

CITY OF MADISON, WISCONSIN

REPORT OF: **City Attorney**

AUTHOR: **Michael P. May
City Attorney**

DATED: **January 24, 2007**

PRESENTED February 6, 2007

REFERRED Common Council

meeting of February 27, 2007

REREFERRED _____

REPORTED BACK _____

ADOPTED _____ POF _____

RULES SUSPENDED _____

ID NUMBER _____

TO THE MAYOR AND COMMON COUNCIL:

RE: Lobbying Ordinance Activities

Pursuant to Sec. 2.40(12)(d), MGO, the City Attorney is to file an annual report with respect to activities under the lobbying ordinance. This is the report for 2006. This report has three parts.

- Paragraph 1 – Enforcement Activities.
- Paragraph 2 – Training.
- Paragraph 3 – Registrations under the Ordinance.

1. Enforcement Activities.

In last year’s report, Legistar ID No. 03192, we stated the following with respect to enforcement of the lobbying ordinance:

We will be checking registration at certain key City boards, commissions and committees for the first half of 2006. If we find persons who we believe should have registered, but failed to do so, our office will contact them to seek registration. If necessary, we will pursue further enforcement action. Our goal remains compliance with the ordinance, not punishment.

The ordinance aims much of its enforcement at lobbying related to real estate development within the City. Therefore, with the assistance of Annie Jay, one of our summer law clerks, we reviewed appearances before the Plan Commission and the Common Council related to development activities. We then cross-checked those appearance slips which appeared to show lobbying activity with registrations in the Clerk’s Office under the lobbying ordinance.

Our review identified 21 persons who were potential lobbyists but had not registered.

We contacted each of those 21 persons. 7 persons subsequently filed registrations under the ordinance. The other 14 persons demonstrated one or more exemptions under the lobbying ordinance such that they did not need to register.

We will pursue a similar approach this year, choosing a different committee on which to continue our spot-check and enforcement activities.

2. Training.

We conducted additional training, with the City Clerk, in the fall of 2006. The training was sparsely attended (less than a dozen attendees). We will conduct similar training in the fall of 2007.

3. Registrations under the Ordinance.

Review of the Registrations shown online on the City Clerk's website shows 230 lobbyists who registered for 2006. While the figures are not totally comparable because some principals register more than one lobbyist, and some lobbyists have multiple principals, the registrations in 2004 were a total of 63 principals, and in 2005 it was 182 principals.

Our office has limited resources to devote to enforcement of the lobbying ordinance. However, based upon our spot-checking of registrations in 2006, and our efforts to inform people on the need to register, together with the large number of persons who are now registering under the ordinance, I conclude that the lobbying ordinance is having the desired effect of allowing the public to determine who is attempting to influence City policies, within the activities covered by the ordinance.

Michael P. May
City Attorney

MPM:pah