

Notice of Public Meeting
Tuesday, October 11, 2016
3:00 P.M.

**LEGISLATIVE
 COMMITTEE**

*Door County Government Center
 Chambers Room (C102), 1st floor
 421 Nebraska Street, Sturgeon Bay, WI*

AGENDA

1. Call Meeting to Order
2. Establish a Quorum ~ Roll Call
3. Adopt Agenda / Properly Noticed
4. Approve Minutes of August 9, 2016 Legislative Committee Meeting
5. Communications
6. Public Comment
7. Supervisor Response
8. Old Business
 - A. Transportation Issues
 - “Just Fix It” Regional Meeting
 - B. WCA Update
9. New Business
 - A. Wisconsin United to Amend – Dan Powers
 - B. Personal Property Tax
 - C. Implements of Husbandry
10. Matters to be Placed on a Future Agenda or Referred to a Committee, Official, or Employee
11. Next Meeting Date: tbd
12. Adjourn

Deviation from the order shown may occur.

Members of the Door County Board of Supervisors and/or its sub-units may be in attendance at this meeting to listen and gather information. Notice is hereby given that the above meeting may constitute a meeting of the Door County Board of Supervisors or one of its sub-units. However no official action will be taken except by the Legislative Committee.

MINUTES
Tuesday, August 9, 2016

**LEGISLATIVE
COMMITTEE**

*Door County Government Center
Chambers Room (C102), 1st floor
421 Nebraska Street, Sturgeon Bay, WI*

Call Meeting to Order

Chair Susan Kohout called the August 9, 2016 meeting of the Legislative Committee to order at 2:00 p.m. at the Door County Government Center.

Establish a Quorum – Roll Call

Committee members present – Steve Sohns, Susan Kohout, Helen Bacon, Roy Englebert, and David Enigl.

Others present – Administrator Ken Pabich, CC Grant Thomas, Mary Ellen Smith – Public Health, Greg Coulthurst – Soil & Water, Media Rep Peter Devlin, and County Clerk Jill Lau.

"These minutes have **not** been reviewed by the oversight committee and are subject to approval at the next regular committee meeting."

Adopt Agenda / Properly Noticed

Motion by Englebert, seconded by Enigl to approve the agenda. Motion carried by unanimous voice vote.

Approve Minutes of May 10, 2016 Legislative Committee Meeting

Motion by Sohns, seconded by Bacon to approve the meeting minutes of May 10, 2016. Motion carried by unanimous voice vote.

Communications

No communications were presented.

Public Comment

No one from the public commented.

Supervisor Response

N/A.

Old Business

“Just Fix It” Transportation Funding

Supervisor Sohns noted a raise in fees would go a long way for road improvements; the State needs to determine a sustainable solution. Administrator Pabich explained the Highway Committee did discuss this issue. Highway Commissioner Kolodziej is working with his association to determine the next steps for the county. The committee will continue to monitor this issue.

Promulgation of Administrative Rules – Post 2011 Wisconsin Act 21

CC Thomas explained in 2011, through Wisconsin Act 21, the State changed the way administrative rules are promulgated. It narrowed the authority of the agency to promulgate rules. At the same time they increased the level of review and approval by the Governor; the Governor almost has the ability to issue rules. The agencies must do an economic impact analysis of any proposed changes to administrative rules. Legislative review has increased; they have the ability to review and modify. Judicial reviews are sent to the county in which the administrative rule arose. This has been in place for five years.

Groundwater Initiatives

Soil & Water Conservationist Greg Coulthurst explained the state is looking at legislation to address ground water and surface water standards. Legislation will address inconsistencies in current standards. The committee will continue to monitor.

New Business**State Funding for Communicable Diseases**

Information included in the meeting packet was reviewed. Mary Ellen Smith noted nothing needs to be done now; this is the beginning in preparation of the State Budget. Chair Kohout noted Kyle Christianson, WCA, had encouraged the county to submit requests to state departments prior to the start of state budgets in September. Chair Kohout suggested a letter and information be sent to the appropriate state agency with the funding request and noting the importance of this issue to Door County. Smith noted representatives from the Public Health Department had an in-person visit with State Representative Joel Kitchens staff to remind them of the funding request. It was recommended a letter from Public Health Director Rhonda Kolberg and Legislative Committee Members be sent to the appropriate agencies.

Motion by Bacon, seconded by Sohns to direct Kolberg to write and send a letter on behalf of Public Health and the Committee to include the 2015 resolution passed by the County Board to all agencies related to Public Health and State Representatives. Motion carried by unanimous voice vote.

