



OFFICE OF THE COUNTY EXECUTIVE

*Milwaukee County*

CHRIS ABELE • COUNTY EXECUTIVE

DATE: November 13, 2012

TO: The Honorable Milwaukee Board of Supervisors

FROM: Chris Abele, Milwaukee County Executive

RE: Veto of County Board File No. 12-704 on a resolution amending Chapter 1 of the Milwaukee County Code of General Ordinances

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I am vetoing County Board File No. 12-704 on a resolution amending Chapter 1 of the Milwaukee County Code of General Ordinances pursuant to the authority granted to me by Article IV, Section 23(a) of the Wisconsin Constitution and Section 59.17(6) of the Wisconsin Statutes.

The County Board adopted a resolution on November 1, 2012 amending Chapter 1 of the Milwaukee County Code of General Ordinances.

I am vetoing this resolution as the restrictions and penalties added to MCGO 1.25(5) and 1.25(6) are unlawful. In particular, limiting privately funded lobbying activities in MCGO 1.25(5) appears to be unconstitutionally vague and ambiguous, infringes upon free speech and impermissibly attempts to regulate the powers and duties of county elected officials and constitutional officers.

In addition, the power to discipline and discharge the vast majority of county employees is reserved to the County Executive and the Civil Service Commission by state law. As drafted, the ordinance attempts to place that power in the hands of the County Board. The County Board simply cannot create a power for itself when the Legislature has reserved that power to the County Executive and the Civil Service Commission.

In addition to the questionable legal basis for this ordinance, I am troubled by the message that this resolution sends to current and prospective employees. The limitations and penalties in this ordinance create an appearance that hardworking, dedicated public servants may be subject to political reprisals. The Legislature created statutes to protect County employees from political reprisals, and I believe that this ordinance has a chilling effect on those protections.

I encourage the Board to sustain this veto.