



# City of Milwaukee

City Hall  
200 East Wells Street  
Milwaukee, WI 53202

## Meeting Agenda JUDICIARY & LEGISLATION COMMITTEE

*ALD. ASHANTI HAMILTON, CHAIR*  
*Ald. Terry Witkowski, Vice-Chair*  
*Ald. James Bohl, Jr., Ald. Joe Davis, Sr., and Ald. Robert*  
*Donovan*

*Staff Assistant, Linda Elmer, 286-2232*  
*Fax: 286-3456, [lerner@milwaukee.gov](mailto:lerner@milwaukee.gov)*

*Legislative Liaison, Richard Withers, 286-8532,*  
*[rwith@milwaukee.gov](mailto:rwith@milwaukee.gov)*

---

Tuesday, April 6, 2010

1:30 PM

Room 301-B, City Hall

---

1. [091499](#) Appointment of Carlos Amador to the Equal Rights Commission by the Mayor. (3rd Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [Appointment Letter](#)  
[Resume](#)  
[Hearing Notice List](#)
  
2. [091531](#) Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.  
**Sponsors:** THE CHAIR  
**Attachments:** [Expenditures Through March 30](#)  
[Outside Counsel - March 15](#)  
[Outside Counsel - March 3](#)  
[Hearing Notice List](#)
  
3. [091568](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2008 and 2009 tax rolls, plus interest applicable to date of repayment, if appropriate.  
**Sponsors:** THE CHAIR  
**Attachments:** [Cover Letter](#)  
[Fiscal Note](#)  
[Table of Assessment Reductions](#)  
[Assessment Reduction Letters](#)  
[Hearing Notice List](#)

4. [091543](#) Resolution relating to the claim of Atty. Robert Figg on behalf of Denise Denton for personal injuries. (12th Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letter](#)  
[Claim](#)  
[Hearing Notice List](#)  
  
---\$75,905.11
  
5. [091570](#) Resolution requesting approval of the Board of Ethics Rules and Procedures.  
**Sponsors:** THE CHAIR  
**Attachments:** [Cover Letter](#)  
[Board of Ethics Letter](#)  
[Final Board of Ethics Rules and Procedures](#)  
[Board of Ethics Rules and Procedures](#)  
[Hearing Notice List](#)
  
6. [091517](#) Substitute resolution related to procedures for initiating in rem proceedings.  
**Sponsors:** THE CHAIR  
**Attachments:** [Fiscal Note](#)  
[Hearing Notice List](#)
  
7. [091518](#) An ordinance related to procedures for initiating in rem proceedings.  
**Sponsors:** Ald. Bauman  
**Attachments:** [Hearing Notice List](#)
  
8. [091473](#) Resolution relative to legislative bills.  
**Sponsors:** THE CHAIR  
**Attachments:** [Fiscal Note](#)  
[Agenda 03-11-10.doc](#)  
[Kohl and Moore Appropriations Request Grid-FY2011.doc](#)  
[Hearing Notice List](#)  
[Agenda 04-06-10.doc](#)  
[AB-892.pdf](#)  
[SB-645.pdf](#)  
[Summary of Federal Legislative Activity.docx](#)  
  
*---AB-892/Electronic voter registration and proof of residence for voting in an election and granting SB-645 rule-making authority.*  
*---Update on federal jobs legislation.*  
*---Recommendation to support increased funding for summer jobs programs for youth through age 24.*

9. [091311](#) Substitute resolution opposing early release of prisoners from state facilities and urging suspension of the state's early release program.
- Sponsors:** Ald. Donovan
- Attachments:** [Fiscal Note](#)  
[Media Release by Ald Donovan](#)  
[Hearing Notice List](#)
10. [091611](#) Resolution expressing the City of Milwaukee's support for the Local Jobs for America Act.
- Attachments:** [Fiscal Note](#)  
[Hearing Notice List](#)
11. [091610](#) Substitute resolution directing the City Clerk to contract for lobbying services.
- Sponsors:** Ald. Bauman
- Attachments:** [Fiscal Note](#)  
[Transportation Federal Lobbying Prospectus](#)

This meeting will be webcast live at [www.milwaukee.gov/channel25](http://www.milwaukee.gov/channel25).

**Members of the Common Council and its standing committees who are not members of this committee may attend this meeting to participate or to gather information. Notice is given that this meeting may constitute a meeting of the Common Council or any of its standing committees, although they will not take any formal action at this meeting.**

Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities through sign language interpreters or auxiliary aids. For additional information or to request this service, contact the Council Services Division ADA Coordinator at 286-2998, (FAX)286-3456, (TDD)286-2025 or by writing to the Coordinator at Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.

Limited parking for persons attending meetings in City Hall is available at reduced rates (5 hour limit) at the Milwaukee Center on the southwest corner of East Kilbourn and North Water Street. Parking tickets must be validated in Room 205, (City Clerk's Office) or the first floor Information Booth in City Hall.

Persons engaged in lobbying as defined in s. 305-43-4 of the Milwaukee Code of Ordinances are required to register with the City Clerk's Office License Division. Registered lobbyists appearing before a Common Council committee are required to identify themselves as such. More information is available at [www.milwaukee.gov/lobby](http://www.milwaukee.gov/lobby).



## Legislation Details (With Text)

**File #:** 091499      **Version:** 0  
**Type:** Appointment      **Status:** In Committee  
**File created:** 3/2/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE  
**On agenda:**      **Final action:**  
**Effective date:**  
**Title:** Appointment of Carlos Amador to the Equal Rights Commission by the Mayor. (3rd Aldermanic District)  
**Sponsors:** THE CHAIR  
**Indexes:** APPOINTMENTS, EQUAL RIGHTS COMMISSION  
**Attachments:** Appointment Letter, Resume, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/2/2010	0	COMMON COUNCIL	ASSIGNED TO		
3/3/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/3/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/3/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/11/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
3/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

---

**File #:** 091499      **Version:** 0

---

**Number**

091499

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Appointment of Carlos Amador to the Equal Rights Commission by the Mayor. (3<sup>rd</sup> Aldermanic District)

**Drafter**

Mayor

TB

3/2/10

March 2, 2010

To the Honorable, the Common Council  
of the City of Milwaukee

Honorable Members of the Common Council:

I am pleased to appoint Mr. Carlos Amador, 2549 North Downer Avenue, Milwaukee, Wisconsin 53211, to replace Mr. Michael Barndt on the Equal Rights Commission. This appointment is pursuant to Section 109-5 of the Milwaukee Code of Ordinances. Mr. Amador's term will commence upon taking of the oath of office.

I trust this appointment will have the approval of your Honorable Body.

Respectfully submitted,

A handwritten signature in black ink that reads "Tom Barrett". The signature is written in a cursive style with a long horizontal stroke at the beginning.

Tom Barrett  
Mayor

# Carlos G. Amador

2549 N. Downer Ave., Milwaukee, WI 53211 • Phone: (414) 732-7411 • E-mail: [Carlos2549@gmail.com](mailto:Carlos2549@gmail.com)

## OBJECTIVE

---

To obtain a position that allows me to use my inter-personal skills, drive and determination. To further develop my leadership skills, as well as fulfill a role as an outstanding team player in order to ensure your organization achieves its goals.

## EDUCATION

---

**2002 - 2006**                      **MARQUETTE UNIVERSITY**                      **Milwaukee, MI**  
**Bachelor's of Science, International Business, Marketing and Spanish (College of Business Administration)**

## EXPERIENCE

---

### **Junior Achievement of Wisconsin, Inc.; Milwaukee, WI**

*Resource Manager*

*08/08-Present*

- Develop and increase community and corporate participation and engagement with the organization in Milwaukee's south area.
- Manage and successfully maintain relationships with a group of over 350 volunteers to ensure a gratifying experience and further their support for the organization
- Enhance public speaking skills by presenting in large number of prospective participants.
- Manage corporate relationships to allow Junior Achievement to carry on its mission.
- Ensure successful volunteer participation at a number of different fundraising events.
- Attend community, chamber and fundraising events to increase awareness of the organization.
- Go through the prospecting process with area corporations that are outsiders to the organization.
- Develop strategic alliances with other non-profit organizations
- Successfully developed partnership with Marquette University, Herzing University, FUEL Milwaukee, Tazino's Pizza and Buffet and ALPFA.

### **ENTERPRISE RENT A CAR; Milwaukee, WI**

*Assistant Manager*

*01/07 -08/08*

- Worked with the branch manager to run the day to day operations.
- Trained and developed employees to handle customers' demands.
- Built relationships by meeting with prospective clients to establish corporate accounts and ensuring customer satisfaction.
- Developed strategies to market to different types of organizations and individual clients
- Sold the image and benefits of Enterprise to customers and prospective clients.

### **MARQUETTE UNIVERSITY; Milwaukee, WI**

*Student Leader*

*02/05-02/06*

- Helped Facilities' Service employees with daily duties.
- Led group of student employees in the performance of different tasks in to ensure turnover in residence halls and dormitory rooms.
- Ensured all tasks were completed and reported to the manager when issue arose.

## **Bilbao Vizcaya Bank (*Banco Bilbao Vizcaya*); San Juan, PR**

*Intern*

*Summer of 2003 and 2004*

- Prepared monthly and yearly reports of reposed cars
- Researched what specific brands of cars were repossessed the most and which dealers had the most cars repossessed.
- Performed in depth research on repossessed cars in the bank's auto department.
- Prepared worksheets with the amount of cars repossessed the previous year based on: the dealership they were sold on, the brand, the month when most repossessions took place and the cars' model/year.
- Collected information on the cars sale market based on their current price at the time.
- Reported research results directly to the manager for appropriate market analysis.

## **AWARDS**

---

- Dean's Scholarship Recipient (2002)
- Honors Scholars Society (2005)
- All-Star P.R.H.S.F.L. (2001)
- First Honors in Art Class (2001)
- Second Honors Award (1999)
- Hunger Clean Up (2004)
- Recognized as Corporate MVP for gaining most revenue out of a newly closed account (2008)
- Completed Enterprise's Manager's trainee program and exam with excellent qualifications (2007)
- Received recognition for outstanding sales performance at Elite Awards Dinner on five occasions during my first year at Enterprise (2007-2008.)
- 10K Marathon (2002)

## **ACTIVITIES**

---

- Hispanic Professionals of Greater Milwaukee (HPGM)-Chair of MENTE committee
- Hispanic Chamber of Commerce-member
- FUEL Milwaukee- Creative Council
- Board Member-Milwaukee Community Service Corporation
- Board Member-Director Community Affairs-Association of Latino Professionals in Finance and Accounting
- Junior Achievement Volunteer
- Mosaic Partnership of Milwaukee

## **SKILLS**

- Public Speaking
- Inter-personal
- Relationship building
- Microsoft Word
- Microsoft Excel
- Microsoft PowerPoint- Develop presentations







## Legislation Details (With Text)

---

**File #:** 091531      **Version:** 0  
**Type:** Communication      **Status:** In Committee  
**File created:** 3/2/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE  
**On agenda:**      **Final action:**  
**Effective date:**  
**Title:** Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.  
**Sponsors:** THE CHAIR  
**Indexes:** CITY ATTORNEY, CONSULTANTS, REPORTS AND STUDIES  
**Attachments:** Expenditures Through March 30, Outside Counsel - March 15, Outside Counsel - March 3, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/2/2010	0	COMMON COUNCIL	ASSIGNED TO		
3/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

091531

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.

**Requestor**

**Drafter**

CC-CC

lme

3/4/10

**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
**LINDA ULISS BURKE**  
**VINCENT D. MOSCHELLA**  
Deputy City Attorneys



THOMAS O. GARTNER  
BRUCE D. SCHRIMPF  
SUSAN D. BICKERT  
STUART S. MUKAMAL  
THOMAS J. BEAMISH  
MAURITA F. HOUREN  
JOHN J. HEINEN  
DAVID J. STANOSZ  
SUSAN E. LAPPEN  
JAN A. SMOKOWICZ  
PATRICIA A. FRICKER  
HEIDI WICK SPOERL  
KURT A. BEHLING  
GREGG C. HAGOPIAN  
ELLEN H. TANGEN  
MELANIE R. SWANK  
JAY A. UNORA  
DONALD L. SCHRIEFER  
EDWARD M. EHRlich  
LEONARD A. TOKUS  
MIRIAM R. HORWITZ  
MARYNELL REGAN  
G. O'SULLIVAN-CROWLEY  
KATHRYN Z. BLOCK  
MEGAN T. CRUMP  
ELOISA DE LEÓN  
ADAM B. STEPHENS  
KEVIN P. SULLIVAN  
BETH CONRADSON CLEARY  
THOMAS D. MILLER  
HEIDI E. GALVÁN  
JARELY M. RUIZ  
ROBIN A. PEDERSON  
DANIELLE M. BERGNER  
Assistant City Attorneys

March 30, 2010

Alderman Ashanti Hamilton, Chair  
Judiciary & Legislation Committee  
City Hall – Room 205

Re: Expenditures for Outside Counsel and Experts

Dear Alderman Hamilton:

Pursuant to Common Council FN 030083, I am enclosing for your information an itemization of 2010 expenditures posted year-to-date from the Outside Counsel/Expert Witness Fund Special Purpose Account. Please contact me if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Grant F. Langley".

GRANT F. LANGLEY  
City Attorney

GFL:bgw  
#156601

2010 OUTSIDE COUNSEL/EXPERT EXPENDITURES

Account	Dept	Class	Amount	Vendor Name	Case of Matter	Year
634005	1490	S157	2,061.00	BLOCK, PETER	JUDE v. CITY	2010
634005	1490	S157	1,578.00	BLOCK, PETER	JUDE v. CITY	2010
634005	1490	S157	2,172.00	BLOCK, PETER	JUDE v. CITY	2010
634005	1490	S157	2,106.00	BLOCK, PETER	JUDE v. CITY	2010
			7,917.00	Total		
634005	1490	S157	-4,760.65	CRIVELLO CARSON	ADJO TO VOUCHER 00970075	2010
634005	1490	S157	4,760.65	CRIVELLO CARSON	UNINSURED MOTORIST CLAIMS	2010
			0.00	Total		
634005	1490	S157	207.50	FOLEY & LARDER	KAYE v. CITY	2010
			207.50	Total		
634005	1490	S157	4,103.11	FRIEBERT & FINERTY	MPSO v. City	2010
634005	1490	S157	23,756.80	FRIEBERT & FINERTY	MPSO v. CITY	2010
			27,859.91	Total		
634005	1490	S157	6,779.07	GUNTA REAK	JUDE v. CITY	2010
634005	1490	S157	9,733.25	GUNTA REAK	JUDE v. CITY	2010
634005	1490	S157	3,228.14	GUNTA REAK	JACOBY v. DUDLEY	2010
634005	1490	S157	1,206.39	GUNTA REAK	JACOBY v. DUDLEY	2010
			20,946.85	Total		
634005	1490	S157	616.00	PYZYCK, ROGER	SPECIAL PROSECUTOR	2010
			616.00	Total		
634005	1490	S157	688.50	TARTER KRINSKY	CHRYSLER LLC BANKRUPTCY	2010
			688.50	Total		
			58,235.76	Grand Total		

March 30, 2010

**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
**LINDA ULISS BURKE**  
**VINCENT D. MOSCHELLA**  
Deputy City Attorneys

**CITY OF**  
**MILWAUKEE**  
**Office of the City Attorney**

**THOMAS O. GARTNER**  
**BRUCE D. SCHRIMPF**  
**SUSAN D. BICKERT**  
**STUART S. MUKAMAL**  
**THOMAS J. BEAMISH**  
**MAURITA F. HOUREN**  
**JOHN J. HEINEN**  
**DAVID J. STANOSZ**  
**SUSAN E. LAPPEN**  
**JAN A. SMOKOWICZ**  
**PATRICIA A. FRICKER**  
**HEIDI WICK SPOERL**  
**KURT A. BEHLING**  
**GREGG C. HAGOPIAN**  
**ELLEN H. TANGEN**  
**MELANIE R. SWANK**  
**JAY A. UNORA**  
**DONALD L. SCHRIEFER**  
**EDWARD M. EHRlich**  
**LEONARD A. TOKUS**  
**MIRIAM R. HORWITZ**  
**MARYNELL REGAN**  
**G. O'SULLIVAN-CROWLEY**  
**KATHRYN Z. BLOCK**  
**MEGAN T. CRUMP**  
**ELOISA DE LEÓN**  
**ADAM B. STEPHENS**  
**KEVIN P. SULLIVAN**  
**BETH CONRADSON CLEARY**  
**THOMAS D. MILLER**  
**HEIDI E. GALVÁN**  
**JARELY M. RUIZ**  
**ROBIN A. PEDERSON**  
**DANIELLE M. BERGNER**  
Assistant City Attorneys

March 15, 2010

Alderman Ashanti Hamilton, Chair  
Judiciary & Legislation Committee  
City Hall -- Room 205

Re: Retention of Outside Counsel

Dear Alderman Hamilton:

Pursuant to Common Council FN 030083 adopted on May 13, 2003 requiring the Judiciary & Legislation Committee be notified in writing of the retention of any outside counsel, I am reporting the following.

As authorized by Common Council File No. 091091, our office has retained the services of the law firm of Michael Best & Friedrich LLP to provide legal services and representation to the Opposition in the matter of BOZA Appeals Case No. 28710 (special use variance in the Fourth Aldermanic District.) Payments under this contract are not to exceed \$10,000.00.

Very truly yours,

  
**GRANT F. LANGLEY**  
City Attorney

GFL:bw  
#156121

**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
**LINDA ULISS BURKE**  
**VINCENT D. MOSCHELLA**  
Deputy City Attorneys

**CITY OF  
MILWAUKEE**  
**Office of the City Attorney**

**THOMAS O. GARTNER**  
**BRUCE D. SCHRIMPF**  
**SUSAN D. BICKERT**  
**STUART S. MUKAMAL**  
**THOMAS J. BEAMISH**  
**MAURITA F. HOUREN**  
**JOHN J. HEINEN**  
**DAVID J. STANOSZ**  
**SUSAN E. LAPPEN**  
**JAN A. SMOKOWICZ**  
**PATRICIA A. FRICKER**  
**HEIDI WICK SPOERL**  
**KURT A. BEHLING**  
**GREGG C. HAGOPIAN**  
**ELLEN H. TANGEN**  
**MELANIE R. SWANK**  
**JAY A. UNORA**  
**DONALD L. SCHRIEFER**  
**EDWARD M. EHRlich**  
**LEONARD A. TOKUS**  
**MIRIAM R. HORWITZ**  
**MARYNELL REGAN**  
**G. O'SULLIVAN-CROWLEY**  
**KATHRYN Z. BLOCK**  
**MEGAN T. CRUMP**  
**ELOISA DE LEÓN**  
**ADAM B. STEPHENS**  
**KEVIN P. SULLIVAN**  
**BETH CONRADSON CLEARY**  
**THOMAS D. MILLER**  
**HEIDI E. GALVÁN**  
**JARELY M. RUIZ**  
**ROBIN A. PEDERSON**  
**DANIELLE M. BERGNER**  
Assistant City Attorneys

March 3, 2010

Alderman Ashanti Hamilton, Chair  
Judiciary & Legislation Committee  
City Hall – Room 205

Re: Retention of Outside Counsel

Dear Alderman Hamilton:

Pursuant to Common Council FN 030083 adopted on May 13, 2003 requiring the Judiciary & Legislation Committee be notified in writing of the retention of any outside counsel, I am reporting the following.