Matters to be Placed on a Future Agenda or Referred to a Committee, Official, or Employee

Nothing as of this meeting.

Next Meeting Date: At call of Chair, second Tuesday of the month at 3:00 p.m.

Adjourn

Motion by Enigl, seconded by Englebert to adjourn. Time 2:52 p.m. Motion carried by voice vote.

Respectfully submitted by Jill M. Lau, County Clerk

Let the People Vote on Whether to Amend the U.S. Constitution

In 2010 in *Citizens United v. FEC*, the U.S. Supreme Court ruled that corporate and union spending on elections cannot be limited under the First Amendment. Then in 2014 the Court ruled in *McCutcheon vs. FEC* that aggregate candidate contributions cannot be capped. These decisions rest on two ideas: that artificial entities like corporations are people, and that money is speech.

WHAT NEEDS TO BE DONE?

Only an amendment to the U.S. Constitution is sufficient to make clear that artificial entities are not persons and money is not speech. We cannot rely on legislation or a new court decision to fix these problems.

First, legislation is insufficient because it can be struck down if the courts find it to be unconstitutional. Second, the Supreme Court is unlikely to overturn the doctrines that artificial entities are people and money is speech anytime soon, and even if it does, a future Supreme Court could overturn that decision.

HOW WIDESPREAD IS CONCERN ABOUT *CITIZENS UNITED*?

- A 2012 AP poll found that 81% of Republicans, 78% of Independents, and 85% of Democrats believe "there should be limits on the amount of money corporations, unions, and other organizations can contribute to outside organizations trying to influence campaigns for president, Senate, and U.S. House."
- A 2011 Hart poll found that 68% of Republicans, 82% of Independents, and 87% of Democrats "support a constitutional amendment that would overturn the *Citizens United* decision and make clear that corporations do not have the same rights as people."
- A 2012 American Sustainable Business Council poll found that 66% of small business owners feel the *Citizens United* decision has hurt them, and 88% believe money has a negative role in politics.
- In Wisconsin, 75 local jurisdictions have called for an amendment to overturn *Citizens United*. People overwhelmingly voted in favor of an amendment, e.g., Janesville (84%), Waukesha (69%), Edgerton (87%), Belmont (88%), Eau Claire County (71%), Belleville (85%), Fort Atkinson (77%) and Shorewood (76%). Across the country, 17 state legislatures have also called for an amendment.

REQUEST

The question of whether to amend the U.S. Constitution is a serious one, and in a democratic republic it makes sense to directly ask the people. Therefore, we ask that the following language be placed on the statewide ballot:

The U.S. Supreme Court's decisions in Citizens United and related cases allow unlimited spending to influence local, state and federal elections. To allow all Americans to have an equal say in our democracy, shall Wisconsin's congressional delegation support, and the Wisconsin legislature ratify, an amendment to the U.S. Constitution stating:

- 1. Only human beings are endowed with constitutional rights--not corporations, unions, nonprofits or other artificial entities, and*
- 2. Money is not speech, and therefore limiting political contributions and spending is not equivalent to restricting speech.*

Wisconsin United To Amend

Website: wiuta.org Contact: Jim Crist Email: wisconsin@unitedtoamend.org Phone: 608-274-6201



Uniting Citizens Against Citizens United

Our nation was founded on the principle that “We, the People” are to govern ourselves as a democratic republic.

However, the Supreme Court has given constitutional rights meant only for individuals to artificial entities such as corporations, unions and super PACs, and has ruled that money spent to influence the political process cannot be limited. As a result, our government today serves powerful special interests, foreign and domestic, instead of the American people.

Therefore, a necessary step toward genuine self-governance is to amend the Constitution to make clear that:

- The rights protected in the Constitution are those of individual human beings only
- The spending of money is not speech, and political spending can be limited to allow all Americans to participate in the democratic process

Our mission is to amend the Constitution in order to achieve a government truly of, by, and for the people.

Getting the Big Money Out of Politics

The flood of money pouring into politics is drowning our democracy and corrupting our political system. Billionaires and corporate fat cats are spending billions of dollars to influence our elected officials. In return, they get more tax loopholes and laws that favor their businesses. It’s **crony capitalism** at its worst. This is **legalized bribery**, and the voices of everyday citizens are not being heard. It’s Free Speech, not Free Speech and clearly not what our Founding Fathers intended.

