

**2009 DRAFTING REQUEST**

**Bill**

Received: 12/13/2010

Received By: **rchampag**

Wanted: **Today**

Companion to LRB:

For: **Health Services**

By/Representing: **Mark Wild**

May Contact:

Drafter: **rchampag**

Subject: **Employ Pub - collective bargain**

Addl. Drafters:

Extra Copies: **Laura Rose (Leg. Counsel)**

Submit via email: **YES**

Requester's email: **Mark.Wild@dhs.wisconsin.gov**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

2011-13 Home Care Providers Collective Bargaining Agreement

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**Instructions:**

See attached

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**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>
/?	rchampag 12/13/2010	jdyer 12/13/2010		_____			State
/1			rschluet 12/13/2010	_____	cduerst 12/13/2010	cduerst 12/13/2010	

FE Sent For:

→ 12-13-2010 ("1") ← **<END>**  
**see attached**

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/?	rchampag	1/12/13 jld		_____	_____	_____	_____

FE Sent For:

<END>

*Please for  
jacket for  
Senate of  
send to  
Laura Rose of  
Leg  
Counsel*



(D-Nolt)  
State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-4822/2

RAC:wlj:md

Now

2009 BILL

LRB-4823/1

RAC: jlc  
J+  
wlj

LX

Regen

1 AN ACT relating to: ratification of the agreement negotiated between the state  
2 of Wisconsin and the SEIU Healthcare Wisconsin, for the 2011-13 biennium,  
3 covering employees in the home care providers collective bargaining unit, and  
4 authorizing an expenditure of funds.

**Analysis by the Legislative Reference Bureau**

This proposal is introduced under section 111.92 (1) of the statutes. The proposal ratifies the collective bargaining contract for employees in the home care providers collective bargaining unit negotiated for the 2011-13 biennium under the State Employment Labor Relations Act. The proposal authorizes expenditure of moneys from Medical Assistance appropriations to fund the cost of this agreement.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

5 SECTION 1. Agreement ratified. The legislature ratifies the tentative  
6 agreement negotiated for the 2011-13 biennium between the state of Wisconsin, the  
7 department of health services, and the SEIU Healthcare Wisconsin, covering

**BILL**

1 employees in the home care providers collective bargaining unit under subchapter  
2 V of chapter 111 of the statutes, as approved by the employees of the home care  
3 providers collective bargaining unit and approved and recommended by the joint  
4 committee on employment relations, and authorizes the necessary expenditure of  
5 moneys for implementation from the appropriations made by section 20.435 (4) (b)  
6 and (o) of the statutes. The secretary of health services shall file an official copy of  
7 the agreement, certified by the cochairpersons of the joint committee on employment  
8 relations, with the secretary of state. No formal or informal agreement between the  
9 parties that is not a part of the official copy is deemed to be approved by the  
10 legislature under this act.

**SECTION 2. Effective date.**

11  
12 (1) This act takes effect on the day following publication, except that those  
13 provisions specifically identified as having other effective dates in the agreement  
14 covering employees in the home care providers collective bargaining unit are  
15 effective on the dates provided in that agreement.

16 (END)

d-note



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

~~LRB-4822/1dn  
RAC:wlj:rs~~

new  
date } December 10, 2010

LRB-4823/1dn  
RAC  
RAE: jld  
+  
wlj

As we discussed, it is unusual for the legislature to ratify a SELRA collective bargaining agreement before the enactment of the biennial budget bill for a fiscal biennium covered by that bill. I should point out that s. 111.92 (4) contemplates that the negotiation of collective bargaining agreements and their approval by the parties should coincide with the overall fiscal planning and processes of the state. The state budget for the 2011-13 fiscal biennium, obviously, has not been established. I should also point out that s. 16.47 (2) provides that bills that appropriate funds in excess of \$10,000 before the budget bill has passed both houses require an emergency statement. You may wish to talk with leadership in both houses about this requirement.

