



NANCY VANDERMEER

STATE REPRESENTATIVE • 70TH ASSEMBLY DISTRICT

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Statement on Assembly Bill 1 and Revocation of Executive Order #104

Madison, WI – On Thursday, the State Assembly adopted an amendment to [Assembly Bill 1](#), a second comprehensive coronavirus relief package, and took up and passed [Senate Joint Resolution 3](#) that repeals the governor’s [Executive Order #104](#). Republican members of the Assembly also sent a [letter](#) to Governor Evers again encouraging him to lawfully work with the Legislature to develop bipartisan, not unilateral, solutions to respond to COVID-19 and other important issues facing the state.

Representative Nancy VanderMeer (R-Tomah) voted for both measures and released the following statement:

“According to [Wisconsin law](#), the governor is afforded one, 60 day emergency declaration to deal with unique challenges and circumstances experienced by residents of the state and as such, under emergency declaration orders, the executive branch is afforded a wide degree of latitude to deal with unique challenges and circumstances without legislative input for 60 days. After 60 days, an emergency declaration can only be extended by the Legislature through passage of a joint resolution. That has not happened. The governor has repeatedly ignored Wisconsin law and openly ignored a Wisconsin Supreme Court decision on the matter. It has been my position, along with a number of my colleagues, that the *first* renewal of the public emergency declaration last summer was illegal.

“There is a pending case currently with Wisconsin Supreme Court related to the governor’s position that he’s able to endlessly continue emergency declarations for the same reason with allegedly differing circumstances, but I believe the statutes are clear. Unfortunately, I would guess that decision will come down to what legal lesson our state court’s version of Justice Roberts wants to teach us on this particular issue. Nonetheless, the law needs to be followed and we have three branches of government for a reason.

“The governor has had and still does have the opportunity to either propose legislation or develop and present an administrative rule via the Department of Health or any other state agency controlled by the executive branch to attempt to achieve desired outcomes. Both options include legislative input and oversight, a fundamental aspect of state government. As I’ve repeatedly [stated](#), taking personal responsibility for precautionary health measures should be paramount and nothing that happened today prevents that from occurring. Additionally, I’m pleased that leadership in the Assembly took the time to review what the Senate passed and sent our way last week so that we didn’t further expand the authority of the governor to act unilaterally without legislative input or oversight.”

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The 70th Assembly District includes portions of Monroe, Jackson, Portage and Wood counties