This is a **non-partisan** issue. According to polls, over 90% of Americans are very concerned about the corruption in

Washington and want something done about it. This is about **political justice**. How can our politicians represent us, when they’re paid millions to represent someone else?

Building the Democracy Reform Movement

We find ourselves in a long-term struggle to save our representative democracy from dominance by moneyed special interests. Large corporate interests have attempted to influence governments for centuries, but the concerted effort in recent decades has been very successful. Income inequality has reached levels similar to the Gilded Age. Regaining control of our republic requires a **democracy reform movement similar in size to the women’s suffrage and civil rights movements**.

Our movement has already grown tremendously since the *Citizens United* decision in 2010. More than **5 million people** have signed petitions expressing their strong opposition to *Citizens United*. Almost **700 communities** across the U.S. have already passed resolutions calling for a constitutional amendment, including almost **80 governments in Wisconsin** and **17 state legislatures**. Once enough states press Congress on this, they will be forced to act.

What are we trying to do?

Our goal is to reclaim our representative democracy by permitting limits on how much money can be contributed and spent in American elections. To do this we must amend the U.S. Constitution to make it clear that only human beings have Constitutional rights - not corporations, unions and other artificial entities, and that money is not political speech under the First Amendment.

What can I do to help?

This is the **core issue** of our time. There are lots of issues that need to be addressed to get America back on track, but until “**we the people**” regain control of our republic, nothing will get fixed.

- Learn more: wiuta.org
- Sign our petition: wiuta.org/petition
- Talk to your friends & family
- Find us on Facebook & Twitter
- Find a group near you
- Donate: wiuta.org/donate
- Contact us!

Wisconsin United To Amend
wisconsin@unitedtoamend.org
(608) 316-1792

How did this get to be such a problem?

The Supreme Court has been slowly yielding to corporate pressure for over 125 years. In 1886, a loophole in the 14th amendment was exploited, which resulted in the legal fiction that corporations had human rights. In 1976, the Court ruled that money is equivalent to free speech. In the 2010 case, *Citizens United*, the Supreme Court struck down the McCain/Feingold law, which has resulted in unlimited campaign spending. These are three cases, but there are many more.

What is corporate personhood, and why are we so focused on it?

Under current law, corporations have inalienable human rights like free speech and privacy. This has wide-ranging implications – for example, the right to free speech means that corporations may spend unlimited amounts of money on political campaigns. The right to privacy means that regulators are not allowed to make surprise inspections on factories. Of course, the people who work for, run, and own corporations are entitled to the rights of free speech and privacy – but a corporation is not a person, it is a legal invention for making money, and the most egregious abuses of corporate power are made possible by the idea that they have human rights.

What do we have against corporations?

Nothing. Corporations are an essential part of our economy. But large corporations and wealthy individuals command resources vastly exceeding that of ordinary citizens. Therefore, unregulated political contributions and spending becomes grossly unbalanced. The voices of ordinary citizens are drowned out, our interests are sacrificed, our representation lost.

What about unions?

Unions are a type of a corporation and as such, their political contributions were deregulated by *Citizens United*, just like those of businesses, and their political contributions will be subject to regulation again after an amendment overturning *Citizens United* is adopted.

What about lobbying?

Lobbying is free speech protected by the First Amendment. It can serve a useful educational function in our democracy. It's perfectly fine for lobbyists to meet with politicians, but there shouldn't be any money exchanging hands, nor any favors. The Supreme Court has twisted our Constitution to favor the Donor Class. The Framers of our Constitution considered political corruption a key threat and we need to restore their original intentions.



Why Support Amending the US Constitution to Overturn *Citizens United*?

Before *Citizens United v. Federal Elections Commission* – U.S. law recognizes corporations as “artificial persons” for limited purposes to conduct business. Because people were wary of corporations seizing power after the American Revolution, they limited corporate power through their state legislatures to protect against abuses of big money in politics. As time passed, state legislatures, and then the courts, began to blur the distinction between real people and artificial persons. In 1886, almost 100 years after ratification of the Constitution, the concept of corporate personhood was first introduced through the U.S. Supreme Court. Although our founders never intended for corporations to have Constitutional rights, courts granted more human rights to corporations through case law.

