

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: **06/22/99**

Received By: **champra**

Wanted: **Soon**

Identical to LRB:

For: **Senate Democratic Caucus**

By/Representing: **Walter**

This file may be shown to any legislator: **NO**

Drafter: **champra**

May Contact:

Alt. Drafters:

Subject: **Employ Pub - collective bargain**

Extra Copies:

**Pre Topic:**

SDC:.....Walter - Caucus #2805,

**Topic:**

Qualified economic offers

**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>
/?	champra 06/25/99	wjackson 06/26/99		_____			
/1			martykr 06/27/99	_____	gretskl 06/27/99		
/2	champra 06/29/99	wjackson 06/29/99	hhagen 06/29/99	_____	lrb_docadmin 06/29/99		

FE Sent For:

<END>

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/?	champra 06/25/99	wjackson 06/26/99		_____			
/1		12 6/29 WJ	martykr 06/27/99	6/29 M64 +RPA	gretskl 06/27/99		

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/?	champra	1 Wlj 6/26	km <sup>6</sup> 26	Ksh 4/27 km 27			

FE Sent For:

<END>

SDC

caucus number 1824

yes

duplicate flag:  
duplicate with:

Other reference numbers: Paper 766	LFB Sum #:
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Neighborhood Schools. Set back reporting date for leg council study one year. No fiscal impact.

**other notes**

drafting instructions: See above and attached

more instructions:

caucus number 2303

duplicate flag:  
duplicate with:

Other reference numbers:	LFB Sum #:
bill number/amendment number:	
LRB draft # 3113/P1dn	LRB P-draft:

description: Establish a sum-certain per capita supplemental grant to school districts that: a) has fewer than 500 students, b) school district is at least 200 sq. miles, c) 65% of real property is exempt under s.70.11-American Indian or federal gov't owned.

**other notes**

drafting instructions: Include LRB 3113/P1dn (see above)

more instructions:

caucus number 2749

duplicate flag:  
duplicate with:

Other reference numbers: Paper 778	LFB Sum #:
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: SAGE Paper 778. All schools regardless of poverty rate be eligible for SAGE. Provide \$43 mil GPr in 00-01 to fund reduction in class size in K-1 for all eligible schools except P5 schools. See attached motion for complete details and specifics on program.

**other notes**

drafting instructions: See attached and above.

more instructions:

caucus number 2805

duplicate flag:  
duplicate with:

Other reference numbers:	LFB Sum #:
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Modification of Elements of the Qualified Economic Offer

**other notes**

drafting instructions: See Memo from the LFB and Attached Statutory Language

more instructions:

Section 1. 111.70(1)(dm) "Economic issue" is repealed.

Section 2. 111.70(1)(nc)1.(intro.) of the statutes is renumbered 111.70(1)(nc)(intro.) and amended to read:

111.70(1)(nc)(intro.) "Qualified economic offer" means an offer made to a labor organization by a municipal employer that includes all of the following:

Section 3. 111.70(1)(nc)1.a. is renumbered 111.70(1)(nc)1.

Section 4. 111.70(1)(nc)1.b. of the statutes is repealed.

Section 5. 111.70(1)(nc)1.c. of the statutes is repealed.

Section 6. 111.70(1)(nc)2. of the statutes is repealed.

Section 7. 111.70(1)(nc)2m. of the statutes is created to read:

111.70(1)(nc)2m.1. In any collective bargaining unit in which the municipal employee positions are assigned to salary ranges with steps that determine the levels of progression within each salary range for a 12-month-period, a proposal to provide an increase for each 12-month period covered by the proposed collective bargaining agreement, beginning with the expiration date of any previous collective bargaining agreement, for each step within the salary range in an amount equivalent to 2.1% of the step amount for the year preceding the 12-month period.

2. In any collective bargaining unit not subject to subd. 2m.1., a proposal to provide a salary increase for each 12-month period covered by the proposed collective bargaining agreement, beginning with the expiration date of any previous collective bargaining

agreement, for each municipal employe in the collective bargaining unit in an amount equivalent to 2.1% of the municipal employe's salary for the year preceding the 12-month period.

3. A proposal to provide an increase of 1.7% of the total compensation and fringe benefits costs for all municipal employees in the bargaining unit for the fringe benefits listed in subd. (cm)5s(3).

