



Legislation Text

File #: 060459, **Version:** 1

060459 SUBSTITUTE 1

ALD. MURPHY

Substitute resolution directing the Intergovernmental Relations Division-Department of Administration to seek introduction and passage of state legislation to delete the provision exempting cemetery trust funds from open records regulations.

This resolution directs the Intergovernmental Relations Division-Department of Administration to seek introduction and passage of state legislation to delete the provision exempting cemetery trust funds from open records regulations. Cemeteries are institutions that are operated privately but whose operations are regulated by state statute. Under current state law, s. 157.62 (2)(c), Wis. Stats., cemetery financial statements are exempt from Wisconsin's Public Record Law, and thus no private or public entity has access to cemeteries' financial statements and the knowledge of whether or not finances are appropriately managed and dispersed.

Whereas, Cemeteries are institutions that are operated privately but whose operations are regulated by state statute, and as such cemetery operators are entrusted to properly manage and disperse trust funds; and

Whereas, Section 157.62 (2)(c), Wis. Stats., provides that cemetery trust funds are exempted from Wisconsin's Public Records Law, and thus no private or public entity has access to cemeteries' financial statements and the knowledge of whether or not finances are appropriately managed and dispersed; and

Whereas, Wisconsin's Public Records Law exists in order to maintain a level of accountability for public offices and activities and provide a level of protection to the citizens of Wisconsin, and exempting cemetery financial records from Wisconsin's Public Records Law serves no public purpose and can have severe consequences; and

Whereas, Local governments have no ability to establish recourse for cemetery operators that inappropriately manage or disperse their trust funds or make misstatements regarding their trust funds; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Common Council directs the Intergovernmental Relations Division-Department of Administration to seek introduction and passage of state legislation that deletes the provision exempting cemetery trust funds from open records regulations.

LRB06359-2

LCS

8/8/06