After *Citizens United* - Armed with human rights and legal privileges, large corporations have amassed fantastic wealth and power, which has undermined our sovereign self-governance and created a democracy crisis. In *Citizens United v. FEC*, the Supreme Court sided with the wealthy elite against the interests of the American people. Corporations can now spend unlimited money to buy our elections. The Court legalized the bribery of our elected officials. Good candidates that can't or won't compete in big dollar campaigns are sidelined. Increasingly, elected officials pass laws and adopt policies that serve the interests of big donors and large corporations. Consider these statistics:

- In the 2012 election cycle, outside spending more than tripled to over a billion dollars. Total spending on presidential and congressional races topped \$6 billion dollars.
- A tiny number of ultra-wealthy individuals make up the “donor class”, the top 0.1% of taxpayers with annual incomes over \$3.7 million and/or net worth over \$100 million. In 2012, 159 donors accounted for nearly 60 percent of all super PAC funding, and about 93 percent came from 3,318 donors.
- A 2012 American Sustainable Business Council poll found that 66% of small business owners feel the Citizens United decision has hurt them, and 88% believe money has a negative role in politics.
- A 2013 Committee for Economic Development poll found that 87% of business leaders think that our campaign finance system needs “major reforms” or “a complete overhaul”.
- In 2013, the Democratic Congressional Campaign Committee advised freshman in Congress to spend 30-70% of their time raising money.
- A 2013 Tulchin Research poll found that 97% of Americans think it is important that “our elected leaders reduce the influence of corruption in political elections.”
- A 2014 Princeton study reported that the ultra-wealthy and special interest groups have a substantial impact on U.S. government policy, while everyday citizens have little or no influence.
- A 2015 Bloomberg poll found that four in five Americans—80% of Republicans and 83% of Democrats—oppose the Supreme Court’s *Citizens United v. FEC* decision.

A national strategy our communities can support

- Amending the U.S. Constitution requires action by our legislators. However, because of the power of unlimited corporate campaign financing, our legislators will not adopt this amendment on their own; citizens must direct them to do it.
- Localities across America are adopting similar resolutions to pass a Constitutional amendment. The more jurisdictions (towns, villages, cities, counties) that do this, the more difficult it will be for legislators to ignore us.
- This resolution does not commit us to specific wording of the amendment; it simply makes clear our intent and desire.

Frequently Asked Questions

What are we trying to do?

Our goal is to reclaim our republic by permitting limits on how much money can be contributed and spent in American political contests. To do this we must amend the U.S. Constitution to make it clear that only human beings - not corporations, unions, nonprofits, or other artificial entities - have Constitutional rights, and that money is not political speech under the First Amendment.

Why are people so concerned about corporate political contributions?

Corporate interests are limited to what is good for the corporation; therefore, corporations cannot share many legitimate interests of real people. Corporations don't have families or children; they cannot be sent to war or to jail; they often 'reside' in multiple countries and can feel no love for any particular country; they can accumulate more wealth than any individual (even entire nations) and they never die. On the other hand, our government must consider all legitimate interests, including those of communities where corporations operate.

What is wrong with corporations and wealthy individuals contributing enormous sums of money to political contests?

Because large corporations and wealthy individuals command resources vastly exceeding that of ordinary citizens, unregulated political contributions and spending becomes grossly unbalanced; thus, voices of ordinary citizens are drowned out, and their interests sacrificed. Politicians become dependent on their funders.

What about unions?

Unions are a kind of a corporation and as such, limits on their political contributions were also thrown out by *Citizens United*. Unions' political contributions will also be subject to limitation again if we adopt a Constitutional amendment overturning *Citizens United*.

What is corporate personhood and why are people so worried about it?

A corporation is a legal invention granted special privileges under the law. These privileges not only help companies earn profits, but are intended to serve the public interest. Because the Court interpreted the Constitution to include corporations as 'persons,' *Citizens United* extended First Amendment-protected speech to eliminate bans on corporate expenditures influencing elections.

If corporate personhood is so bad, how did it end up on the books?

Although the Constitution itself never mentions corporations, corporate attorneys have successfully pressed for corporate personhood for more than a century. In *Santa Clara County vs. Southern Pacific Railroad* (1886), a court reporter added a statement in the footnotes suggesting that corporations are 'persons' under the 14th Amendment. Even though the Court never actually ruled on this issue and footnotes have no legal standing, *Santa Clara* has been used as legal precedent in many subsequent cases.

What about the idea that money is speech?

This is another Supreme Court creation - the Constitution says nothing about this. In *Buckley vs. Valeo* (1976), the Court ruled that spending money to influence elections is a form of political speech, and it may not be restricted based on the speaker's corporate identity.

Why do we need a Constitutional amendment?

