

Wisconsin Supreme Court to hear challenge to two of Walker's partial budget vetoes

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With one challenge pending to some of Gov. Tony Evers' partial vetoes in the most recent budget, the state Supreme Court has agreed to hear a separate suit seeking to overturn two vetoes issued by former Gov. Scott Walker.

Those partial vetoes Walker issued in the 2017-19 budget include one that's been dubbed the "thousand-year veto." That's because Walker used his partial veto authority to turn a legislative deadline of Dec. 31, 2018, into December 3018.

The lawsuit, filed by Wisconsin Small Businesses United Inc. and five citizens, asked the state Supreme Court to directly take its suit and weigh in on the constitutionality of Walker's moves. The court agreed earlier this month to hear the case and announced its decision yesterday afternoon.

The plaintiffs argue the Supreme Court has found that governors can strike individual digits in monetary figures included in appropriation bills. But it hasn't said they may strike digits in dates, creating new ones beyond what the Legislature had intended, the suit argues.

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One of the vetoes deals with an exemption to school district levy limits for energy efficiency projects. The Legislature intended a one-year moratorium on the exemption that would've made it unavailable for 2018. Instead, Walker pushed it back to 3018.

The second dealt with a 2013 law to allow retailers to claim a deduction or earn a refund of sales taxes on some bad debts. It was originally to take effect in 2015, but

was pushed back in the 2015-17 budget. The 2017-19 budget then included another delay, this time until July 1, 2018. Walker's veto pushed it back an additional 60 years.

In October, the court agreed to take original jurisdiction in a challenge the conservative Wisconsin Institute for Law & Liberty filed over four of Evers' budget vetoes. That includes one that changed registration fees for heavy trucks and eliminated a grant program for school buses, instead directing the money to electric vehicle charging stations.

See the original request to take the case:

<https://www.wispolitics.com/wp-content/uploads/2020/01/200130WSBU.pdf>