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3
4 **A RESOLUTION/ORDINANCE**

5
6 Amending Section 1.13 of the Milwaukee County Code of General Ordinances to assign
7 priority to standing committee matters where members of the public have registered to
8 speak and to provide equal time for testimony regardless of the content of their
9 testimony

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11
12 WHEREAS, inscribed on the eastern façade of the Milwaukee County
13 Courthouse are words, “Vox populi vox Dei”, Latin for “The voice of the people is the
14 voice of God”; and

15
16 WHEREAS, Chapter 1 of the Milwaukee County Code of General Ordinances
17 (MCGO) outlines the rules of the County Board of Supervisors; and

18
19 WHEREAS, MCGO 1.13 specifies, among other things, standing committee
20 meeting procedures but do not directly address how members of the public wishing to
21 provide testimony should be treated; and

22
23 WHEREAS, MCGO 1.29, Decorum of Supervisors in Committee Meetings, states
24 in part:

25
26 *“Representatives of the news media, county executive and all staff, county*
27 *supervisors and designated staff, constitutional officers, department heads and all other*
28 *officers and employes of county government, as well as other public and private*
29 *citizens, who either participate at or appear before any meetings of the county board or*
30 *of any standing committees or any special or select committees, are entitled to the*
31 *greatest measure of respect and courtesy.”*

32
33 ; and

34
35 WHEREAS, relatively few matters scheduled by standing committees result in
36 members of the public registering to speak, but depending on the placement on the
37 agenda, a person may have to wait several hours for an opportunity to briefly speak;
38 and

39
40 WHEREAS, a recent example where several members of the public had to wait
41 more than five to six hours was on the “Right to Counsel” legislation (File No. 21-506)
42 although numerous items were considered prior to that file where no members of the
43 public had registered to speak; and

44

45 WHEREAS, it should also be the goal of the Milwaukee County Board of
46 Supervisors that if time limits are placed on public testimony, that the limits should apply
47 equally to all speakers regardless of the content of their testimony; and
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49 WHEREAS, members of the public are also able to submit written testimony
50 (eComment) through the County Legislative Information Center (CLIC) which is
51 recognized through an agenda item at the foot of the agenda and may contain
52 testimony/comments that was not shared with the standing committee prior to voting on
53 the matter earlier in the meeting; and
54

55 WHEREAS, the County Board of Supervisors should establish as a best practice
56 and standard procedure to read public testimony (or summarize if necessary) into the
57 record prior to voting on a file; and
58

59 WHEREAS, one of the primary goals of holding standing committee meetings is to
60 allow the public to understand and comment on the actions their elected officials are
61 taking *before* votes are cast to help connect people with Milwaukee County government
62 and affirm their confidence that their voices are being heard; and
63

64 WHEREAS, the Committee on Judiciary, Safety, and General Services, at its
65 meeting of March 10, 2022, recommended adoption of File No. 22-294 (vote 3-2)
66 now, therefore,
67

68 BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby
69 amends Chapter 1 of the Milwaukee County Code of General Ordinances by adopting
70 the following:
71

72 AN ORDINANCE

73
74 The County Board of Supervisors of the County of Milwaukee does ordain as follows:
75

76 **SECTION 1.** Section 1.13 of the Milwaukee County Code of General Ordinances is
77 amended as follows:
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79 **1.13 - Committee meetings.**

80 (a) *Regular committee meetings.*

81 (1) Except when otherwise determined by the respective chairperson, regular
82 specified by the chairperson, but not on an election day for a county-wide
83 election or special election of county board supervisor or election day for
84 president. The meeting shall be called to order promptly on the days and at the
85 hour designated in the notice of meeting by the chairperson of the committee
86 (or in his/her absence, the ranking member thereof).
87

88

89 (b) *Special committee meetings.* Special meetings of the standing committees may be
90 called by the chairperson of the committee, and must be called upon written request
91 to the chairperson by a majority of the members of such committee. At least twenty-
92 four (24) hours prior notice of such special meeting shall be given by the committee
93 coordinator to each member of such committee, unless for good cause such notice is
94 impracticable, in which case shorter notice may be given, but not less than two (2)
95 hours in advance of the meeting. An announcement by the chairperson of the board
96 while the board is in session, of the time, place and subject matter of a special
97 meeting of a committee to be held during a recess, shall be sufficient notice to the
98 members of the committee.

99

100 (c) *Committee general procedure.* All meetings of a committee shall be conducted in
101 accordance with the provisions of ss. 19.81—19.98, Wis. Stats. The attendance of a
102 majority of the members thereof shall be requisite for the transaction of business of a
103 committee. A committee member who participates in a meeting of the committee by
104 telephone, video conference, or by other means of telecommunication or electronic
105 communication is considered present. Without a majority in attendance, a committee
106 may consider informational items only. Committee agenda are to be prepared so that
107 members of the county board and other interested parties will receive the agenda by
108 United States, electronic or interoffice mail at least twenty-four (24) hours before the
109 scheduled committee meeting. A committee chairperson must schedule a county
110 board referred item within a maximum of two (2) regular county board committee
111 cycles. Once scheduled and publicly noticed, an item may only be withdrawn
112 according to the provisions of section 1.13(d)(8). If the item is withdrawn by sole
113 action of the committee chair pursuant to section 1.13(d)(8), the item must be placed
114 on the committee agenda for the next regularly scheduled meeting and may not be
115 withdrawn again.

