

Lose Local Government and You Will Lose America

Posted on Oct 21, Posted by [Kathleen Vinehout, State Senator 31st District](#) Category [Wisconsin](#)



A bill is being fast-tracked through the legislative process. It is being sold as standardizing rules for sand mines but has implications for local powers to protect water, air or the use of explosives. The bill would make it more difficult for local government to be reimbursed for damage done to local roads and comes on the heels of several new laws that limit the powers of local government.

MADISON - “Lose local government and you will lose America,” warns the banner on the Wisconsin Towns Association website. The head of this organization has recently spent a lot of time at the Capitol.

Rick Stadelman, Executive Director of the Wisconsin Towns Association, is the smartest man I know working the Capitol. He hasn’t slowed down a bit since he announced his upcoming retirement. He’s working very hard to let folks know about a bill that would strip local powers to protect health and safety.

The bill, introduced by Senator Tiffany, is reportedly aimed at standardizing rules for sand mines. But the bill would stop any local protection of water, air or the use of explosives. In addition, a complex new process would make it very difficult for locals to be reimbursed for damage done to local roads.

The proposal would prevent locals from monitoring their own air and water. Every town, city, village and county in the state would be stopped from any local efforts to protect air and water.

In addition, many local sand mine ordinances, agreements and, possibly moratoriums, would be null and void.

The proposal, it appears, was written to overturn a 2012 unanimous Supreme Court decision (*Zwiefelhafer v Town of Cooks Valley*) that allowed a town to use its police powers to adopt a sand mine ordinance when the town did not have zoning.

But the bill goes much farther than overturning ordinances in towns without zoning.

The bill would thwart any action at all by locals to protect air and water. Questions remain about local people's ability to protect themselves in an emergency. Also, because of limits to local's ability to negotiate road repair use agreements, there are questions about any agreements farmers or loggers have to use local roads with overweight equipment.

Unfortunately this bill appears to be on the fast track. I've received dozens of calls and hundreds of emails in just a few days asking me to stop the taking of local powers. I've urged those opposed to make their views known to members of the Senate mining committee.

This legislation is one of many aimed at taking away local powers. In the last three years, dozens of new laws and legislative proposals have targeted taking away people's ability to govern themselves through local ordinances.

Legislation stopping locals from doing anything to protect renters now sits on the Governor's desk. Also awaiting the Governor's signature is legislation to stop locals from setting rules about firing an arrow or a crossbow in a city.

Many recently passed limits are related to restricting environmental protections: lost is local control for setting limits on erosion at construction sites; lost is local control over shorelines; lost is local control over siting radio, TV and cell towers; and lost are other limits on zoning.

Some laws related to personnel take away local power to require firefighters and police live within a city. Another law prevents any requirement to offer sick leave – paid or unpaid.

Some new laws seem to be a solution in search of a problem – like taking away local authority to limit the sale of certain foods and beverages – the so-called “Big Gulp”.

Milwaukee has taken many direct hits to its local powers. The Legislature passed bills to change the County Board; to restrict its powers and to change the Milwaukee Technical College Board.

Many other changes affected local budgets and fees making it more difficult for local people to obtain the resources to accomplish the plans people make for their own communities.

Local government is the best example of democracy. Decisions are made in our neighborhoods. We can run into local officials at the grocery store and let them know how we feel.

Local businesses or residents that need help can call their local government and get answers right away. But that's not going to happen when politicians from hundreds of miles away make decisions affecting our neighborhoods.

The only reason Senator Tiffany's bill is being pushed is because it is easier for certain interests to control the state Legislature than to control local people.

Passing Tiffany's bill is wrong and would take one more step to losing democracy.

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