The City Attorney's Office has retained the services of Attorney Anne Berleman Kearney to provide legal services and representation to the City as needed in reference to the following: legal research, analysis, writing and consulting in the appeal to the United States Supreme Court in the case of City of Milwaukee Post No. 2874 Veterans of Foreign Wars of the United State v. Redevelopment Authority of the City of Milwaukee. Payments under this contract are not to exceed \$10,000.00.

Very truly yours,

  
**GRANT F. LANGLEY**  
City Attorney

GFL:bw  
#155696

OFFICE OF THE CITY ATTORNEY

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551 • Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550







## Legislation Details (With Text)

---

**File #:** 091568      **Version:** 0  
**Type:** Resolution      **Status:** In Committee  
**File created:** 3/24/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE  
**On agenda:**      **Final action:**  
**Effective date:**

**Title:** Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2008 and 2009 tax rolls, plus interest applicable to date of repayment, if appropriate.

**Sponsors:** THE CHAIR

**Indexes:** TAX CANCELLATIONS

**Attachments:** Cover Letter, Fiscal Note, Table of Assessment Reductions, Assessment Reduction Letters, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/24/2010	0	COMMON COUNCIL	ASSIGNED TO		
3/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

091568

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2008 and 2009 tax rolls, plus interest applicable to date of repayment, if appropriate.

**Analysis**

This resolution requires the cancellation of taxes because of Board of Review reductions in assessments on certain parcels, the issuance of checks to the City Treasurer or taxpayer as applicable, and the proper reductions of State Tax Credits by journal entries.

**Body**

Whereas, Assessments were made against certain parcels of real estate for the years 2008 and 2009 as contained in Common Council Resolution File No. 091568; and

Whereas, The Board of Review has decreased these assessments as shown in this file; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, That the proper city officers are authorized and directed to issue city checks in the amounts as shown in this file, payable to the City Treasurer or taxpayer as applicable, to be refunded to the taxpayer where appropriate, plus interest at the rate applicable pursuant to Section 70.511 of Wisconsin Statutes, for an appeal that was filed as shown in this file, applicable from date of payment to date of repayment, said amounts to be charged to the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300, and said checks to be delivered to the Customer Services Unit of the Treasurer's Office for disbursement; and, be it

Further Resolved, That the proper city officers are authorized and directed to reflect the reduction in State Tax Credits as shown in this file by means of journal entries, charging the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300, and crediting the State Tax Credit Fund; and, be it

Further Resolved, That delinquent interest and penalties on any account covered by this resolution are hereby canceled.

**Requestor**

Assessor's Office

**Drafter**

mpr/kat

3/18/10

March 18, 2010

The Honorable, The Common Council  
City of Milwaukee

Dear Members of the Common Council:

Attached is a resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2008 and 2009 tax rolls, plus interest applicable to date of repayment, if appropriate.

Reductions have been made in the assessments of these properties by the Board of Review under authority of Section 70.511 (2), Wisconsin Statutes. It is now necessary to accomplish the reduction of taxes by means of the attached resolution.

Your favorable approval of the attached resolution is respectfully requested.

Yours very truly,

Mary P. Reavey  
Assessment Commissioner

mpr/kat

# CITY OF MILWAUKEE FISCAL NOTE

CC-170 (REV. 6/86)

**A) DATE:** March 18, 2010

**FILE NUMBER:** \_\_\_\_\_

**Original Fiscal Note**  **Substitute**

**SUBJECT:** Resolution to cancel real estate taxes levied against certain parcels bearing various Key Numbers on the 2008 & 2009 Tax rolls, plus interest applicable to date of repayment, if appropriate

**B) SUBMITTED BY** (name/title/dept./ext.): Mary P. Reavey, Assessment Commissioner, Assessor's Office, Ext. 3101.

**C) CHECK ONE:**  ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.  
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED.  
 LIST ANTICIPATED COSTS IN SECTION G BELOW.  
 NOT APPLICABLE/NO FISCAL IMPACT.

**D) CHARGE TO:**  DEPARTMENTAL ACCOUNT (DA)  CONTINGENT FUND (CF)  
 CAPITAL PROJECTS FUND (CPF)  SPECIAL PURPOSE ACCOUNTS (SPA)  
 PERM. IMPROVEMENT FUNDS (PIF)  GRANT & AID ACCOUNTS (G & AA)  
 OTHER SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
<b>SALARIES/WAGES:</b>					
<b>SUPPLIES:</b>					
<b>MATERIALS:</b>					
<b>NEW EQUIPMENT:</b>					
<b>EQUIPMENT REPAIR:</b>					
<b>OTHER 0001 Org 9990</b>	<i>Remission of Taxes Fund</i>		<b>\$142,329.72</b>		
<i>Prog 0001 Sub-cl S163</i>					
<i>Acct 006300</i>					
<b>TOTALS:</b>			<b>\$142,329.72</b>		

**F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT SEPARATELY.**

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

**G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

---



---

**H) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

---



---



---

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

Key Number and Address Date of Objection	Name of Taxpayer	Assesment Reduction by B.O.R.	Canceled NET Total Tax	STATE TAX CREDITS SECTION 79.10 (2)		
				City Portion	County Portion	Total Credit
<b>2008</b>						
175-0537-110-0 5656 N. 76th St. May 16, 2008	Silver Spring Road Properties LLC	\$ 226,400	\$ 5,440.87	\$ 276.20	\$ 79.93	\$ 356.13
224-0725-000-5 7722 W. Congress St. May 13, 2008	7722 W CONGRESS STREET LLC	\$ 99,800	\$ 2,398.41	\$ 121.75	\$ 35.23	\$ 156.98
225-9999-100-3 6909 W. Hampton Av. May 13, 2008	4409 NORTH 88TH ST LLC	\$ 55,400	\$ 1,331.38	\$ 67.59	\$ 19.56	\$ 87.15
226-0945-100-2 4463 N. 62nd St. May 13, 2008	4463-65 NORTH 62ND ST LLC	\$ 60,700	\$ 1,458.75	\$ 74.05	\$ 21.43	\$ 95.48
250-1075-000-0 4364-66 N. 61st St. May 13, 2008	4364-66 NORTH 61ST ST LLC	\$ 58,500	\$ 1,405.88	\$ 71.37	\$ 20.65	\$ 92.02
251-0174-000-8 4051 N. 73rd St. May 13, 2008	4051 N 73RD LLC	\$ 11,600	\$ 278.77	\$ 14.15	\$ 4.10	\$ 18.25
356-0271-000-7 2101-11 N. Prospect Av. May 15, 2008	2103 NORTH PROSPECT LLC	\$ 211,000	\$ 5,070.78	\$ 257.41	\$ 74.49	\$ 331.90
361-0840-111-1 803 W. Michigan St. May 19, 2008	Town Realty Inc.	\$ 175,000	\$ 4,205.62	\$ 213.49	\$ 61.78	\$ 275.27

Key Number and Address Date of Objection	Name of Taxpayer	Assesment Reduction by B.O.R.	Canceled NET Total Tax	STATE TAX CREDITS SECTION 79.10 (2)		
				City Portion	County Portion	Total Credit
461-0584-000-4 1009-11 W. Historic Mitchell St. May 17, 2008	The Lee Company	\$ 31,000	\$ 745.00	\$ 37.82	\$ 10.94	\$ 48.76
461-0590-000-7 1029-33 W. Historic Mitchell St. May 15, 2008	The Lee Company	\$ 26,000	\$ 624.83	\$ 31.72	\$ 9.18	\$ 40.90
582-1201-000-4 1141 E. Howard Av. May 16, 2008	Gurnek Singh & Javinder Kaur Singh	\$ 51,000	\$ 1,225.64	\$ 62.22	\$ 18.00	\$ 80.22
626-9997-114-1 151 W. Layton Av. May 15, 2008	NRN WISCONSIN LLC	\$ 144,000	\$ 3,460.62	\$ 175.67	\$ 50.84	\$ 226.51
<b><u>2009</u></b>						
428-0498-000-2 544 S. 1st St. October 8, 2009	544 S 1ST STREET LLC	\$ 4,074,300	\$ 105,865.80	\$ 5,466.10	\$ 1,541.70	\$ 7,007.80
		<b>\$ 5,224,700</b>	<b>\$ 133,512.35</b>	<b>\$ 6,869.54</b>	<b>\$ 1,947.83</b>	<b>\$ 8,817.37</b>
<b>TOTAL GROSS</b>	<b>\$ 142,329.72</b>					

Assessor's Office  
March 18, 2010  
mpr/kat

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

Dear Members of the Common Council:


In re: **175-0537-110-0**  
**5656 N. 76th St.**  
**Silver Spring Road Properties LLC**

**Year: 2008**

**Amount of Assessment Reduction: \$226,400**

**Amount of Tax Reduction: \$5,440.87**

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: 

Date: 03/02/2010

---

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

RECEIVED

2010 MAR -3 PM 1:06

ASSESSOR  
CITY OF MILWAUKEE

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

Dear Members of the Common Council:

In re:           **224-0725-000-5**  
                      **7722 W. Congress St.**  
                      **7722 W Congress Street LLC**

**Year:           2008**

**Amount of Assessment Reduction: \$99,800**

**Amount of Tax Reduction: \$2,398.41**

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: *Scott W. member*

Date: 03-02-10

---

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

RECEIVED

2010 MAR -3 PM 1:08

ASSESSMENT DIVISION  
CITY OF MILWAUKEE



TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

Dear Members of the Common Council:

In re:           **225-9999-100-3**  
                  **6909 W. Hampton Av.**  
                  **4409 NORTH 88TH ST LLC**

**Year:           2008**

**Amount of Assessment Reduction: \$55,400**

**Amount of Tax Reduction: \$1,331.38**

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed:  member

Date: 03-02-10

---

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

RECEIVED

2010 MAR -3 PM 1:09

ASSESSMENT  
CITY OF MILWAUKEE

RECEIVED

TO THE HONORABLE, THE COMMON COUNCIL

2010 MAR -3 PM 1:09

City of Milwaukee

ASSESSMENT  
CITY OF MILWAUKEE

Dear Members of the Common Council:

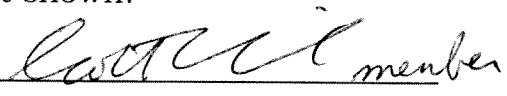
In re:           **226-0945-100-2**  
                      **4463-65 N. 62nd St.**  
                      **4463-65 NORTH 62ND ST LLC**

**Year:           2008**

**Amount of Assessment Reduction: \$60,700**

**Amount of Tax Reduction: \$1,458.75**

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed:  member

Date: 03-02-10

---

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

Dear Members of the Common Council:

In re:           **250-1075-000-0**  
                      **4364-66 N. 61st St.**  
                      **4365-66 NORTH 61ST ST LLC**

**Year:           2008**

**Amount of Assessment Reduction: \$58,500**

**Amount of Tax Reduction: \$1,405.88**

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: *Scott A member*

Date: 03-02-10

---

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

RECEIVED  
2010 MAR -3 11:02  
ASSESSOR'S OFFICE  
CITY OF MILWAUKEE

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

RECEIVED  
2010 MAR -3 AM 1:09

ASSESSMENT  
CITY OF MILWAUKEE

Dear Members of the Common Council:

In re:           **251-0174-000-8**  
                      **4051 N. 73rd St.**  
                      **4051 N 73RD LLC**

**Year:           2008**

**Amount of Assessment Reduction: \$11,600**

**Amount of Tax Reduction: \$278.77**

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: *Scott C. member*  
Date: 03-02-10

---

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

TO THE HONORABLE, THE COMMON COUNCIL

RECEIVED

2010 FEB 25 PM 1:26

City of Milwaukee

ASSESSMENT OFFICE  
CITY OF MILWAUKEE

Dear Members of the Common Council:

In re: **356-0271-000-7**  
**2101-11 N. Prospect Av.**  
**2103 NORTH PROSPECT LLC**

**Year: 2008**

**Amount of Assessment Reduction: \$211,000**

**Amount of Tax Reduction: \$5,070.78**

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: \_\_\_\_\_

*Kenneth R. Sidello, Member*

Date: \_\_\_\_\_

*2/24/10*

---

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

RECEIVED  
2010 MAR -2 PM 2:15

ACCOUNTS RECEIVABLE  
CITY OF MILWAUKEE

Dear Members of the Common Council:

In re: **361-0840-111-1**  
**803 W. Michigan St.**  
**Towne Realty Inc.**

**Year: 2008**

**Amount of Assessment Reduction: \$175,000**

**Amount of Tax Reduction: \$4,205.62**

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: Alan Mauritz  
Date: 2/26/10

---

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

Dear Members of the Common Council:

In re: **461-0584-000-4**  
**1009-11 W. Historic Mitchell St.**  
**The Lee Company**

**Year: 2008**

**Amount of Assessment Reduction: \$31,000**

**Amount of Tax Reduction: \$745.00**

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: The Lee Company, Sidney Ellis, President

Date: 2/15/10

---

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

RECEIVED  
2010 FEB 25 PM 1:26  
ASSESSOR'S OFFICE  
CITY OF MILWAUKEE

TO THE HONORABLE, THE COMMON COUNCIL

RECEIVED

2010 FEB 25 PM 1:26

City of Milwaukee

ASSESSOR'S OFFICE  
CITY OF MILWAUKEE

Dear Members of the Common Council:

In re: **461-0590-000-7**  
**1029-33 W. Historic Mitchell St.**  
**The Lee Company**

**Year: 2008**

**Amount of Assessment Reduction: \$26,000**

**Amount of Tax Reduction: \$624.83**

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: The Lee Company, Sidney Ellis, President

Date: 2/15/10

---

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.



TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

Dear Members of the Common Council:

In re: **582-1201-000-4**  
**1141 E. Howard Av.**  
**Gurnek Singh**  
**Javinder Kaur Singh**

**Year: 2008**

**Amount of Assessment Reduction: \$51,000**

**Amount of Tax Reduction: \$1,225.64**

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: X 

Date: 02/25/10

---

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

ASSN. MANAGER  
OFFICE

2010 MAR -1 PM 2:49

RECEIVED

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

Dear Members of the Common Council:

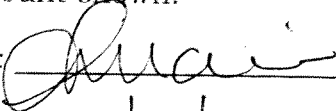
In re: **626-9997-114-1**  
**151 W. Layton Av.**  
**NRN WISCONSIN LLC**

**Year: 2008**

**Amount of Assessment Reduction: \$144,000**

**Amount of Tax Reduction: \$3,460.62**

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: 

Date: 02/20/10

---

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

RECEIVED  
2010 MAR -8 PM 12:59  
MILWAUKEE

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

Dear Members of the Common Council:

In re: **428-0498-000-2**  
**544 S. 1st St.**  
**544 S 1ST STREET LLC**

**Year: 2009**

**Amount of Assessment Reduction: \$4,074,300**

**Amount of Tax Reduction: \$105,865.80**

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: Ashley M. Ash

Date: 3/5/2010

---

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

2010 MAR -8 PM 12:59  
RECEIVED  
CITY OF MILWAUKEE





## Legislation Details (With Text)

---

**File #:** 091543      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 3/24/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to the claim of Atty. Robert Figg on behalf of Denise Denton for personal injuries. (12th Aldermanic District)

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS

**Attachments:** City Attorney Letter, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/24/2010	0	COMMON COUNCIL	ASSIGNED TO		
3/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

091543

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relating to the claim of Atty. Robert Figg on behalf of Denise Denton for personal injuries.  
(12th Aldermanic District)

**Requestor**

City Attorney

**Drafter**

JAS:ms

March 10, 2010

1029-2007-2032:155388

**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
**LINDA ULISS BURKE**  
**VINCENT D. MOSCHELLA**  
Deputy City Attorneys



THOMAS O. GARTNER  
BRUCE D. SCHRIMPF  
SUSAN D. BICKERT  
STUART S. MUKAMAL  
THOMAS J. BEAMISH  
MAURITA F. HOUREN  
JOHN J. HEINEN  
DAVID J. STANOSZ  
SUSAN E. LAPPEN  
JAN A. SMOKOWICZ  
PATRICIA A. FRICKER  
HEIDI WICK SPOERL  
KURT A. BEHLING  
GREGG C. HAGOPIAN  
ELLEN H. TANGEN  
MELANIE R. SWANK  
JAY A. UNORA  
DONALD L. SCHRIEFER  
EDWARD M. EHRlich  
LEONARD A. TOKUS  
MIRIAM R. HORWITZ  
MARYNELL REGAN  
G. O'SULLIVAN-CROWLEY  
KATHRYN Z. BLOCK  
MEGAN T. CRUMP  
ELOISA DE LEÓN  
ADAM B. STEPHENS  
KEVIN P. SULLIVAN  
BETH CONRADSON CLEARY  
THOMAS D. MILLER  
HEIDI E. GALVÁN  
JARELY M. RUIZ  
ROBIN A. PEDERSON  
DANIELLE M. BERGNER  
Assistant City Attorneys

March 10, 2010

To the Honorable Common Council  
Of the City of Milwaukee  
Room 205 – City Hall

Re: Resolution Relating to the Claim of DENISE DENTON  
C.I. File No. 07-L-76

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced into and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, Denise Denton, 1010 West National Avenue, Milwaukee, WI 53204, by her attorney, Weigel, Carlson, Blau & Clemens, S.C., 3732 West Wisconsin Avenue, Suite 300, Milwaukee, WI 53208-3153, alleges that on June 21, 2007, Ms. Denton tripped and fell on a missing piece of the sidewalk at/near 1014 West National Avenue. They claim damages in the amount of \$75,905.11.

Our investigation reveals that the Infrastructure Services Division (ISD) reviewed their records and those of the DPW Call Center relative to this incident. The ISD found that there was a gas valve owned by WE Energies in front of 1014 West National Avenue. That was likely patched by WE Energies and not the City of Milwaukee. There is no indication that at any time prior to the claimant's fall that the City of Milwaukee had any notice of any defect in that patch.

Honorable Common Council  
March 10, 2010  
Page 2

The City had no notice of any alleged hazardous condition. As such, we recommend denial of the claim.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:ms  
Enclosure  
1029-2007-2032:155387



CITY OF MILWAUKEE

07 JUL 31 AM 10:10

RONALD D. LEONHARDT  
CITY CLERK

**NOTICE OF INJURY**

To: CITY OF MILWAUKEE  
CITY CLERK  
200 East Wells Street  
Milwaukee, Wisconsin 53202

NOTICE IS HEREBY GIVEN to the City of Milwaukee, a municipal corporation organized under the laws of the State of Wisconsin that claimant, Denise A. Denton, whose address is, 1010 West National Avenue, Milwaukee, Wisconsin 53204, sustained damages as follows:

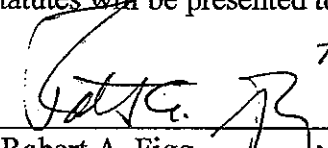
On June 21, 2007, claimant, Denise A. Denton, fell while walking on the sidewalk near 1014 West National Avenue, Milwaukee, Wisconsin which property is owned and maintained by the City of Milwaukee, its agents, servants and employees.