The Supreme Court has ruled that the Constitution grants legal protections to corporations, including the protections of the Bill of Rights. *Citizens United* could be overturned by the Supreme Court, but this is unlikely to happen anytime soon because the current justices are young and they are appointed for life. However, even if the Court overturns corporate personhood, another Court could always reinstate it in the future. As for writing laws to fix this, any legislation passed by Congress challenging corporate personhood or money as speech would be overturned by the Supreme Court and found to be invalid. Therefore, a Constitutional amendment is necessary.

What is the process to amend the U.S. Constitution?

There are two ways to propose an amendment: 1) by a two-thirds majority vote in both houses of Congress, and 2) through a Constitutional Convention called by two-thirds of state legislatures. Either way, the proposed amendment must be approved by three-fourths of the states.

Why are you working to pass local resolutions?

Federal and state legislators are too beholden to their corporate and wealthy donors to take initiative to reverse *Citizens United*, and only state and federal office-holders can officially initiate the amendment process. We the People must take the lead in protecting our rights to regain control of our own governments. Local resolutions are a powerful tool because they help to educate and mobilize citizens while sending a strong signal to lawmakers.



WI Communities that have Called for an Amendment

1. City of Madison – petition referendum on ballot April 5, 2011, with 84% approval.
2. Dane County – board placed referendum on ballot April 5, 2011, with 78% approval.
3. City of West Allis – petition referendum on ballot April 3, 2012, with 70% approval.
4. Town of Westport – board passed resolution May 7, 2012.
5. Dunn County – board passed resolution July 25, 2012. Then put on ballot and passed 72% on Nov 4, 2014.
6. Eau Claire County – board placed referendum on ballot Nov. 6, 2012, with 71% approval.
7. Chippewa County – board placed referendum on ballot April 2, 2013, with 68% approval.
8. City of Fort Atkinson – petition forced referendum on ballot April 2, 2013, with 77% approval.
9. City of Whitewater – petition referendum on ballot April 2, 2013, with 84% approval.
10. Douglas County – board of supervisors unanimously approved resolution June 20, 2013.
11. Town of Exeter – town board unanimously approved resolution July 8, 2013.
12. Jefferson County – board of supervisors voted 23-5 to approve resolution July 9, 2013.
13. Town of Koshkonong – town board approved resolution with a July 10, 2013 80% ballot approval.
14. Town of Oakland – town board unanimously approved resolution July 16, 2013.
15. City of Kenosha – city council voted 13-2 to approve resolution August 5, 2013.
16. Town of Sumner – town board unanimously approved resolution August 12, 2013.
17. Town of Watertown – town board unanimously approved resolution August 12, 2013.
18. Kenosha County – board voted 19-4 to approve resolution August 20, 2013.
19. Town of Jefferson – town board voted 4-1 to approve resolution September 5, 2013.
20. Town of Farmington – town board unanimously approved resolution September 5, 2013.
21. Town of Spring Valley – town board unanimously approved resolution September 9, 2013.
22. Town of Lake Mills – town board unanimously approved resolution September 10, 2013.
23. Town of Richmond – town board unanimously approved resolution September 17, 2013.
24. Town of Cross Plains – town board unanimously approved resolution November 11, 2013.
25. Town of Avon – town board unanimously approved resolution December 2, 2013.
26. Town of Porter – town board voted 2 for and 1 abstaining to approve resolution December 16, 2013.
27. Town of Plymouth – town board unanimously approved resolution January 14, 2014.
28. Town of Newark – town board unanimously approved resolution February 10, 2014.
29. City of Waukesha – petition referendum on ballot April 1, 2014, with 69% approval.
30. City of Wauwatosa – petition referendum on ballot April 1, 2014, with 64% approval.
31. City of Edgerton – petition referendum on ballot April 1, 2014, with 87% approval.
32. City of Elkhorn – petition referendum on ballot April 1, 2014, with 69% approval.
33. City of Delavan – petition referendum on ballot April 1, 2014, with 76% approval.
34. City of Lake Mills – petition referendum on ballot April 1, 2014, with 73% approval.
35. Village of Belleville – petition referendum on ballot April 1, 2014, with 85% approval.
36. Village of Shorewood – petition referendum on ballot April 1, 2014, with 76% approval.
37. Village of Whitefish Bay – petition referendum on ballot April 1, 2014, with 65% approval.
38. Village of Waunakee – petition referendum on ballot April 1, 2014, with 79% approval.
39. Village of DeForest – petition referendum on ballot April 1, 2014, with 70% approval.
40. Town of Windsor – town board approved resolution with an April 1, 2014 71% ballot approval.
41. Town of Waterloo – board placed referendum on ballot April 1, 2014 61% ballot approval.
42. Town of Viroqua – town board approved resolution per citizen unanimous vote April 20, 2014.
43. Town of Janesville – town board unanimously approved resolution July 7, 2014.
44. Town of Dunn – town board unanimously approved resolution Aug 28, 2014.
45. Milwaukee County – board placed referendum on ballot November 4, 2014 with a 70% approval.
46. City of Green Bay – petition referendum on ballot November 4, 2014 with a 77% approval.

