Bill 549** in its entirety.

Beginning in the 2024-25 school year, this bill requires the principal of a public school or independent charter school to schedule at least one date and time (which may be noninstructional time) at the start of the school year upon request of a federally chartered youth membership

organization to allow the organization to visit the school and encourage students to join the organization.

I am vetoing this bill in its entirety because I object to undermining local decision-making regarding whether organizations may visit school buildings to recruit students for membership. I have long supported the important work of youth organizations designed to promote civic participation, good citizenry, and lifelong skills of respect, leadership, and service. However, I cannot support legislation that strips locally elected school board officials, administrators, and school principals of existing decision-making authority to determine permissible entry to school grounds during the instructional day or after.

Additionally, this bill may conflict with existing federal law. The 1984 Equal Access Act requires a federally funded public secondary school that permits at least one noncurriculum-related student group to meet on school premises during noninstructional time to provide equal access to all student organizations, regardless of viewpoint, philosophy, or speech. A state mandate requiring access to schools for a small, specific list of organizations may run afoul of the right of other groups to such a limited open forum, leaving school district board members, administrators, and principals vulnerable to potential litigation.

Respectfully submitted,  
 TONY EVERS  
 Governor

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**State of Wisconsin  
 Office of the Governor**

March 21, 2024

The Honorable, the Senate:

I am vetoing **Senate Bill 736** in its entirety.

This bill would require the Legislative Audit Bureau to conduct a performance audit of election processes following a general election. The bill would also require the Elections Commission to assist counties and municipalities with the audit. The commission would randomly select four counties and one city and one village from each of those counties for the bureau to audit. One of the selected counties must be one of the ten most populous counties in the state. The bill would grant the bureau the authority to physically handle and examine all original election materials, such as ballots and absentee ballot certificates, although municipal clerks would maintain custody and management authority over the retention and security of the election records. The public would be allowed to observe the audit in observation areas consistent with current law. Under the bill, any person may commence an action in circuit court to compel compliance with the audit procedures, and if a court finds that an election official or the commission is noncompliant, the official or

commission could be subject to a forfeiture of \$500 for each day of noncompliance. In addition, the bureau would be required to report any noncompliance to the Legislature. Finally, the bill would require the bureau to submit a report of its findings and recommendations to the Legislature no later than June 30 of the odd-numbered year following the election.

I am vetoing this bill in its entirety because I object to the Wisconsin State Legislature's ongoing efforts to interfere with and usurp control over election administration and undermine Wisconsin's election administration system the Legislature itself installed mere years ago. Wisconsin state law already provides robust protections to ensure our elections are safe, fair, and secure, including requiring post-election audits overseen by the bipartisan Wisconsin Elections Commission that are more comprehensive and expansive than the process created and overseen by the Legislature under this bill.

The Elections Commission already audits the performance of voting systems to determine the error rate of the system in counting ballots after every general election. If the error rate exceeds the rate permitted under federal standards, the commission must take remedial action or order remedial action to be taken to ensure compliance with the standards.

Further, where this bill would require an audit of a few municipalities in four counties, the current audit process reaches all 72 counties. As of 2022, the Wisconsin Elections Commission audits 10 percent (approximately 368) of all reporting units following a general election. After every election, the commission randomly selects units from within the municipalities to audit. For each approved voting system in the state, at least five reporting units of that voting system must be audited. If not, additional reporting units are randomly selected from underrepresented voting equipment groups until at least five of each type are represented. Additionally, at least one reporting unit in every county must be randomly selected.

Existing post-election audits required and conducted under current state law ensure Wisconsin's elections are safe, fair, and secure; no need exists for the Legislature to create and oversee a separate, duplicative, and less effective process.

Respectfully submitted,  
 TONY EVERS  
 Governor

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**OATH OF OFFICE**

On Friday, March 22, 2024, Lynsay Hale took and subscribed the oath of office as Acting Senate Chief Clerk in Madison, which was administered by Senate President Chris Kapenga.