



## Legislation Text

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**File #:** 230376, **Version:** 1

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230376

SUBSTITUTE 1

ALD. COGGS, STAMPER, CHAMBERS, RAINEY, TAYLOR, PRATT, DIMITRIJEVIC, BAUMAN AND ZAMARRIPA

Substitute resolution directing the City Attorney's Office to review the legality of provisions contained in 2023 Wisconsin Act 12 relating to the City of Milwaukee.

This resolution directs the City Attorney's Office to review and advise the Common Council, within 60 days of adoption of this resolution, on the legality of the provisions concerning the City of Milwaukee contained in 2023 Wisconsin Act 12, and what legal actions the City may consider.

..Body

Whereas, On June 20, 2023, the State of Wisconsin enacted 2023 Wisconsin Act 12, popularly known as the "shared revenue bill"; and

Whereas, In addition to authorizing the Common Council to adopt a 2% sales tax, 2023 Wisconsin Act 12 places numerous new restrictions and requirements on the City of Milwaukee specifically; and

Whereas, Many of these restrictions and requirements stand to negatively impact the City's ability to budget and respond to the preferences of city residents; and

Whereas, Furthermore, many provisions of 2023 Wisconsin Act 12 are only tangentially related to budgeting, such as the prohibition on advisory referenda, and stand to limit the ability of residents to make their voices heard; and

Whereas, Provisions requiring a 2/3 majority of the Common Council for approval of any new program spending stand to diminish the influence of individual Common Council members and, by extension, the tens of thousands of residents they represent; and

Whereas, Stripping the Fire and Police Commission of its ability to prescribe policies and standards for the Fire and Police Departments greatly diminishes civilian oversight and control over the sworn services; and

Whereas, Several provisions of 2023 Wisconsin Act 12 represent a unique intrusion on local control that stand to fundamentally alter the way the state's largest, and most diverse city operates; and

Whereas, It is in the City's best interest to understand the legal reasoning dictating this new framework; and

Whereas, Should the grounds for the provisions of 2023 Wisconsin Act 12 be found wanting, City leaders should be informed of any options the City may consider; now, be it

Resolved, By the Common Council of the City of Milwaukee, that the Common Council directs the

City Attorney's Office to review the legality of the provisions contained within 2023 Wisconsin Act 12 concerning the City; and, be it

Further Resolved, That the legal opinion shall advise the Common Council on what legal actions, if any, the City may consider with regards to 2023 Wisconsin Act 12; and, be it

Further Resolved, That the City Attorney shall present the opinion to the Common Council within 60 days of adoption of this resolution.

LRB 178239-2  
Christopher Hillard  
6/23/2023