



STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

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July 6, 2006

Michael J. Murphy
Alderman, 10th District
City Hall, Room 205
200 East Wells Street
Milwaukee, WI 53202-3570

Dear Alderman Murphy:

Attorney General Lautenschlager asked me to contact your office to discuss your letter of June 16, 2006, concerning the records of the Lincoln Memorial Cemetery. I spoke to a member of your staff soon after we received your letter.

The present exemption of cemetery financial records from Wisconsin's Public Records Law would seem to be too broad to serve any public purpose. Presumably the law makes the records not subject to the Public Records Law because the same law also makes the Cemetery Association subject to regulation and audit by the Department of Regulation and Licensing. As you have discovered, however, the possibility of regulation and audit is not a substitute for citizen oversight of what are essentially quasi-public entities. The only solution, however, is to remove or greatly restrict the exemption in Chapter 157. If such legislation is proposed, the Department of Justice would gladly work with the authors to make Cemetery Association records more open.

I regret we cannot be of direct assistance.

Sincerely,

Alan Lee
Assistant Attorney General
Deputy Administrator, Legal Services

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