4. A proposal to maintain all conditions of employment as such conditions existed on the 90th day prior to expiration of any previous collective bargaining agreement between the parties, or the 90th day prior to commencement of negotiations if there is no previous collective bargaining agreement between the parties.

5. A proposal to maintain any provisions relating to permissive subjects of bargaining which existed in the previous collective bargaining agreement between the parties or which existed on the 90th day prior to the expiration of any previous collective bargaining agreement between the parties in any written agreement executed by the parties.

Section 8. 111.70(4)(cm)5s. of the statutes is amended to read:

111.70(4)(cm)5s. 'Issues subject to arbitration.' In a collective bargaining unit consisting of school district professional employes, the municipal employer or the labor organization may petition the commission to determine whether the municipal employer has submitted a qualified economic offer. The commission shall appoint an investigator for that purpose. If the investigator, using the methodology prescribed under subd. 8t. finds that the municipal employer has submitted a timely bona fide qualified economic offer, the investigator shall determine whether a deadlock exists between the parties with respect to all economic

issues. If the municipal employer submits a timely bona fide qualified economic offer applicable to any period beginning on or after July 1, 1993, ~~no economic issues are~~ except as required by subds. 5s(1) and (4) qualified economic offer items are not as set forth in subd. (nc)2m subject to interest arbitration under subd. 6. for that period. In such a collective bargaining unit, ~~economic issues concerning the wages, hours or conditions of employment~~ qualified economic offer items of the school district professional employes in the unit for any period prior to July 1, 1993, are subject to interest arbitration under subd. 6. for that period. In such a collective bargaining unit, ~~noneconomic issues~~ all items other than qualified economic offer items as set forth in subd. (nc)2m applicable to any period on or after July 1, 1993, are subject to interest arbitration after the parties have reached agreement and stipulate to agreement on all economic issues concerning the wages, hours or conditions of employment of the school district professional employes in the unit for that period. In such a collective bargaining unit, if the commission's investigator finds that the municipal employer has submitted a timely bona fide qualified economic offer and that a deadlock exists between the parties ~~with respect to all economic issues~~, the municipal employer may implement the qualified economic offer. On the 90th day prior to expiration of the period included within the qualified economic offer, if no agreement exists on that day, the parties are deemed to have stipulated to the inclusion in a new or revised collective bargaining agreement of all provisions of any predecessor collective bargaining agreement concerning qualified economic issues offer items, or of all provisions of any existing collective bargaining agreement concerning qualified economic issues offer items if the parties have reopened negotiations under an existing agreement, as modified by the terms of the qualified economic offer and as otherwise

modified by the parties. In such a collective bargaining unit, on and after that 90th day, a municipal employer that refuses to bargain collectively with respect to the terms of that stipulation, applicable to the 90-day period prior to expiration of the period included within the qualified economic offer, does not violate sub. (3)(a)4. Any such unilateral implementation after August 11, 1993, during the 90-day period prior to expiration of the period included within a qualified economic offer, operates as a full, final and complete settlement of all qualified economic issues offer items between the parties for the period included within the qualified economic offer. The failure of a labor organization to recognize the validity of such a lawful qualified economic offer does not affect the obligation of the municipal employer to submit qualified economic issues offer items to arbitration under subd. 6.

Section 9. 111.70(4)(cm)5s(1). is created to read:

111.70(4)(cm)5s(1). If the investigator finds that the municipal employer has not submitted a timely, bona fide qualified economic offer, either the labor organization or the municipal employer may petition for interest arbitration and the limitations of subd. 5s shall not apply.

Section 10. 111.70(4)(cm)5s(3). is created to read:

111.70(4)(cm)5s(3). Qualified economic offer items are salary, extra duty pay, health insurance, major medical insurance, dental insurance, life insurance, disability insurance, vision insurance, long-term care insurance, workers compensation payments, unemployment compensation payments, Social Security payments, Wisconsin Retirement System contributions, and supplemental retirement benefits.

Section 11. 111.70(4)(cm)5s(4). is created to read:



111.70(4)(cm)5s(4). The impact of any change in a permissive subject of bargaining is subject to interest arbitration whether or not a qualified economic offer has been made by a municipal employer.

