



MEMORANDUM

To: Commissioners of the MICRC
From: Michigan Department of State staff
Date: April 21, 2021
Re: **Methods and process for receiving public comment at public hearings**

At upcoming constitutionally-required public hearings, members of the public will be encouraged to engage with the Michigan Independent Citizens Redistricting Commission through public comment.

In advance of these hearings, the following memo outlines recommended methods and processes for receiving public comment during public hearings for MICRC review. MDOS staff has worked closely with MICRC staff to clarify and outline the processes and methods outlined below. We look forward to discussing these items with you and answering any questions.

Methods for Providing Public Comment

The following methods for providing public comment will be available to the members of the public at public hearings. Written methods will remain available to the public at any time.

1. **Written:** Members of the public can provide their thoughts and input to the Commission in writing. These comments are part of the written public record of the Commission. Moving forward, the public can provide their written thoughts in the following ways:
 - a. **Submission to the public comment portal.** This comprehensive tool, being developed and procured by MDOS, will be a one-stop shop for members of the public to submit their comments, either by drawing a community of interest map, drawing a complete or partial district map, uploading a map/shapefile or document, or providing a written narrative. Once available, commissioners and the public will be able to see submissions in real time.
 - b. **Other written comments** (i.e., provided by email, mail, or paper submission). Members of the public will be encouraged to use the public comment portal, but the Commission can still expect to receive email, mail and/or paper submissions and comments from the public. MDOS will continue to provide these comments to the Commission and upload them to the website for public viewing regularly.

2. **Live commentary:** Members of the public can also provide their thoughts and input to the Commission live during a public hearing. These comments, as with all meetings of the Commission, will be heard in real time by those in attendance, livestreamed, recorded, and transcribed. The public can provide live public comments in the following ways:
 - a. **In-person:** At in-person public hearings of the Commission, members of the public can attend the meeting in-person and provide live, in-person comments to the Commission.
 - b. **Virtual:** At in-person public hearings or meetings, as well as virtual meetings (as permitted by the Open Meetings Act), members of the public can attend the meeting virtually and provide live, virtual comments to the Commission.

Public Comment Process at Public Hearings

The remainder of this memo focuses on the process and experience of public comment specifically at the MICRC's initial 16 public hearings.

1. Written Comment

First, a few notes on written comment opportunities available for public hearings. Members of the public will be encouraged to submit their comments to the Commission at any time, regardless of public hearing schedule or locations, through the online public comment portal. Comments submitted through the portal, whether map submissions or written commentary, will be available in real time to the Commission and public. If the Commission receives any hard-copy written comments from members of the public at in-person public hearings, those written comments will be collected, cataloged and circulated electronically in PDF format after the meeting for the Commission staff and members of the public.

2. Live Commentary

The opportunity to provide live commentary to the Commission will be provided for both in-person and virtual attendees of public hearings.

Key elements of live public commentary at public hearings:

1. **Facilitation:** Live public comment, both for virtual and in-person attendees, will be facilitated by the Chair of the Commission, per the Commission's Rules and Procedures.
2. **Sign up:** There will be two primary methods through which a member of the public can sign up to provide live comments.
 - a. **Virtual live public comment:** Participants must sign up in advance, and the link to sign up will be provided in the public meeting notice. Members of the public must sign up by 12pm the day of the hearing, so that appropriate notification of the meeting link and information regarding how to participate can be provided to each participant via email. Members of the public will be notified via email with instructions on what to expect, how to participate, and their speaking order. This is consistent with the current process for members of the public who speak at virtual commission meetings.
 - i. Note: individuals can participate in virtual public comment by either video or phone call.
 - b. **In-person live public comment:** Participants do not need to sign up in advance.
 - i. Recommendation: If a member of the public arrives and signs up to provide comment by 8:00pm on the day of the hearing, they will be allowed to provide public comment.
 - ii. Recommendation: To address the Commission in person, upon arrival members of the public must sign up at a sign-in table near the entrance of the public hearing. Individuals will receive a number at the signup table to indicate the order in which they will be invited to speak, on a first-come, first-served basis.
 - iii. Recommendation: To better estimate crowd sizes and assist in advance with any necessary accessibility accommodations, the Commission can encourage individuals to RSVP in advance. Individuals who RSVP for a public hearing

can receive an email reminder with hearing location details and other information about providing public comment. The RSVP in advance option does not reserve a participant's place in the speaking order.

3. **Speaking order:** The Commission should establish general practices for speaking order in advance, so that the public understands what to expect.
 - a. Recommendation: As a rule, consistent with existing public comment protocols for virtual Commission meetings, individuals can be invited to speak on a first-come, first-serve basis.
 - b. Recommendation: To clarify the speaking order for both virtual and in-person participants, the Commission should allow in-person attendees to speak first on a first-come, first-served order by number provided at the sign in table. Then, once in-person comments are completed, virtual participants can be invited to speak in order of sign up.
 - i. Note: The Commission will know the order of virtual participants and their names from a spreadsheet provided to all Commissioners by MDOS staff.
4. **Administration:** As the Secretary without a vote of the Commission, MDOS staff will help in this process by administering the technical processes outlined in this section at the direction of the Commission. This includes managing the registration and RSVP survey, providing participation information to members of the public, providing speaking lists to the Commission in chronological order, and administering the virtual comment participation.