47. City of Appleton – petition referendum on ballot November 4, 2014 with a 74% approval.
48. City of Fond du Lac – petition referendum on ballot November 4, 2014 with a 73% approval.
49. City of Neenah – petition referendum on ballot November 4, 2014 with a 79% approval.
50. City of Menasha – petition referendum on ballot November 4, 2014 with an 80% approval.
51. City of Ripon – petition referendum on ballot November 4, 2014 with a 79% approval.
52. City of Wausau – petition referendum on ballot November 4, 2014 with a 77% approval.
53. City of Stoughton – petition referendum on ballot November 4, 2014 with an 82% approval.
54. Village of Oregon – petition referendum on ballot November 4, 2014 with a 79% approval.
55. Village of Park Ridge – petition referendum on ballot November 4, 2014 with an 83% approval.
56. City of Watertown – petition referendum on ballot April 7, 2015 with a 69% approval.
57. City of Evansville – petition referendum on ballot April 7, 2015 with an 80% approval.
58. Town of Reedsburg – board placed referendum on ballot April 7, 2015 with a 63% ballot approval.
59. Town of Ellington – town board approved resolution April 21, 2015.
60. City of Mauston – city council unanimously approved a resolution June 23, 2015.
61. City of New Lisbon - city council unanimously approved a resolution July 20, 2015.
62. Town of Greenville – town board voted 3-2 to approve resolution October 12, 2015.
63. Village of Belmont – petition referendum on ballot April 5, 2016 with an 88% approval. Record
64. City of Beloit – petition referendum on ballot April 5, 2016 with a 74% approval.
65. City of Brodhead – board placed referendum on ballot April 5, 2016 with an 85% approval.
66. Town of Clarno – board placed referendum on ballot April 5, 2016 85% ballot approval.
67. City of Darlington – petition referendum on ballot April 5, 2016 with an 81% approval.
68. City of Janesville – board placed referendum on ballot April 5, 2016 with an 84% approval.
69. City of Lancaster – petition referendum on ballot April 5, 2016 with an 85% approval.
70. City of New London – petition referendum on ballot April 5, 2016 with an 81% approval.
71. City of Monroe – board placed referendum on ballot April 5, 2016 with an 82% approval.
72. City of Platteville – petition referendum on ballot April 5, 2016 with an 84% approval.
73. Town of York – board placed referendum on ballot April 5, 2016 with an 86% ballot approval.
74. Town of Fountain – town board approved resolution per citizen vote (8-1-1) April 20, 2016.
75. Town of Mt. Pleasant – town board unanimously approved resolution May 16, 2016.
76. City of Milton – city council unanimously approved resolution August 16, 2016.
77. Town of Spring Grove – town board approved resolution August 16, 2016.
78. Town of Marion – town board unanimously approved resolution September 8, 2016.

Average “Yes” votes of all communities where citizens voted on a ballot = **77%**

In total, 2.5 million people (44% of Wisconsinites) live in jurisdictions that have called for the United To Amend Amendment. Nationwide, about 700 communities have passed resolutions.

Nineteen Communities with Upcoming Referenda (November 8, 2016)

Cities: Reedsburg, Manitowoc, Delafield

Villages: Neshkoro, New Glarus, Spring Valley, Osceola, Mt. Horeb, Monticello, Milltown, Clayton

Towns: New Glarus, Harris, Springdale, Decatur, Mount Pleasant, Cadiz, Lake Tomahawk

