

## CITY OF MADISON, WISCONSIN

AN ORDINANCE \_\_\_\_\_

PRESENTED  
REFERRED

\_\_\_\_\_  
May 21, 2013  
Ethics Board

Amending Section 3.35(5)(i)6. of the Madison General Ordinances to permit a former incumbent to appear before a city body under certain circumstances to express their views on a policy matter.

Drafted by: Steven Brist

Date: May 14, 2013

SPONSOR: Mayor Soglin & Alder Clear

DRAFTER'S ANALYSIS: This proposal addresses restrictions in the ethics code on former incumbents who wish to appear before a city board or committee. Currently, Sec. 3.35(5)(i)6., MGO, permits a former incumbent to represent herself or himself before any city entity "in relation to a non-commercial personal undertaking" during the 12-month period following the incumbent leaving office or employment. The Office of the City Attorney has interpreted this provision as permitting a former incumbent to appear on their own behalf for a personal matter, such as a zoning change for the former incumbent's home. But the Office of the City Attorney believes that in its current form, this provision does not permit a former incumbent from advocating on policy issues, during the 12-month post employment period. The proposal will permit a former incumbent to appear before a City board, committee or the Common Council, solely on their own behalf and without compensation, to express their personal views on a policy matter.

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The Common Council of the City of Madison do hereby ordain as follows:

Paragraph 6. of Subdivision (i) entitled "Post-Employment/Appointment Restrictions" of Subsection (5) entitled "Standards of Conduct" of Section 3.35 entitled "Code of Ethics" of the Madison General Ordinances is amended to read as follows:

- "6. Nothing in this subdivision shall prohibit a former incumbent:
- a. ~~From~~ representing herself or himself before any City entity in relation to a non-commercial personal undertaking at any time, or
  - b. From appearing before a City board or committee or the Common Council solely on their own behalf and without compensation to express their views on a policy matter."

Approved as to form: