

# call to order

## *Discharge the Committee*

—J. Michael Blaska, *Parliamentarian & Chief of Staff,*  
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County boards in Wisconsin are considered a legislative body and use a strong committee structure much like the state Legislature. However, sometimes a committee of the board does not respond when a resolution or ordinance is referred to it. What can be done, if anything? Move to *Discharge the Committee*.

Wisconsin State Statutes state that the powers of the county board are exercised by adopting resolutions and enacting ordinances. Resolutions and ordinances can be introduced in many different ways. A common practice is to allow a member of the board to introduce a resolution and the board chair then refers it to the appropriate committee. If a resolution or ordinance originates from a committee, the board itself may refer the matter back to committee or even another committee.

It is a common occurrence for a bill in the state Legislature to die in committee because the committee fails to act. The same thing can happen in a county committee. It could be because the chair will not schedule the matter or the committee cannot agree.

Some boards have a rule that if a committee chair fails to schedule the matter within a certain time period, a specific number of members can demand in writing that the matter be scheduled.

If the members of the county board want to deliberate the matter and it is stuck in committee,

the board can adopt a motion to *Discharge the Committee*.

The adopted motion to *Discharge the Committee* removes the matter from the committee's consideration and allows the board to consider the matter.

The motion to *Discharge a Committee*:

- ❑ Takes precedence over nothing and therefore can only be moved when no other question is pending;
- ❑ Can be applied to any main motion or any other matter that has been referred to committee;
- ❑ Is out of order when another has the floor;
- ❑ Must be seconded;
- ❑ Is debatable and debate can go into the merits of the question in the committee;
- ❑ Is amendable (the motion can be amended as to the time the body will consider the matter or can direct the committee to act);
- ❑ Requires a majority vote (*Robert's Rules of Order* states a two-thirds vote is required if no notice is given but Wisconsin's Open Meetings Law requires notice); and
- ❑ Can be reconsidered on a negative vote, but not on an affirmative vote.

A member of the board may move to *Discharge a Committee* when the committee fails to act on a matter introduced by the member and referred to

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committee by the board chair. Similarly, a member may move to *Discharge a Committee* when the matter was sent to committee by board adoption of the motion to *Refer* or *Commit*.

In order to make the motion to *Discharge a Committee*, the item must be placed on the board agenda or a member can obtain the floor when no other business is pending and make the motion. As an example, if not on the agenda, a member would move to *Discharge the Finance Committee of Resolution XYZ*. Once a second is obtained, the motion would

be placed on a subsequent meeting agenda. The motion cannot be discussed or acted upon at the time because it was not noticed and would violate Wisconsin's Open Meetings Law.

Sometimes referring the matter to committee and the committee not acting is another way of killing the measure without the board having to take a direct vote.

*Source: Robert's Rules of Order Newly Revised, 11<sup>th</sup> Edition*



*Christian O'Connell*