

## 4.R Why Conservatives Support an Amendment – Loss of Local Sovereignty

### **The Wisconsin State Legislature is stripping local community authority:**

One of the philosophical tenets important to conservatives is local control - they philosophically have a distrust of distant (state, federal) governments and fear of their taking away their freedom and liberty to enhance and protect their politicians own interests and power.

Conservatives should now be concerned because that time has come.

In 2018 the WI Legislative Fiscal Bureau produced a list that shows over 160 laws passed in Madison, between 2010 and 2017, that restrict authority of local communities or create unfunded mandates to municipal and county governments. I have also attached a report by the Wisconsin Democracy Campaign that points out 20 of the most egregious of these.

For example: a board member might say something like: "it is not our place to tell the State what to do" or "Our job is to enhance the community for our citizens."

You might respond something like: "I respect that, but is it not your place to protect the citizens of this community, and to protect your right to do this. There is a reason that many rural communities have a healthy distrust of large State and Federal governments - they tend to take away YOUR local authority and freedom to protect YOUR citizens. Well what do you do when this happens?

Do you know that between 2010 and 2017, our State legislature passed over 160 laws that infringe upon and limit YOUR power of local authority? We have the report of the Legislative Fiscal Bureau that lists these.

Many of these laws passed behind closed doors and never have hearings. Many are hidden in budget documents that do not get adequate review or hearings before being voted on.

Here are a few of those laws:

1. Paid Sick Leave – [2011 Act 16](#) – Prevents local governments from requiring public or private employers to provide benefits, like sick leave, for their employees. This act overturned a City of Milwaukee ordinance.
2. Renter Rights – [2015 Act 176](#) – Limits the ability of communities to require rental unit inspections, license landlords, charge inspection fees, and enforce sprinkling ordinances stricter than state law. The law also makes it easier and faster for landlords to evict tenants and dispose of personal property that is left behind.
3. Landlords – [2011 Act 108](#) – Prohibits local governments from passing ordinances more restrictive than state law involving renters' security deposits.
4. Landlords – [2013 Act 76](#) – Prohibits local government ordinances from: restricting the ability of landlords to recover damage costs from tenants; requiring landlords to communicate with tenants, or with the municipality on anything not required in federal or state law; and requiring landlords to store most property of evicted tenants unless otherwise agreed to by both parties in a signed agreement before the eviction.
5. Shoreland Zoning – [2011 Act 170](#) – Prohibits local governments from enacting shoreland zoning rules that are stricter than state law.
6. Town Shoreland Zoning – [2015 Act 41](#) – Removes the ability of towns to enact different shoreland zoning ordinances than those enacted by counties.

7. Town Shoreland Zoning in Dane County – [2015 Act 178](#) – Allows only Dane County towns to opt out of shared zoning authority with the county so that towns have greater authority over development decisions.
8. Residency Requirements – [2013 Act 20](#) – Prohibits local governments from setting strict residency requirements for their employees.
9. Regulation of Real Estate Brokers – [2013 Act 20](#) – Prohibits local governments from imposing fees on real estate brokers or their services.
10. Erosion and Storm Water Runoff – [2013 Act 20](#) – Prevents local governments from enacting runoff standards stricter than state law.
11. Food and Beverage Size Restrictions – [2013 Act 20](#) – Prevents local governments from restricting the sale of food and beverages based on calories, portion size or nutritional quality.
12. Cell Phone Tower Siting – [2013 Act 20](#) – Limits the ability of local governments to regulate the siting of cell phone and broadcast towers.
13. Insurance Coverage for Pipeline Disasters – [2015 Act 55](#) – Prohibits local governments from requiring pipeline companies to carry extra clean-up insurance for projects going through their borders.
14. Condemnation Authority for Pipeline Companies – [2015 Act 55](#) – Gives out-of-state pipeline companies the power to condemn private property for oil pipeline operations and projects. This authority was previously granted only to private corporations licensed to do business in Wisconsin.
15. Underage Drinking – [2013 Act 215](#) – Prohibits municipalities from issuing ID scanners to retail alcohol establishments that could be used to verify the authenticity of an ID used to buy alcohol.
16. Hunting – [2013 Act 71](#) – Prohibits communities from prohibiting or restricting bow and arrow and crossbow hunting.
17. Doggie Bags – [2015 Act 302](#) – Prohibits communities from banning or regulating plastic bags, takeout or other single-use containers, and coffee cup sleeves.
18. Shooting Ranges – [2013 Act 202](#) – Provides immunity from nuisance complaints, like noise, against shooting ranges and prevents them from being forced to close due to future state or local zoning changes if they were operating before July 16, 2013.
19. Local Moratoriums – [2011 Act 144](#) – Creates requirements that local communities must meet to impose development moratoriums and limits moratoriums to one year plus a six-month extension if necessary.