



March 11th, 2016

Dear Majority Leader Fitzgerald and Speaker Vos,

We write to you today to encourage a public hearing be held on SB 371/AB 452, the legislation that would repeal the state's Unfair Sales Act/Minimum Markup law.

- The Unfair Sales Act, passed in 1939, requires businesses to offer prices to consumers above their cost, and mandates a 9.18% markup on the price of gasoline;
- The law prohibits many retailers in Wisconsin from, for example, offering prescription drugs at \$4 and \$5 price points like they do in other states across the country;
- The law often makes loss-leader and, often, door-buster deals - common retail practices in America - illegal in Wisconsin;
- The law has led to retailers filing complaints against their competitors for offering prices that the state deems 'too low';
- The law is administered by taxpayer-funded state bureaucrats who are paid to monitor complaints and ensure Wisconsin businesses do not offer better prices to their customers.

While some industries and interest groups have argued the law is necessary to protect their business models, others have argued that price setting and market manipulation should not be the job of the state.

One thing that cannot be denied: This is a significant issue that deserves a robust public debate in the legislature.

According to a recent survey conducted by the reputable research firm Public Opinion Strategies, the Vukmir/Ott bills are supported by 76% of the public. While Republicans and Democrats agree on few issues in today's polarized political environment, they reach a consensus across party and ideological lines on this issue. In every demographic cross section of the Public Opinion Strategies poll, a majority of those surveyed favor repealing the law.

There are many reasons why people are growing more and more frustrated with government. Being ignored is near the top of the list. Clearly, this issue impacts all of Wisconsin and is one that Wisconsin's citizens would like to see discussed.

We understand the chairs of the committees to which the bills have been assigned have decided not to hold a public hearing this session. We respectfully request the bills be reassigned to committees that are chaired by legislators who are more willing to hear from the general citizenry on this important matter of public policy. The public would benefit from a public hearing, this month, on the Vukmir/Ott bills to repeal the Unfair Sales Act/Minimum Markup law.

Thank you for your time and consideration.

Sincerely,

Brett Healy  
President  
The John K. Maclver Institute for Public  
Policy

Patrick M. Gleason  
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Americans for Tax Reform

Rick Esenberg  
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