

2013 DRAFTING REQUEST

Bill

Received: 8/5/2013 Received By: chanaman
Wanted: As time permits Same as LRB:
For: Tim Carpenter (608) 266-8535 By/Representing: Stuart
May Contact: Drafter: chanaman
Subject: Employ Pub - collective bargain Addl. Drafters:
Extra Copies:

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

Pre Topic:

No specific pre topic given

Topic:

Remove negotiation issues for Milwaukee police and remove Milwaukee police and fire provisions

Instructions:

See attached b0750 and b0752

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>
/?	chanaman 8/7/2013	wjackson 8/23/2013	jfrantze 8/26/2013	_____			
/1				_____	lparisi 8/26/2013	mbarman 10/14/2013	

FE Sent For:

↳ Not
Needed

<END>

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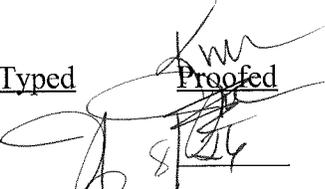
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/?	chanaman	1 wlj 8/23					

FE Sent For:

<END>

Hanaman, Cathlene

From: LRB.Legal
Sent: Thursday, July 25, 2013 2:58 PM
To: Hanaman, Cathlene
Subject: FW: drafting request

Cathlene, They were ok with this request waiting for your return. Hope that is ok...

Thanks.

Lori

From: Ewy, Stuart
Sent: Thursday, July 25, 2013 2:52 PM
To: LRB.Legal
Subject: RE: drafting request

Hi Lori,

We can wait for Cathlene to get back, no problem.

Thanks!

Regards,

G. Stuart Ewy
Office of Senator Tim Carpenter
State Capitol 109 S
608.266.8535

From: LRB.Legal
Sent: Thursday, July 25, 2013 1:49 PM
To: Ewy, Stuart
Subject: RE: drafting request

Hello Stuart, Cathlene Hanaman is the drafter of both budget amendments that you mentioned. She is on vacation until August 2nd. Can this wait until then or would you like me to try to find another drafter to handle this request before that date?

Thank you.

Lori Parisi

Program Assistant

(608)266-3561

From: Ewy, Stuart

Sent: Thursday, July 25, 2013 1:39 PM

To: LRB.Legal

Cc: Sen.Carpenter

Subject: drafting request

Hello,

Tim would like a single bill drafted that eliminates the following provisions from state statues:

- (1) The provision that requires the City of Milwaukee (city of first class) to pay salary and benefits for police and fire union negotiators; and
- (2) the provision that requires issue by issue arbitration in dealing with the Milwaukee police and fire unions.

I believe that both of these issues have been previously drafted as budget amendments for us. They should be LRB 13b0750 and LRB 13b0752 (attached)

<< File: LRB b0750_1.pdf >> << File: LRB b0752_1.pdf >>

If you have any questions or comments, please let me know.

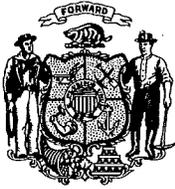
Regards,

G. Stuart Ewy

Office of Senator Tim Carpenter

State Capitol 109 S

608.266.8535



State of Wisconsin
2013 - 2014 LEGISLATURE

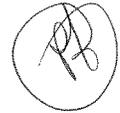


LRB-2840/7

CMH:.....

WJH

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION



Gen Cat

1 **AN ACT ...; relating to:** resolution process for a dispute between a first class city
2 and the representative of police officers employed by the first class city.

Analysis by the Legislative Reference Bureau

The Municipal Employment Relations Act (MERA) provides a process to resolve a dispute when a city of the first class (currently only Milwaukee) and the representative of the police officers employed by the city reach an impasse on the terms of a collective bargaining agreement. In this process, the arbitrator may determine many factors including all compensation, which includes base wages, insurance programs, pension programs, and overtime compensation; regular hours of work, which includes what constitutes overtime; the seniority system and its effects on wages, hours, and working conditions; criteria for merit increases; work rules; and systems of dispute resolution.

MERA also provides a process to resolve a dispute when a municipality that is not a city of the first class and the representative of its employees that are police officers reach an impasse on the terms of a collective bargaining agreement. Generally, unless both the employer and the representative of the employees agree to give the arbitrator power to determine all issues, an arbitrator must select the final offer of one of the parties without modification.

This bill eliminates the process to resolve a dispute between a city of the first class and the representative of the police officers employed by the city. Under the bill, a dispute between the city of the first class and the representative will follow the

process for dispute resolutions followed by other municipalities and the representatives of police officers employed by them.

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

(END)

1
NS
2-1



**SENATE AMENDMENT 43,
TO ASSEMBLY BILL 40**

~~Staff hand~~
~~amendments~~
Replace head
members
with
Section
autonumbers

June 20, 2013 – Offered by Senator CARPENTER.

