



SMART GROWTH MADISON

2810 Crossroads Drive • Suite 1900L • Madison, WI 53718
(608) 663-2005 phone • (608) 663-2008 fax

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TO: Common Council Organizational Committee
FROM: Delora Newton, Executive Director
RE: Madison's lobbyist registration requirements

The City of Milwaukee recently adopted a lobbyist registration ordinance. The following provisions from the Milwaukee ordinance should be included in the Madison ordinance to help clarify the difference between lobbying and seeking or providing information to city officials.

Provisions from Milwaukee ordinance that should be adopted

- Lobbying shall not include appearances by a principal before a city board, commission or committee.
- Add these exception provisions:
 - A person who, without compensation and not as part of or in the ordinary course of his or her regular employment, represents the position of a civic organization such as a taxpayer's association, a community organization or other organization, however formally or informally organized. This paragraph does not exempt a person when a position taken or advocated directly impacts, affects, or seeks to influence legislation in which that person has a direct or indirect financial interest.
 - A member of the State Bar of Wisconsin, acting on behalf of a client in an attorney-client relationship, while performing a duty or service which can be performed lawfully only by an attorney licensed to practice law in the state of Wisconsin.
 - Requests for interpretation of existing laws or ordinances; contract or bidding inquiries; or grant applications.

Smart Growth Madison recommendations that will clarify what actions constitute lobbying

- Change definition of ‘administrative action’ as follows:

2.40 (2)(a) “Administrative action” means the proposal, drafting, development, consideration, or issuance of staff recommendations, whether those recommendations are required by ordinance, or requested by the Mayor or by a board, committee, commission, or the Common Council. “Administration action” does not include a purely ministerial action by a City official or employee; ~~and it does not include action related to an enforcement action commenced by a written order, a citation, or a summons and complaint; or action related to approval of an application or license renewal which financially benefits only one company or individual.~~

- Change definition of “legislative action” as follows:

2.40 (2) (d) “Legislative action” means the development, drafting, introduction, consideration, modification, adoption, rejection, review, enactment or defeat of any ordinance, resolution, amendment, report, nomination or other matter by the Common Council or by any board, committee or commission or committee or subcommittee thereof, or by a Common Council member acting in an official capacity. “Legislative action” also means the action of the mayor in approving or vetoing any ordinance or resolution, and the action of the mayor or any department, board, committee or commission or committee or subcommittee thereof in the development of a proposal for introduction to the Common Council. “Legislative action” does not include action related to approval of an ordinance, resolution or amendment regarding an application or license renewal which financially benefits only one company or individual.