

Judge blocks contentious Wisconsin union law

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MADISON, Wis. — A Wisconsin judge issued a temporary restraining order today blocking the state's new and contentious collective bargaining law from taking effect, raising the possibility that the Legislature may have to vote again to pass the bill.

Lawmakers had passed Gov. Scott Walker's measure last week, breaking a three-week stalemate caused by 14 Senate Democrats fleeing to Illinois. Demonstrations against the measure grew as large as 85,000 people.

Dane County District Judge Maryann Sumi granted the order in response to a lawsuit filed by the district attorney alleging that Republican lawmakers violated the state's open meetings law by hastily convening a special committee before the Senate passed the bill.

Sumi said her ruling would not prevent the Legislature from reconvening the committee with proper notice and passing the bill again.

Walker spokesman Cullen Werwie would not comment on whether the governor would push to call the Legislature back to pass the bill again, either in its current form or with any changes. Werwie said Walker was confident the bill would become law in the near future.

"This legislation is still working through the legal process," Werwie said.

A spokesman for Republican Senate Majority Leader Scott Fitzgerald declined to comment, citing the ongoing legal fight. A spokesman for Assembly Speaker Jeff Fitzgerald did not immediately respond to a message seeking comment.

Opponents of the law were hopeful the judge's ruling would lead to concessions.

"I would hope the Republicans would take this as an opportunity to sit down with Democrats and negotiate a proposal we could all get behind," said Democratic Sen. Jon Erpenbach, one of the 14 senators who stayed in Illinois for three weeks in an attempt to stop the bill from passing.

The head of the state's largest teachers union said the Legislature should use this as a chance to listen to opponents of the measure, not vote to pass the same bill again.

“Wisconsin’s educators call upon the Legislature to take this as a clear signal that Wisconsinites will not tolerate backroom deals and political power plays when it comes to our public schools and other valued services,” said Mary Bell, president of the Wisconsin Education Association Council.

Marty Beil, director of the state’s largest public employee union, said in a statement, “We are gratified to see some of our so-called ‘leaders’ finally held accountable for their illegal actions.”

Assistant Attorney General Steve Means said the Justice Department planned to appeal the ruling. Since Sumi’s order isn’t final, the agency must secure permission from the state court of appeals before it can bring a case, Means said. Agency attorneys planned to make the request later today or perhaps early next week, Means said.

If the agency wins permission, it can pursue an appeal with the state appeals court or try to get the state Supreme Court to hear the case.

Dane County District Attorney Ismael Ozanne filed the lawsuit this week alleging the open meetings law was violated because 24 hours’ notice wasn’t given for a meeting of the special legislative committee convened to amend the bill.

Justice Department attorneys argued that notice on a bulletin board posted about two hours before the committee meeting was to start last Wednesday was sufficient under rules of the Senate.

The judge said DOJ couldn’t show the committee was exempt from the 24-hour notice requirement. She said Ozanne could ultimately win the case and ordered Secretary of State Doug La Follette to hold off on publishing the law — the last step before it can take effect. La Follette had planned to publish the law on March 25.

Assembly Minority Leader Peter Barca of Kenosha said the ruling was a move in the right direction.

"I’m very pleased," Barca said. "As you know, I felt from the moment they called this that this would be a violation of open meetings law. This is an important first step in this regard."

The bill was part of Walker’s solution for plugging a \$137-million state budget shortfall. A part of the measure would require state workers to increase their health insurance and pension contributions to save the state \$30 million by July 1. Other parts of Walker’s original proposal to address the budget shortfall were removed before the bill passed last week. The Legislature planned to take those up later.