Section 12. 111.70(4)(cm)8t. of the statutes is created to read:

111.70(4)(cm)8t. 'Methodology for determining qualified economic offers.' The commission shall prescribe by rule a methodology to be used to determine whether a collective bargaining proposal submitted by a municipal employer to a labor organization constitutes a timely, bona fide qualified economic offer.

DM8164p.als.wpd

1999

Date (time) needed

*See*

LRB b 094611

**CAUCUS BUDGET AMENDMENT  
[ONLY FOR CAUCUS]**

RAC: Wlj

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**CAUCUS AMENDMENT  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1  
TO 1999 ASSEMBLY BILL 133**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

#. Page 1092, line 20: *after that line used:*

#. Page . . . . ., line . . . . .:

#. Page . . . . ., line . . . . .:

#. Page . . . . ., line . . . . .:

#. Page . . . . ., line . . . . .:

#. Page . . . . ., line . . . . .:

*[Large handwritten scribble consisting of several overlapping loops and lines, crossing out the list of amendment locations.]*

**SENATE SUBSTITUTE AMENDMENT ,  
TO 1999 SENATE BILL 166**

1 **AN ACT to repeal** 111.70 (1) (dm), 111.70 (1) (nc) 1. b., 111.70 (1) (nc) 1. c. and  
2 111.70 (1) (nc) 2.; **to renumber** 111.70 (1) (nc) 1. a.; **to renumber and amend**  
3 111.70 (1) (nc) 1. (intro.) and 111.70 (4) (cm) 5s.; and **to create** 111.70 (1) (nc)  
4 2m., 111.70 (1) (nd), 111.70 (4) (cm) 5s. b. and 111.70 (4) (cm) 8t. of the statutes;  
5 **relating to:** qualified economic offers under the municipal employment  
6 relations act.

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

7 " SECTION 1. 111.70 (1) (dm) of the statutes is repealed. "

8 " SECTION 2. 111.70 (1) (nc) 1. (intro.) of the statutes is renumbered 111.70 (1) (nc)  
9 (intro.) and amended to read:  
10 111.70 (1) (nc) (intro.) "Qualified economic offer" means an offer made to a labor  
11 organization by a municipal employer that includes all of the following, ~~except as~~  
12 provided in subd. 2.:

#. Page 1093, line 58: after that one insert;

2033r B  
2035b B

2035d

1

SECTION 3. 111.70 (1) (nc) 1. a. of the statutes is renumbered 111.70 (1) (nc) 1.

2035e

2

SECTION 4. 111.70 (1) (nc) 1. b. of the statutes is repealed.

2035h

3

SECTION 5. 111.70 (1) (nc) 1. c. of the statutes is repealed.

2035j

4

SECTION 6. 111.70 (1) (nc) 2. of the statutes is repealed.

2035L

5

SECTION 7. 111.70 (1) (nc) 2m. of the statutes is created to read:

6

111.70 (1) (nc) 2m. a. In any collective bargaining unit in which the municipal employe positions are assigned to salary ranges with steps that determine the levels of progression within each salary range during a 12-month period, a proposal to provide for an increase in the minimum and maximum amounts of the steps within the salary range in an amount equivalent to 2.1% for each 12-month period covered by the proposed collective bargaining agreement, beginning with the expiration date of any previous collective bargaining agreement.

13

b. In any collective bargaining unit not subject to subd. 2m. a., a proposal to provide for a salary increase for each 12-month period covered by the proposed collective bargaining agreement, beginning with the expiration date of any previous collective bargaining agreement, for each municipal employe in the collective bargaining unit for each 12-month period covered by the proposed collective bargaining agreement in an amount equivalent to 2.1%.

14

15

16

17

18

19

c. A proposal for the municipal employer to pay any increase in the total ~~per~~

20

~~capita~~ fringe benefits costs for municipal employes in the collective bargaining unit

21

for each 12-month period covered by the proposed collective bargaining agreement

22

up to at least 1.7% of the total ~~per capita~~ compensation and fringe benefit costs for

23

those municipal employes in the preceding 12-month period.

24

d. A proposal to maintain all conditions of employment as such conditions

25

existed on the 90th day prior to the expiration of the previous collective bargaining

Worker's compensation and unemployment insurance federal old-age, survivors, disability and health insurance under Titles II and XVIII of the federal social security act,

1 agreement between the parties, or the 90th day prior to commencement of  
2 negotiations if there is no previous collective bargaining agreement between the  
3 parties.