Claimant suffered injuries to her right hand.

The injuries sustained in this incident were due to the negligence of the City of Milwaukee, its agents, servants and employees in maintaining this property.

Please be advised that claimant has retained Weigel, Carlson, Blau & Clemens, S.C., and they have an attorney lien right as prescribed by the Statutes of the State of Wisconsin and by means of a written contract signed by claimant.

This is a Notice of Injury pursuant to Section 893.80(1)(A), of the Wisconsin Statutes. A Notice of Claim pursuant to Section 893.80(1)(b) of the Wisconsin Statutes will be presented to the appropriate clerk at a later date.

 7-27-07  
Robert A. Figg  
Attorney for Claimant  
State Bar No. 1014923

POST OFFICE ADDRESS  
3732 West Wisconsin Avenue, Suite 300  
Milwaukee, Wisconsin 53208  
(414) 342-1000

CITY OF MILWAUKEE  
RECEIVED  
2007 AUG -1 PM 2:56  
OFFICE OF  
CITY ATTORNEY

Note: Complete medical record is in the paper file.





## Legislation Details (With Text)

---

**File #:** 091570      **Version:** 0  
**Type:** Resolution      **Status:** In Committee  
**File created:** 3/24/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE  
**On agenda:**      **Final action:**  
**Effective date:**  
**Title:** Resolution requesting approval of the Board of Ethics Rules and Procedures.  
**Sponsors:** THE CHAIR  
**Indexes:** ETHICS BOARD  
**Attachments:** Cover Letter, Board of Ethics Letter, Board of Ethics Rules and Procedures, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/24/2010	0	COMMON COUNCIL	ASSIGNED TO		
3/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

---

**File #:** 091570      **Version:** 0

---

**Number**

091570

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution requesting approval of the Board of Ethics Rules and Procedures.

**Requestor**

**Drafter**

Ethics Board

DE:nmd

3/22/10



**The Board of Ethics**

March 18, 2010

Milwaukee Common Council  
200 East Wells Street, Room 205  
Milwaukee, WI 53202

To the Honorable the Common Council:

The City of Milwaukee Ethics Board hereby requests that a file be opened in order seek Council approval of its newly revised Rules and Procedures. These Rules and Procedures have been revised to comply with the approved amendments to the Code of Ethics, Chapter 303, Milwaukee Code Ordinance, which became affective January 8, 2009 (File # 081085).

Thank you for your attention to this matter.

Very truly yours,

Dwight Ellis, Chair  
Ethics Board

Nmd.



**The Board of Ethics**

March 18, 2010

Mr. James Owczarski  
Deputy Clerk  
City Clerk's Office  
200 East Wells St., Room 205  
City of Milwaukee

Dear Mr. Owczarski,

This is a courtesy letter to inform you of the events that have taken place since you met with the Board of Ethics on Wednesday February 17, 2010 to express your concerns about November 2009 revisions to the Ethics Board Rules and Procedures documents.

Since the February Board meeting, a subcommittee of the Board was appointed to reconsider the Rules in light of your presentation at the Board meeting. That subcommittee met last week and reviewed the revised Rules, taking into account your comments and recommendations. The subcommittee made certain revisions to the document to try to address your concerns. Those suggestions were presented to the Board on Wednesday March 17, 2010 and the full Board approved the Rules and Procedures as revised and recommended by the subcommittee.

The latest revision of the Ethics Board Rules and Procedures is attached. It is the "mark-up" version which shows all changes since the last revision in 2005. All wording that has been added is highlighted in grey and all wording that has been deleted is "lined-out".

The Board has requested that a file be opened at the next meeting of the Common Council to approve the revised Rules and Procedures, as is required by the Code of Ordinances.

As you will note, the new changes made by the Board include a new provision entitled "General Governing Rules" which makes clear that the Wisconsin Statutes and Milwaukee Code of Ordinances (Chapter 303) shall prevail in the event of any conflict between the Board's Rules and Procedures and the Wisconsin Statutes and Code of Ordinances. The Board has determined that some quotations, with applicable citations to the Code of Ethics, are necessary to have a useful set of Rules and Procedures. The

Board has revised the layout of the Rules in order that any excerpt from the Ordinances contained in the Rules will be italicized to highlight that the wording comes directly from the Ordinances and cited to the specific Code provision excerpted.

The Board hopes that these further revisions will alleviate your concerns and that the City Clerk's Office will not oppose the approval of the proposed Rules and Procedures by the Common Council. However, if it is determined that the City Clerk's Office will oppose the approval of the Board's Rules and Procedures, we welcome the opportunity to advise the Common Council why the Board feels the Rules and Procedures should be approved as proposed.

Very truly yours,

A handwritten signature in cursive script that reads "Dwight Ellis".

Dwight Ellis, Chair  
Ethics Board

Attachments

cc: Mr. Ronald D. Leonhardt, City Clerk  
Members of the Board of Ethics  
Mr. Edward Ehrlich



**CITY OF MILWAUKEE  
BOARD OF ETHICS RULES AND PROCEDURES**

**PREAMBLE**

The Board of Ethics of the City of Milwaukee, in order to achieve the order and decorum that will expedite transaction of official business, to maintain free and open discussion, to ensure the honorable and just administration of the City of Milwaukee's Code of Ethics, does hereby submit to be governed by the following rules and procedures:

**RULE I. GENERAL GOVERNING RULES**

The Ethics Board of the city of Milwaukee, Wisconsin shall be governed by chapter 303, Milwaukee Code of Ordinances (hereinafter referred to as Milwaukee Code), and by the rules and procedures hereinafter set forth. Whenever any conflict shall exist between these rules and the laws of the State or ordinances of the City, the Wisconsin Statutes and Milwaukee Code shall prevail.

**RULE II. GENERAL BOARD PROCEDURES**

**ARTICLE I – MEETINGS**

- Sec. 1. Regular meetings shall be scheduled by the Board or at the call of the Chair.
- Sec. 2. A meeting shall be scheduled at the written request of any four members.
- Sec. 3. Notice to the Public and Board members shall conform to rules prescribed by law.
- Sec. 4. Four members shall constitute a quorum.

**ARTICLE II - OFFICERS**

- Sec. 1. The Chair and Vice Chair shall be elected yearly at a regular fall meeting of the Board by a majority vote. Nominees must be current Board members. Officers may be re-elected.
- Sec. 2. The Chair shall be entitled to vote on all matters. All committees and subcommittees shall be created and appointed by the Chair.
- Sec. 3. The Chair shall have the responsibility, whenever an inquiry is made, to confer with a representative of the City Attorney's Office for advice to ensure compliance with the public records law.

### **ARTICLE III - PROCEDURES**

Sec. 1. Any member who does not answer roll call shall be recorded as absent, unless excused by the Chair. No alternate or proxy votes shall be allowed.

Sec. 2. After three consecutive unexcused absences, the Chairman shall notify the Mayor and the nominating body.

Sec. 3. Proceedings of all committees and all Board meetings shall be recorded except for closed sessions dealing with confidential matters. The Ethics Board shall preserve and secure all original recordings in accordance with the established records retention schedule. Recordings of open meetings shall be available for replaying in accordance with the Open Records law. Complaints, advisory opinions, and all files relating to complaints are confidential and may only be released by the Chair after conferring with legal counsel. All nonpublic agencies and individuals shall be charged fees established by the City Clerk for listening to and copying tapes of Board meetings.

Sec. 4. A roll call shall be ordered on any questions at the request of any member. No discussion may take place during a roll call and all members shall vote on every matter put to vote unless excused by the Chair.

### **ARTICLE IV - BOARD BUSINESS**

Sec. 1. The agenda shall be in writing and available to the Board in advance of each meeting.

Sec. 2. All minutes, findings and rulings of the Board shall be prepared in written form and filed with the Ethics Board. Records shall be available for review only as provided under Art. III, Sec. 3 above and may be published in other forms as determined by the Board.

Sec. 3. Any member may file a minority report dissenting in whole or part from a Board report, which shall become part of the file.

Sec. 4. No Board rules shall be rescinded or amended without the concurrence of four members.

Sec. 5. The current edition of Robert's Rules of Order shall govern the proceedings of this Board in all cases to which they are applicable and in which they are not inconsistent with these Rules, Milwaukee Code, Charter or Laws of the State of Wisconsin.

### **ARTICLE V – ADVISORY OPINIONS**

Sec. 1. The Board shall accept requests for advisory opinions as provided in Section 303-7-2, Milwaukee Code.

*[Section 303-7-2, Milwaukee Code, provides as follows: “2. ADVISORY OPINIONS. a. Any individual, including former officials and other city employes, either personally or on behalf of an organization or governmental body, may make a written request of the board for an advisory*

*opinion relating to the propriety of any matter or matters to which the person, organization or governmental body is or may become a party.*

*b. Any appointing officer, with the consent of a prospective appointee, may make a written request of the Board for an advisory opinion regarding the propriety of any matter to which the prospective appointee is or may become a party.]*

Sec. 2. A request for an advisory opinion must be received by the Ethics Board staff no later than five business days in advance of the next scheduled Ethics Board meeting in order to be heard.

Sec. 3. The requestor shall be guided by the opinion rendered.

Sec. 4. The request shall be in writing and state specifically the facts at issue. The requestor may supplement the facts at the meeting. No hypothetical questions will be considered by the Board.

Sec. 5. The Board shall consider the request at a regular, or special, closed meeting pursuant to statute and within 45 days of receipt of the request. It may confer with legal counsel with respect to any question.

Sec. 6. The Board shall render its advisory opinion as soon after the meeting as practicable and shall submit the opinion in writing to the requestor.

Sec. 7. Requests for advisory opinions, records obtained or filed in connection with requests for advisory opinions and advisory opinions rendered shall be closed in whole to public inspection pursuant to the Open Records law. This shall not be interpreted to preclude the Board from compiling or publishing summaries of opinions rendered under Art. V, Sec. 6, if no identification of the requestor or any organization identified in the opinion is made. No member of the Board may make public the identity of the individual requesting an advisory opinion or of individuals or organizations mentioned in the opinion.

## **ARTICLE VI –FINANCIAL DISCLOSURE**

Sec. 1. The Board shall develop the Statement of Economic Interests form as authorized by section 303-13, Milwaukee Code.

Sec. 2. The Board shall provide the Statement of Economic Interests form to all City Officials in early January. In the case of a newly employed, appointed or nominated person, the Board shall provide the Statement of Economic Interests form upon notification from the City Clerk's office, Department Head or Appointing Authority.

Sec. 3. A statement of economic interests shall be filed with the Board as required by Section 303-11-1, Milwaukee Code.

*[Section 303-11-1, Milwaukee Code, provides as follows: 1. REQUIRED. A statement of economic interests shall be filed with the board as follows:*

*a. Any individual who in January of any year is an official and is required to file as so designated by the city positions ordinance shall file with the Board no later than February 28 of that year a statement of economic interests. The information on the statement shall be current as of December 31 of the preceding year.*

*b. Any newly appointed or employed individual required to file as so designated by the city positions ordinance shall file a statement of economic interests within 21 days following the date he or she assumes office if the individual has not previously filed a statement of economic interests with the Board during that year. The information on the statement shall be current as per the date he or she assumes office.*

*c-1. Any nominee to a city board, commission or committee who is required to file as so designated by the city positions ordinance shall file a statement of economic interests within 21 days of being nominated unless the nominee has previously filed a statement with the Board for that year. The information on the statement shall be current as of the date he or she is nominated.*

*c-2. Any nominee to a city board, commission, or committee not requiring common council confirmation but who is required to file as so designated by the city positions ordinance shall file a statement of economic interests within 21 days of being nominated unless the nominee has previously filed a statement with the Board for that year. The information on the statement shall be current as of the date he or she is nominated.]*

Sec. 4. If an official or employee fails to file a required report within the time required, the Ethics Board shall follow the procedure prescribed in Section 303-11-2-b to d, Milwaukee Code.

[Section 303-11-2-b to d, Milwaukee Code, provides as follows:

*2.b. Notice to Appointing Authority. The ethics board shall notify any appropriate appointing authority of the failure of an official or employee to file a required report within 15 days of the date on which the report was required to be filed.*

*c. The Board shall cause a letter to be mailed first class, postage prepaid and addressed to the last known address of any individual who has not filed the required report within 30 days of the date on which the report was to be filed notifying the individual of the filing requirements, the assessment of late filing fees as provided in par. a, and that the matter of the delinquent filing may be referred to the city attorney for prosecution as provided in par d.*

*d. If after 45 days from the date required for filing of the statement of economic interests, a public official or employee subject to filing requirements under this section has failed to file a complete statement, the chair of the ethics board or designated staff member may cause an affidavit to be prepared and delivered to the city attorney stating upon knowledge and belief that an individual is in violation of the reporting requirement of this section, identifying the individual by name and position, declaring that the notice to be provided the individual in accord with par. c was sent, and identifying the date the notice was sent and the address to which it was mailed. (further text excluded)]*

Sec. 5. The designated staff shall compile data relative to late filing fees in accordance with section 303-11-2-a, Milwaukee Code, and forward this data, including name and last known address of the late-filer to the City Clerk's Office for invoicing the late fees.

Sec. 6. The Ethics Board may extend the time for filing or waive any filing requirement as provided in section 303-11-3, Milwaukee Code.

[Section 303-11-3, Milwaukee Code, provides as follows:

*3. EXTENSION OF DEADLINE. On its own motion or at the request of any individual who is required to file a statement of economic interests, the board may extend the time for filing or waive any filing requirement if the board determines that the literal application of the filing requirements of this section would work an unreasonable hardship on that individual or that the extension of the time for filing or waiver is in the public interest. The board shall set forth in writing as a matter of public record the reason for the extension or waiver. Extensions or waivers shall not be granted to candidates for public office.]*

## **ARTICLE VII – ANNUAL REPORT**

Sec. 1. The Board shall prepare an Annual Report and deliver it to the Mayor and the Common Council.

Sec. 2. The report shall contain summaries of the preceding year's determinations and opinions.

## **RULE III COMPLAINT PROCEDURES**

### **ARTICLE I - COMPLAINTS**

Sec. 1. A verified complaint may be submitted to the Board by any person. The Board may also issue a complaint on its own motion or amend any complaint before it on its own motion.

Sec. 2. The verified complaint shall be in writing and on the standard form prescribed by the Board and shall bear a notarized signature.

Sec. 3. The verified complaint shall be denominated as an Ethics Board complaint and shall be filed with the Ethics Board, Room 205, City Hall. The complaint shall be in a sealed envelope, addressed to the Ethics Board c/o Clerk of Ethics Board, Room 205-City Hall, marked "Complaint."

Sec. 4. The complainant may attach any supporting documentation to the complaint.

Sec. 5. Prior to acceptance of a complaint, the staff, under the direction of the Board, shall determine whether or not the complaint is in proper form and bears a notarized signature. If the complaint is not notarized or is not in proper form, it shall be returned to the complainant for

further action. If it is in proper form, the complaint shall be referred to the Board for initial action at a closed meeting.

Sec. 6. Within ten days of receiving a complaint, the Ethics Board shall notify the complainant that the complaint will be presented to the Board at a closed meeting of the Board. The Ethics Board shall also send a copy of the complaint and any other supporting documents to the accused, together with notice of the meeting. The Ethics Board shall also notify the accused that objections to the sufficiency of the complaint must be filed in writing five days prior to the closed meeting. All documents, letters, pleadings and other materials submitted to the Board by either the complainant or the accused shall be concurrently provided to the opposing party or legal counsel for the opposing party, and an affidavit of service shall be provided to the Board.

Sec. 7. At the initial closed meeting to consider the complaint, the Board shall determine whether or not it has jurisdiction to hear the complaint and whether or not the complaint sets forth a prima facie case.

Sec. 8. If the Board determines it does not have jurisdiction, the complaint shall be dismissed and notice of dismissal, stating reasons for dismissal, shall be sent to complainant. If the Board determines that the complaint is insufficient on its face that a violation of the City's Code of Ethics has been committed, the Board shall dismiss with leave to refile.

Sec. 9. If the board determines that it has jurisdiction and that the complaint meets the sufficiency test for a violation of the City's Code of Ethics, it shall accept the complaint for investigation and/or hearing in accordance with these Rules and Procedures and chapter 303, Milwaukee Code.

Sec. 10. At the closed meeting to consider the validity of the complaint, the Board may confer with a representative of the City Attorney's Office or other legal counsel of the Board's own choosing from a list provided by the City Attorney's office.

Sec. 11. Upon proper notice, the Board shall reconvene in open session and announce its findings and take action on said complaint, if appropriate.

Sec. 12. If the Board determines that the Board does not have jurisdiction, the complaint is insufficient, or that a violation has not occurred, the complaint shall be dismissed and notice of dismissal with reason for same, shall be sent to both complainant and accused. If the Board determines that a complaint was brought for harassment purposes, the Board shall so state as provided for in section 303-19-1, Milwaukee Code.

Sec. 13. If the Board determines, with the concurrence of four members, that the complaint on its face states facts from which the Board finds probable cause to believe that a violation has occurred, the complaint may be referred by the Chair to a committee of the Board for investigation.

## ARTICLE II - INVESTIGATIONS

Sec. 1. The committee investigating the complaint shall meet in closed session to consider all circumstances of alleged violation and to exercise any investigatory powers conferred by ordinance. If advisable, the Board may retain an investigator to assist the committee from a list provided by the City Attorney's office.

Sec. 2. Before the investigation is initiated, written notice shall be given to accused and complainant. It shall include notice and purpose of investigation, acts to be investigated, and applicable Board rules.

Sec. 3. The accused may request that the investigation be open to the public by filing a request with the Ethics Board prior to convening of the closed session.

Sec. 4. During all stages of investigation, the accused shall be entitled to be represented by counsel and/or a representative of his/her own choosing.

Sec. 5. Pursuant to any investigation conducted, the Board or committee may avail itself of any of the powers or procedures enumerated in section 303-21, Milwaukee Code.

*[Section 303-21, Milwaukee Code, provides as follows:*

*303-21. Investigations. Pursuant to any investigation or hearing conducted under this chapter, the board has the power:*

*1. To require any person to submit in writing such reports and answers to questions relevant to the proceedings conducted under this chapter as the board may prescribe, such submission to be made within such period and under oath or otherwise as the board may determine.*

*2. To administer oaths and to require by subpoena issued by it the attendance and testimony of witnesses and the production of any documentary evidence relating to the investigation or hearing being conducted. Issuance of a subpoena requires action by the board in accordance with s. 303-15-4.*

*3. To order testimony to be taken by deposition before any individual who is designated by the board and has the power to administer oaths, and, in such instances, to compel testimony and the production of evidence in the same manner as authorized by sub. 2.*

*4. To pay witnesses the same fees and mileage as are paid in like circumstances by the courts of this state.*

*5. To request and obtain from the department of revenue copies of state income tax returns and access to other appropriate information under s. 71.78(4), Wis. Stats., regarding all persons who are the subject of such investigation.*

*6. To retain outside counsel and other experts as needed after solicitation of recommendations from the city attorney and upon such contract for services approved for form and content by the city attorney.]*

Sec. 6. When the investigation is completed, the committee's report shall be submitted to the Chair for presentation to the Board with recommendations for action.

