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August 28, 2013

The Honorable Common Council
of the City of Milwaukee
Room 205, City Hall

Re: A charter ordinance relating to an affidavit of no interest from bonding
and insurance companies, and accompanying ordinance revisions

Dear Council Members:

Accompanying this letter is a draft charter ordinance prepared by the Legislative Reference Bureau that would repeal a portion of § 3-29 of the Charter.

At present, every insurance policy or certificate provided to the City must be accompanied by an affidavit stating that no City official or employee has any interest, or is receiving anything of value, on account of the furnishing of the policy or bond to the City. We are asking that the requirement of an affidavit be stricken. The language in the provision prohibiting City officers or employees from receiving payment for the provision of insurance or bonds will remain in place.

Also accompanying this letter is an ordinance that would delete the requirement for this "affidavit of no interest" from insurance requirements for specific activities found throughout the code.

We are informed by the contracting departments that requiring this affidavit, which is unique to Milwaukee, creates confusion, delays, and excess paperwork; this is an effort to streamline the contracting and permitting processes.

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Because the City ethics code, which was adopted after the provision requiring affidavits of no interest, addresses and penalizes the undesirable behavior described in the affidavit, and because these are existing statutory and charter provisions prohibiting this behavior, the additional protection of an affidavit is largely superfluous, and results in unnecessary work and delays.

Very truly yours,



GRANT F. MANGLEY
City Attorney



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Encs.

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