4 e. A proposal to maintain any provision relating to a subject of collective  
5 bargaining on which the municipal employer was not required to bargain that  
6 existed in the previous collective bargaining agreement between the parties or that  
7 existed on the 90th day prior to the expiration of the previous collective bargaining  
8 agreement between the parties.

9 SECTION 8. <sup>2035n</sup> 111.70 (1) (nd) of the statutes is created to read:

10 111.70 (1) (nd) "Qualified economic offer issues" means salaries, extra-duty  
11 pay, health insurance, major medical insurance, dental insurance, life insurance,  
12 disability insurance, vision insurance, long-term care insurance, retirement  
13 contributions and supplemental retirement benefits.

14 SECTION 9. <sup>2035P</sup> 111.70 (4) (cm) 5s. of the statutes is renumbered 111.70 (4) (cm) 5s.

15 a. and amended to read:

16 111.70 (4) (cm) 5s. a. In a collective bargaining unit consisting of school district  
17 professional employees, the municipal employer or the labor organization may  
18 petition the commission to determine whether the municipal employer has  
19 submitted a qualified economic offer. The commission shall appoint an investigator  
20 for that purpose. If the investigator, using the methodology prescribed under subd.  
21 8t. finds that the municipal employer has submitted a qualified economic offer, the  
22 investigator shall determine whether a deadlock exists between the parties ~~with~~  
23 ~~respect to all economic issues.~~ If the municipal employer submits a qualified  
24 economic offer applicable to any period beginning on or after July 1, ~~1993~~ 1999, no  
25 qualified economic offer issues are subject to interest arbitration under subd. 6. for

1 that period. ~~In such a collective bargaining unit, economic issues concerning the~~  
2 ~~wages, hours or conditions of employment of the school district professional employes~~  
3 ~~in the unit for any period prior to July 1, 1993, are subject to interest arbitration~~  
4 ~~under subd. 6. for that period.~~ In such a collective bargaining unit, noneconomic  
5 issues other than qualified economic offer issues applicable to any period on or after  
6 July 1, ~~1993~~ 1999, are subject to interest arbitration after the parties have reached  
7 agreement and stipulate to agreement on all qualified economic offer issues  
8 ~~concerning the wages, hours or conditions of employment of~~ affecting the school  
9 district professional employes in the unit for that period. In such a collective  
10 bargaining unit, if the commission's investigator finds that the municipal employer  
11 has submitted a qualified economic offer and that a deadlock exists between the  
12 parties ~~with respect to all economic issues~~, the municipal employer may implement  
13 the qualified economic offer. On the 90th day prior to expiration of the period  
14 included within the qualified economic offer, if no agreement exists on that day, the  
15 parties are deemed to have stipulated to the inclusion in a new or revised collective  
16 bargaining agreement of all provisions of any predecessor collective bargaining  
17 agreement concerning qualified economic offer issues, or of all provisions of any  
18 existing collective bargaining agreement concerning qualified economic offer issues  
19 if the parties have reopened negotiations under an existing agreement, as modified  
20 by the terms of the qualified economic offer and as otherwise modified by the parties.  
21 In such a collective bargaining unit, on and after that 90th day, a municipal employer  
22 that refuses to bargain collectively with respect to the terms of that stipulation,  
23 applicable to the 90-day period prior to expiration of the period included within the  
24 qualified economic offer, does not violate sub. (3) (a) 4. Any such unilateral  
25 implementation after ~~August 11, 1993~~ June 30, 1999, or the effective date of this

<sup>5s. a.</sup>  
 1 subdivision, whichever is later, during the 90-day period prior to expiration of the  
 2 period included within a qualified economic offer, operates as a full, final and  
 3 complete settlement of all qualified economic offer issues between the parties for the  
 4 period included within the qualified economic offer. The failure of a labor  
 5 organization to recognize the validity of such a lawful qualified economic offer does  
 6 not affect the obligation of the municipal employer to submit qualified economic offer  
 7 issues to arbitration under subd. 6. If the investigator determines that the municipal  
 8 employer has not submitted a qualified economic offer, either the municipal  
 9 employer or the labor organization may petition for arbitration under subd. 6. to  
 10 resolve any dispute relating to qualified economic offer issues.

