



Legislation Text

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070543
SUBSTITUTE 1

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Substitute resolution directing the Department of Administration - Intergovernmental Relations Division to seek introduction and passage of state legislation declaring the electronic posting of meeting notices by cities of the first class sufficient to meet the posting requirements of s. 19.84, Wis. Stats.

This resolution directs the Department of Administration - Intergovernmental Relations Division to seek introduction and passage of state legislation declaring the electronic posting of meeting notices by cities of the first class sufficient to meet the posting requirements of s. 19.84, Wis. Stats.

Section 19.84, Wis. Stats., requires the chief presiding officer of a governmental body, or his or her designee, to give public notice of every meeting of the governmental body, and notice must be physically posted in one or more places likely to be seen by the general public. Further, governmental bodies must conform to the recent Wisconsin Supreme Court *Buswell v. Tomah Area School District* decision, holding that a minimum level of specificity is required in all public notices.

For purposes of fulfilling the requirements of s. 19.84, Wis. Stats., and providing the level of specificity articulated in *Buswell*, it is most effective for cities of the first class to electronically post public notices on government websites, in addition to the official newspaper, in lieu of the physical posting requirement.

Whereas, Section 19.84, Wis. Stats., requires the chief presiding officer of a governmental body, or his or her designee, to give public notice of every meeting of the governmental body, and notice must be physically posted in one or more places likely to be seen by the general public; and

Whereas, Governmental bodies must conform to the recent Wisconsin Supreme Court *Buswell v. Tomah Area School District* decision, holding that a minimum level of specificity is required in all public notices; and

Whereas, Due to the high volume of business conducted by cities of the first class, and the level of specificity required to comply with the *Buswell* decision, cities of the first class may find it extremely burdensome to physically comply with public notice requirements; and

Whereas, Certain public notices would contain more than 75 pages and require more space than is currently available in designated posting places, and the general public is more likely to view notices posted electronically than those posted in physical locations; and

Whereas, For purposes of fulfilling the requirements of s. 19.84, Wis. Stats., and providing the level of specificity articulated in *Buswell*, it is most effective for cities of the first class to electronically post public notices on government websites, in addition to the official newspaper, in lieu of the physical posting requirement; and

Whereas, Permitting the electronic posting of public notices on government websites in lieu of the physical posting requirement will make notices more easily accessible to a greater number of people, and will promote increased public participation in government; and

Whereas, It will further allow cities of the first class to meet and surpass statutory public notice requirements; now, therefore, be it

Resolved, That the Common Council directs the Department of Administration - Intergovernmental Relations Division to seek introduction and passage of state legislation declaring the electronic posting of meeting notices by cities of the first class sufficient to meet the posting requirements of s. 19.84, Wis. Stats.

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LCS

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Technical change was made in the analysis/jp 7/23/07