



Tony Evers

OFFICE OF THE GOVERNOR

March 20, 2026

To the Honorable Members of the Senate:

I am vetoing Senate Bill 289 in its entirety.

This bill would require state agencies to stop work on an administrative rule based on certain criteria in an economic impact analysis. Under the bill, the rules promulgation process would be paused until the agency modifies the proposed rule to eliminate any net implementation or compliance costs, a bill is enacted that allows the agency to promulgate the proposed rule, or the agency promulgates a different rule within the same calendar year as the paused rule that is reasonably expected to reduce implementation and compliance costs by an offsetting amount over any two-year period. The bill would also require the agency's economic impact analysis of a proposed rule to list costs and savings pertaining to each type of affected business, individual, and local unit of government, and require the analysis to compile total net costs and cost savings for affected entities as a single dollar figure. Additionally, the bill would require the economic impact analysis to estimate compliance and implementation costs and attribute them to the proposed rule, regardless of whether estimated costs and savings are attributable to the underlying statutory directives or objectives that are the basis of the rule; any other statutory directives or objectives that impact the proposed rule or that determine or otherwise impact the policies proposed to be included in the rule; requirements, limitations, or constraints imposed by federal law; and other factors that bear on the necessity of the rule.

I am vetoing this bill in its entirety because I object to the Wisconsin State Legislature's ongoing efforts to encroach on the administrative rulemaking authority of the executive branch. Even before I took office in January 2019, Legislative Republicans spent significant time, energy, and effort attempting to curtail and impede the authority of executive branch state agencies to promulgate administrative rules. Though the Wisconsin Supreme Court recently issued decisions that helped restore the separation of powers in Wisconsin and rebalance rulemaking authority, the Legislature's efforts apparently persist. The Legislature asks me, in effect, to undo this decision, enabling the Legislature to go right back to indefinitely obstructing the People's Work and returning state government to inaction, delays, and gridlock. I decline to do so.

Further, I also object to the Legislature making state government less efficient, less effective, and less responsive to the people of Wisconsin. Ironically, for a Legislature fraught over purported concerns of inefficiency, regulations, and any "growth" of government, the Legislature asks me to sign a bill that will do just that. Instead of working to improve processes, providing the necessary staff and funding for agencies to appropriately implement laws, or working in earnest to pass bipartisan bills containing the necessary clarity for implementation, the Legislature seeks to simply make the rulemaking process as arduous and unworkable as possible. Ultimately, the people of Wisconsin would pay the price.

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The provisions of this bill would likely have the practical effect of severely hampering the administrative rulemaking processes of state agencies by, in most cases, requiring any proposed administrative rule that increases costs on any entity in Wisconsin, regardless of the amount, to be approved through passage of a bill and signed by the Governor. The onerous requirements of the bill would also obstruct the ability of state agencies and the Governor to quickly address emergent issues through the promulgation of emergency administrative rules. This is an untenable and unworkable result.

Respectfully submitted,

A handwritten signature in cursive script that reads "Tony Evers".

Tony Evers
Governor