Sec. 7. (a) At the conclusion of each investigation, the Board shall, in closed session, receive a report from the investigating committee and consider appropriate action. The Board shall, in closed session, make a determination of whether or not probable cause exists to believe that a violation of the Code of Ethics has occurred and such determination shall include written findings of fact and conclusions based thereon. If the Board determines that no violation of chapter 303, Milwaukee Code, has occurred, it shall immediately send written notice of such determination to the accused and to the party who made the complaint. If the Board determines that a violation of chapter 303, Milwaukee Code, has occurred, its findings of fact and conclusions may contain an order setting a date for a hearing to determine whether a violation of the Code of Ethics has occurred. The Board shall serve the order upon the accused. A hearing ordered under this section shall be commenced within 30 days after the date it is ordered unless the accused petitions for and the Board consents to a later date. Prior to any hearing ordered under this section, the accused is entitled to reasonable discovery rights, including adverse examination of witnesses who will testify at the hearing.

(b) The Board shall disclose to the accused or his or her counsel the existence of exculpatory evidence in the Board's possession.

### **ARTICLE III - HEARINGS**

Sec. 1. Any hearing and any investigation conducted by the Board shall be conducted so as to comply with section 303-25, Milwaukee Code. The Board may also retain outside counsel and other experts as provided in section 303-25-2, Milwaukee Code.

*[Section 303-25-2, Milwaukee Code, provides in part as follows:*

*2...The board may also retain outside counsel and other experts as needed with respect to hearings in accordance with its policies. The selection of a hearing examiner and outside counsel or other experts and any contract for such persons shall be made after solicitation of recommendations from the city attorney and the contract shall be approved for form and content by the city attorney...]*

Sec. 2. The hearing examiner shall assist the Board by making evidentiary determinations and providing advice relating to the conduct of the hearing and the Board's deliberations upon the conclusion of the hearing.

Sec. 3. If the complaint is being prosecuted upon the Board's own motion, without a third party complainant, the Board shall retain the services of a special prosecutor, independent of the hearing examiner, to prosecute the complaint, In accordance with section 303-25-2, Milwaukee



Code. In order to minimize any appearance of a conflict of interest, neither the Board nor the hearing examiner shall consult with the special prosecutor during the period of the hearing except on notice to and with participation by the accused and his/her representative. Rulings by the hearing examiner and findings by the Board shall be based solely upon evidence received on the record at the hearing in accordance with sections 303-25-4 and 303-27, Milwaukee Code.

Sec. 5. Where appropriate, the Board shall refer matters to the City Service Commission, City Attorney or to the Common Council in compliance with sections 303-27 and 303-29, Milwaukee Code.

Revised March 24, 2010

**CITY OF MILWAUKEE  
BOARD OF ETHICS RULES AND PROCEDURES**

**PREAMBLE**

The Board of Ethics of the City of Milwaukee, in order to achieve the order and decorum that will expedite transaction of official business, to maintain free and open discussion, to ensure the honorable and just administration of the City of Milwaukee's Code of Ethics, does hereby submit to be governed by the following rules and procedures:

**RULE I. GENERAL GOVERNING RULES**

The Ethics Board of the city of Milwaukee, Wisconsin shall be governed by s. 303, Milwaukee Code of Ordinances, and by the rules and procedures hereinafter set forth. Whenever any conflict shall exist between these rules and the laws of the State or ordinances of the City, the Wisconsin Statutes and Milwaukee Code of Ordinances shall prevail.

**RULE II. GENERAL BOARD PROCEDURES**

**ARTICLE I -- MEETINGS**

- Sec. 1. Regular meetings shall be scheduled by the Board or at the call of the Chair.
- Sec. 2. A meeting shall be scheduled at the written request of any four members.
- Sec. 3. Notice to the Public and Board members shall conform to rules prescribed by law.
- Sec. 4. Four members shall constitute a quorum.

**ARTICLE II - OFFICERS**

- Sec. 1. The Chair and Vice Chair shall be elected yearly at a regular fall meeting of the Board by a majority vote. Nominees must be current Board members. Officers may be re-elected.
- Sec. 2. The Chair shall be entitled to vote on all matters. All committees and subcommittees shall be created and appointed by the Chair.
- Sec. 3. The Chair shall have the responsibility, whenever an inquiry is made, to confer with a representative of the City Attorney's Office for advice to ensure compliance with the public records law.

**ARTICLE III - PROCEDURES**

- Sec. 1. Any member who does not answer roll call shall be recorded as absent, unless excused by the Chair. No alternate or proxy votes shall be allowed.

Sec. 2. After three consecutive unexcused absences, the Chairman shall notify the Mayor and the nominating body.

Sec. 3. Proceedings of all committees and all Board meetings shall be recorded except for closed sessions dealing with confidential matters. The Ethics Board shall preserve and secure all original recordings in accordance with the established records retention schedule. Recordings of open meetings shall be available for replaying in accordance with the Open Records law. Complaints, advisory opinions, and all files relating to complaints are confidential and may only be released by the Chair after conferring with legal counsel. All nonpublic agencies and individuals shall be charged fees established by the City Clerk for listening to and copying tapes of Board meetings.

Sec. 4. A roll call shall be ordered on any questions at the request of any member. No discussion may take place during a roll call and all members shall vote on every matter put to vote unless excused by the Chair.

#### ARTICLE IV - BOARD BUSINESS

Sec. 1. The agenda shall be in writing and available to the Board in advance of each meeting.

Sec. 2. All minutes, findings and rulings of the Board shall be prepared in written form and filed with the Ethics Board. Records shall be available for review only as provided under Art. III, Sec. 3. above and may be published in other forms as determined by the Board.

Sec. 3. Any member may file a minority report dissenting in whole or part from a Board report, which shall become part of the file.

Sec. 4. No Board rules shall be rescinded or amended without the concurrence of four members.

Sec. 5. The current edition of Robert's Rules of Order shall govern the proceedings of this Board in all cases to which they are applicable and in which they are not inconsistent with these Rules, City Code, Charter or Laws of the State of Wisconsin.

#### ARTICLE V – CONFIDENTIAL ADVISORY OPINIONS

Sec. 1. The Board shall accept a request for an advisory opinion from *any individual, including former officials and other city employes, either personally or on behalf of an organization or governmental body, may make a written request of the board for an advisory opinion relating to the propriety of any matter or matters to which the person, organization or governmental body is or may become a party. S.303-7.2.a. Any appointing officer, with the consent of a prospective appointee, may make a written request of the Board for an advisory opinion regarding the propriety of any matter to which the prospective appointee is or may become a party. S. 303-7.2.b*

Sec. 2. A request for an advisory opinion must be received by the Ethics Board staff no later than five business days in advance of the next scheduled Ethics Board meeting in order to be heard.

Sec. 3. The requestor shall be guided by the opinion rendered.

Sec. 4. The request shall be in writing and state specifically the facts at issue. The requestor may supplement the facts at the meeting. No hypothetical questions will be considered by the Board.

Sec. 5. The Board shall consider the request at a regular, or special, closed meeting pursuant to statute and within 45 days of receipt of the request. It may confer with legal counsel with respect to any question.

Sec. 6. The Board shall render its confidential advisory opinion as soon after the meeting as practicable and shall submit the opinion in writing to the requestor.

Sec. 7. Requests for advisory opinions, records obtained or filed in connection with requests for advisory opinions and advisory opinions rendered shall be closed in whole to public inspection pursuant to the Open Records law. This shall not be interpreted to preclude the Board from compiling or publishing summaries of opinions rendered under Art. V, Sec. 6, if no identification of the requestor or any organization identified in the opinion is made. No member of the Board may make public the identity of the individual requesting an advisory opinion or of individuals or organizations mentioned in the opinion.

## ARTICLE VI – FINANCIAL DISCLOSURE

Sec. 1. The Board shall develop the Statement of Economic Interests form as authorized by s. 303-13, Milwaukee Code of Ordinances.

Sec. 2. The Board shall provide the Statement of Economic Interests form to all City Officials in early January. In the case of a newly employed, appointed or nominated person, the Board shall provide the Statement of Economic Interests form upon notification from the City Clerk's office, Department Head or Appointing Authority.

Sec. 3. A statement of economic interests shall be filed with the Board as follows:

- a. *Any individual who in January of any year is an official and is required to file as so designated by the city positions ordinance shall file with the Board no later than February 28 of that year a statement of economic interests. The information on the statement shall be current as of December 31 of the preceding year. S. 303-11.1.a*
- b. *Any newly appointed or employed individual required to file as so designated by the city positions ordinance shall file a statement of economic interests within 21 days following the date he or she assumes office if the individual has not previously filed a statement of economic interests with the Board during that year. The information on the statement shall be current as per the date he or she assumes office. S. 303-11.1.b*

c. Any nominee to a city board, commission or committee who is required to file as so designated by the city positions ordinance shall file a statement of economic interests within 21 days of being nominated unless the nominee has previously filed a statement with the Board for that year. The information on the statement shall be current as of the date he or she is nominated. S. 303-11.c.1

d. Any nominee to a city board, commission, or committee not requiring common council confirmation but who is required to file as so designated by the city positions ordinance shall file a statement of economic interests within 21 days of being nominated unless the nominee has previously filed a statement with the Board for that year. The information on the statement shall be current as of the date he or she is nominated. S. 303-11.c.2

Sec. 4. The ethics board shall notify any appropriate appointing authority of the failure of an official or employee to file a required report within 15 days of the date on which the report was required to be filed. S. 303-11-2b.

Sec. 5. The Board shall cause a letter to be mailed first class, postage prepaid and addressed to the last known address of any individual who has not filed the required report within 30 days of the date on which the report was to be filed notifying the individual of the filing requirements, the assessment of late filing fees as provided in s. 303-11-2a, and that the matter of the delinquent filing may be referred to the city attorney for prosecution as provide in s. 303-11-2d.

Sec. 6. If after 45 days from the date required for filing of the statement of economic interests, a public official or employee subject to filing requirements under s. 303-11 has failed to file a complete statement, the chair of the Ethics Board or designated staff member may cause an affidavit to be prepared and delivered to the city attorney stating upon knowledge and belief that an individual is in violation of the reporting requirement of s. 303-11, identifying the individual by name and position, declaring that the notice to be provided the individual in accord with s. 303-11-2c was sent, and identifying the date the notice was sent and the address to which it was mailed.

Sec. 7. The designated staff shall compile data relative to late filing fees in accordance with s. 303-11-2a and forward this data, including name and last known address of the late-filer to the City Clerk's Office for invoicing the late fees.

Sec. 8. Upon its own motion or at the request of any individual who is required to file a statement of economic interests, the Board may extend the time for filing or waive any filing requirement if the board determines that the literal application of the filing requirements of s. 303-11 would work an unreasonable hardship on that individual or that the extension of the time for filing or waiver is in the public interest. The Board shall set forth in writing as a matter of public record the reason for the extension or waiver. Extensions or waivers shall not be granted to candidates for public office. S. 303-11.3

## ARTICLE VII – ANNUAL REPORT

Sec. 1. The Board shall prepare an Annual Report and deliver it to the Mayor and the Common Council.

Sec. 2. The report shall contain summaries of the preceding year's determinations and opinions.

## RULE III     COMPLAINT PROCEDURES

### ARTICLE I - COMPLAINTS

Sec. 1. A verified complaint may be submitted to the Board by any person. The Board may also issue a complaint on its own motion or amend any complaint before it on its own motion.

Sec. 2. The ~~verified~~ complaint shall be in writing and on the standard form prescribed by the Board and shall bear a notarized signature.

Sec. 3. The ~~verified~~ complaint shall be denominated as an Ethics Board complaint and shall be filed with the Ethics Board, Room 205, City Hall. The complaint shall be in a sealed envelope, addressed to the Ethics Board c/o Clerk of Ethics Board, Room 205-City Hall, marked "Complaint."

Sec. 4. The complainant may attach any supporting documentation to the complaint.

Sec. 5. Prior to acceptance of a complaint, the staff, under the direction of the Board, shall determine whether or not the complaint is in proper form and bears a notarized signature. If the complaint is not notarized or is not in proper form, it shall be returned to the complainant for further action. If it is in proper form, the complaint shall be referred to the Board for initial action at a closed meeting.

Sec. 6. Within ten days of receiving a complaint, the Ethics Board shall notify the complainant that the complaint will be presented to the Board at a closed meeting of the Board. The Ethics Board shall also send a copy of the complaint and any other supporting documents to the accused, together with notice of the meeting. The Ethics Board shall also notify the accused that objections to the sufficiency of the complaint must be filed in writing five days prior to the closed meeting. All documents, letters, pleadings and other materials submitted to the Board by either the complainant or the accused shall be concurrently provided to the opposing party or legal counsel for the opposing party, and an affidavit of service shall be provided to the Board.

Sec. 7. At the initial closed meeting to consider the complaint, the Board shall determine whether or not it has jurisdiction to hear the complaint and whether or not the complaint sets forth a prima facie case.

Sec. 8. If the Board determines it does not have jurisdiction, the complaint shall be dismissed and notice of dismissal, stating reasons for dismissal, shall be sent to complainant. If the Board determines that the complaint is insufficient on its face that a violation of the City's Code of Ethics has been committed, the Board shall dismiss with leave to re-file.

Sec. 9. If the board determines that it has jurisdiction and that the complaint meets the sufficiency test for a violation of the City's Code of Ethics, it shall accept the complaint for investigation and/or hearing in accordance with ~~these Rules and Procedures~~ and the Code of Ethics, Chapter 303.

Sec. 10. At the closed meeting to consider the validity of the complaint, the Board may confer with a representative of the City Attorney's Office or other legal counsel of the Board's own choosing from a list provided by the City Attorney's office.

Sec. 11. Upon proper notice, the Board shall reconvene in open session and announce its findings and take action on said complaint, if appropriate.

Sec. 12. If the Board determines that the Board does not have jurisdiction, the complaint is insufficient, or a violation has not occurred, the complaint shall be dismissed and notice of dismissal with reason for same, sent to complainant and accused. If the Board determines that a complaint was brought for harassment purposes, the Board shall so state. S. 303-19.1

Sec. 13. If the Board determines, with the concurrence of four members, that the complaint on its face states facts from which the Board finds probable cause to believe that a violation has occurred, the complaint may be referred by the Chair to a sub-committee of the Board for investigation.

## ARTICLE II - INVESTIGATIONS

Sec. 1. The committee investigating the complaint shall meet in closed session to consider all circumstances of alleged violation and to exercise any investigatory powers conferred by ordinance. If advisable, the Board may retain an investigator to assist the committee from a list provided by the City Attorney's office.

Sec. 2. Before the investigation is initiated, written notice shall be given to accused and complainant. It shall include notice and purpose of investigation, acts to be investigated, and applicable Board rules.

Sec. 3. The accused may request that the investigation be open to the public by filing a request with the Ethics Board prior to convening of the closed session.

Sec. 4. During all stages of investigation, the accused shall be entitled to be represented by counsel and/or a representative of his/her own choosing. ~~The Board may employ legal counsel to assist the Board or the investigating committee at any stage of the proceedings.~~

*Sec. 5. The Board has the power to retain outside council and other experts as needed after solicitation of recommendations from the city attorney and upon such contract for services approved for form and content by the city attorney. S. 303-21.6*

**Sec. 6.** Pursuant to any investigation conducted, the Board or committee may avail itself of any of the powers or procedures enumerated in s. 303-21, Milwaukee Code.

**Sec. 7.** When the investigation is completed, the committee's report shall be submitted to the Chair for presentation to the Board with recommendations for action.

**Sec. 8.** (a) At the conclusion of each investigation, the Board shall, in closed session, receive a report from the investigating committee and consider appropriate action. The Board shall, in closed session, make a determination of whether or not probable cause exists to believe that a violation of the Code of Ethics has occurred and such determination shall include written findings of fact and conclusions based thereon. *If the Board determines that no violation of s. 303, Milwaukee Code exists, it shall immediately send written notice of such determination to the accused and to the complainant. If the Board determines that a violation of the s. 303, Milwaukee Code has been committed, its findings of fact and conclusions may include an order setting a date for a hearing to determine whether a violation of the Code of Ethics has occurred.* S. 303-27 The Board shall serve the order upon the accused. A hearing ordered under this section shall be commenced within 30 days after the date it is ordered unless the accused petitions for and the Board consents to a later date. Prior to any hearing ordered under this section, the accused is entitled to reasonable discovery rights, including adverse examination of witnesses who will testify at the hearing.

(b) The Board shall disclose to the accused or his or her counsel the existence of exculpatory evidence in the Board's possession.

### **ARTICLE III - HEARINGS**

**Sec. 1.** Any hearing and any investigation conducted by the Board shall be conducted so as to comply with s. 303-25, Milwaukee Code.

*Sec. 2. The Board may also retain outside counsel and other experts as needed with respect to hearings. The selection of a hearing examiner and outside counsel or other experts and any contract for such persons shall be made after solicitation of recommendations from the city attorney and the contract shall be approved for form and content by the city attorney. S. 303-25.2*

**Sec. 3.** The hearing examiner shall assist the Board by making evidentiary determinations and providing advice relating to the conduct of the hearing and the Board's deliberations upon the conclusion of the hearing.



**Sec. 4.** If the complaint is being prosecuted upon the Board's own motion, without a third party complainant, the Board shall retain the services of a special prosecutor, independent of the hearing examiner, to prosecute the complaint, In accordance with s. 303-25.2, Milwaukee Code. In order to minimize any appearance of a conflict of interest, neither the Board nor the hearing examiner shall consult with the special prosecutor during the period of the hearing except on notice to and with participation by the accused and his/her representative. Rulings by the hearing examiner and findings by the Board shall be based solely upon evidence received on the record at the hearing in accordance with s. 303-25.4 and s. 303-27, Milwaukee Code.

**Sec. 5.** Where appropriate, the Board shall refer matters to the City Service Commission, City Attorney or to the Common Council in compliance with s. 303-27 and s. 303-29, Milwaukee Code.

Revised March 17, 2010

Respectfully submitted by:

Nola Devereaux, Research Assistant, Ethics





Legislation Details (With Text)

**File #:** 091517      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 3/2/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution related to procedures for initiating in rem proceedings.

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

**Attachments:** Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/2/2010	0	COMMON COUNCIL	ASSIGNED TO		
3/3/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/3/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/3/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/11/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
3/11/2010	1	CITY CLERK	DRAFT SUBMITTED		
3/29/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/29/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

091517

Version

SUBSTITUTE 1

Reference

030680

Sponsor

ALD. BAUMAN

Title

Substitute resolution related to procedures for initiating in rem proceedings.