11 SECTION 10. <sup>2035r</sup> 111.70 (4) (cm) 5s. b. of the statutes is created to read:

12 111.70 (4) (cm) 5s. b. In a collective bargaining unit consisting of school district  
 13 professional employees, the impact of any change in any provision that existed in the  
 14 previous collective bargaining agreement between the parties on which the  
 15 municipal employer was not required to bargain is a mandatory subject of bargaining  
 16 for purposes of subd. 6. d.

17 SECTION 11. <sup>2035t</sup> 111.70 (4) (cm) 8t. of the statutes is created to read:

18 111.70 (4) (cm) 8t. 'Methodology for determining qualified economic offers.' The  
 19 commission shall prescribe by rule a methodology to be used in determining whether  
 20 a collective bargaining proposal submitted by a municipal employer to a labor  
 21 organization constitutes a qualified economic offer. ”.

22 ~~SECTION 12. Initial applicability.~~

#. Page 1589, line 5: after that line insert:

23 (1) QUALIFIED ECONOMIC OFFERS. The treatment of section 111.70 (1) (nc) 1.  
 24 (intro.), a., b. and c., 2. and 2m. and (nd) and (4) (cm) 5s. b. and 8t. of the statutes and  
 25 the renumbering and amendment of section 111.70 (4) (cm) 5s. of the statutes first

INIT APP

1 apply to petitions for arbitration filed under section 111.70 (4) (cm) 6. of the statutes  
2 relating to collective bargaining agreements that cover periods of time beginning  
3 after June 30, 1999. <sup>3/</sup> ,

4

(END)





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0946/2  
RAC:wlj:km

Tedar

RM has been  
run

SDC:.....Walter - Caucus #2805, Qualified economic offers

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

Section 2033t. 111.70(1) (fm) of the statute is repealed.

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1092, line 20: after that line insert:

3 "SECTION 2033r. 111.70 (1) (dm) of the statutes is repealed."

4 2. Page 1093, line 2: after that line insert:

5 "SECTION 2035b. 111.70 (1) (nc) 1. (intro.) of the statutes is renumbered 111.70

6 (1) (nc) (intro.) and amended to read:

7 111.70 (1) (nc) (intro.) "Qualified economic offer" means an offer made to a labor  
8 organization by a municipal employer that includes all of the following, ~~except as~~  
9 provided in subd. 2.:

1           **SECTION 2035d.** 111.70 (1)(nc) 1. a. of the statutes is renumbered 111.70 (1)(nc)

2           1.

3           **SECTION 2035f.** 111.70 (1) (nc) 1. b. of the statutes is repealed.

4           **SECTION 2035h.** 111.70 (1) (nc) 1. c. of the statutes is repealed.

5           **SECTION 2035j.** 111.70 (1) (nc) 2. of the statutes is repealed.

6           **SECTION 2035L.** 111.70 (1) (nc) 2m. of the statutes is created to read:

7           111.70 (1) (nc) 2m. a. In any collective bargaining unit in which the municipal  
8           employe positions are assigned to salary ranges with steps that determine the levels  
9           of progression within each salary range during a 12-month period, a proposal to  
10          provide for an increase in the minimum and maximum amounts of the steps within  
11          the salary range in an amount equivalent to 2.1% for each 12-month period covered  
12          by the proposed collective bargaining agreement, beginning with the expiration date  
13          of any previous collective bargaining agreement.

14          b. In any collective bargaining unit not subject to subd. 2m. a., a proposal to  
15          provide for a salary increase for each 12-month period covered by the proposed  
16          collective bargaining agreement, beginning with the expiration date of any previous  
17          collective bargaining agreement, for each municipal employe in the collective  
18          bargaining unit for each 12-month period covered by the proposed collective  
19          bargaining agreement in an amount equivalent to 2.1%.

20          c. A proposal for the municipal employer to pay any increase in the total fringe  
21          benefits costs for municipal employes in the collective bargaining unit for each  
22          12-month period covered by the proposed collective bargaining agreement up to at  
23          least 1.7% of the total compensation and fringe benefit costs for those municipal  
24          employes in the preceding 12-month period.

