

In the Supreme Court of Wisconsin

JEFFERY A. LEMIEUX and DAVID T. DEVALK,
PETITIONERS,

v.

TONY EVERS, in his official capacity as Governor of Wisconsin, SARAH GODLEWSKI, in her official capacity as Secretary of State of Wisconsin, and JILL UNDERLY, in her official capacity as Wisconsin State Superintendent of Public Instruction,

RESPONDENTS.

**MOTION OF THE BROWN COUNTY TAXPAYERS
ASSOCIATION FOR LEAVE TO FILE A NONPARTY
BRIEF IN SUPPORT OF PETITIONERS**

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Taxpayers Association*

The Brown County Taxpayers Association respectfully moves the Court, pursuant to Wis. Stat. § (Rule) 809.19(7), for leave to file a nonparty brief in this matter. The grounds for this motion are as follows:

1. BCTA is a registered unincorporated association.
2. BCTA's members are Wisconsin taxpayers.
3. A part of BCTA's mission is to advocate, on behalf of its members, for fiscally responsible government.

4. Accordingly, BCTA has an interest in ensuring that the governor's limited partial veto power is not abused.

5. The attached brief will provide this Court with textual and historical analysis of the partial veto power. It also discusses other considerations, including public policy. The brief demonstrates that Wisconsin voters (who are also taxpayers) never understood themselves to be delegating to the governor the kind of broad power that Governor Tony Evers says he has. This Court would undermine democratic norms and basic separation of powers principles were it to rule in favor of Governor Evers.

WHEREFORE, BCTA, respectfully requests this Court grant it leave to file the attached nonparty brief in this action.

Dated: September 16, 2024.

Respectfully submitted,

WISCONSIN INSTITUTE FOR
LAW & LIBERTY, INC.

Electronically signed by Skylar Croy

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