

2013 DRAFTING REQUEST

Senate Joint Resolution

Received: 1/28/2013 Received By: smiller
Wanted: As time permits Same as LRB:
For: Lena Taylor (608) 266-5810 By/Representing: eric petersen
May Contact: Drafter: smiller
Subject: Constitutional Amendments Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Sen.Taylor@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Require passage of open meetings law applicable to legislature; changes require 2/3 vote

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	smiller 1/29/2013	scalvin 2/8/2013	phenry 2/8/2013	_____			
/1	smiller 3/14/2013	scalvin 3/15/2013	rschluet 3/15/2013	_____	lparisi 2/8/2013		
/2				_____	sbasford 3/15/2013	mbarman 5/13/2013	

FE Sent For:

*Not
Needed*

<END>

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1/?	smiller	1/1 sae 02/08/2013	2/8 ph	<input checked="" type="checkbox"/>			

FE Sent For:

<END>

Miller, Steve

- 1376

From: Champagne, Rick
Sent: Monday, January 28, 2013 3:00 PM
To: Miller, Steve
Subject: Constitutional Amendment Drafting Request for Sen Taylor

Steve:

Eric Petersen in Sen. Taylor's office called for a constitutional amendment that would do the following:

1. Require the legislature by law to create an open meetings law that would apply to all governmental meetings, including meetings of the legislature and its committees.
2. Provide that any subsequent changes to that law, once it is initially enacted, requires a 2/3 majority vote of each house of the legislature.

Rick



~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

2013 SENATE JOINT RESOLUTION

in 1-29

gen cat

1

Relating to: requiring the legislature to enact laws requiring reasonable notice of
2 and public access to meetings of governmental bodies including the legislature
3 (first consideration).

Analysis by the Legislative Reference Bureau

On June 14, 2011, in *Ozanne v. Fitzgerald*, the Wisconsin Supreme Court held that under the constitutional separation of powers, the courts will not apply the notice and public access requirements of the open meetings law to meetings of legislative bodies.

This constitutional amendment, proposed to the ²⁰¹³ legislature on first consideration, requires the legislature to enact laws requiring reasonable notice of and public access to meetings of governmental bodies including the legislature.

A constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

4
5
6
7

Resolved by the senate, the assembly concurring, That:

SECTION 1. Section 10 of article IV of the constitution is renumbered section 10 (1) of article IV.

SECTION 2. Section 10 (2) of article IV of the constitution is created to read:

Miller, Steve

From: Peterson, Eric
Sent: Thursday, March 14, 2013 10:42 AM
To: Miller, Steve
Cc: Champagne, Rick
Subject: LRB 1376/1 Drafting Changes

Steve:

Can you please do a couple of changes to the LRB 1376 for Senator Taylor?

Pg. 2 line 1 – after “laws” insert “following ratification of this amendment”

Pg. 2 line 5 – remove “other legislative bodies” and insert “It’s committees”

I have copied Rick Champagne as he and I talked about our intent in case you need any context.

Thanks,
Eric

Eric M. Peterson

Chief of Staff -- Senator Lena C. Taylor

4th District – Milwaukee, Shorewood, Glendale, Wauwatosa

608-266-5810 o, 608-282-3544 f

www.senatortaylor.com





2
RMNR

in 3-14

2013 SENATE JOINT RESOLUTION

re-gen at

1 **To renumber** section 10 of article IV; and **to create** section 10 (2) of article IV of the
2 constitution; **relating to:** requiring the legislature to enact laws requiring
3 reasonable notice of and public access to meetings of governmental bodies
4 including the legislature (first consideration).

Analysis by the Legislative Reference Bureau

On June 14, 2011, in *Ozanne v. Fitzgerald*, the Wisconsin Supreme Court held that under the constitutional separation of powers, the courts will not apply the notice and public access requirements of the open meetings law to meetings of legislative bodies.

This constitutional amendment, proposed to the 2013 legislature on first consideration, requires the legislature to enact laws requiring reasonable notice of and public access to meetings of governmental bodies including the legislature.

A constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

5 **Resolved by the senate, the assembly concurring, That:**

6 **SECTION 1.** Section 10 of article IV of the constitution is renumbered section 10
7 (1) of article IV.

8 **SECTION 2.** Section 10 (2) of article IV of the constitution is created to read:

following the ratification of this amendment

1 [Article IV] Section 10 (2) The legislature shall enact laws requiring
2 governmental bodies to conduct business in meetings that are held with reasonable
3 prior notice and accessible to the public and make these laws applicable to the
4 legislature. Notwithstanding section 8 of this article, courts of law may apply these
5 laws to the senate, the assembly, and other legislative bodies. Any change to the open
6 meetings laws, once enacted, requires a two-thirds majority vote in each house of the
7 legislature.

8 **SECTION 3. Numbering of new provisions.** If another constitutional
9 amendment ratified by the people creates the number of any provision created in this
10 joint resolution, the chief of the legislative reference bureau shall determine the
11 sequencing and the numbering of the provisions whose numbers conflict.

12 ***Be it further resolved, That*** this proposed amendment be referred to the
13 legislature to be chosen at the next general election and that it be published for three
14 months previous to the time of holding such election.

15 (END)

its committees

Barman, Mike

From: Peterson, Eric
Sent: Friday, May 10, 2013 6:47 PM
To: LRB.Legal
Subject: Draft Review: LRB -1376/2 Topic: Require passage of open meetings law applicable to legislature; changes require 2/3 vote

Please Jacket LRB -1376/2 for the SENATE.