Analysis

This resolution authorizes and directs the City Attorney to amend the internal protocol to provide for the City's use of in rem foreclosure actions initiating proceedings at the earliest practicable time on tax delinquent residential properties that are vacant or abandoned by the owner or owners.

Body

Whereas, The City Treasurer refers delinquent-property taxes to the City's outside collection attorney for action using the in personam remedy; and

Whereas, In those situations where the in personam remedy is not effective and/or where the City is willing to own the delinquent parcels, the City Treasurer will typically bring its regular in rem property tax foreclosure actions against those delinquent parcels under s. 75.521 Wis. Stats.; and

Whereas, There are circumstances where - either as a part of the City Treasurer's regular filings or on a separate basis - it is in the City's best interest to bring in rem actions to advance community improvement objectives; and

Whereas, Examples of such circumstances include, but are not limited to, instances where:

- a) the City has approved agreements for conveyances of the delinquent parcels to third-party developers under s. 75.106, Wis. Stats., (a brownfield-redevelopment tool); or
- b) the City wishes to acquire the property for blight elimination or other development reasons; or
- c) the property is a nuisance or is otherwise a blighting influence, and City ownership and control of the parcel will mitigate or ameliorate the nuisance or blight.

; and

Whereas, An "Internal Protocol For Community-Improvement-In-Rem-Foreclosure" ("Protocol") was developed and implemented following adoption of Resolution File 030680 which provides for in rem foreclosure proceedings involving brownfield redevelopment properties, blighted properties and nuisance properties; and

Whereas, The recent economic downturn and distress in the residential property market have resulted in an increase in the number of vacant properties and properties that, though occupied, have been effectively abandoned by owners; and

Whereas, Vacant and abandoned properties contribute to neighborhood blight, depress neighborhood property values, foster arson, drug, gang and other criminal activity, and are likely to deteriorate if left vacant or abandoned over time; and

Whereas, The Protocol does not expressly provide for in rem or expedited in rem foreclosure procedures for vacant or abandoned residential properties; and

Whereas, It is in the interest of the public and the City to redevelop and return vacant and abandoned properties to occupancy and especially occupancy by owners at the earliest possible time; and

Whereas, Funds awarded to the City by the federal government for a Neighborhood Stabilization Program (NSP) include amounts that may be used for administrative costs; and

Whereas, The Common Council wishes to promote efficient interdepartmental coordination and to encourage actions that are in the best interests of the City; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Resolution in File # 030680 be amended at the conclusion of the fourth Whereas Clause by changing the word “and” to “or” and adding the following paragraph d) to read:

“d) the property is vacant or abandoned by its owner whether or not still occupied; and”

; and, be it

Further Resolved, That the City Attorney amend the document entitled “Internal Protocol For Community-Improvement-In-Rem-Foreclosure” to include vacant or abandoned properties; and, be it

Further Resolved, That the City Attorney provide copies of the amended protocol to the City Clerk and to all affected City departments.

Requestor

Drafter  
LRB10089-3  
RLW  
3/10/2010

# CITY OF MILWAUKEE FISCAL NOTE

A) DATE 3/11/10

FILE NUMBER: 091517

Original Fiscal Note  Substitute

SUBJECT: Resolution related to procedures for initiating in rem proceedings.

B) SUBMITTED BY (Name/title/dept./ext.): Megan Crump –City Attorney’s Office

C) CHECK ONE:  ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES  
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.  
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO:  DEPARTMENT ACCOUNT(DA)  CONTINGENT FUND (CF)  
 CAPITAL PROJECTS FUND (CPF)  SPECIAL PURPOSE ACCOUNTS (SPA)  
 PERM. IMPROVEMENT FUNDS (PIF)  GRANT & AID ACCOUNTS (G & AA)  
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
<b>TOTALS</b>					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE





Legislation Details (With Text)

**File #:** 091518      **Version:** 0

**Type:** Ordinance      **Status:** In Committee

**File created:** 3/2/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** An ordinance related to procedures for initiating in rem proceedings.

**Sponsors:** ALD. BAUMAN

**Indexes:** IN REM JUDGMENTS

**Attachments:** Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/2/2010	0	COMMON COUNCIL	ASSIGNED TO		
3/3/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/3/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/3/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/11/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
3/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		



**Number**

091518

**Version**

ORIGINAL

**Reference**

**Sponsor**

ALD BAUMAN

**Title**

An ordinance related to procedures for initiating in rem proceedings.

**Drafter**

LRB10089-1

RLW

3/2/2010





Legislation Details (With Text)

**File #:** 091473      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 3/2/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relative to legislative bills.

**Sponsors:** THE CHAIR

**Indexes:** FEDERAL LEGISLATION, STATE LEGISLATION

**Attachments:** Fiscal Note, Agenda 03-11-10.pdf, Kohl and Moore Appropriations Request Grid-FY2011.pdf, Hearing Notice List, Agenda 04-06-10.pdf, AB-892.pdf, SB-645.pdf, Summary of Federal Legislative Activity.pdf

Date	Ver.	Action By	Action	Result	Tally
3/2/2010	0	COMMON COUNCIL	ASSIGNED TO		
3/3/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/3/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/3/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/11/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
3/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

091473

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relative to legislative bills.

**Drafter**

IRD

Mo

2/25/10

# CITY OF MILWAUKEE FISCAL NOTE

A) DATE 3/3/10

FILE NUMBER: 091473

Original Fiscal Note  Substitute

SUBJECT: Substitute resolution relative to legislative bills.

B) SUBMITTED BY (Name/title/dept./ext.): Linda Elmer/Staff Assistant/City Clerks' Office

C) CHECK ONE:  ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES  
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.  
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO:  DEPARTMENT ACCOUNT(DA)  CONTINGENT FUND (CF)  
 CAPITAL PROJECTS FUND (CPF)  SPECIAL PURPOSE ACCOUNTS (SPA)  
 PERM. IMPROVEMENT FUNDS (PIF)  GRANT & AID ACCOUNTS (G & AA)  
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
<b>TOTALS</b>					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

---



---

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

---



---



---

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

# **LEGISLATIVE HEARING CALENDAR**

**Positions to be taken by the City of Milwaukee on the following bills will be discussed by the**

## **COMMITTEE ON JUDICIARY-LEGISLATION**

**TUESDAY, APRIL 6, 2010 AT 1:30 PM**

**Room 301-B City Hall**

AB-892/            Electronic voter registration and proof of residence for voting in an election and granting  
SB-645            rule-making authority.

Update on Federal Jobs Legislation

Recommendation to Support increased funding for Summer Jobs Programs for youth through age 24.



## 2009 ASSEMBLY BILL 892

March 24, 2010 – Introduced by Representatives BERCEAU, PARISI, BLACK, SMITH, TURNER, POPE-ROBERTS, ZEPNICK, ROYS and HEBL, cosponsored by Senators RISSER, TAYLOR and MILLER. Referred to Committee on Elections and Campaign Reform.

1     **AN ACT** *to amend* 5.056, 6.275 (1) (b), 6.28 (1), 6.32 (1), 6.33 (1), 6.33 (2) (a), 6.34  
2           (2), 6.35 (1) (intro.), 6.36 (2) (c), 6.40 (1) (a) 1., 6.40 (1) (c), 6.50 (10), 6.86 (3) (c),  
3           6.87 (4) and 85.61 (1); and *to create* 6.30 (5), 6.34 (2m), 6.34 (4), 6.35 (2) and  
4           7.08 (1) (cm) of the statutes; **relating to:** electronic voter registration and proof  
5           of residence for voting in an election and granting rule-making authority.

---

### ***Analysis by the Legislative Reference Bureau***

Currently, a qualified elector may register to vote at any election by mail or by completing a registration form with a special registration deputy no later than the 20th day before the election. A qualified elector may also register to vote at an election in person at the office of the municipal clerk or board of election commissioners for the municipality where the elector resides no later than 5 p.m. on the day before the election. In order to register, an elector must provide his or her name and address and certain other information required to ascertain his or her eligibility and must sign the form. With certain exceptions, an elector who registers after the 20th day before an election or an elector who registers by mail and who has not voted before in an election in this state must provide proof of residence prior to voting.

This bill permits a qualified elector who has a current and valid driver's license or identification card issued by the Department of Transportation (DOT) to register to vote at an election electronically on a secure Internet site maintained by the Government Accountability Board (GAB). The bill requires an electronic

**ASSEMBLY BILL 892**

registration to be completed no later than the 20th day before an election in order to be valid for that election. Under the bill, GAB prescribes, by rule, the manner and method of electronic application, together with requirements for affirmation and verification of elector information and the method for receipt of electronic application forms. There is no requirement for a signature. The bill also permits an elector who is currently registered to vote and who has a current and valid driver's license or identification card to electronically enter a change of name or address using a similar procedure. Under the bill, an electronic registration is treated the same as a mail registration. The clerk or board of election commissioners of the elector's municipality of residence must verify the registration by sending a first-class letter or postcard to the registrant at the registrant's address and, if the registrant is voting for the first time in an election in this state, the registrant must provide proof of residence before voting in the election. However, the bill also provides that if an elector who registers electronically provides his or her Wisconsin driver's license number, together with his or her name and date of birth, and GAB is able to instantly verify the information electronically by electronically accessing records of DOT, the elector need not provide proof of residence prior to voting. The bill directs GAB and DOT to enter into an agreement that permits GAB to verify the necessary information instantly by accessing DOT's electronic files.

Currently, each municipal clerk and board of election commissioners must maintain a file of voter registration forms for the electors of the municipality. This bill provides that the clerk or board must maintain registrations that are entered electronically in the manner prescribed by GAB, by rule.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 5.056 of the statutes is amended to read:

2           **5.056 Matching program with secretary of transportation.** The  
3 administrator of the elections division of the board shall enter into the agreement  
4 with the secretary of transportation specified under s. 85.61 (1) to match personally  
5 identifiable information on the official registration list maintained by the board  
6 under s. 6.36 (1) and the information specified in s. 6.34 (2m) with personally  
7 identifiable information maintained by the department of transportation.

8           **SECTION 2.** 6.275 (1) (b) of the statutes is amended to read:



**ASSEMBLY BILL 892**

1           6.275 (1) (b) The total number of electors of the municipality residing in that  
2 county who were preregistered on the deadline specified in s. 6.28 (1), including valid  
3 mail registrations which are postmarked by that day and valid electronic  
4 registrations entered under s. 6.30 (5).

5           **SECTION 3.** 6.28 (1) of the statutes is amended to read:

6           6.28 (1) REGISTRATION LOCATIONS; DEADLINE. Except as authorized in ss. 6.29,  
7 6.55 (2), and 6.86 (3) (a) 2., registration in person for any election shall close at 5 p.m.  
8 on the 3rd Wednesday preceding the election. Registrations made by mail under s.  
9 6.30 (4) must be delivered to the office of the municipal clerk or postmarked no later  
10 than the 3rd Wednesday preceding the election. Electronic registrations for an  
11 election under s. 6.30 (5) shall close at midnight on the 3rd Wednesday preceding the  
12 election. All applications for registration corrections and additions may be made  
13 throughout the year at the office of the city board of election commissioners, at the  
14 office of the municipal clerk, at the office of the county clerk, or at other locations  
15 provided by the board of election commissioners or the common council in cities over  
16 500,000 population or by either or both the municipal clerk, or the common council,  
17 village or town board in all other municipalities and may also be made during the  
18 school year at any high school by qualified persons under sub. (2) (a). Other  
19 registration locations may include but are not limited to fire houses, police stations,  
20 public libraries, institutions of higher education, supermarkets, community centers,  
21 plants and factories, banks, savings and loan associations and savings banks.  
22 Special registration deputies shall be appointed for each location unless the location  
23 can be sufficiently staffed by the board of election commissioners or the municipal  
24 clerk or his or her deputies. An elector who wishes to obtain a confidential listing

**ASSEMBLY BILL 892**

1 under s. 6.47 (2) shall register at the office of the municipal clerk of the municipality  
2 where the elector resides.

3 **SECTION 4.** 6.30 (5) of the statutes is created to read:

4 **6.30 (5)** BY ELECTRONIC APPLICATION. Any eligible elector who holds a current  
5 and valid operator's license issued under ch. 343 or a current and valid identification  
6 card issued under s. 343.50 may register electronically in the manner prescribed by  
7 the board. The board shall maintain on the Internet a secure registration form that  
8 enables the elector to enter all required information electronically. The board shall  
9 prescribe, by rule, the manner and method of electronic application under this  
10 subsection, together with requirements for affirmation and verification of elector  
11 information and the method for receipt of electronic registration forms. The elector  
12 information shall include all information specified for the electronic registration  
13 form under s. 6.33 (1). The board shall also permit an elector who has a current and  
14 valid operator's license issued to the elector under ch. 343 or a current and valid  
15 identification card issued under s. 343.50 to make changes in his or her registration  
16 authorized under s. 6.40 (1) at the same Internet site that is used for original  
17 registration.

18 **SECTION 5.** 6.32 (1) of the statutes is amended to read:

19 **6.32 (1)** Upon receipt of a registration form that is submitted by mail under s.  
20 6.30 (4) or by electronic application under s. 6.30 (5) or that is submitted by a special  
21 registration deputy appointed under s. 6.26, the board or municipal clerk shall  
22 examine the form for sufficiency.

23 **SECTION 6.** 6.33 (1) of the statutes is amended to read:

24 **6.33 (1)** The board shall prescribe the format, size, and shape of nonelectronic  
25 registration forms. All nonelectronic forms shall be printed on cards and each item

**ASSEMBLY BILL 892**

1 of information shall be of uniform font size, as prescribed by the board. Except as  
2 provided in this subsection, electronic registration forms shall contain the same  
3 information as the nonelectronic forms, together with any additional information  
4 specified by the board under s. 6.30 (5). The municipal clerk shall supply sufficient  
5 nonelectronic forms to meet voter registration needs. The All registration forms  
6 shall be designed to obtain from each applicant information as to name; date;  
7 residence location; citizenship; date of birth; age; the number of a valid operator's  
8 license issued to the elector under ch. 343 or the last 4 digits of the elector's social  
9 security account number; whether the applicant has resided within the ward or  
10 election district for at least 10 days; whether the applicant has been convicted of a  
11 felony for which he or she has not been pardoned, and if so, whether the applicant  
12 is incarcerated, or on parole, probation, or extended supervision; whether the  
13 applicant is disqualified on any other ground from voting; and whether the applicant  
14 is currently registered to vote at any other location. The Except as authorized by rule  
15 under s. 6.30 (5), the form shall include a space for the applicant's signature and the  
16 signature of any corroborating elector. The nonelectronic form shall include a space  
17 to enter the name of any special registration deputy under s. 6.26 or 6.55 (6) or  
18 inspector, municipal clerk, or deputy clerk under s. 6.55 (2) who obtains the form and  
19 a space for the deputy, inspector, clerk, or deputy clerk to sign his or her name,  
20 affirming that the deputy, inspector, clerk, or deputy clerk has accepted the form.  
21 The form shall include a space for entry of the ward and aldermanic district, if any,  
22 where the elector resides and any other information required to determine the offices  
23 and referenda for which the elector is certified to vote. The form shall also include  
24 a space where the clerk may record an indication of whether the form is received by  
25 mail or by electronic application, a space where the clerk may record an indication

**ASSEMBLY BILL 892**

1 of the type of identifying document submitted by the elector as proof of residence  
2 under s. 6.34 or an indication that the elector's information in lieu of proof of  
3 residence was verified under s. 6.34 (2m), whenever required, and a space where the  
4 clerk, for any applicant who possesses a valid voting identification card issued to the  
5 person under s. 6.47 (3), may record the identification serial number appearing on  
6 the voting identification card. Each county clerk shall obtain sufficient registration  
7 forms for completion by an elector who desires to register to vote at the office of the  
8 county clerk under s. 6.28 (4).

9 **SECTION 7.** 6.33 (2) (a) of the statutes is amended to read:

10 6.33 (2) (a) All information may be recorded by any person, except that the ward  
11 and aldermanic district, if any, other geographic information under sub. (1), the  
12 indication of whether the registration is received by mail or by electronic application,  
13 the type of identifying document submitted by the elector as proof of residence under  
14 s. 6.34 or the indication of verification of information in lieu of proof of residence  
15 under s. 6.34 (2m), whenever required, and any information relating to an applicant's  
16 voting identification card shall be recorded by the clerk. ~~Each~~ Except as authorized  
17 under s. 6.30 (5), each applicant shall sign his or her own name unless the applicant  
18 is unable to sign his or her name due to physical disability. In such case, the applicant  
19 may authorize another elector to sign the form on his or her behalf. If the applicant  
20 so authorizes, the elector signing the form shall attest to a statement that the  
21 application is made upon request and by authorization of a named elector who is  
22 unable to sign the form due to physical disability.

23 **SECTION 8.** 6.34 (2) of the statutes is amended to read:

24 6.34 (2) Except as authorized in ss. 6.29 (2) (a) and 6.86 (3) (a) 2., upon  
25 completion of a registration form prescribed under s. 6.33, each elector who is

**ASSEMBLY BILL 892**

1 required to register under s. 6.27, who is not a military elector or an overseas elector  
2 and who registers after the close of registration under s. 6.29 or 6.86 (3) (a) 2., shall  
3 provide an identifying document that establishes proof of residence under sub. (3).  
4 ~~Each~~ Except as authorized in sub. (2m), each elector who is required to register under  
5 s. 6.27 who is not a military elector or an overseas elector who registers by mail or  
6 by electronic application, and who has not voted in an election in this state shall, if  
7 voting in person, provide an identifying document that establishes proof of residence  
8 under sub. (3) or, if voting by absentee ballot, provide a copy of an identifying  
9 document that establishes proof of residence under sub. (3). If the elector registered  
10 by mail or by electronic application, the identifying document may not be a  
11 residential lease.

12 **SECTION 9.** 6.34 (2m) of the statutes is created to read:

13 **6.34 (2m)** If an elector who registers by electronic application under s. 6.30 (5)  
14 would otherwise be required to provide proof of residence under sub. (2) but provides,  
15 in lieu of proof of residence, the number of a current and valid operator's license  
16 issued under ch. 343 together with the elector's name and date of birth, and if the  
17 board is able to verify the information provided by the elector electronically at the  
18 time of registration, the elector is not required to provide proof of residence.

19 **SECTION 10.** 6.34 (4) of the statutes is created to read:

20 **6.34 (4)** The board shall maintain a system that electronically verifies, on an  
21 instant basis, the validity of the information specified in sub. (2m) submitted by an  
22 elector who registers electronically with the information maintained by the  
23 department of transportation pursuant to the board's agreement with the secretary  
24 of transportation under s. 5.056.

25 **SECTION 11.** 6.35 (1) (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 892**

1           6.35 (1) (intro.) Under the direction of the municipal clerk or board of election  
2 commissioners, the original registration forms shall be filed in one of the following  
3 ways, except as provided in ~~sub.~~ subs. (1m) and (2):

4           **SECTION 12.** 6.35 (2) of the statutes is created to read:

5           6.35 (2) The board shall prescribe, by rule, the procedure and methods by which  
6 municipal clerks and boards of election commissioners shall maintain records of  
7 registrations that are entered electronically under s. 6.30 (5).