1           d. A proposal to maintain all conditions of employment as such conditions  
2           existed on the 90th day prior to the expiration of the previous collective bargaining  
3           agreement between the parties, or the 90th day prior to commencement of  
4           negotiations if there is no previous collective bargaining agreement between the  
5           parties.

6           e. A proposal to maintain any provision relating to a subject of collective  
7           bargaining on which the municipal employer was not required to bargain that  
8           existed in the previous collective bargaining agreement between the parties or that  
9           existed on the 90th day prior to the expiration of the previous collective bargaining  
10          agreement between the parties.

11           **SECTION 2035n.** 111.70 (1) (nd) of the statutes is created to read:

12           111.70 (1) (nd) "Qualified economic offer issues" means salaries, extra-duty  
13           pay, health insurance, major medical insurance, dental insurance, life insurance,  
14           disability insurance, vision insurance, long-term care insurance, worker's  
15           compensation and unemployment insurance, federal old-age, survivors, disability  
16           and health insurance under Titles II and XVIII of the federal Social Security Act,  
17           retirement contributions and supplemental retirement benefits.

18           **SECTION 2035p.** 111.70 (4) (cm) 5s. of the statutes is renumbered 111.70 (4) (cm)  
19           5s. a. and amended to read:

20           111.70 (4) (cm) 5s. a. In a collective bargaining unit consisting of school district  
21           professional employes, the municipal employer or the labor organization may  
22           petition the commission to determine whether the municipal employer has  
23           submitted a qualified economic offer. The commission shall appoint an investigator  
24           for that purpose. If the investigator, using the methodology prescribed under subd.  
25           8t., finds that the municipal employer has submitted a qualified economic offer, the

1 investigator shall determine whether a deadlock exists between the parties with  
2 respect to ~~all economic issues~~. If the municipal employer submits a qualified  
3 economic offer applicable to any period beginning on or after July 1, ~~1993~~ 1999, no  
4 qualified economic offer issues are subject to interest arbitration under subd. 6. for  
5 that period. ~~In such a collective bargaining unit, economic issues concerning the~~  
6 ~~wages, hours or conditions of employment of the school district professional employes~~  
7 ~~in the unit for any period prior to July 1, 1993, are subject to interest arbitration~~  
8 ~~under subd. 6. for that period.~~ In such a collective bargaining unit, noneconomic  
9 issues other than qualified economic offer issues applicable to any period on or after  
10 July 1, ~~1993~~ 1999, are subject to interest arbitration after the parties have reached  
11 agreement and stipulate to agreement on all qualified economic offer issues  
12 ~~concerning the wages, hours or conditions of employment of~~ affecting the school  
13 district professional employes in the unit for that period. In such a collective  
14 bargaining unit, if the commission's investigator finds that the municipal employer  
15 has submitted a qualified economic offer and that a deadlock exists between the  
16 parties ~~with respect to all economic issues~~, the municipal employer may implement  
17 the qualified economic offer. On the 90th day prior to expiration of the period  
18 included within the qualified economic offer, if no agreement exists on that day, the  
19 parties are deemed to have stipulated to the inclusion in a new or revised collective  
20 bargaining agreement of all provisions of any predecessor collective bargaining  
21 agreement concerning qualified economic offer issues, or of all provisions of any  
22 existing collective bargaining agreement concerning qualified economic offer issues  
23 if the parties have reopened negotiations under an existing agreement, as modified  
24 by the terms of the qualified economic offer and as otherwise modified by the parties.  
25 In such a collective bargaining unit, on and after that 90th day, a municipal employer

1 that refuses to bargain collectively with respect to the terms of that stipulation,  
2 applicable to the 90-day period prior to expiration of the period included within the  
3 qualified economic offer, does not violate sub. (3) (a) 4. Any such unilateral  
4 implementation after ~~August 11, 1993~~ June 30, 1999, or the effective date of this  
5 subd. 5s. a., whichever is later, during the 90-day period prior to expiration of the  
6 period included within a qualified economic offer, operates as a full, final and  
7 complete settlement of all qualified economic offer issues between the parties for the  
8 period included within the qualified economic offer. The failure of a labor  
9 organization to recognize the validity of such a lawful qualified economic offer does  
10 not affect the obligation of the municipal employer to submit qualified economic offer  
11 issues to arbitration under subd. 6. If the investigator determines that the municipal  
12 employer has not submitted a qualified economic offer, either the municipal  
13 employer or the labor organization may petition for arbitration under subd. 6. to  
14 resolve any dispute relating to qualified economic offer issues.

