



Office of the City Attorney

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SUMMARY OF PROPOSED LOBBYING ORDINANCE COMPROMISE

The proposed compromise will be prepared as a third substitute amendment and initially discussed at the meeting of the Common Council Organizational Committee on August 8, 2005.

1. Broaden Exemption for Madison Businesses.

The proposed ordinance broadens the exemption for Madison-based businesses. Except as set out below, any Madison-based business lobbying through an owner, director, officer, or employee (who is not hired as a lobbyist), would be exempt from the ordinance.

2. Coverage for Fund Seekers and Developers.

Regardless of any other exemptions, any person seeking more than \$10,000 in funding (including TIF) from the City in a calendar year would be subject to the ordinance, as would any person lobbying on a development of more than 10,000 square feet of commercial space or more than 10 dwelling units. The City will establish a method of notifying these applicants of the registration requirements.

3. Limits of Business Exemption.

The business exemption is not available in a number of specific circumstances. These are:

- (a) Outside paid lobbyists;
- (b) Employees paid primarily to do lobbying (if an employee has no more than 5 days of contact with Covered City officials in a 6-month period, they are not a lobbyist);
- (c) Trade associations or organizations (Chamber of Commerce, Realtors Association) or public policy advocacy organizations (Tobacco-Free Dane

County, NRA).

4. Common sense exclusions.

Persons living in their own single family or home or duplex seeking necessary zoning changes for improvements to their homes, and any person appealing their tax assessment to the Board of Review, are specifically excluded from the ordinance.

5. Clarifying Language.

Much of the standard clarifying language included in many prior drafts is carried forward, including that volunteers are not covered, that attorneys and architects do not have a blanket exclusion, that lobbyists and principals are required to provide information upon request of the City Attorney, and that training will be provided.

6. Lobbyists Filings.

The ordinance retains the obligation of both principal and lobbyist to make the appropriate filings, but places more of the burden on the lobbyist, rather than the principal.

7. Reporting Periods, Other Clarifications.

The compromise moves to a 6-month period for reporting, to mirror the state law. A person who merely appears and registers at a public hearing without speaking is not lobbying.