Counties: Rock

States that have Called for an Amendment

- | | |
|-------------------------------------|------------------------------------|
| 1. Hawaii (April 28, 2010) | 10. Montana (November 6, 2012) |
| 2. Maryland (January 19, 2012) | 11. Colorado (November 6, 2012) |
| 3. New Mexico (February 7, 2012) | 12. West Virginia (April 10, 2013) |
| 4. Vermont (April 19, 2012) | 13. Maine (April 30, 2013) |
| 5. Rhode Island (May 30, 2012) | 14. Illinois (May 31, 2013) |
| 6. California (July 5, 2012) | 15. Delaware (June 10, 2013) |
| 7. Massachusetts (July 31, 2012) | 16. Oregon (July 1, 2013) |
| 8. Connecticut (September 12, 2012) | 17. New York (June 15, 2016) |
| 9. New Jersey (Oct. 18, 2012) | |



OPINION

Time to repeal personal property tax in Wisconsin

By Duey Stroebel

Oct. 16, 2014

Imagine that when you received your property tax bill, you discovered you had to pay property taxes not only on your home but on your appliances, furniture and any equipment you own. This is a reality for many businesses in Wisconsin, and it is called the personal property tax.

There was a time when Wisconsin had no income or sales tax and only the property tax. In those days, virtually all property was taxed, including residential and personal effects. Over a century of transition from the property tax being the sole source of government revenue to the variety of taxes and fees we see today, most categories of personal property have been exempted from taxation. Besides residential property, exempted property includes most personal property used in agriculture and manufacturing. However, the personal property tax is still very real and affects businesses of all sizes in our communities.

This summer, I chaired a Legislative Study Committee that held several symposia on this issue. We heard from a variety of experts and stakeholders about how we came to the status quo, how the tax affects local budgets and local businesses and

brainstorming ways we might reform this tax in the future. After conducting this fact-finding, I believe we should repeal the tax.

As the law stands, the personal property tax is a tax exclusively on a small percentage of business property that affects those unfortunate Wisconsinites who have not been given an exemption. Personal property taxes represent less than 3% of all property taxes. One absurd example is that the equipment of youth hockey and baseball associations is exempt, but not the equipment of any other youth sports. No one seems to be able to defend the Swiss cheese structure of the personal property tax, except by warning that government needs the money.

Taxes should be uniform, easy to understand and as low as possible. The personal property tax is not uniform because of its many and sometimes arbitrary exemptions, leaving those groups without well-paid lobbyists to continue to pay the tax. Also, the personal property tax is an economically distorting tax. Business decisions that could lead to economic growth are discouraged, delayed or stopped. Every grocer, restaurant owner, contractor and many other business owners must face a tax on upgraded or expanded equipment to grow or update their business. The tax is also expensive to administrate for both the taxpayer and the tax-collecting entity.

Repealing the tax would help spur our state's economy, particularly among the types of small, Main Street businesses that are the engine of job growth. Every neighboring state either has no personal property tax or is in the process of phasing it out. Wisconsin needs to be competitive if we want economic and job growth. We can take an important step in that direction by repealing the antiquated, unequal and job-killing personal property tax.

The voters of Wisconsin have some important decisions to make about the future of this state. The personal property tax is not a game changer in itself, but acting on the issue will help Wisconsin. I seriously doubt this will happen if we elect politicians more interested in finding ways to grow government and spend more money than if we elect politicians who are focused on lowering taxes, cutting spending and improving our jobs climate.

State Rep. Duey Stroebel (R-Town of Cedarburg) represents the 60th Assembly District.

Find this article at:

<http://archive.jsonline.com/news/opinion/time-to-repeal-personal-property-tax-in-wisconsin-b99372073z1-279503922.html>

☐ Check the box to include the list of links referenced in the article.

Coalition Created to Repeal Wisconsin's Personal Property Tax

Posted on [August 3, 2016](#)



A strong and diverse group of 31 trade and business associations have joined forces with the common goal of repealing Wisconsin's personal property tax. The "Coalition to Repeal Wisconsin's Personal Property Tax" consists of organizations representing more than 400,000 Wisconsin businesses employing more than a million employees, as well as thousands of individual taxpayers across the state."

Collectively, coalition members represent nearly every personal property taxpayer in Wisconsin." said Michelle Kussow, Executive Vice President of Wisconsin Grocers Association, the founding member of the coalition. "Many of these organizations have been lobbying on the issue for years, hearing from members and watching other states repeal the personal property tax; and felt that now is the time for Wisconsin to repeal this unfair and archaic tax."

The personal property tax (PPT) is a tax imposed on a businesses' "tangible" personal property. The tax is assessed and collected by local governments and is in addition to the real estate property tax. The tax has existed since 1849 as part of Wisconsin's original property tax scheme, and through the years has seen many changes and exemptions. Matt Banaszynski, Executive Vice President of Independent Insurance Agents in Wisconsin said, "Independent Insurance Agents in Wisconsin can be found on main streets all over Wisconsin. Like other small businesses, they pay their fair share of taxes, but support repeal of the personal property tax as a way to invest more in their communities, employees and businesses and pass savings on to their customers."