116

117 The committee coordinator shall enter in appropriate files kept for that purpose, a
118 complete record of all such committee meetings, including attendance, appearances for
119 and against pending matters, and minutes of the proceedings, including all motions
120 made and by whom, how each member voted upon each matter considered, together
121 with the final action by the committee thereon. All actions taken by the committee shall
122 be by roll call vote, however a motion to place on file may be taken by voice vote
123 without objection. No action shall be taken on any proposed ordinance unless it be in
124 written form before the committee.

125

126 Except as herein provided and so far as applicable, the rules of procedure of the
127 county board shall apply to committee meetings. Minority rules shall not apply to
128 committee meetings.

129

130 After the conclusion of the committee meeting, the committee coordinator shall
131 prepare a separate, written report of the action of the committee upon those matters
132 considered by it which require county board approval, for submission to the county
133 board for action of that body. Such report shall be made up in such manner that the
134 county board may take action upon it as a whole, or may set aside any portion of it for
135 separate action. Any member of any committee may make a minority report of said
136 committee on any recommendation to the board contained in the committee report.
137 Such minority report must be presented when the matter is considered at the meeting of
138 the county board.

139
140 Except as provided in the preceding sentence, it is the duty of the committee to
141 make a report to the county board on matters referred to such committee with some
142 definite recommendation for disposition of such matters.

143
144 When members of a committee or joint committee present at any meeting thereof,
145 are, by recorded vote, evenly divided as to the disposition to be made of any subject
146 matter referred to and pending before such committee or joint committee, such subject
147 matter shall be returned to the next meeting of the county board without
148 recommendation and the committee or joint committee shall thereupon be deemed to
149 be discharged from consideration thereof.

150
151 (d) *Committee motions and voting procedure.*

- 152 (1) If an item is on the agenda "for information only unless otherwise directed by
153 the committee," a motion to place on file is not needed. The committee will just
154 receive the item. However, if a motion is made and a vote is taken, said item
155 will be reported to the board.
- 156 (2) If a motion to adopt an item fails, it will be reported to the board with a
157 recommendation to reject.
- 158 (3) To take any other action on an item after it has been rejected, a motion to
159 reconsider must be made and passed. Only a supervisor who voted on the
160 prevailing side of the rejection action can make the motion to reconsider.
- 161 (4) If a motion to place on file or to reject fails, the matter is still before the
162 committee and another motion shall be in order.
- 163 (5) If a motion to adopt, postpone indefinitely, place on file or reject receives a tie
164 vote in committee, the matter shall be reported to the county board without
165 recommendation.
- 166 (6) If a motion to refer, lay over or amend receives a tie vote, said motion fails and
167 another motion is in order.
- 168 (7) No motions, or debate on motions, shall be made from the chairperson. If the
169 chairperson wishes to make, or to speak at any length on, a motion, the
170 chairperson shall turn over the gavel to the vice chairperson or next senior
171 member for the remainder of the item. This provision shall not prevent a
172 chairperson from questioning a witness concerning testimony being presented
173 to the committee.

174

- 175 (8) Once a committee comes to order, an attendance is taken to establish a
176 quorum, any item on the agenda can only be removed by concurrence of a
177 majority of the committee. Prior to the committee coming to order, an item can
178 be removed by the chairperson.
- 179 (9) Supervisors wishing to add their names as co-sponsors of resolutions or
180 ordinances introduced by supervisors, shall, prior to a committee's final vote on
181 said resolution or ordinance, obtain the permission of the primary sponsor, and
182 be added if there is no objection from a member of the committee. If there is
183 objection, a vote of the committee shall be taken regarding adding the co-
184 sponsor(s).

185
186 (e) *Remote meetings.* Standing committees may convene and meet to conduct business
187 remotely via telephone conference, video conference or other electronic
188 communication provided that the meeting is live-streamed, televised live or otherwise
189 broadcast live to the public.

190 **(f) Public testimony. The chairperson of the standing committee, when not**
191 **conducting a required public hearing, may choose to allow public verbal**
192 **testimony during standing committee meetings. Members of the public may**
193 **also submit written testimony or comments through the eComments portal of**
194 **the county legislative information center (CLIC). To the extent possible, the**
195 **chairperson shall strive to adhere to the following practices:**

196
197 **(1) If one or more members of the public have registered to speak to an**
198 **item prior to the start of the standing committee meeting, effort shall**
199 **be made to consider the matter prior to considering other items**
200 **where no public testimony is expected. Meeting agendas shall**
201 **contain appropriate language to notify the public that items may be**
202 **taken out of order.**

203
204 **(2) If time limits are applied to verbal testimony from members of the**
205 **public, they shall be applied equally to all public speakers regardless**
206 **of the content of their testimony.**

207
208 **(3) Prior to the standing committee voting on the disposition of a file,**
209 **any eComments received prior to the start of the meeting shall either**
210 **be read into the record or, if determined by the chairperson as**
211 **voluminous, be summarized so meeting participants understand the**
212 **sentiment of the testimony.**

213
214 **Nothing in this section shall abridge the ability of the chairperson to conduct**
215 **the standing committee meeting and consideration of items in the order they**
216 **deem best for members of the public, employees, and staff, and members of**
217 **the committee.**

218
219 **SECTION 2.** The provisions of this Ordinance shall be effective after passage and
220 publication.

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03/10/22
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