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Title: Resolution relating to a study of the Election Commission's costs of producing voter lists. (City Attorney)

Sponsors: THE CHAIR

Indexes: ELECTION COMMISSION, FEES, LITIGATION

Attachments: 1. City Atty Cover Letter.pdf, 2. Fiscal Note.PDF, 3. Court Order.PDF

Date	Ver.	Action By	Action	Result	Tally
3/20/2001	0	COMMON COUNCIL	ASSIGNED TO		
3/27/2001	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/27/2001	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
4/2/2001	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
4/10/2001	0	COMMON COUNCIL	ADOPTED	Pass	16:0
4/17/2001	0	MAYOR	SIGNED		

001696
ORIGINAL
971603
THE CHAIR

Resolution relating to a study of the Election Commission's costs of producing voter lists. (City Attorney)
This resolution authorizes and directs the Board of Election Commissioners and the City Comptroller to conduct a study of the Election Commission's costs of retrieving, reproducing and providing lists of voters. The findings of the study shall be submitted to the Common Council within 60 days of adoption of this resolution.

Whereas, Section 81-48 of the Milwaukee Code of Ordinances specifies various fees that the Board of Election Commissioners ("Election Commission") is authorized to charge for producing lists of registered voters or persons who voted in particular elections; and

Whereas, The fees contained in s. 81-48 were established by Common Council File Number 971603, which was passed by the Common Council on February 10, 1998; and

Whereas, The fees established by File Number 971603 reflect fee increases proposed by the Election Commission as a means of recovering the rising costs of providing voter lists, rather than having taxpayers subsidize a portion of such costs; and

Whereas, Section 19.35(3)(a), Wis. Stats., permits a government authority to impose a fee upon a requester of a

copy of a public record which may not exceed the actual, necessary and direct cost of reproduction and transcription of the record; and

Whereas, The fees established by File Number 971603 were calculated by the City Comptroller's office based on the amount of time that the Election Commission said was required to generate voter records; and

Whereas, In a February 4, 1998, letter to the Common Council, the City Attorney approved File Number 971603 based on the understanding that none of the fees specified in the ordinance exceeded the actual cost of reproducing the records; and

Whereas, Computer system upgrades since passage of File Number 971603 may have lowered the Election Commission's actual costs of retrieving and reproducing voter records; and

Whereas, The Common Council finds that a City staff re-evaluation of the costs of producing voter records would be beneficial and appropriate at this time; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Board of Election Commissioners and the City Comptroller are authorized and directed to work together in conducting a study of the Election Commission's costs of retrieving, copying and providing voter lists; and, be it

Further Resolved, That the Board of Election Commissioners and the City Comptroller are directed to submit the findings of their study, to the Common Council within 60 days of adoption of this resolution; and, be it

Further Resolved, That until the study is completed, the Board of Election Commissioners shall charge no more \$360.00 for voter poll lists for city-wide elections for the last ten elections.

City Attorney
BDS:37831