Dear Tribal Chairman Blanchard,

Congratulations on your recent election victory as the new tribal chairman of the Bad River Tribe. As elected officials in the Wisconsin State Legislature, we want to offer our well wishes to you for a successful term in office.

We also want to take this opportunity to respond to the letter you wrote to the Joint Committee on Finance Co-Chairs on November 13, 2023.

Since taking office in the Legislature in January 2023, we have been working to address the effects of the August 2022 decision by the U.S. 7th Circuit Court of Appeals (Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin v. Evers), which held that all real property owned by tribal members within certain tribal lands, including the Bad River Tribe, are not taxable, regardless of chain of custody.

Many concerned constituents have contacted us about the undue tax burden they now face and the uncertainty the decision has caused in their communities and relations with the tribe. In the last state budget, we worked to secure funding to help ease the burden for affected taxing entities to recoup unpaid property taxes that were levied over the last 7 years, so that those costs were not borne by local taxpayers.

As you are aware, the Town of Sanborn in Ashland County is uniquely affected by the court decision because it is located entirely within the Bad River Tribe reservation and has few remaining taxpayers. For that reason, we also worked to include language in the state budget to prevent drastic tax increases from occurring in the town. Unfortunately, Governor Evers chose to veto those provisions and offered no alternatives for resolution.

What we find troubling is that during the same time period we were working to lessen the fallout for taxpayers, the Bad River Tribal Council proposed and approved a possessory interest tax upon non-tribal members who own property within the boundaries of the reservation. The lack of communication and details about the plan has caused even more angst for the remaining taxpayers who are already shouldering the entire property tax burden in the town.
Earlier this year the Town of Sanborn applied for a BCPL loan to repay approximately $1 million in payments to some tribal residents as part of a settlement resulting from the federal court decision. It is our understanding at that time the Bad River Tribe agreed to fund half of EMT services to the town. That is a positive step. Even before the court decision, the town had a large amount of tax-exempt land and tribal revenues paid for town services from funding sources other than property taxes. In our view what is lacking today is an encompassing, long-term commitment to provide funding for services received by town residents who no longer are required to pay property taxes, and are then subsidized by taxpaying residents.

Your election as chairman presents a new opportunity to further communication and discuss a long term solution. We are ready and willing to sit down and discuss with you and local officials as partners to ensure the viability of the affected local governments, for the well-being of all residents and to carry out the necessary work that our constituents expect. We look forward to hearing from you.

Sincerely,

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