



WISCONSIN LEGISLATURE

P. O. Box 7882 Madison, WI 53707-7882

FOR IMMEDIATE RELEASE

November 12, 2017

Contact Information:

Senator Steve Nass (608) 266-2635

Senator David Craig (608) 266-5400

Senator Duey Stroebel (608) 266-7513

Senators Respond to DPI Superintendent on REINs Act

DPI should follow REINs Act

Madison – Three state senators responded to DPI Spokesman Tom McCarthy assertion, as reported by Wisconsin Public Radio, lawmakers knew the REINs Act would not apply to DPI:

As the late Justice Scalia wrote, “The Constitution gives legal effect to the ‘Laws’ Congress enacts ... not the objectives its Members aimed to achieve in voting for them.”¹ Regardless of Superintendent Evers’s crystal ball about what legislators may or may not have ‘understood’, we have a process to resolve disputes like these. The intent of the Legislature is the text of the laws we enact. Public officials are bound to those words and should enforce them. Whether Superintendent Evers likes it or not, his decision to ignore the REINs Act is subject to judicial review based upon the text of the constitution and statutes. We trust our judicial system to appropriately weigh the competing claims in due course.

The REINs Act became law on August 10, 2017. It creates a series of procedural steps, including affirmative consent of the legislature in some cases, to increase oversight in the rule-making process.

###

¹ Graham County Soil and Water Conservation Dist. v. United States ex rel. Wilson (Scalia Concurrence), 559 U.S. 280 (2010)