"This is an antiquated tax that many other states have eliminated," said Ed Lump, Wisconsin Restaurant Association President and CEO. "Because it taxes the means of production, it is effectively a tax on expanding your business and creating jobs." The coalition will highlight the negative impact this tax has on Wisconsin businesses and encourage the Governor and Legislature to repeal the tax. "Personal property taxes are a drag on Wisconsin's economy and job creation because they effectively penalize investment in new capital assets and economic activity. If our goal is to grow the economy to capture more revenue for schools and other priorities, the personal property tax is a terrible approach," added Eric Bott, State Director for Americans for Prosperity—Wisconsin.

For additional information on the coalition, contact Michelle Kussow, Wisconsin Grocers Association at 608-210-3304. The coalition can be found at wisconsinagrocers.com/ppt, on Facebook at www.facebook.com/RepealWIPPT/ and Twitter at twitter.com/repealppt_wi.

Municipalities Oppose Bill to Eliminate Personal Property Taxes (from Two Rivers)

A bill touted as improving Wisconsin's business climate by eliminating the personal property tax has been introduced in the Legislature by Representative Bob Kulp (R-Stratford) and Senator Tom Tiffany (R-Hazelhurst). Under the proposed law, all business personal property taxes would be phased out by the year 2020.

There's no question that eliminating the personal property tax would benefit Wisconsin businesses, large and small. Many people have termed the business personal property tax a "tax on technology," which places a \$290 million annual tax burden on businesses across the state.

Further, the personal property tax is a major pain in the butt for businesses to administer. There are annual reporting requirements and no amount of taxable personal property is too small to be exempt from reporting. In Two Rivers alone, over 450 personal property returns are filed each year.

That said, the elimination of this tax will blow a \$290 million hole in the budgets of local taxing entities (cities, villages, towns, counties and school districts) across Wisconsin.

Here in Two Rivers, in 2014, we collected just over \$267,000 in personal property taxes. \$107,815 supported the City's budget; about \$159,000 went to the other entities on the tax bill.

The City also received nearly \$40,000 in "exempt computer aid" from the State of WI, which is an annual payment to make up for the State's decision to exempt computer equipment from the personal property tax, back in 2001. The Kulp-Tiffany proposal would also bring an end to that annual payment to local units, saving the State of Wisconsin a cool \$83 million per year.

It's very tempting to say "sure, go ahead and eliminate the personal property tax—just make the local units whole with money from the State budget." Problem is, state government's track record in funding local services—and maintaining such funding when budgets get tight in Madison—has been less than admirable in recent years.

Examples:

- –Intermittent cuts and freezes (never an increase) in State Shared Revenues under the past two governors, to the point where Shared Revenues funding is \$150 million less than in 2002, and amounts to about 6 percent of the State Budget, versus 10 percent back in 2002.
- –Re-routing the funds generated from landfill tipping surcharges away from recycling grants to local units to fund State operations. These "recycling fees" were established by the State to help local units comply with the recycling mandate enacted by the State back in 1990.
- As recently as 2008-09, this dedicated surcharge was funding \$30 million in operating grants to local units each year. That amount was reduced to \$19 million in 2011, and is proposed to be reduced to \$15 million in the Governor's latest budget. The State will still be

collecting \$30 million per year, but fully half of it will go to support the State's budget, not local recycling programs.

- –The Kulp-Tiffany proposal itself, which would de-fund the aid program to offset local governments' revenue losses from the last time the Legislature improved the business climate by narrowing the local tax base: the exclusion from personal property taxes of business-owned computer equipment, back in 2001.

Based on these concerns, the League of Wisconsin Municipalities, along with member communities across the state, has expressed opposition to this proposal to phase out the personal property tax.

No question, state government needs to strive for a business climate that encourages private investment and job creation. We all know that private businesses generate the jobs and disposable income that keep our economy humming and ultimately fund all government services.

At the same time, our state government also needs to address adequate funding for the public infrastructure and services vital to an advanced, 21st century economy and to the quality of life in Wisconsin's communities. To implement a new tax break without regard to the impact on our ability to fund local infrastructure and services, or by shifting more of the property tax burden over to homeowners (who already pay about 70 percent of the total property tax bill) is unacceptable. We can do better.