

Wisconsin Institute for Law and Liberty: WILL petitions Wisconsin Supreme Court on behalf of Voters with Facts

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Milwaukee, Wisconsin - The Wisconsin Institute for Law and Liberty (WILL) has filed its petition to the Wisconsin Supreme Court to review the Wisconsin Court of Appeals recent decision concerning the lawsuit that WILL brought in March 2015 on behalf of Voters with Facts. That lawsuit sought to invalidate the City's actions in creating and amending two tax incremental financing ("TIF") districts to fund certain aspects of the Confluence Project and, in particular to pay fees and expenses to the real estate developers involved in the construction of the student residence hall/mixed use facility. The suit was dismissed by the lower court and Voters with Facts appealed. The Wisconsin Court of Appeals sent the case back to the lower court with directions that it proceed with judicial review of the legality of the City's actions and the validity of the Tax Incremental Districts in light of the challenges raised by Voters With Facts, however, in the process ruled against claims that raise important constitutional and procedural questions.

WILL Senior Counsel, Mike Fischer, explained, "Wisconsin taxpayers generally have legal standing to challenge the unlawful expenditure of their tax money by local government. The Court of Appeals decision would make it difficult, if not impossible, to call into question the expenditure of incremental property taxes under deals with real estate developers that do not satisfy the statutory requirements for tax increment financing. This is an important question of state law

- one that of course should be decided by our Supreme Court.”

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