15 **SECTION 2035r.** 111.70 (4) (cm) 5s. b. of the statutes is created to read:

16 111.70 (4) (cm) 5s. b. In a collective bargaining unit consisting of school district  
17 professional employees, the impact of any change in any provision that existed in the  
18 previous collective bargaining agreement between the parties on which the  
19 municipal employer was not required to bargain is a mandatory subject of bargaining  
20 for purposes of subd. 6. d.

21 **SECTION 2035t.** 111.70 (4) (cm) 8t. of the statutes is created to read:

22 111.70 (4) (cm) 8t. 'Methodology for determining qualified economic offers.' The  
23 commission shall prescribe by rule a methodology to be used in determining whether  
24 a collective bargaining proposal submitted by a municipal employer to a labor  
25 organization constitutes a qualified economic offer."





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0946/2  
RAC:wlj:ksh

SDC:.....Walter – Caucus #2805, Qualified economic offers

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**CAUCUS AMENDMENT**

**TO ASSEMBLY SUBSTITUTE AMENDMENT 1,**

**TO 1999 ASSEMBLY BILL 133**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1092, line 20: after that line insert:

3 “**SECTION 2033r.** 111.70 (1) (dm) of the statutes is repealed.

4 **SECTION 2033t.** 111.70 (1) (fm) of the statutes is repealed.”.

5 **2.** Page 1093, line 2: after that line insert:

6 “**SECTION 2035b.** 111.70 (1) (nc) 1. (intro.) of the statutes is renumbered 111.70

7 (1) (nc) (intro.) and amended to read:

8 111.70 (1) (nc) (intro.) “Qualified economic offer” means an offer made to a labor

9 organization by a municipal employer that includes all of the following, ~~except as~~

10 ~~provided in subd. 2.:~~

1           **SECTION 2035d.** 111.70 (1)(nc) 1. a. of the statutes is renumbered 111.70 (1)(nc)

2           1.

3           **SECTION 2035f.** 111.70 (1)(nc) 1. b. of the statutes is repealed.

4           **SECTION 2035h.** 111.70 (1)(nc) 1. c. of the statutes is repealed.

5           **SECTION 2035j.** 111.70 (1)(nc) 2. of the statutes is repealed.

6           **SECTION 2035L.** 111.70 (1)(nc) 2m. of the statutes is created to read:

7           111.70 (1)(nc) 2m. a. In any collective bargaining unit in which the municipal  
8           employe positions are assigned to salary ranges with steps that determine the levels  
9           of progression within each salary range during a 12-month period, a proposal to  
10          provide for an increase in the minimum and maximum amounts of the steps within  
11          the salary range in an amount equivalent to 2.1% for each 12-month period covered  
12          by the proposed collective bargaining agreement, beginning with the expiration date  
13          of any previous collective bargaining agreement.

14          b. In any collective bargaining unit not subject to subd. 2m. a., a proposal to  
15          provide for a salary increase for each 12-month period covered by the proposed  
16          collective bargaining agreement, beginning with the expiration date of any previous  
17          collective bargaining agreement, for each municipal employe in the collective  
18          bargaining unit for each 12-month period covered by the proposed collective  
19          bargaining agreement in an amount equivalent to 2.1%.

20          c. A proposal for the municipal employer to pay any increase in the total fringe  
21          benefits costs for municipal employes in the collective bargaining unit for each  
22          12-month period covered by the proposed collective bargaining agreement up to at  
23          least 1.7% of the total compensation and fringe benefit costs for those municipal  
24          employes in the preceding 12-month period.



1           d. A proposal to maintain all conditions of employment as such conditions  
2           existed on the 90th day prior to the expiration of the previous collective bargaining  
3           agreement between the parties, or the 90th day prior to commencement of  
4           negotiations if there is no previous collective bargaining agreement between the  
5           parties.

6           e. A proposal to maintain any provision relating to a subject of collective  
7           bargaining on which the municipal employer was not required to bargain that  
8           existed in the previous collective bargaining agreement between the parties or that  
9           existed on the 90th day prior to the expiration of the previous collective bargaining  
10          agreement between the parties.