8           **SECTION 13.** 6.36 (2) (c) of the statutes is amended to read:

9           6.36 (2) (c) The list shall contain, next to the name of each elector, an indication  
10 of whether proof of residence under s. 6.34 is required for the elector to be permitted  
11 to vote. ~~Proof~~ Except as authorized in s. 6.34 (2m), proof of residence is required if  
12 the elector is not a military elector or an overseas elector and the elector registers by  
13 mail or by electronic application and has not previously voted in an election in this  
14 state.

15           **SECTION 14.** 6.40 (1) (a) 1. of the statutes is amended to read:

16           6.40 (1) (a) 1. Any registered elector shall transfer registration after a change  
17 of residence within the state by filing in person with the municipal clerk or by mailing  
18 to the municipal clerk a signed request stating his or her present address, affirming  
19 that this will be his or her residence for 10 days prior to the election and providing  
20 the address where he or she was last registered. Alternatively, the elector may  
21 transfer his or her registration at the proper polling place or other registration  
22 location under s. 6.02 (2) in accordance with s. 6.55 (2) (a), or, if the elector has a  
23 current and valid operator's license issued to the elector under ch. 343 or a current  
24 and valid identification card issued under s. 343.50, the elector may transfer his or  
25 her registration electronically under s. 6.30 (5). If an elector is voting in the ward

**ASSEMBLY BILL 892**

1 or election district where the elector formerly resided, the change shall be effective  
2 for the next election.

3 **SECTION 15.** 6.40 (1) (c) of the statutes is amended to read:

4 6.40 (1) (c) *Name change.* Whenever an elector's name is legally changed,  
5 including a change by marriage or divorce, the elector shall transfer his or her  
6 registration to his or her legal name by appearing in person or mailing to the  
7 municipal clerk a signed request for a transfer of registration to such name.  
8 Alternatively, a registered elector may make notification of a name change at his or  
9 her polling place under s. 6.55 (2) (d), or, if the elector has a current and valid  
10 operator's license issued to the elector under ch. 343 or a current and valid  
11 identification card issued under s. 343.50, the elector may make notification of a  
12 name change electronically under s. 6.30 (5).

13 **SECTION 16.** 6.50 (10) of the statutes is amended to read:

14 6.50 (10) Any qualified elector whose registration is changed from eligible to  
15 ineligible status under this section may reregister as provided under s. 6.28 (1), 6.29  
16 (2), or 6.55 (2), or, if the elector has a current and valid operator's license issued to  
17 the elector under ch. 343 or a current and valid identification card issued under s.  
18 343.50, may reregister under s. 6.30 (5).

19 **SECTION 17.** 6.86 (3) (c) of the statutes is amended to read:

20 6.86 (3) (c) An application under par. (a) 1. may be made and a registration form  
21 under par. (a) 2. may be filed in person at the office of the municipal clerk not earlier  
22 than 7 days before an election and not later than 5 p.m. on the day of the election.  
23 A list of hospitalized electors applying for ballots under par. (a) 1. shall be made by  
24 the municipal clerk and used to check that the electors vote only once, and by  
25 absentee ballot. If Except as provided in s. 6.34 (2m), if the elector is registering for

**ASSEMBLY BILL 892**

1 the election after the close of registration or if the elector registered by mail or by  
2 electronic application and has not voted in an election in this state, the municipal  
3 clerk shall inform the agent that proof of residence under s. 6.34 is required and the  
4 elector shall enclose proof of residence under s. 6.34 in the envelope with the ballot.  
5 The ballot shall be sealed by the elector and returned to the municipal clerk either  
6 by mail or by personal delivery of the agent; but if the ballot is returned on the day  
7 of the election, the agent shall make personal delivery to the polling place serving the  
8 hospitalized elector's residence before the closing hour or, in municipalities where  
9 absentee ballots are canvassed under s. 7.52, to the municipal clerk no later than 8  
10 p.m. on election day.

11 **SECTION 18.** 6.87 (4) of the statutes is amended to read:

12 **6.87 (4)** Except as otherwise provided in s. 6.875, the elector voting absentee  
13 shall make and subscribe to the certification before one witness who is an adult U.S.  
14 citizen. The absent elector, in the presence of the witness, shall mark the ballot in  
15 a manner that will not disclose how the elector's vote is cast. The elector shall then,  
16 still in the presence of the witness, fold the ballots so each is separate and so that the  
17 elector conceals the markings thereon and deposit them in the proper envelope. If  
18 a consolidated ballot under s. 5.655 is used, the elector shall fold the ballot so that  
19 the elector conceals the markings thereon and deposit the ballot in the proper  
20 envelope. If proof of residence is required, the elector shall enclose proof of residence  
21 under s. 6.34 in the envelope. ~~Proof~~ Except as authorized in s. 6.34 (2m), proof of  
22 residence is required if the elector is not a military elector or an overseas elector, as  
23 defined in s. 6.34 (1), and the elector registered by mail or by electronic application  
24 and has not voted in an election in this state. If the elector requested a ballot by  
25 means of facsimile transmission or electronic mail under s. 6.86 (1) (ac), the elector



**ASSEMBLY BILL 892**

1 shall enclose in the envelope a copy of the request which bears an original signature  
2 of the elector. The elector may receive assistance under sub. (5). The return envelope  
3 shall then be sealed. The witness may not be a candidate. The envelope shall be  
4 mailed by the elector, or delivered in person, to the municipal clerk issuing the ballot  
5 or ballots. If the envelope is mailed from a location outside the United States, the  
6 elector shall affix sufficient postage unless the ballot qualifies for delivery free of  
7 postage under federal law. Failure to return an unused ballot in a primary does not  
8 invalidate the ballot on which the elector's votes are cast. Return of more than one  
9 marked ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot  
10 used with an electronic voting system in a primary which is marked for candidates  
11 of more than one party invalidates all votes cast by the elector for candidates in the  
12 primary.

13 **SECTION 19.** 7.08 (1) (cm) of the statutes is created to read:

14 7.08 (1) (cm) Prescribe the form required by s. 6.30 (5). The form shall contain  
15 a statement of the penalty applicable to false or fraudulent registration or voting  
16 through use of the form.

17 **SECTION 20.** 85.61 (1) of the statutes is amended to read:

18 85.61 (1) The secretary of transportation and the administrator of the elections  
19 division of the government accountability board shall enter into an agreement to  
20 match personally identifiable information on the official registration list maintained  
21 by the government accountability board under s. 6.36 (1) and the information  
22 specified in s. 6.34 (2m) with personally identifiable information in the operating  
23 record file database under ch. 343 and vehicle registration records under ch. 341 to  
24 the extent required to enable the secretary of transportation and the administrator

**ASSEMBLY BILL 892**

1 of the elections division of the government accountability board to verify the accuracy  
2 of the information provided for the purpose of voter registration.

**SECTION 21. Nonstatutory provisions.**

3  
4 (1) No later than the 20th day following the end of each calendar quarter, the  
5 government accountability board and the department of transportation shall each  
6 report to the appropriate standing committees of the legislature in the manner  
7 provided in section 13.172 (3) of the statutes concerning its progress in implementing  
8 an electronic voter registration system. The board and department shall continue  
9 to file reports under this subsection until the board determines that implementation  
10 is complete and the performance of the system is satisfactory.

**SECTION 22. Fiscal changes.**

11  
12 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation  
13 to the government accountability board under section 20.511 (1) (a) of the statutes,  
14 as affected by the acts of 2009, the dollar amount is increased by \$-0- for the first  
15 fiscal year of the fiscal biennium in which this subsection takes effect to implement  
16 the provisions of this act. In the schedule under section 20.005 (3) of the statutes for  
17 the appropriation to the government accountability board under section 20.511 (1)  
18 (a) of the statutes, as affected by the acts of 2009, the dollar amount is increased by  
19 \$-0- for the second fiscal year of the fiscal biennium in which this subsection takes  
20 effect to implement the provisions of this act.

21 (2) In the schedule under section 20.005 (3) of the statutes for the appropriation  
22 to the department of transportation under section 20.395 (4) (aq) of the statutes, as  
23 affected by the acts of 2009, the dollar amount is increased by \$-0- for the first fiscal  
24 year of the fiscal biennium in which this subsection takes effect to implement the  
25 provisions of this act. In the schedule under section 20.005 (3) of the statutes for the

**ASSEMBLY BILL 892**

1 appropriation to the department of transportation under section 20.395 (4) (aq) of the  
2 statutes, as affected by the acts of 2009, the dollar amount is increased by \$-0- for  
3 the second fiscal year of the fiscal biennium in which this subsection takes effect to  
4 implement the provisions of this act.

5 **SECTION 23. Initial applicability.**

6 (1) This act first applies with respect to registration for voting at the 2012  
7 spring primary election.

8 (END)



## 2009 SENATE BILL 645

March 25, 2010 – Introduced by Senators **RISSE**, **TAYLOR** and **MILLER**, cosponsored by Representatives **BERCEAU**, **PARISI**, **BLACK**, **SMITH**, **TURNER**, **POPE-ROBERTS**, **ZEPNICK**, **ROYS** and **HEBL**. Referred to Committee on Labor, Elections and Urban Affairs.

1     **AN ACT** *to amend* 5.056, 6.275 (1) (b), 6.28 (1), 6.32 (1), 6.33 (1), 6.33 (2) (a), 6.34  
2           (2), 6.35 (1) (intro.), 6.36 (2) (c), 6.40 (1) (a) 1., 6.40 (1) (c), 6.50 (10), 6.86 (3) (c),  
3           6.87 (4) and 85.61 (1); and *to create* 6.30 (5), 6.34 (2m), 6.34 (4), 6.35 (2) and  
4           7.08 (1) (cm) of the statutes; **relating to:** electronic voter registration and proof  
5           of residence for voting in an election and granting rule-making authority.

---

### ***Analysis by the Legislative Reference Bureau***

Currently, a qualified elector may register to vote at any election by mail or by completing a registration form with a special registration deputy no later than the 20th day before the election. A qualified elector may also register to vote at an election in person at the office of the municipal clerk or board of election commissioners for the municipality where the elector resides no later than 5 p.m. on the day before the election. In order to register, an elector must provide his or her name and address and certain other information required to ascertain his or her eligibility and must sign the form. With certain exceptions, an elector who registers after the 20th day before an election or an elector who registers by mail and who has not voted before in an election in this state must provide proof of residence prior to voting.

This bill permits a qualified elector who has a current and valid driver's license or identification card issued by the Department of Transportation (DOT) to register to vote at an election electronically on a secure Internet site maintained by the Government Accountability Board (GAB). The bill requires an electronic

**SENATE BILL 645**

registration to be completed no later than the 20th day before an election in order to be valid for that election. Under the bill, GAB prescribes, by rule, the manner and method of electronic application, together with requirements for affirmation and verification of elector information and the method for receipt of electronic application forms. There is no requirement for a signature. The bill also permits an elector who is currently registered to vote and who has a current and valid driver's license or identification card to electronically enter a change of name or address using a similar procedure. Under the bill, an electronic registration is treated the same as a mail registration. The clerk or board of election commissioners of the elector's municipality of residence must verify the registration by sending a first-class letter or postcard to the registrant at the registrant's address and, if the registrant is voting for the first time in an election in this state, the registrant must provide proof of residence before voting in the election. However, the bill also provides that if an elector who registers electronically provides his or her Wisconsin driver's license number, together with his or her name and date of birth, and GAB is able to instantly verify the information electronically by electronically accessing records of DOT, the elector need not provide proof of residence prior to voting. The bill directs GAB and DOT to enter into an agreement that permits GAB to verify the necessary information instantly by accessing DOT's electronic files.

Currently, each municipal clerk and board of election commissioners must maintain a file of voter registration forms for the electors of the municipality. This bill provides that the clerk or board must maintain registrations that are entered electronically in the manner prescribed by GAB, by rule.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 5.056 of the statutes is amended to read:

2           **5.056 Matching program with secretary of transportation.** The  
3 administrator of the elections division of the board shall enter into the agreement  
4 with the secretary of transportation specified under s. 85.61 (1) to match personally  
5 identifiable information on the official registration list maintained by the board  
6 under s. 6.36 (1) and the information specified in s. 6.34 (2m) with personally  
7 identifiable information maintained by the department of transportation.

8           **SECTION 2.** 6.275 (1) (b) of the statutes is amended to read:

**SENATE BILL 645**

1           6.275 (1) (b) The total number of electors of the municipality residing in that  
2 county who were preregistered on the deadline specified in s. 6.28 (1), including valid  
3 mail registrations which are postmarked by that day and valid electronic  
4 registrations entered under s. 6.30 (5).

5           **SECTION 3.** 6.28 (1) of the statutes is amended to read:

6           6.28 (1) REGISTRATION LOCATIONS; DEADLINE. Except as authorized in ss. 6.29,  
7 6.55 (2), and 6.86 (3) (a) 2., registration in person for any election shall close at 5 p.m.  
8 on the 3rd Wednesday preceding the election. Registrations made by mail under s.  
9 6.30 (4) must be delivered to the office of the municipal clerk or postmarked no later  
10 than the 3rd Wednesday preceding the election. Electronic registrations for an  
11 election under s. 6.30 (5) shall close at midnight on the 3rd Wednesday preceding the  
12 election. All applications for registration corrections and additions may be made  
13 throughout the year at the office of the city board of election commissioners, at the  
14 office of the municipal clerk, at the office of the county clerk, or at other locations  
15 provided by the board of election commissioners or the common council in cities over  
16 500,000 population or by either or both the municipal clerk, or the common council,  
17 village or town board in all other municipalities and may also be made during the  
18 school year at any high school by qualified persons under sub. (2) (a). Other  
19 registration locations may include but are not limited to fire houses, police stations,  
20 public libraries, institutions of higher education, supermarkets, community centers,  
21 plants and factories, banks, savings and loan associations and savings banks.  
22 Special registration deputies shall be appointed for each location unless the location  
23 can be sufficiently staffed by the board of election commissioners or the municipal  
24 clerk or his or her deputies. An elector who wishes to obtain a confidential listing

**SENATE BILL 645**

1 under s. 6.47 (2) shall register at the office of the municipal clerk of the municipality  
2 where the elector resides.

3 **SECTION 4.** 6.30 (5) of the statutes is created to read:

4 **6.30 (5)** BY ELECTRONIC APPLICATION. Any eligible elector who holds a current  
5 and valid operator's license issued under ch. 343 or a current and valid identification  
6 card issued under s. 343.50 may register electronically in the manner prescribed by  
7 the board. The board shall maintain on the Internet a secure registration form that  
8 enables the elector to enter all required information electronically. The board shall  
9 prescribe, by rule, the manner and method of electronic application under this  
10 subsection, together with requirements for affirmation and verification of elector  
11 information and the method for receipt of electronic registration forms. The elector  
12 information shall include all information specified for the electronic registration  
13 form under s. 6.33 (1). The board shall also permit an elector who has a current and  
14 valid operator's license issued to the elector under ch. 343 or a current and valid  
15 identification card issued under s. 343.50 to make changes in his or her registration  
16 authorized under s. 6.40 (1) at the same Internet site that is used for original  
17 registration.

18 **SECTION 5.** 6.32 (1) of the statutes is amended to read:

19 **6.32 (1)** Upon receipt of a registration form that is submitted by mail under s.  
20 6.30 (4) or by electronic application under s. 6.30 (5) or that is submitted by a special  
21 registration deputy appointed under s. 6.26, the board or municipal clerk shall  
22 examine the form for sufficiency.

23 **SECTION 6.** 6.33 (1) of the statutes is amended to read:

24 **6.33 (1)** The board shall prescribe the format, size, and shape of nonelectronic  
25 registration forms. All nonelectronic forms shall be printed on cards and each item

**SENATE BILL 645**

1 of information shall be of uniform font size, as prescribed by the board. Except as  
2 provided in this subsection, electronic registration forms shall contain the same  
3 information as the nonelectronic forms, together with any additional information  
4 specified by the board under s. 6.30 (5). The municipal clerk shall supply sufficient  
5 nonelectronic forms to meet voter registration needs. The All registration forms  
6 shall be designed to obtain from each applicant information as to name; date;  
7 residence location; citizenship; date of birth; age; the number of a valid operator's  
8 license issued to the elector under ch. 343 or the last 4 digits of the elector's social  
9 security account number; whether the applicant has resided within the ward or  
10 election district for at least 10 days; whether the applicant has been convicted of a  
11 felony for which he or she has not been pardoned, and if so, whether the applicant  
12 is incarcerated, or on parole, probation, or extended supervision; whether the  
13 applicant is disqualified on any other ground from voting; and whether the applicant  
14 is currently registered to vote at any other location. The Except as authorized by rule  
15 under s. 6.30 (5), the form shall include a space for the applicant's signature and the  
16 signature of any corroborating elector. The nonelectronic form shall include a space  
17 to enter the name of any special registration deputy under s. 6.26 or 6.55 (6) or  
18 inspector, municipal clerk, or deputy clerk under s. 6.55 (2) who obtains the form and  
19 a space for the deputy, inspector, clerk, or deputy clerk to sign his or her name,  
20 affirming that the deputy, inspector, clerk, or deputy clerk has accepted the form.  
21 The form shall include a space for entry of the ward and aldermanic district, if any,  
22 where the elector resides and any other information required to determine the offices  
23 and referenda for which the elector is certified to vote. The form shall also include  
24 a space where the clerk may record an indication of whether the form is received by  
25 mail or by electronic application, a space where the clerk may record an indication



**SENATE BILL 645**

1 of the type of identifying document submitted by the elector as proof of residence  
2 under s. 6.34 or an indication that the elector's information in lieu of proof of  
3 residence was verified under s. 6.34 (2m), whenever required, and a space where the  
4 clerk, for any applicant who possesses a valid voting identification card issued to the  
5 person under s. 6.47 (3), may record the identification serial number appearing on  
6 the voting identification card. Each county clerk shall obtain sufficient registration  
7 forms for completion by an elector who desires to register to vote at the office of the  
8 county clerk under s. 6.28 (4).

9 **SECTION 7.** 6.33 (2) (a) of the statutes is amended to read:

10 6.33 (2) (a) All information may be recorded by any person, except that the ward  
11 and aldermanic district, if any, other geographic information under sub. (1), the  
12 indication of whether the registration is received by mail or by electronic application,  
13 the type of identifying document submitted by the elector as proof of residence under  
14 s. 6.34 or the indication of verification of information in lieu of proof of residence  
15 under s. 6.34 (2m), whenever required, and any information relating to an applicant's  
16 voting identification card shall be recorded by the clerk. ~~Each~~ Except as authorized  
17 under s. 6.30 (5), each applicant shall sign his or her own name unless the applicant  
18 is unable to sign his or her name due to physical disability. In such case, the applicant  
19 may authorize another elector to sign the form on his or her behalf. If the applicant  
20 so authorizes, the elector signing the form shall attest to a statement that the  
21 application is made upon request and by authorization of a named elector who is  
22 unable to sign the form due to physical disability.

