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STATE BUDGETS - WISCONSIN

LeMieux v. Evers

Supreme Court of Wisconsin - April 18, 2025 - 415 Wis.2d 422 - 2025 WI 12 - 19 N.W.3d 76

Petitioners filed action to determine whether Governor exceeded his constitutional partial veto authority on biennial budget bill.

The Supreme Court held that:

- Governor's partial vetoes to biennial budget bill did not violate deletion veto principle providing that vetoes were constitutional as long as remaining text of bill constituted complete, entire, and workable law;
- Governor's partial vetoes to biennial budget bill did not violate deletion veto principle providing governor may exercise deletion vetoes only on parts of bills containing appropriations within their four corners;
- Governor's partial vetoes to biennial budget bill did not violate deletion veto principle providing governor's deletion vetoes may not result in law that was totally new, unrelated or non-germane to original bill;
- Governor's partial vetoes to biennial budget bill did not violate deletion veto principle providing governor may strike words, letters, or numbers but cannot create new words by rejecting individual letters in words of enrolled bill or create new sentences by combining parts of two or more sentences of enrolled bill;
- Holding from *Citizens Utility Board v. Klauser*, 194 Wis. 2d 484, 534 N.W.2d 608, that governor had authority to exercise partial veto by striking numerical sum appropriated in bill and inserting different, smaller amount, under constitutional provision allowing governor to approve appropriation bill "in part," did not apply to invalidate governor's partial vetoes to biennial budget bill; and
- Constitutional provision, providing that governor, in approving appropriation bill in part, could not create new word by rejecting individual letters in words of enrolled bill, was not violated by governor while exercising partial veto to biennial budget bill.

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