11           **SECTION 2035n.** 111.70 (1) (nd) of the statutes is created to read:

12           111.70 (1) (nd) “Qualified economic offer issues” means salaries, extra-duty  
13           pay, health insurance, major medical insurance, dental insurance, life insurance,  
14           disability insurance, vision insurance, long-term care insurance, worker’s  
15           compensation and unemployment insurance, federal old-age, survivors, disability  
16           and health insurance under Titles II and XVIII of the federal Social Security Act,  
17           retirement contributions and supplemental retirement benefits.

18           **SECTION 2035p.** 111.70 (4) (cm) 5s. of the statutes is renumbered 111.70 (4) (cm)  
19           5s. a. and amended to read:

20           111.70 (4) (cm) 5s. a. In a collective bargaining unit consisting of school district  
21           professional employes, the municipal employer or the labor organization may  
22           petition the commission to determine whether the municipal employer has  
23           submitted a qualified economic offer. The commission shall appoint an investigator  
24           for that purpose. If the investigator, using the methodology prescribed under subd.  
25           8t., finds that the municipal employer has submitted a qualified economic offer, the

1 investigator shall determine whether a deadlock exists between the parties with  
2 respect to all economic issues. If the municipal employer submits a qualified  
3 economic offer applicable to any period beginning on or after July 1, ~~1993~~ 1999, no  
4 qualified economic offer issues are subject to interest arbitration under subd. 6. for  
5 that period. ~~In such a collective bargaining unit, economic issues concerning the~~  
6 ~~wages, hours or conditions of employment of the school district professional employes~~  
7 ~~in the unit for any period prior to July 1, 1993, are subject to interest arbitration~~  
8 ~~under subd. 6. for that period.~~ In such a collective bargaining unit, ~~noneconomic~~  
9 issues other than qualified economic offer issues applicable to any period on or after  
10 July 1, ~~1993~~ 1999, are subject to interest arbitration after the parties have reached  
11 agreement and stipulate to agreement on all qualified economic offer issues  
12 ~~concerning the wages, hours or conditions of employment of~~ affecting the school  
13 district professional employes in the unit for that period. In such a collective  
14 bargaining unit, if the commission's investigator finds that the municipal employer  
15 has submitted a qualified economic offer and that a deadlock exists between the  
16 parties ~~with respect to all economic issues~~, the municipal employer may implement  
17 the qualified economic offer. On the 90th day prior to expiration of the period  
18 included within the qualified economic offer, if no agreement exists on that day, the  
19 parties are deemed to have stipulated to the inclusion in a new or revised collective  
20 bargaining agreement of all provisions of any predecessor collective bargaining  
21 agreement concerning qualified economic offer issues, or of all provisions of any  
22 existing collective bargaining agreement concerning qualified economic offer issues  
23 if the parties have reopened negotiations under an existing agreement, as modified  
24 by the terms of the qualified economic offer and as otherwise modified by the parties.  
25 In such a collective bargaining unit, on and after that 90th day, a municipal employer

1 that refuses to bargain collectively with respect to the terms of that stipulation,  
2 applicable to the 90-day period prior to expiration of the period included within the  
3 qualified economic offer, does not violate sub. (3) (a) 4. Any such unilateral  
4 implementation after ~~August 11, 1993~~ June 30, 1999, or the effective date of this  
5 subd. 5s. a., whichever is later, during the 90-day period prior to expiration of the  
6 period included within a qualified economic offer, operates as a full, final and  
7 complete settlement of all qualified economic offer issues between the parties for the  
8 period included within the qualified economic offer. The failure of a labor  
9 organization to recognize the validity of such a lawful qualified economic offer does  
10 not affect the obligation of the municipal employer to submit qualified economic offer  
11 issues to arbitration under subd. 6. If the investigator determines that the municipal  
12 employer has not submitted a qualified economic offer, either the municipal  
13 employer or the labor organization may petition for arbitration under subd. 6. to  
14 resolve any dispute relating to qualified economic offer issues.

15 **SECTION 2035r.** 111.70 (4) (cm) 5s. b. of the statutes is created to read:

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24 a collective bargaining proposal submitted by a municipal employer to a labor  
25 organization constitutes a qualified economic offer."