23 **SECTION 8.** 6.34 (2) of the statutes is amended to read:

24 6.34 (2) Except as authorized in ss. 6.29 (2) (a) and 6.86 (3) (a) 2., upon  
25 completion of a registration form prescribed under s. 6.33, each elector who is

**SENATE BILL 645**

1 required to register under s. 6.27, who is not a military elector or an overseas elector  
2 and who registers after the close of registration under s. 6.29 or 6.86 (3) (a) 2., shall  
3 provide an identifying document that establishes proof of residence under sub. (3).  
4 ~~Each~~ Except as authorized in sub. (2m), each elector who is required to register under  
5 s. 6.27 who is not a military elector or an overseas elector who registers by mail or  
6 by electronic application, and who has not voted in an election in this state shall, if  
7 voting in person, provide an identifying document that establishes proof of residence  
8 under sub. (3) or, if voting by absentee ballot, provide a copy of an identifying  
9 document that establishes proof of residence under sub. (3). If the elector registered  
10 by mail or by electronic application, the identifying document may not be a  
11 residential lease.

12 **SECTION 9.** 6.34 (2m) of the statutes is created to read:

13 **6.34 (2m)** If an elector who registers by electronic application under s. 6.30 (5)  
14 would otherwise be required to provide proof of residence under sub. (2) but provides,  
15 in lieu of proof of residence, the number of a current and valid operator's license  
16 issued under ch. 343 together with the elector's name and date of birth, and if the  
17 board is able to verify the information provided by the elector electronically at the  
18 time of registration, the elector is not required to provide proof of residence.

19 **SECTION 10.** 6.34 (4) of the statutes is created to read:

20 **6.34 (4)** The board shall maintain a system that electronically verifies, on an  
21 instant basis, the validity of the information specified in sub. (2m) submitted by an  
22 elector who registers electronically with the information maintained by the  
23 department of transportation pursuant to the board's agreement with the secretary  
24 of transportation under s. 5.056.

25 **SECTION 11.** 6.35 (1) (intro.) of the statutes is amended to read:

**SENATE BILL 645**

1           6.35 (1) (intro.) Under the direction of the municipal clerk or board of election  
2 commissioners, the original registration forms shall be filed in one of the following  
3 ways, except as provided in ~~sub.~~ subs. (1m) and (2):

4           **SECTION 12.** 6.35 (2) of the statutes is created to read:

5           6.35 (2) The board shall prescribe, by rule, the procedure and methods by which  
6 municipal clerks and boards of election commissioners shall maintain records of  
7 registrations that are entered electronically under s. 6.30 (5).

8           **SECTION 13.** 6.36 (2) (c) of the statutes is amended to read:

9           6.36 (2) (c) The list shall contain, next to the name of each elector, an indication  
10 of whether proof of residence under s. 6.34 is required for the elector to be permitted  
11 to vote. ~~Proof~~ Except as authorized in s. 6.34 (2m), proof of residence is required if  
12 the elector is not a military elector or an overseas elector and the elector registers by  
13 mail or by electronic application and has not previously voted in an election in this  
14 state.

15           **SECTION 14.** 6.40 (1) (a) 1. of the statutes is amended to read:

16           6.40 (1) (a) 1. Any registered elector shall transfer registration after a change  
17 of residence within the state by filing in person with the municipal clerk or by mailing  
18 to the municipal clerk a signed request stating his or her present address, affirming  
19 that this will be his or her residence for 10 days prior to the election and providing  
20 the address where he or she was last registered. Alternatively, the elector may  
21 transfer his or her registration at the proper polling place or other registration  
22 location under s. 6.02 (2) in accordance with s. 6.55 (2) (a), or, if the elector has a  
23 current and valid operator's license issued to the elector under ch. 343 or a current  
24 and valid identification card issued under s. 343.50, the elector may transfer his or  
25 her registration electronically under s. 6.30 (5). If an elector is voting in the ward

**SENATE BILL 645**

1 or election district where the elector formerly resided, the change shall be effective  
2 for the next election.

3 **SECTION 15.** 6.40 (1) (c) of the statutes is amended to read:

4 6.40 (1) (c) *Name change.* Whenever an elector's name is legally changed,  
5 including a change by marriage or divorce, the elector shall transfer his or her  
6 registration to his or her legal name by appearing in person or mailing to the  
7 municipal clerk a signed request for a transfer of registration to such name.  
8 Alternatively, a registered elector may make notification of a name change at his or  
9 her polling place under s. 6.55 (2) (d), or, if the elector has a current and valid  
10 operator's license issued to the elector under ch. 343 or a current and valid  
11 identification card issued under s. 343.50, the elector may make notification of a  
12 name change electronically under s. 6.30 (5).

13 **SECTION 16.** 6.50 (10) of the statutes is amended to read:

14 6.50 (10) Any qualified elector whose registration is changed from eligible to  
15 ineligible status under this section may reregister as provided under s. 6.28 (1), 6.29  
16 (2), or 6.55 (2), or, if the elector has a current and valid operator's license issued to  
17 the elector under ch. 343 or a current and valid identification card issued under s.  
18 343.50, may reregister under s. 6.30 (5).

19 **SECTION 17.** 6.86 (3) (c) of the statutes is amended to read:

20 6.86 (3) (c) An application under par. (a) 1. may be made and a registration form  
21 under par. (a) 2. may be filed in person at the office of the municipal clerk not earlier  
22 than 7 days before an election and not later than 5 p.m. on the day of the election.  
23 A list of hospitalized electors applying for ballots under par. (a) 1. shall be made by  
24 the municipal clerk and used to check that the electors vote only once, and by  
25 absentee ballot. If Except as provided in s. 6.34 (2m), if the elector is registering for

**SENATE BILL 645**

1 the election after the close of registration or if the elector registered by mail or by  
2 electronic application and has not voted in an election in this state, the municipal  
3 clerk shall inform the agent that proof of residence under s. 6.34 is required and the  
4 elector shall enclose proof of residence under s. 6.34 in the envelope with the ballot.  
5 The ballot shall be sealed by the elector and returned to the municipal clerk either  
6 by mail or by personal delivery of the agent; but if the ballot is returned on the day  
7 of the election, the agent shall make personal delivery to the polling place serving the  
8 hospitalized elector's residence before the closing hour or, in municipalities where  
9 absentee ballots are canvassed under s. 7.52, to the municipal clerk no later than 8  
10 p.m. on election day.

11 **SECTION 18.** 6.87 (4) of the statutes is amended to read:

12 **6.87 (4)** Except as otherwise provided in s. 6.875, the elector voting absentee  
13 shall make and subscribe to the certification before one witness who is an adult U.S.  
14 citizen. The absent elector, in the presence of the witness, shall mark the ballot in  
15 a manner that will not disclose how the elector's vote is cast. The elector shall then,  
16 still in the presence of the witness, fold the ballots so each is separate and so that the  
17 elector conceals the markings thereon and deposit them in the proper envelope. If  
18 a consolidated ballot under s. 5.655 is used, the elector shall fold the ballot so that  
19 the elector conceals the markings thereon and deposit the ballot in the proper  
20 envelope. If proof of residence is required, the elector shall enclose proof of residence  
21 under s. 6.34 in the envelope. ~~Proof~~ Except as authorized in s. 6.34 (2m), proof of  
22 residence is required if the elector is not a military elector or an overseas elector, as  
23 defined in s. 6.34 (1), and the elector registered by mail or by electronic application  
24 and has not voted in an election in this state. If the elector requested a ballot by  
25 means of facsimile transmission or electronic mail under s. 6.86 (1) (ac), the elector

**SENATE BILL 645**

1 shall enclose in the envelope a copy of the request which bears an original signature  
2 of the elector. The elector may receive assistance under sub. (5). The return envelope  
3 shall then be sealed. The witness may not be a candidate. The envelope shall be  
4 mailed by the elector, or delivered in person, to the municipal clerk issuing the ballot  
5 or ballots. If the envelope is mailed from a location outside the United States, the  
6 elector shall affix sufficient postage unless the ballot qualifies for delivery free of  
7 postage under federal law. Failure to return an unused ballot in a primary does not  
8 invalidate the ballot on which the elector's votes are cast. Return of more than one  
9 marked ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot  
10 used with an electronic voting system in a primary which is marked for candidates  
11 of more than one party invalidates all votes cast by the elector for candidates in the  
12 primary.

13 **SECTION 19.** 7.08 (1) (cm) of the statutes is created to read:

14 7.08 (1) (cm) Prescribe the form required by s. 6.30 (5). The form shall contain  
15 a statement of the penalty applicable to false or fraudulent registration or voting  
16 through use of the form.

17 **SECTION 20.** 85.61 (1) of the statutes is amended to read:

18 85.61 (1) The secretary of transportation and the administrator of the elections  
19 division of the government accountability board shall enter into an agreement to  
20 match personally identifiable information on the official registration list maintained  
21 by the government accountability board under s. 6.36 (1) and the information  
22 specified in s. 6.34 (2m) with personally identifiable information in the operating  
23 record file database under ch. 343 and vehicle registration records under ch. 341 to  
24 the extent required to enable the secretary of transportation and the administrator

**SENATE BILL 645**

1 of the elections division of the government accountability board to verify the accuracy  
2 of the information provided for the purpose of voter registration.

**SECTION 21. Nonstatutory provisions.**

3  
4 (1) No later than the 20th day following the end of each calendar quarter, the  
5 government accountability board and the department of transportation shall each  
6 report to the appropriate standing committees of the legislature in the manner  
7 provided in section 13.172 (3) of the statutes concerning its progress in implementing  
8 an electronic voter registration system. The board and department shall continue  
9 to file reports under this subsection until the board determines that implementation  
10 is complete and the performance of the system is satisfactory.

**SECTION 22. Fiscal changes.**

11  
12 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation  
13 to the government accountability board under section 20.511 (1) (a) of the statutes,  
14 as affected by the acts of 2009, the dollar amount is increased by \$-0- for the first  
15 fiscal year of the fiscal biennium in which this subsection takes effect to implement  
16 the provisions of this act. In the schedule under section 20.005 (3) of the statutes for  
17 the appropriation to the government accountability board under section 20.511 (1)  
18 (a) of the statutes, as affected by the acts of 2009, the dollar amount is increased by  
19 \$-0- for the second fiscal year of the fiscal biennium in which this subsection takes  
20 effect to implement the provisions of this act.

21 (2) In the schedule under section 20.005 (3) of the statutes for the appropriation  
22 to the department of transportation under section 20.395 (4) (aq) of the statutes, as  
23 affected by the acts of 2009, the dollar amount is increased by \$-0- for the first fiscal  
24 year of the fiscal biennium in which this subsection takes effect to implement the  
25 provisions of this act. In the schedule under section 20.005 (3) of the statutes for the

**SENATE BILL 645**

1 appropriation to the department of transportation under section 20.395 (4) (aq) of the  
2 statutes, as affected by the acts of 2009, the dollar amount is increased by \$-0- for  
3 the second fiscal year of the fiscal biennium in which this subsection takes effect to  
4 implement the provisions of this act.

5 **SECTION 23. Initial applicability.**

6 (1) This act first applies with respect to registration for voting at the 2012  
7 spring primary election.

8 (END)



## Summary of Federal Jobs Related Legislative Activity

### **H.I.R.E. bill H.R.2847 was signed into law March 18.**

The H.I.R.E bill is one of several job creation bills that have been considered at the federal level. The key provisions of the bill involve tax incentives for business that hire unemployed workers. These tax incentives total \$13 billion over 10 years. The bill includes a crackdown on overseas tax havens and delay in tax breaks for foreign interest payments to offset the cost of the bill.

In addition there are two components of the bill that will directly benefit the City.

#### **Transportation funding:**

- Extends surface transportation programs through December 31, 2010, while Reauthorization efforts for that program continue. The bill keeps the current provisions of the program, however, and does not include any revisions to shift toward a “fix it first” policy. The City will need to continue to seek such changes as part of the reauthorization.
- Shifts \$20 billion from the general treasury to the Highway Trust Fund, to address the interest that was not collected in the fund in the recent past.

#### **Lower Interest Bonds:**

- Extends the Build America Bonds direct payment program to Qualified School Construction Bonds, Qualified Zone Academy Bonds, Clean Renewable Energy Bonds and Qualified Energy Conservation Bonds. Under that program, local governments receive subsidies to offset interest paid on the bonds, reducing our cost of borrowing for important capital projects.

The HIRE Bill does not include other provisions that were originally part of the Jobs for Main Street Act, such as extending Unemployment Insurance, funding for summer jobs or job training, or direct support to protect critical local government jobs. Other bills are pending that address some of these issues.

### **Local Jobs for America Act H.R. 4812 was introduced on March 10.**

The Local Jobs for America Act authorizes \$100 billion over two years to preserve and create local government jobs. Specifically the Act:

- Provides \$75 billion over 2 years to cities
- Cities over 50,000 would receive the funding directly
- Distribution based on number of unemployed (50 percent), poverty (25 percent), and population (25 percent).
- Cities can use up to 50% to retain employees that might otherwise be let go, up to 25% to support local CBOs that provide needed services to hire people, and up to 25 % to hire new employees.
- No local match required.
- Another \$23 billion to states for hiring and re-hiring firefighters, police officers, and education personnel.

### **Disaster Relief and Summer Jobs Act – Supplemental Appropriations – passed House March 24.**

- Adds \$600 million to summer youth activities through the Workforce Investment Act of 1998
- This is half of the ARRA funding level and the WIA provisions only allow funds to be used up to age 21, not 24 as under ARRA.





## Legislation Details (With Text)

---

**File #:** 091311      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 1/20/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution opposing early release of prisoners from state facilities and urging suspension of the state's early release program.

**Sponsors:** ALD. DONOVAN

**Indexes:** CRIME PREVENTION, JAILS, STATE LEGISLATION

**Attachments:** Fiscal Note, Media Release by Ald Donovan, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
1/20/2010	0	COMMON COUNCIL	ASSIGNED TO		
1/27/2010	1	CITY CLERK	DRAFT SUBMITTED		
3/29/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/29/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/30/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/30/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number  
091311  
Version  
SUBSTITUTE 1  
Reference

Sponsor  
ALD. DONOVAN

Title  
Substitute resolution opposing early release of prisoners from state facilities and urging suspension of the state's early release program.

Analysis  
This resolution expresses the City of Milwaukee's opposition to the early release of prisoners from state facilities and urges suspension of the state's recently enacted early release program.

Body  
Whereas, Under the leadership of Chief Edward Flynn, the Milwaukee Police Department has done a remarkable job of addressing crime issues in Milwaukee, as evidenced by 8 consecutive quarters of reduced crime along with double-digit decreases in homicide, sexual assault, robbery, aggravated assault and auto theft, leading to safer neighborhoods, safer public spaces and a better quality of life for our law-abiding city residents; and

Whereas, In a cost-saving measure, Wisconsin's 2009-2011 biennium budget includes a Criminal Justice Reform Initiative whereby prison inmates are awarded positive adjustment credits for time served, thereby reducing the term of confinement in prison and placing convicted felons back on the street significantly earlier than intended sentences; and

Whereas, Accompanied by neither re-entry support initiatives or increased monitoring mechanisms, this "early release program" will have a devastating impact on Milwaukee's public safety efforts, as a minimum of 65 percent to 75 percent of the roughly 3,000 inmates eligible for early release will return to the Milwaukee area; and

Whereas, This certain influx of early parolees will only exacerbate Milwaukee's already serious recidivism problem, borne out by the fact that nearly 60 percent of the roughly 5,000 individuals arrested in Milwaukee last year for violating parole had additional charges at the time of arrest; and

Whereas, One need look no further than Wisconsin's neighbor state of Illinois for the potentially disastrous consequences of awarding good-time credits, where offenses committed after release by so-called "non-violent" beneficiaries of Illinois' now-suspended early release program included attempted murder, armed robbery, aggravated assault and weapons charges; and

Whereas, Wisconsin's early release program is directly counterproductive to the significant inroads made by the Police Department in reducing crime, fear and disorder in Milwaukee, compromising the long-term welfare of this city for short-term state dollar savings; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City of Milwaukee opposes the early release of prisoners from state facilities and urges suspension of the state's early release program; and, be it

Further Resolved, That the City Clerk shall send a copy of this resolution to Wisconsin Governor Jim Doyle; Wisconsin Department of Corrections Secretary Rick Raemisch; Senator Lena Taylor, Chair,

Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing Committee;  
Representative Joe Parisi, Chair, Corrections and the Courts Committee; and all Milwaukee  
Representatives in the Wisconsin Legislature.  
Requestor

Drafter  
LRB10032-2  
MST  
1/22/10

# CITY OF MILWAUKEE FISCAL NOTE

A) DATE 3/31/10

FILE NUMBER: 091311

Original Fiscal Note  Substitute

SUBJECT: Substitute resolution opposing early release of prisoners from state facilities and urging suspension of the state's early release program.

B) SUBMITTED BY (Name/title/dept./ext.): Linda Elmer- Staff Assistant, City Clerk's Office 286-223

C) CHECK ONE:  ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES  
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.  
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO:  DEPARTMENT ACCOUNT(DA)  CONTINGENT FUND (CF)  
 CAPITAL PROJECTS FUND (CPF)  SPECIAL PURPOSE ACCOUNTS (SPA)  
 PERM. IMPROVEMENT FUNDS (PIF)  GRANT & AID ACCOUNTS (G & AA)  
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
<b>TOTALS</b>					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

---



---

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

---



---



---

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

---

FOR IMMEDIATE RELEASE

---



---

FOR INFORMATION CALL

---

March 15, 2010

Ald. Bob Donovan  
(414) 708-2096

## Alderman Donovan Says He Refuses to Accept Early Release Felons

*Public Safety Chair says Governor's Early Release Initiative will Jeopardize Public  
Safety; News Conference Tuesday at City Hall*

In a symbolic move meant to generate greater public awareness of a state budget measure that could put thousands of prison inmates back on Milwaukee's streets, **Alderman Bob Donovan**, chair of the Common Council's Public Safety Committee, said he's unwilling to accept any of the newly released convicted felons in his near south side district.

Alderman Donovan said Milwaukee and his constituents "deserve better treatment than this." "Many of my constituents volunteer long hours in the Block Watch program and in other ways to make their neighborhoods safer, and they need someone to fight for their best interest instead of letting inmates come back early," he said.

"I'll be damned if the state is going to balance its budget on the backs of the decent, hard-working people of my district," he said. "I don't want even one convicted felon being released early to my district – period."

**The alderman will hold a news conference to discuss the matter at 11:30 a.m. tomorrow (Tuesday, March 16, 2010) in the third floor anteroom of the Council Chamber at City Hall, 200 E. Wells St.**

According to Alderman Donovan, a minimum of 65% to 75% of the roughly 3,000 inmates eligible for early release as part of the state budget's Criminal Justice Reform Initiative will return to the Milwaukee area, where – based on the documented high rate of recidivism – many will re-offend. Alderman Donovan said he's received no response to a January letter (see attached) from him and co-signed by several colleagues asking Governor Doyle to suspend the early release portion of the initiative.