Rick A. Champagne  
Senior Legislative Attorney  
Phone: (608) 266-9930  
E-mail: rick.champagne@legis.wisconsin.gov

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-4823/1dn  
RAC:jld&wlj:rs

December 13, 2010

As we discussed, it is unusual for the legislature to ratify a SELRA collective bargaining agreement before the enactment of the biennial budget bill for a fiscal biennium covered by that bill. I should point out that s. 111.92 (4) contemplates that the negotiation of collective bargaining agreements and their approval by the parties should coincide with the overall fiscal planning and processes of the state. The state budget for the 2011-13 fiscal biennium, obviously, has not been established. I should also point out that s. 16.47 (2) provides that bills that appropriate funds in excess of \$10,000 before the budget bill has passed both houses require an emergency statement. You may wish to talk with leadership in both houses about this requirement.

Rick A. Champagne  
Senior Legislative Attorney  
Phone: (608) 266-9930  
E-mail: rick.champagne@legis.wisconsin.gov

**Barman, Mike**

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**From:** Barman, Mike  
**Sent:** Monday, December 13, 2010 2:56 PM  
**To:** Moore, Donna J - DHS  
**Subject:** FW: FISCAL ESTIMATE - NEW REQUEST - LRB # 09-4823/1

Per your request I submitted your draft to DOA for FE assignment. Let me know if I can be of further assistance.

Mike Barman (Lead Program Assistant)  
State of Wisconsin - Legislative Reference Bureau Legal Section - Front Office  
1 East Main Street, Suite 200, Madison, WI 53703  
(608) 266-3561 / mike.barman@legis.wisconsin.gov

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-----Original Message-----

From: FES User Mike Barman [mailto:DOAFiscalEstimates@wisconsin.gov]  
Sent: Monday, December 13, 2010 2:51 PM  
To: DOAFiscalEstimates@wisconsin.gov  
Cc: Barman, Mike  
Subject: FISCAL ESTIMATE - NEW REQUEST - LRB # 09-4823/1

A request for fiscal estimates for LRB # 09-4823/1 has been submitted. You can create agency assignments by selecting 'New Estimate Requests' from the 'Fiscal Estimates' menu.

Submitted from the web 12/13/2010 2:51:17 PM

Fiscal Estimates URL = <http://fes.doa.state.wi.us>

# Memo

To: Dept. of Health Services (Mark Wild)

(The Draft's Requester)

Per your request ... the attached fiscal estimate was prepared for your un-introduced 2009 session draft.

LRB Number: 2009 LRB-4823

Version: “/1”

Fiscal Estimate Prepared By: (agency abbr.) DHS

If you have questions about the enclosed fiscal estimate, you may contact the state agency representative that prepared the fiscal estimate. If you disagree with the enclosed fiscal estimate, please contact the LRB drafter of your proposal to discuss your options under the fiscal estimate procedure.

Entered In Computer And Copy Sent To Requester Via E-Mail: 12 / 14 / 2010

\* \* \* \* \*

To: LRB – Legal Section PA's

Subject: *Fiscal Estimate Received For An Unintroduced Draft*

> **If redrafted** ... please insert this cover sheet and attached early fiscal estimate into the drafting file ... after the draft's old version (the version that this fiscal estimate was based on), and before the markup of the draft on the updated version.

> **If introduced** ... and the version of the attached fiscal estimate is for a **previous version** ... please insert this cover sheet and attached early fiscal estimate into the drafting file ... after the draft's old version (the version that this fiscal estimate was based on), and before the markup of the draft on the updated version. Have Mike (or Christina) get the ball rolling on getting a fiscal estimate prepared for the introduced version.

> **If introduced** ... and the version of the attached fiscal estimate is for the **current version** ... please write the draft's introduction number below and give to Mike (or Christina) to process.

THIS DRAFT WAS INTRODUCED AS: 2009

SB 725

## Barman, Mike

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**From:** Barman, Mike  
**Sent:** Tuesday, December 14, 2010 8:32 AM  
**To:** Wild, Mark J - DHS  
**Subject:** LRB 09-4823/1 (un-introduced) (FE by DHS - attached - for your review)

**Attachments:** FE\_DHS\_4823.PDF



FE\_DHS\_4823.PDF  
(100 KB)

**Mike Barman (Lead Program Assistant)**  
State of Wisconsin - Legislative Reference Bureau  
Legal Section - Front Office  
1 East Main Street, Suite 200, Madison, WI 53703  
(608) 266-3561 / [mike.barman@legis.wisconsin.gov](mailto:mike.barman@legis.wisconsin.gov)