



Legislation Text

File #: 100276, **Version:** 1

100276

SUBSTITUTE 1

ALD. MURPHY

A substitute ordinance relating to procedures for the preparation of fiscal impact statements.

50-4 cr
50-4.2 rp

This ordinance revises procedures for the preparation of fiscal impact statements (currently referred to as fiscal notes) for common council files. Currently, with limited exceptions, fiscal notes are required for all ordinances and resolutions, but not for substitutes. Under this ordinance, fiscal impact statements are required only for common council files and substitutes which affect non-budgeted expenditures, revenues or city fiscal liability; that authorize borrowing; that affect city services; or that request amendments to the positions or salary ordinance. This ordinance also repeals the prohibition against scheduling an ordinance or resolution for committee action until a fiscal note has been received.

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

Part 1. Section 50-4 of the code is created to read:

50-4. Fiscal Impact Statements **1. SUBMITTAL.** A fiscal impact statement shall be submitted by each city agency authorized by a proposed common council file to expend funds not included in the city budget, or to increase or decrease previously authorized expenditures, or to suspend existing expenditure authority, or to increase or decrease city services, or which is authorized to administer a program affecting the city's fiscal liability or revenues affected by a common council file, or by each city agency requesting an amendment to the salary or positions ordinance or requesting to borrow. The chair of any common council standing committee may also request that a fiscal impact statement be submitted for any other file assigned to the committee. Fiscal impact statements shall be submitted to the city clerk in a format approved by the common council according to a schedule determined by the city clerk.

2. SUBSTITUTE FISCAL IMPACT STATEMENT. If the common council adopts a file with a fiscal impact differing from the original fiscal impact statement and for which a substitute fiscal impact statement has not been received, the city clerk shall refer the adopted file to the appropriate department for preparation of a substitute fiscal impact statement, which shall be prepared and submitted to the city clerk and mayor within 3 business days after common council adoption.

3. EXCEPTIONS. No fiscal impact statement shall be required for any of the following:

- a. The mayor's proposed executive budget.
- b. An ordinance creating a penalty provision if the ordinance contains no other provision requiring a fiscal impact statement.
- c. An ordinance amending the salary or positions ordinance.
- d. A resolution approving attendance at conventions, seminars and other meetings.
- e. A resolution canceling property taxes.
- f. A resolution granting, amending or repealing a special privilege.
- g. A resolution relating to claims against the city.
- h. A resolution appropriating funds from the common council contingent fund.
- i. A resolution authorizing the expenditure of grant funds.

Part 2. Section 50-4.2 of the code is repealed.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

LRB10301-1
JRO: TWM:sd
5/25/2010

clerical correction - 7/22/10 - lp