

GOP campus speech bill passes Assembly with new amendment

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A GOP campus speech bill that would sanction students who interfere with a speaker on campus passed the Assembly tonight on a 61-36 vote, with some late-addition tweaks.

The bill, backed by Speaker Robin Vos and Rep. Jesse Kremer, featured a new amendment that Kremer said he hoped would get Dems on board. Still, all Dems ended up voting against it, along with Rep. Bob Gannon, R-West Bend, who was the only Republican to oppose it.

The legislation had originally passed the Assembly higher ed committee with an amendment that would alter the penalties for those who violate the policy and narrow language about what kind of behavior would lead to sanctions.

The new amendment also makes one key change: it would get rid of the Council on Free Expression, which would have been a 15-member group that would have reported annually to the Legislature. That duty would be transferred to the Board of Regents.

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Still, Dems argued the amendment, which passed on a voice vote, wouldn't fix the bill.

"This amendment does not correct the problems with this bill," Rep. Chris Taylor, D-Madison said. "it is an unconstitutional bill... It basically gags and bags the first amendment."

But Rep. Adam Neylon, R-Pewaukee, countered the new amendment would help prevent any "unintended consequences for new layers of government" under the

bill, referring to the creation of the council.

The amended version also narrows wording in the original bill that would have disciplined anyone engaging in “indecent, profane, boisterous, obscene, unreasonably loud, or other disorderly conduct that interferes with the free expression of others.” The language was changed to say a “violent or other disorderly conduct that materially and substantially disrupts” a speaker.

The amended version of the bill would also require suspension for a student who twice interfered with a speaker on campus and would require an expulsion after three strikes.

Dems also pushed back against the premise of the legislation, saying the bill would restrict First Amendment rights and arguing the language wasn't precise enough, while Republicans countered the bill seeks to protect both liberal and conservative free speech and give students the right to be heard.

Rep. Fred Kessler, D-Milwaukee, said the legislation was fundamentally flawed because it gives universities the job to “monitor free speech.”

“What we're trying to do here is suppress both the right to free speech and the right to protest whoever is making a speech that you don't like,” he said.

But Vos, R-Rochester, said the right to free speech “is being attacked” on campuses, and it was up to the Legislature to intervene.

“If we don't stop it now, there'll be a chilling effect on society,” he said.

Debate on the bill, which began around 6:15 p.m., lasted until around 11:20 p.m., and was further delayed twice by Dems: once, when they stood informal for around 45 minutes to review the amendment, and the second time to caucus for 30 minutes.

The bill differs from a competing free speech bill, from Sen. Leah Vukmir, R-Brookfield, and Rep. Adam Jarchow, R-Balsam Lake, that would let colleges decide how to discipline their students, instead of laying out mandatory suspensions and expulsions. That bill also would put into state statutes language prohibiting disruptive protests.

See the amendment text:

<http://docs.legis.wisconsin.gov/raw/proposal/2017/a0785>