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July 5, 2006

To the Honorable Committee on  
Public Safety  
Room 205, City Hall

Re: File No. 060075/Section 105-1, MCO/Unlawful Assemblages/  
Special Purpose Account

Dear Committee Members:

At the Public Safety Committee meeting of June 29, 2006, this office was asked to render an opinion on a proffered amendment to File No. 060075. That file contains a proposed ordinance that, in part, increases the penalties for violating § 105-1, MCO, relating to unlawful assemblages.

The amendment would add a provision to § 105-1 requiring that forfeitures collected under that section be deposited into a special purpose account devoted to job creation.

Pursuant to state statute, Wis. Stat. § 800.10(2), the Municipal Court must forward all forfeitures it collects to the City Treasurer. The Common Council may, if it wishes, in connection with the adoption of the 2007 budget, establish a separate fund for this special purpose. The supporting resolution may delineate the account's purpose, appropriate the sum of money to be placed in the fund (in this

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case, the equivalent of the amount collected by Municipal Court for violations of § 105-1), and indicate the department with the authority to expend the funds. § 18-06-6-b, Milwaukee City Charter.

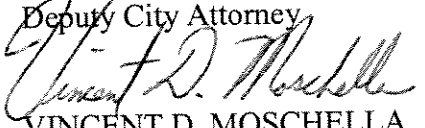
Very truly yours,



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LUB:bl

c: Mr. Ron Leonhardt  
Ald. Robert G. Donovan  
Ald. Mike McGee, Jr.  
Mr. Richard Withers

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