



## Legislation Text

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**File #:** 020065, **Version:** 1

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020065  
SUBSTITUTE 1

### THE CHAIR

A substitute charter ordinance relating to protection against fraud and elimination of errors in the city employees' retirement system.

36-11 am

Currently s. 36-11 of the charter is entitled "Protection Against Fraud." However, the text relates to two separate subjects, protection against fraud and elimination of errors. This charter ordinance re-titles s. 36-11 and separates the fraud and elimination of error provisions into 2 subsections.

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

Part 1. Section 36-11 of the charter is repealed and recreated to read:

### **36-11. Protection Against Fraud and Elimination of Errors.**

1. PROTECTION AGAINST FRAUD. Any person who shall knowingly make any false statement or shall falsify or permit to be falsified any record or records of this retirement system in any attempt to defraud such system as a result of such act shall be guilty of a misdemeanor, and shall be punishable therefore under the laws of the state of Wisconsin.

2. ELIMINATION OF ERRORS. Should any change or error in the records result in any member or beneficiary receiving from the retirement system more or less than he or she would have been entitled to receive had the records been correct, the board shall correct such error, and as far as practicable shall adjust the payments in such manner that the actuarial equivalent of the benefit to which such member or beneficiary was correctly entitled shall be paid.

Part 2. This is a charter ordinance and shall take effect 60 days after its passage and publication, unless within such 60 days a referendum petition is filed as provided in s. 66.0101(5), Wis. Stats., in which event this ordinance shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon.

APPROVED AS TO FORM

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Legislative Reference Bureau  
Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

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Office of the City Attorney

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

**TEH/kf 1/24/02**

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TWM/cac

4/25/2002