



# Milwaukee County Ethics Board

DATE: November 11, 2021

TO: Chairwoman Marcelia Nicholson, Milwaukee County Board of Supervisors  
Interested Parties

FROM: Adam Gilmore, Executive Director, Ethics Board

RE: Amending M.C.G.O. §9.03 and 9.04 so as to no longer require Statement of Economic Interests ("SEI") Filers to Submit a Notarized Affidavit with their SEI Submission.

---

## BACKGROUND

Chapter 9.03 of the Milwaukee County Ethics Code (as contained in the Milwaukee County Code of General Ordinances) details the requirements related to the filing of Statements of Economic Interests ("SEIs") by elected officials, appointed officials, and certain employees of Milwaukee County ("filers"). §9.03(5) sets the requirement that filers submit their SEIs with an accompanying notarized affidavit in which the filer swears to their compliance with the Ethics Code.

During the annual drive for SEI submissions in January of 2021, our office received multiple comments from filers regarding hardships in securing notarization services for completing their affidavit. With the ongoing health crisis, our office was (and continues to be) available to provide notarization services by appointment, but this solution was still not optimal for a number of filers.

In the time since that drive, our office has been working with IMSD and their vendor Granicus on establishing an online portal for filers to complete and submit their SEIs. This online filing process is anticipated to raise the rate of successful SEI completion, make the maintenance of individual filer records more efficient, and make the process for requesting SEIs more accessible and convenient to the public.

The remaining obstacle to transitioning to a fully digitized experience for filers is the affidavit requirement. The Code as written would still require filers to go to the effort of printing the affidavit form and securing notarization services. A submission process for affidavits could not be incorporated into the design of the online SEI filing portal. Therefore, continuing with the affidavit requirement could convolute the submission process for both filers and the office of the Ethics Board in a way that eliminates what efficiencies might have been gained through this migration.

COURTHOUSE, ROOM 212 · 901 NORTH 9TH STREET · MILWAUKEE, WISCONSIN 53233 · TELEPHONE (414) 278-5332 · FAX (414) 223-1897

Board Members  
CHRISTOPHER MEULER · Chair  
CHRISTINE HANSEN · Vice Chair  
RICHARD DONNER · DANA GUTHRIE · CLARENCE P. NICHOLAS · RACHEL YATES

With this in mind, the Ethics Board and its office determined that removal of the affidavit requirement would be beneficial to filers, citizens, and its own operations. They determined that, in lieu of the affidavit, the SEI form could be revised to include a declaration item at the end of the form where a filer can affirm that understanding and compliance with the Ethics Code. The Ethics Board and its office believe that the SEI form will be no less legally binding than it was when accompanied by the affidavit, as a lone SEI form submission has proven sufficient for the Ethics Commissions of both the City of Milwaukee and the State of Wisconsin.

## RECOMMENDED AMENDMENT

At their November 2021 meeting, I submitted for the Ethics Board's review a draft of the attached resolution, which was unanimously approved. It eliminates the current §9.03(5) of the Ethics Code (thereby shifting the current §9.03(6) down to §9.03(5)) and recommends adding the following provision as §9.04(2):

“The person filing a statement of economic interests, as required under this chapter, shall complete a declaration item at the end of the form affirming their understanding and compliance with the provisions of this chapter.”

Submitted by,

/s/ Adam Gilmore

Adam Gilmore, Executive Director  
Milwaukee County Ethics Board

cc: Kelly Bablitch, Chief of Staff, Milwaukee County Board of Supervisors