



Legislation Details (With Text)

**File #:** 230358      **Version:** 3  
**Type:** Ordinance      **Status:** Passed  
**File created:** 6/20/2023      **In control:** COMMON COUNCIL  
**On agenda:**      **Final action:** 9/1/2023  
**Effective date:**

**Title:** A substitute ordinance creating the division of legislative affairs.

**Sponsors:** ALD. PEREZ, ALD. CHAMBERS JR., ALD. BAUMAN, ALD. TAYLOR, ALD. BORKOWSKI, ALD. WESTMORELAND

**Indexes:** INTERGOVERNMENTAL RELATIONS, LEGISLATION

**Attachments:** 1. Copy Signed by LRB, 2. CC President Perez' statement, 3. Motion on Council Floor, 4. Mayoral letter, 5. Proof of publication

Date	Ver.	Action By	Action	Result	Tally
6/20/2023	0	COMMON COUNCIL	ASSIGNED TO		
6/26/2023	1	STEERING & RULES COMMITTEE	REFERRED WITHOUT RECOMMENDATION AND ASSIGNED TO	Pass	8:0
7/5/2023	1	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
7/24/2023	1	JUDICIARY & LEGISLATION COMMITTEE	SUBSTITUTED	Pass	5:0
7/24/2023	2	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
7/31/2023	2	COMMON COUNCIL	NOT ACTED ON		
9/1/2023	3	COMMON COUNCIL	SUBSTITUTED	Pass	12:1
9/1/2023	3	COMMON COUNCIL	PASSED	Pass	13:0
9/8/2023	3	MAYOR	RETURNED NOT SIGNED		
9/20/2023	3	CITY CLERK	PUBLISHED		

230358

SUBSTITUTE 3

ALD. PEREZ, CHAMBERS, BAUMAN, TAYLOR, BORKOWSKI, AND WESTMORELAND

A substitute ordinance creating the division of legislative affairs.

- 305-61 cr
- 305-63 cr
- 305-65 cr
- 310-6 rc
- 350-211-1 am

350-211-2 rn  
350-211-2 cr

This ordinance creates a division of legislative affairs in the office of the common council-city clerk, codifies the creation of the intergovernmental relations division in the department of administration, establishes the duties and responsibilities of both offices, and clarifies language regarding prohibited political activity. This ordinance also creates a process for determining interim legislative positions when it is necessary to establish a position before the common council has an opportunity to meet.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Subchapter 4 of Chapter 305 of the code is created to read:

#### SUBCHAPTER 4

#### DIVISION OF LEGISLATIVE AFFAIRS

**305-61. Creation.** There is created a division of legislative affairs in the office of the common council-city clerk.

**305-63. Definition.** “Legislative package” means that collection of official positions on legislative and administrative proposals established by the common council under s. 350-211-1.

**305-65. Duties.** The legislative affairs division shall, in coordination with the intergovernmental relations division:

1. Work with the Common Council to define its legislative positions and priorities.
2. Compile and maintain the city’s legislative package.
3. Provide the common council with the status of, and updates to, the legislative package and make recommendations to the council concerning additions and deletions to the package.
4. Make recommendations to the common council relating to grant and other funding opportunities. The common council shall establish the priority in the types of funding opportunities to be sought.
5. Communicate the position of the city on various matters to the public as directed in the legislative package.
6. Monitor compliance with s. 350-211-1 and report any violations to the common council or the appointing authority.

Part 2. Section 310-6 of the code is repealed and recreated to read:

#### **310-6. Intergovernmental Relations.**

1. CREATION. There is created an intergovernmental relations division in the department of administration.

2. DEFINITION. “Legislative package” means that collection of official positions on legislative and administrative proposals established by the common council under s. 350-211-1.

3. DUTIES. The intergovernmental relations division shall, in coordination with the legislative affairs division:

- a. Direct the city’s lobbying activities in accordance with the legislative package.
- b. Assist in the compilation and maintenance of the city’s legislative package.
- c. Provide the common council with the status of, and updates to, the legislative package and make recommendations to the council concerning additions and deletions to the package.

- d. Make recommendations to the common council relating to grant and other funding opportunities. The common council shall establish the priority in the types of funding opportunities to be sought.
- e. Communicate the position of the city on various matters to the public as directed in the legislative package.
- f. Monitor compliance with s. 350-211-1 and report any violations to the common council or the appointing authority.

Part 3. Section 350-211-1 of the code is amended to read:

**350-211. Political Activity Prohibited. 1.** BY DEPARTMENTS, BOARDS, ETC. The heads of city departments, bureaus, boards and commissions or any member of their respective departments, bureaus, boards and commissions, in their official capacities, ~~[[are prohibited from recommending]]~~ >>shall not recommend<< any changes or amendments of the laws of the state of Wisconsin to the legislature of the state of Wisconsin, or to any committee of the legislature, or to any member of the state legislature of the state of Wisconsin, ~~[[or from recommending]]~~ >>and shall not recommend<< to the Wisconsin department of safety and professional services, or to any employee of Wisconsin department of safety and professional services any changes in the Wisconsin state building code adopted by the department in discharge of its duties under ch. 101, Wis. Stats., without first submitting to the common council any changes or amendments of the laws of the state of Wisconsin or of the state building code, and obtaining the approval of and a directive from the common council >>as determined by the legislative package as defined in s. 305-63 and s. 310-6-2.<<

Part 4. Section 350-211-2 of the code is renumbered 350-211-3.

Part 5. Section 350-211-2 of the code is created to read:

**2. INTERIM LEGISLATIVE DETERMINATIONS.**

- a. If there is a need to determine the position of the city on any matter prior to the common council being able to act, the position of the appropriate committee of the common council shall represent the official position of the city until the common council is able to act.
- b. If there is a need to determine the position of the city on any matter prior to the common council or the appropriate committee of the common council being able to act, the mayor and the common council president shall meet to determine, in writing, the official position of the city until the common council or the appropriate committee of the common council is able to act. If the mayor and the common council president are unable to meet or unable to agree to the position to be taken, the city shall be deemed to have no position on the matter.

APPROVED AS TO FORM

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney  
Date: \_\_\_\_\_

James R. Owczarski

August 31, 2023