INS 2-1

1 At the locations indicated, amend the bill, as shown by assembly substitute
2 amendment 1, as follows:

3 **1.** Page 960, line 4: after that line insert:

4 “SECTION 1722g. 111.70 (4) (jm) of the statutes is repealed.”

5 **2.** Page 960, line 11: after that line insert:

6 “SECTION 1723g. 111.70 (8) (a) of the statutes is amended to read:

7 111.70 (8) (a) This section, except sub. (4) (cg) and (cm), applies to law
8 enforcement supervisors employed by a 1st class city. This section, except sub. (4)
9 (cm) and (jm), applies to law enforcement supervisors employed by a county having
10 a population of 500,000 or more. For purposes of such application, the terms
11 “municipal employee” and “public safety employee” include such a supervisor.

12 **SECTION 1723i.** 111.71 (2) of the statutes is amended to read:

1 111.71 (2) The commission shall assess and collect a filing fee for filing a
2 complaint alleging that a prohibited practice has been committed under s. 111.70 (3).
3 The commission shall assess and collect a filing fee for filing a request that the
4 commission act as an arbitrator to resolve a dispute involving the interpretation or
5 application of a collective bargaining agreement under s. 111.70 (4) (c) 2., (cg) 4., or
6 (cm) 4. The commission shall assess and collect a filing fee for filing a request that
7 the commission initiate fact-finding under s. 111.70 (4) (c) 3. The commission shall
8 assess and collect a filing fee for filing a request that the commission act as a
9 mediator under s. 111.70 (4) (c) 1., (cg) 3., or (cm) 3. The commission shall assess and
10 collect a filing fee for filing a request that the commission initiate compulsory, final
11 and binding arbitration under s. 111.70 (4) (cg) 6. ~~or (jm)~~ or 111.77 (3). For the
12 performance of commission actions under ss. 111.70 (4) (c) 1., 2. and 3., (cg) 3., 4., and
13 6., and (cm) 3. and 4., ~~and (jm)~~ and 111.77 (3), the commission shall require that the
14 parties to the dispute equally share in the payment of the fee and, for the
15 performance of commission actions involving a complaint alleging that a prohibited
16 practice has been committed under s. 111.70 (3), the commission shall require that
17 the party filing the complaint pay the entire fee. If any party has paid a filing fee
18 requesting the commission to act as a mediator for a labor dispute and the parties
19 do not enter into a voluntary settlement of the dispute, the commission may not
20 subsequently assess or collect a filing fee to initiate fact-finding or arbitration to
21 resolve the same labor dispute. If any request for the performance of commission
22 actions concerns issues arising as a result of more than one unrelated event or
23 occurrence, each such separate event or occurrence shall be treated as a separate
24 request. The commission shall promulgate rules establishing a schedule of filing fees
25 to be paid under this subsection. Fees required to be paid under this subsection shall

1 be paid at the time of filing the complaint or the request for fact-finding, mediation
 2 or arbitration. A complaint or request for fact-finding, mediation or arbitration is
 3 not filed until the date such fee or fees are paid, except that the failure of the
 4 respondent party to pay the filing fee for having the commission initiate compulsory,
 5 final and binding arbitration under s. 111.70 (4) (cg) 6. ~~or (jm)~~ or 111.77 (3) may not
 6 prohibit the commission from initiating such arbitration. The commission may
 7 initiate collection proceedings against the respondent party for the payment of the
 8 filing fee. Fees collected under this subsection shall be credited to the appropriation
 9 account under s. 20.425 (1) (i).

10 **SECTION 1723k.** 111.77 (8) (b) of the statutes is amended to read:

11 111.77 (8) (b) This section shall not apply to members of a police department
 12 employed by a ~~1st class city nor to any city, village or town having a population of less~~
 13 than 2,500.

14 **3.** Page 1371, line 12: after that line insert:

15 (1) COLLECTIVE BARGAINING; BINDING ARBITRATION IN FIRST CLASS CITIES. The
 16 treatment of sections 111.70 (4) (jm) and (8) (a), 111.71 (2), and 111.77 (8) (b) of the
 17 statutes first applies to collective bargaining agreements entered into, extended,
 18 modified, or renewed, whichever occurs first, on the effective date of this
 19 subsection.

(END) of insert
2/1

Section # Initial Applicability

Basford, Sarah

From: Ewy, Stuart
Sent: Saturday, October 12, 2013 10:57 AM
To: LRB.Legal
Subject: Draft Review: LRB -2840/1 Topic: Remove negotiation issues for Milwaukee police and remove Milwaukee police and fire provisions

Please Jacket LRB -2840/1 for the SENATE.