-More-

## **Early Release Initiative Ripped/ADD ONE**

Under Chief Edward Flynn, Alderman Donovan said the Milwaukee Police Department has significantly reduced crime in the city, including a 25% drop in total violent crime over the past two years. “We’ve had double-digit decreases in robbery, aggravated assault, and auto theft, and people have taken notice that their neighborhoods are quieter and safer,” he said.

“But this early release program will, I fear – and Chief Flynn has said as much – erase the tremendous gains that we’ve made in recent years,” Alderman Donovan said. “Just as (former) Governor Thompson said years ago – ‘Stick it to ‘em (Milwaukee)’ on the Miller Park financing, now Governor Doyle is ‘sticking it to Milwaukee’ with an influx of convicted felons who should be serving their full sentences.”

Alderman Donovan said Milwaukee is made even more vulnerable because of its high rate of police officer vacancies – set to approach 300 by later this year. “We are headed in the wrong direction with our vacancies, and now comes this ill-conceived idea of granting early release for some inmates,” he said.

“What’s next – brownie points for inmates who keep a tidy cell?” he said.

**-30-**



**COMMITTEE ASSIGNMENTS**

**CHAIR**  
Public Safety Committee

**MEMBER**  
Anti-Graffiti Policy Committee  
Finance & Personnel Committee  
Steering & Rules Committee



**ROBERT G. DONOVAN**  
Alderman, 8th District

January 22, 2010

Governor James Doyle  
Post Office Box 7863  
Madison, Wisconsin 53707

Dear Governor Doyle:

The 2009-2011 biennium budget includes a Criminal Justice Reform Initiative, whereby prison inmates are awarded "positive adjustment credits" for time served. These credits reduce the term of confinement in prison, placing convicted felons back on the streets earlier than what their intended sentences would normally allow. As members of the City of Milwaukee Common Council, we are grateful for your desire to improve the criminal justice system. However, we are concerned about that this particular action would negatively impact our city's public safety efforts. Thus, we respectfully request that the "early release" aspect of the Criminal Justice Reform Initiative be suspended as soon as possible.

Under the leadership of Chief Edward Flynn, the Milwaukee Police Department has done a remarkable job of addressing crime issues in our city. Total violent crime is down 18 percent compared to 2008, and is down 25 percent over the past two years. There have been double-digit decreases in robbery, aggravated assault and auto theft. Total crime in Milwaukee has decreased for 7 consecutive quarters. These significant achievements in reducing crime, fear and disorder have translated directly into safer neighborhoods, safer public spaces and a better quality of life for our law-abiding city residents.

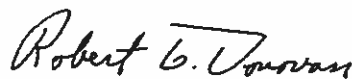
We fear that the early release program is counterproductive to the City of Milwaukee's crime-reducing advancements. A minimum of 65% to 75% of the roughly 3,000 inmates eligible for early release will return to the Milwaukee area, thereby exacerbating our already serious recidivism problem. More than half of the individuals who are in jail are there because they either failed to comply with their conditions of parole or committed a new crime. Last year, almost 5,000 people were arrested in Milwaukee for parole violations and 600 of those individuals were then arrested a second time within the calendar year. Pointedly, nearly 60% of those arrested for violating parole had additional charges at the time of arrest. The unfortunate reality is that convicted felons are extremely likely to re-offend.

We need not look any further than our neighbor state of Illinois for an example of the potentially destructive consequences that an early release program can generate. Offenses committed after

release by so-called "non-violent" beneficiaries of Illinois' program included those convicted of attempted murder, armed robbery, aggravated assault, and weapons charges. To his credit, Illinois governor Pat Quinn suspended the program. We hope that you will do the same.

Governor Doyle, we know your commitment to a safe Wisconsin and a safe Milwaukee. Chief Flynn, Milwaukee police officers and members of the Common Council have continuously worked in cooperation to stabilize our great city, from a public safety perspective. Please do not allow our efforts to be compromised by an early release program. Thank you in advance for considering our perspective on this vitally important issue.

Respectfully,



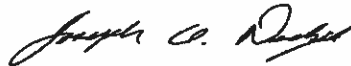
Robert G. Donovan  
Alderman, 8<sup>th</sup> District  
Public Safety Chair



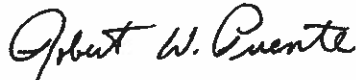
Willie L. Hines, Jr.  
Alderman, 15<sup>th</sup> District  
Common Council President



James A. Bohl, Jr.  
Alderman, 5<sup>th</sup> District



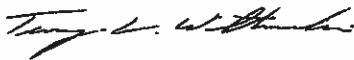
Joseph A. Dudzik,  
Alderman, 11<sup>th</sup> District



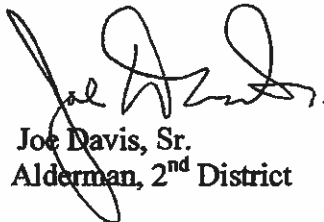
Robert W. Puente  
Alderman, 9<sup>th</sup> District



Michael J. Murphy  
Alderman, 10<sup>th</sup> District



Terry L. Witkowski  
Alderman, 13<sup>th</sup> District



Joe Davis, Sr.  
Alderman, 2<sup>nd</sup> District

cc: All Milwaukee Representatives in the Wisconsin Legislature  
All Council Members





## Legislation Details (With Text)

---

**File #:** 091611      **Version:** 0  
**Type:** Resolution      **Status:** In Committee  
**File created:** 3/24/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE  
**On agenda:**      **Final action:**  
**Effective date:**  
**Title:** Resolution expressing the City of Milwaukee's support for the Local Jobs for America Act.  
**Sponsors:** ALD. DAVIS  
**Indexes:** FEDERAL LEGISLATION, JOBS  
**Attachments:** Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/24/2010	0	COMMON COUNCIL	ASSIGNED TO		
3/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

..Number  
091611  
..Version  
SUBSTITUTE 1  
..Reference

..Sponsor  
ALD. DAVIS

..Title  
Substitute resolution expressing the City of Milwaukee's support for pending federal legislation, H.R. 4812, Local Jobs for America Act.

..Analysis  
This resolution expresses the City of Milwaukee's support for pending federal legislation, H.R. 4812, the Local Jobs for America Act. This legislation will help create one million public and private jobs in local communities this year, including in the City of Milwaukee.

..Body  
Whereas, The United States is going through one of the most difficult economic times in its history with the national unemployment rate hovering around 10 percent; and

Whereas, Despite signs of an economic recovery at the national level, economic conditions in cities and towns across the country continue to worsen with municipal governments facing significant budget shortfalls and increased demand for services; and

Whereas, The City of Milwaukee employs 8,467 workers who provide critical services to residents ranging from public safety, community and economic development, infrastructure maintenance and trash collection; and

Whereas, The unemployment rate in the Milwaukee metropolitan statistical area has risen to 9.6%; and

Whereas, The City of Milwaukee may be facing a budget shortfall and may have to choose between laying off employees, eliminating services and raising taxes to balance its budget; and

Whereas, Federal aid will be necessary if the City of Milwaukee is to avoid public service worker layoffs including fire, police and other important City workers or significant increases in taxes to pay the salaries of these employees; and

Whereas, The City of Milwaukee supports the Local Jobs for America Act, H.R. 4812, because it will help ensure that the city can continue to:

1. Provide services essential to families in the community.

2. Prevent state and local tax increases, while helping governments avoid making the choice between eliminating services and raising taxes.

3. Stimulate local businesses and create more jobs in the local economy.

;now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City of Milwaukee endorses H.R. 4812, the Local Jobs for America Act because it will help create one million public and private jobs in local communities this year, including in the City of Milwaukee; and, be it

Further Resolved, That the City of Milwaukee encourages Congress and the President to adopt H.R. 4812 into law as soon as possible so that cities and towns across America can retain existing employees and provide employment opportunities in the public and private sectors; and, be it

Further Resolved, That the City Clerk shall forward a copy of this resolution to each member of the City's Congressional delegation.

..Requestor

..Drafter  
LRB10136-2  
AEH  
3/30/2010

..Number

091611

..Version

PROPOSED SUBSTITUTE A

..Reference

..Sponsor

ALD. DAVIS

..Title

Substitute resolution expressing the City of Milwaukee's support for pending federal legislation, H.R. 4812, Local Jobs for America Act.

..Analysis

This resolution expresses the City of Milwaukee's support for pending federal legislation, H.R. 4812, the Local Jobs for America Act. This legislation will help create one million public and private jobs in local communities this year, including in the City of Milwaukee.

..Body

Whereas, The United States is going through one of the most difficult economic times in its history with the national unemployment rate hovering around 10 percent; and

Whereas, Despite signs of an economic recovery at the national level, economic conditions in cities and towns across the country continue to worsen with municipal governments facing significant budget shortfalls and increased demand for services; and

Whereas, The City of Milwaukee employs 8,467 workers who provide critical services to residents ranging from public safety, community and economic development, infrastructure maintenance and trash collection; and

Whereas, The unemployment rate in the Milwaukee metropolitan statistical area has risen to 9.6%; and

Whereas, The City of Milwaukee may be facing a budget shortfall and may have to choose between laying off employees, eliminating services and raising taxes to balance its budget; and

Whereas, Federal aid will be necessary if the City of Milwaukee is to avoid public service worker layoffs including fire, police and other important City workers or significant increases in taxes to pay the salaries of these employees; and

Whereas, The National League of Cities and city leaders, including City of Milwaukee leaders, helped develop the Local Jobs for America Act; and

Whereas, The City of Milwaukee supports the Local Jobs for America Act, H.R. 4812, because it will help ensure that the city can continue to:

1. Provide services essential to families in the community.
2. Prevent state and local tax increases, while helping governments avoid making the choice between eliminating services and raising taxes.
3. Stimulate local businesses and create more jobs in the local economy.

;now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City of Milwaukee, along with the National League of Cities, endorses H.R. 4812, the Local Jobs for America Act because it will help create one million public and private jobs in local communities this year, including in the City of Milwaukee; and, be it

Further Resolved, That the City of Milwaukee encourages Congress and the President to adopt H.R. 4812 into law as soon as possible so that cities and towns across America can retain existing employees and provide employment opportunities in the public and private sectors; and, be it

Further Resolved, That the City Clerk shall forward a copy of this resolution to each member of the City's Congressional delegation and the National League of Cities.

..Requestor

..Drafter  
LRB10136-3  
AEH  
3/31/2010



# CITY OF MILWAUKEE FISCAL NOTE

A) DATE 3/11/10

FILE NUMBER: 091611

Original Fiscal Note  Substitute

SUBJECT: Resolution expressing the City of Milwaukee's support for the Local Jobs for America Act.

B) SUBMITTED BY (Name/title/dept./ext.): Linda Elmer – City Clerk's Office, Staff Assistant, 286-2232

C) CHECK ONE:  ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES  
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.  
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO:  DEPARTMENT ACCOUNT(DA)  CONTINGENT FUND (CF)  
 CAPITAL PROJECTS FUND (CPF)  SPECIAL PURPOSE ACCOUNTS (SPA)  
 PERM. IMPROVEMENT FUNDS (PIF)  GRANT & AID ACCOUNTS (G & AA)  
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
<b>TOTALS</b>					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

# LOCAL JOBS FOR AMERICA ACT H.R. 4812

*Our nation is going through one of the most difficult economic times in its history. We must do everything to help create jobs for those who are struggling to support their families. At the same time, the recession is forcing states and municipalities to cut jobs that are critically important – teachers, police, firefighters, childcare workers, and others. The Local Jobs for America Act will provide our economy a shot in the arm by putting a million people to work by restoring these services in local communities.*

## **The Local Jobs for America Act will create a million public and private jobs in local communities this year.**

Support will be targeted directly to states and municipalities with the greatest number of people out of work to restore important local services.

## **The Local Jobs for America Act will help ensure that local communities can still operate essential services.**

Because of the recession, many local communities have cut back on education, public safety, childcare, health care, education and transportation. As a result, families who rely on these services are suffering the cost of these cutbacks.

## **This bill will help prevent state and local tax increases.**

By supporting the services local communities deem most necessary, the bill will help local governments avoid having to choose between eliminating services and raising taxes.

## **Creating local jobs will stimulate local businesses and create more jobs in the local economy.**

By increasing employment in local communities, families will be able to start spending again at their neighborhood businesses and favorite restaurants. This will help spur additional jobs for local small businesses.

## **The Local Jobs for America Act will fund salaries for private sector on-the-job training to help local businesses put people back to work.**

Specifically, the Local Jobs for America Act invests:

- \$75 billion over two years to local communities to hire vital staff
- Funding for 50,000 on-the-job private-sector training positions

The bill also includes provisions already approved by the House:

- \$23 billion this year to help states support 250,000 education jobs
- \$1.18 billion to put 5,500 law enforcement officers on the beat
- \$500 million to retain, rehire, and hire firefighters

# FACT SHEET

## *Key details of the bill are as follows:*

- The bill would provide **\$75 billion over two years** (\$37.5 billion in year one, and \$37.5 billion in year two) to local governments, community based organizations, and states to save and create local jobs.
- The U.S. Department of Labor would administer the program.
- The **funding distribution mechanism** is based on the Community Development Block Grant program (CDBG) – every city with a population of 50,000 or more would be eligible to receive DIRECT FUNDING. Cities with a population below 50,000 would also be eligible to receive funding, only passed through the states.
- As with CDBG, 70 percent of the funding would be for direct entitlement cities, and 30 percent would be for state pass-through.
- Though the distribution mechanism is based on CDBG, the formula is **not** the same. This formula is based on unemployment numbers (50 percent), poverty level (25 percent), and population (25 percent).
- Each city could use up to 50 percent of the funding to retain employees that might otherwise lose their jobs because of budget shortfalls.
- Up to 25 percent can be given by a city to local community based organizations to hire employees to provide services or functions not customarily provided by local government employees.
- If a city desires, the remaining funding can be used to hire new city employees or rehire those recently let go. However, there is **no** requirement that a city use this part of the program.
- A city can use up to 5 percent of the funding for administration of the program.
- This program has **NO LOCAL MATCH** requirement.
- There is no requirement to retain employees once the funding runs out. There would be two years of funding, and then it would be up to a city to either retain or not retain employees funded by the program based on need and local budgets.
- Employees would have to be hired full-time with benefits, under existing contracts or agreements. The federal funding can be used to cover all costs, including salaries and benefits.
- There is no cap on per-employee costs, however no more than 20 percent of the funds can be used for management employees.
- The bill also provides \$23 billion to help states support an estimated 250,000 education jobs, provides \$1.18 billion to put 5,500 law enforcement officers on the beat, and allocates \$500 million to hire and retain fire fighters.
- Finally, the bill provides \$500 million for approximately 50,000 additional on-the-job training positions slots to help private business expand employment.



..Number  
091610  
..Version  
SUBSTITUTE 1  
..Reference

..Sponsor  
ALD. BAUMAN

..Title  
Substitute resolution directing the City Clerk to contract for lobbying services.

..Analysis  
This resolution directs the City Clerk to contract for lobbying services related to the allocation of \$54.9 million in federal transportation funds to the City of Milwaukee and lobbying for additional financial support from the Federal Transit Administration relating to a downtown streetcar line.

..Body  
Whereas, \$91.5 million in federal transportation funds for Milwaukee local transit projects have remained unspent since 1991; and

Whereas, As part of a federal omnibus bill signed by the President on March 11, 2009, these funds were allocated such that the City of Milwaukee was allocated \$54.9 million for a downtown streetcar line and the County of Milwaukee was allocated \$36.6 million for buses; and

Whereas, It would be in the best interest of the City of Milwaukee to employ a lobbyist/consultant experienced in dealing with the Federal Transit Administration in the prudent expenditure of the \$54.9 million, and lobbying for additional funding to support a streetcar line; and

Whereas, Furthermore, retaining a consultant to work with City engineering and lobbying staff in City dealings with the Federal Transit Administration would likely result in a more favorable outcome; and

Whereas, The funds for lobbying/consultant services shall come from the City Clerk professional services account to ensure Common Council participation in the lobbyist/consultant's activities; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that up to \$10,000 shall be appropriated from the City Clerk's professional services account for lobbying services related to the development of a downtown streetcar line, and that the City Clerk is directed to enter into a contract for such lobbying services in accordance with the prospectus for scope of services attached to this file.

..Requestor

..Drafter  
LRB10139-2  
MET  
3/31/10

# CITY OF MILWAUKEE FISCAL NOTE

A) DATE 3/31/10

FILE NUMBER: 091610

Original Fiscal Note  Substitute

SUBJECT: Resolution directing the city clerk to contract for lobbying services.

B) SUBMITTED BY (Name/title/dept./ext.): Mary Turk, Legislative Fiscal Bureau, x8680

C) CHECK ONE:  ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES  
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.  
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO:  DEPARTMENT ACCOUNT(DA)  CONTINGENT FUND (CF)  
 CAPITAL PROJECTS FUND (CPF)  SPECIAL PURPOSE ACCOUNTS (SPA)  
 PERM. IMPROVEMENT FUNDS (PIF)  GRANT & AID ACCOUNTS (G & AA)  
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:	Consultant Services	City Clerk 0001-1310- R999-634-000	\$10,000		
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
<b>TOTALS</b>			\$10,000		

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

---



---

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

---



---

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

## **Transportation Federal Lobbying Prospectus**

The City of Milwaukee Common Council is seeking an experienced professional lobbyist to represent the City in dealing with the Federal Transit Administration related to developing a downtown streetcar line in the City of Milwaukee. Activities will include presenting policy recommendations to the Federal Transit Administration and other federal government agencies and officials; monitoring legislation and policy as it pertains to transportation programs and administration; and securing public sector funding.

Specific to dealing with federal transportation issues, the lobbyist must have demonstrated experience lobbying the Federal Transit Administration, sound knowledge of public policy, clear understanding of the legislative process, solid political networks, knowledge of key agency programs and staff, familiarity with current federal transportation programs and issues, effective communication skills, and a successful track record in securing federal appropriations on behalf of public sector clients.

### **Scope of Work: Lobbyist**

The lobbyist will interact with the Federal Transit Administration and be responsible for monitoring, identifying and prioritizing opportunities and challenges for the Common Council with respect to expenditure of federal funds already allocated for a downtown streetcar line and obtaining additional federal funding to support the line.

### **Activities may include:**

1. Develop and implement strategies to increase federal funding for a downtown streetcar line.
2. Identify and act appropriately on federal legislative proposals that may impact on a proposed downtown streetcar line in the City of Milwaukee.
3. Lobby Federal Transit Administration officials relating to the Common Council's position on federal transportation legislation, support for additional federal funding to support a Milwaukee downtown streetcar line, and other matters of interest.
4. Draft legislation, appropriation requests and amendments, as necessary.

5. Provide assistance to Common Council members and staff in arranging and conducting visits and meetings with Federal Transit Administration officials.
6. Maintain close working relationships with the Common Council's staff and in-house lobbyists.
7. Provide regular briefing reports for the Common Council on key issues and legislative activity.

rdl.trans prospectus-1



