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Speaker Vos' Lame Duck Goes Down

Republicans violated constitutional protections of the people

MADISON – Today, in a victory for the people of this state, Dane County Judge Richard Niess issued a temporary injunction preventing enforcement of lame duck legislation Speaker Robin Vos and Majority Leader Scott Fitzgerald pushed through in a lame duck “Extraordinary Session” last December. These lame duck bills were their attempt to unlawfully consolidate their own political power while eroding the power of newly elected Governor Tony Evers and Attorney General Josh Kaul. Judge Niess concluded that “The bottom line in this case is that the Legislature did not lawfully meet during its December 2018 ‘Extraordinary Session,’ which therefore proceeded in violation of both Article IV, Section 11 of the Wisconsin Constitution and its sole implementing statute Sec. 13.02, Stats.”

This ruling will temporarily prevent the enforcement of the lame duck Republican power grab, which a Legislative Reference Bureau memo shows was unprecedented in Wisconsin history. Among other things, these bills usurped executive functions and restricted Governor Evers’ ability to withdraw the state from lawsuits and reach settlements. Republican legislators also gave themselves unlimited taxpayer money to intervene in lawsuits, which they did in this case.

In light of these developments, Governor Evers has instructed Attorney General Kaul to immediately remove Wisconsin from a Republican lawsuit to dismantle the Affordable Care Act, which Attorney General Kaul filed a motion to accomplish.

In response to this ruling, Rep. Chris Taylor (D-Madison) issued the following statement:

“For the last 8 years, Republican politicians have been drunk on power in Wisconsin; always giving the people of Wisconsin less as they gobbled up more for themselves. They have tried to claw their way into every branch of government and every ballot box in Wisconsin. *Finally* their attacks on democracy and constitutional safeguards that, according to Judge Niess, were ‘specifically designed to constrain legislative overreach and safeguard the people’s liberty from irregular, capricious, precipitous, and unpredictable meetings of the Legislature,’ have been thwarted. Today, the people of Wisconsin prevail in curtailing a Republican-dominated legislature that trampled on fundamental constitutional rights of the people.

Rep. Vos and Senator Fitzgerald should immediately reimburse the taxpayers of our state for the money they spent intervening in this lawsuit and trying to defend their unconstitutional actions. It’s time for their abuse of power and fiscal irresponsibility to end.”