2013 DRAFTING REQUEST

Senate Joint Resolution

Received:	**9/17/2013**	Received By:	**rchampag**
Wanted:	**Today**	Same as LRB:	
For:	**Kathleen Vinehout (608) 266-8546**	By/Representing:	**Christian Moran**
May Contact:		Drafter:	**rchampag**
Subject:	**Constitutional Amendments**	Addl. Drafters:	**smiller**
		Extra Copies:	

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

Pre Topic:

No specific pre topic given

Topic:

Enforcement of open meetings law in legislative branch

Instructions:

Companion to 13-0198/2

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	rchampag 9/17/2013	kfollett 9/17/2013	rschluet 9/17/2013	_____ _____			
/1				_____ _____	srose 9/17/2013	lparisi 10/7/2013	

FE Sent For:

NOT NEEDED

<END>

2013 DRAFTING REQUEST

Senate Joint Resolution

Received:	**9/17/2013**	Received By:	**rchampag**
Wanted:	**Today**	Same as LRB:	
For:	**Kathleen Vinehout (608) 266-8546**	By/Representing:	**Christian Moran**
May Contact:		Drafter:	**rchampag**
Subject:	**Constitutional Amendments**	Addl. Drafters:	**smiller**
		Extra Copies:	

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

Pre Topic:

No specific pre topic given

Topic:

Enforcement of open meetings law in legislative branch

Instructions:

Companion to 13-0198/2

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	rchampag 9/17/2013	kfollett 9/17/2013	rschluet 9/17/2013	_____ _____			
/1				_____ _____	srose 9/17/2013		

FE Sent For:

<END>

2013 DRAFTING REQUEST

Senate Joint Resolution

Received:	**9/17/2013**	Received By:	**rchampag**
Wanted:	**Today**	Same as LRB:	
For:	**Kathleen Vinehout (608) 266-8546**	By/Representing:	**Christian Moran**
May Contact:		Drafter:	**rchampag**
Subject:	**Constitutional Amendments**	Addl. Drafters:	**smiller**
		Extra Copies:	

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

Pre Topic:

No specific pre topic given

Topic:

Enforcement of open meetings law in legislative branch

Instructions:

Companion to 13-0198/2

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	rchampag	/1/5 9/17	9/17/13				

FE Sent For:

<END>

State of Wisconsin
2013 – 2014 LEGISLATURE

~~LRB-0198/2~~
SRM&RAC:kjf:ph

LRB-3167/1

2013 ~~ASSEMBLY~~ JOINT RESOLUTION

SENATE

Resend

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 legislative committees, and making members of the legislature
5 subject to citations and civil penalties for violations of such laws (first
6 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.

The constitution also prohibits arrest of members of the legislature except for treason, felony, or breach of the peace and exempts members from civil process during the legislative session and for 15 days before and after the session.

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 legislative committees, and making members of the legislature subject to citations and civil penalties for violations of such laws.

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

Resolved by the ~~assembly~~ senate IB, the ~~senate~~ assembly IB 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:

[Article IV] Section 10 (2) The legislature shall enact laws requiring governmental bodies to conduct business in meetings that are held with reasonable prior notice and accessible to the public and make these laws applicable to legislative committees. Notwithstanding section 8 of this article, courts of law may apply these laws to senate, assembly, and other legislative committees. Notwithstanding section 15 of this article, members of the legislature are subject to citation and civil penalties during a legislative session while a house is in recess for violations of such laws.

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

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

(END)

Parisi, Lori

From: Nilsestuen, Joel
Sent: Monday, October 07, 2013 12:21 PM
To: LRB.Legal
Subject: Draft Review: LRB -3167/1 Topic: Enforcement of open meetings law in legislative branch

Please Jacket LRB -3167/1 for the SENATE.