

Governor Walker's Vetoes Remove Legislative Oversight

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Sen. Kathleen Vinehout writes about the governor's vetoes which eliminated provisions of legislative oversight. The power of the people resides in their elected officials. When the oversight provisions are eliminated, the power of the people is weakened.

WAUKESHA, WI - "I object to the infringement on gubernatorial power and duties," wrote Governor Walker in his veto message. By his budget vetoes he made it clear he did not want legislative oversight.

The governor removed at least 15 portions of state law passed by the legislature that provided legislative authority or provided oversight of the executive branch.

Remember your 4th grade civics class lessons about the delicate balance of powers between the three branches of government – the governor (and executive agencies,), the legislature, and the judiciary. The power of the people lies in the power of their elected officials. The peoples' representatives are their most direct line of power. When legislative power is undermined, so is the power of the people.

The governor began the budget process by taking away powers given to the people and the legislature. For example, the citizen board members of the Departments of Natural Resources and Agriculture lost all their policy-making powers in the governor's budget. The legislature lost its oversight of state building projects in the governor's changes to the Building Commission. The people lost budget restrictions in the governor's gutting of the cost-benefit analysis requirements. These powers were all restored in action by the legislature.

However, through his vetoes, the governor again limited the power of the people through their legislature. For example, the legislature held onto funds the governor put in the Wisconsin Economic Development Corporation (WEDC) budget. The very troubled jobs agency was to submit policy changes to the legislature. Presumably, those funds could be released funds if the budget writing committee members were satisfied progress was made. The governor took the funds set aside by the budget committee through his veto pen.

The budget writing committee made changes in the requirements for agencies writing budgets – requiring more information be sent to the legislature on budget options. Lawmakers also set executive restrictions on short-term debt. The use of this type of debt (known as ‘commercial paper’) has long been unrestricted by lawmakers and invisible to the public.

The governor vetoed both of these common sense budget oversight provisions.

The most challenging aspect of the budget for lawmakers has been getting our arms around health spending. Medicaid is the largest budget program and spending is growing faster than any other part of the budget.

A few years ago, a Legislative Audit Bureau report found that poor state accounting in the Medicaid program made it difficult for legislators to gain needed management information about spending and program administration.

Lawmakers on the Joint Finance Committee (JFC) made changes to require reporting and oversight of such gubernatorial initiatives as drug testing of health program recipients, and funds collected from ambulatory surgery centers. Lawmakers required the Department of Health Services (DHS) report on details of a federal waiver to change BadgerCare both before the waiver was sought and after the waiver was approved. The DHS was to also report on the fiscal impact of BadgerCare changes. Budget provisions required DHS officials to consult with advocacy organizations regarding mental health changes and report these changes to the legislature.

The governor vetoed this oversight set by the legislature.

The Governor made major changes to Family Care and IRIS programs for the disabled, frail elderly and developmentally disabled. The JFC modified these changes including creating five regional areas of service delivery and an open enrollment period that coincided with the open enrollment for Medicare. The governor vetoed these changes.

To eliminate oversight by the public, the governor and the legislative majority worked together to severely restrict Wisconsin's open records law. Intense public pressure caused the full legislature to restore the open records laws that gives citizens critical transparency into the activities of the legislature in the lawmaking process.

The governor already has wide leeway for executive action. Taken together, his vetoes continue a pattern of closing off legislative oversight and, with that, public accountability. With the total budget growing to nearly \$73 billion, oversight has never been more vital to a functioning democracy.

Wisconsin (or the rest of the country) does not need an imperial executive that does not want to answer to anyone.

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