



1997 ASSEMBLY BILL 12

January 28, 1997 - Introduced by Representatives OURADA, DOBYNS, DUFF, FREESE, GOETSCH, GROTHMAN, GUNDERSON, HASENOHRL, HUBER, JENSEN, KREIBICH, KRUG, MURAT, MUSSER, NASS, OLSEN, OTT, OWENS, PLALE, SERATTI, SPRINGER, WARD, ZIEGELBAUER, ZUKOWSKI, F. LASEE, LINTON, LAZICH, R. POTTER and POWERS, cosponsored by Senators BRESKE, FITZGERALD, FARROW, GROBSCHMIDT and WIRCH. Referred to Committee on Government Operations.

1 **AN ACT** *to renumber* 19.83; *to amend* 19.84 (2); and *to create* 19.83 (2) of the
2 statutes; **relating to:** public comments at meetings of governmental bodies.

Analysis by the Legislative Reference Bureau

Currently, state and local governmental bodies are required to give public notice of their meetings, which must include the subject matter of the meetings. Unless a closed session is authorized, a governmental body must discuss and act upon all matters in open session. In 3 published opinions, the attorney general has advised that if there is an item of a general nature listed on the agenda included in the notice, such as "other matters authorized by law", the governmental body may take up a matter that is not specified in the agenda if the need to address the matter could not have been reasonably anticipated and the matter is not of great public concern and, if the matter is urgent, act upon it. See 66 OAG 68, 143, 195 (1977).

This bill provides specifically that public notice of a meeting of a governmental body may include a period of public comment on matters not included in the agenda, during which the body may receive information and discuss any such matter.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 19.83 of the statutes is renumbered 19.83 (1).

4 **SECTION 2.** 19.83 (2) of the statutes is created to read:

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SECTION 2

1 19.83 (2) During a period of public comment under s. 19.84 (2), a governmental
2 body may discuss any matter raised by the public.

3 **SECTION 3.** 19.84 (2) of the statutes is amended to read:

4 19.84 (2) Every public notice of a meeting of a governmental body shall set forth
5 the time, date, place and subject matter of the meeting, including that intended for
6 consideration at any contemplated closed session, in such form as is reasonably likely
7 to apprise members of the public and the news media thereof. The public notice of
8 a meeting of a governmental body may provide for a period of public comment on
9 matters not included on the agenda, during which the body may receive information
10 on such matters.

11 (END)