

Second Dane County judge issues injunction against portions of lame-duck laws

Posted on Tuesday, Mar 26, 2019

A Dane County judge has temporarily enjoined several sections of laws passed in a December extraordinary session following a challenge brought by a series of unions.

Judge Frank Remington's issuance of a partial temporary injunction comes as the laws are already on hold following a separate Dane County judge's ruling in a different lame-duck suit last week.

Today's ruling also rejects a motion to dismiss the case from the GOP Legislature, as well as its attorney's request for a stay pending appeal.

Remington in his decision likened the state Constitution to "a keel on a great ship," saying while it's not visible, it has a critical function and aims to maintain the balance of each arm of government.

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"In December, 2018 the Legislature and then Governor Scott Walker upended the balance that this State has had for most all of its 171 years," he continued. "The time has come to right this ship-of-state so Wisconsin can resume smooth sailing ahead."

Assembly Speaker Robin Vos, R-Rochester, and Senate Majority Leader Scott Fitzgerald, R-Juneau, vowed to appeal the decision.

"It's encouraging to see the court ruling in our favor on elements of this case," they said. "However, all of the Legislature's actions are consistent with the separation of powers that the Wisconsin Supreme Court has upheld for decades."

But Gov. Tony Evers said the latest ruling makes it “abundantly clear that the lame duck session was nothing more than an illegal power grab intended to override the will of the people.”

“It is time to move beyond this chapter and work together to build a Wisconsin that puts the people first,” he said.

See the decision:

<https://www.wispolitics.com/wp-content/uploads/2019/03/190326RemingtonDecision.pdf>