

1       **AN ACT** *to amend* 19.82 (1) of the statutes; **relating to:** the applicability of the open  
 2           meetings law to a quasi-governmental corporation.

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

3           **SECTION 1.** 19.82 (1) of the statutes is amended to read:

4           19.82 (1) “Governmental body” means a state or local agency, board, commission,  
 5           committee, council, department or public body corporate and politic created by constitution,  
 6           statute, ordinance, rule or order; a governmental ~~or quasi-governmental~~ corporation except  
 7           for the Bradley center sports and entertainment corporation; a local exposition district under  
 8           subch. II of ch. 229; a family care district under s. 46.2895; a nonprofit corporation operating  
 9           the Olympic ice training center under s. 42.11 (3); or a formally constituted subunit of any of  
 10          the foregoing, but excludes any such body or committee or subunit of such body which is  
 11          formed for or meeting for the purpose of collective bargaining under subch. I, IV or V of ch.  
 12          111.

**COMMENT:** This bill draft exempts a quasi-governmental corporation from the open meetings law. The advantage of this approach is that uncertainty over the meaning of the term “quasi-governmental corporation” is eliminated; it also eliminates an organization’s uncertainty over whether it must comply with the open meetings law based on the criteria set forth in recent opinions of the attorney general. The disadvantages of this approach may include: (1) if the focus of the special committee is to respond to difficulties with the law perceived by economic development corporations, the draft’s removal of “quasi-governmental corporation” from the definition of the term “governmental body” may affect more entities than economic development corporations and may have unforeseen consequences; and (2) the draft may encourage the creation of more quasi-governmental

corporations in an effort to avoid the responsibilities imposed by the open meetings law.

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(END)