ASSEMBLY AMENDMENT 1,

TO ASSEMBLY BILL 606

January 29, 2018 – Offered by Representative BRANDTJEN.

1   At the locations indicated, amend the bill as follows:

2   **1.** Page 3, line 6: after "experience" insert "unless, after a reasonable search,

3 no suitable candidates are available".

4   **2.** Page 4, line 9: delete "a preponderance of the" and substitute "clear and

5 convincing".

6   **3.** Page 4, line 17: delete lines 17 to 20.

7   **4.** Page 7, line 22: delete "3" and substitute "5".

8   **5.** Page 8, line 3: after "subsection" insert ", and each such appointee shall be

9 at least 5 years removed from service as a professional law enforcement officer or fire

10 fighter, and shall comply with any residency requirements that apply to current

11 members of the department with regard to which the appointee has experience".

1   **6.** Page 8, line 9: delete "agree on the hearing examiner" and substitute

2   "exchange lists of acceptable hearing examiners, and the parties shall forward their

3   lists to the independent monitor".

4   **7.** Page 8, line 10: delete ", the parties shall" and substitute "within 7 days

5   after exchanging lists, the independent monitor shall select the hearing examiner,

6   randomly, from the lists provided by the parties.".

7   **8.** Page 8, line 11: delete lines 11 to 18.

8   **9.** Page 10, line 10: after "shall" insert "make a good faith effort to".

9   **10.** Page 10, line 14: after "persons." insert "After the application period for

10   accepting chief of police applications closes the board may accept additional

11   applications, except that the board shall reopen the application period for 7 days

12   after it accepts an application submitted after the original deadline.".

13   **11.** Page 13, line 1: delete lines 1 to 4.

14   **12.** Page 13, line 8: after that line insert:

15   "**SECTION 21e.** 62.50 (17) (b) 8. of the statutes is created to read:

16   62.50 **(17)** (b) 8. Ensure that the proposed discipline is consistent with similar

17   discipline for similar violations.".

18   **13.** Page 13, line 11: delete "the fire" and substitute "the fire either".

19   **14.** Page 13, line 13: after "sustained" insert "or unless, following the charges

20   being sustained, the accused asks for an extension of time for an appeal".

21   **15.** Page 13, line 15: after "board or the" insert "unextended".

22   **16.** Page 14, line 11: delete lines 11 to 21 and substitute:

1 "62.50 **(20)** Cᴀ̶ɪ̶ʀ̶ᴄ̶ᴜ̶ɪ̶ᴛ̶ ̶ᴄ̶ᴏ̶ᴜ̶ʀ̶ᴛ̶ ̶ʀ̶ᴇ̶ᴠ̶ɪ̶ᴇ̶ᴡ̶ Aᴘᴘᴇᴀʟ ᴏꜰ ʙᴏᴀʀᴅ ᴅᴇᴄɪꜱɪᴏɴ; ɴᴏᴛɪᴄᴇ. Any officer

2 or member of either department d̶i̶s̶c̶h̶a̶r̶g̶e̶d̶,̶ ̶s̶u̶s̶p̶e̶n̶d̶e̶d̶ ̶o̶r̶ ̶r̶e̶d̶u̶c̶e̶d̶ who is

3 disciplined, may, within 10 days after the decision and findings under this section are

4 f̶i̶l̶e̶d̶ ̶w̶i̶t̶h̶ delivered to the secretary of the board, b̶r̶i̶n̶g̶ ̶a̶n̶ ̶a̶c̶t̶i̶o̶n̶ ̶i̶n̶ ̶t̶h̶e̶ ̶c̶i̶r̶c̶u̶i̶t̶ ̶c̶o̶u̶r̶t̶

5 o̶f̶ ̶t̶h̶e̶ ̶c̶o̶u̶n̶t̶y̶ ̶i̶n̶ ̶w̶h̶i̶c̶h̶ ̶t̶h̶e̶ ̶c̶i̶t̶y̶ ̶i̶s̶ ̶l̶o̶c̶a̶t̶e̶d̶ ̶t̶o̶ ̶r̶e̶v̶i̶e̶w̶ ̶t̶h̶e̶ ̶o̶r̶d̶e̶r̶.̶ Such appeal that

6 decision either to the circuit court of the county in which the city is located or to an

7 arbitrator who shall be selected jointly by the parties to review the order. An action

8 shall begin by the serving of a notice on the secretary of the board making such order

9 and on the city attorney of such city, which notice may be in one of the following or

10 similar f̶o̶r̶m̶ forms:".

11 **17.** Page 15, line 12: after that line insert:

12 "**Sᴇᴄᴛɪᴏɴ 24m.** 62.50 (30) of the statutes is created to read:

13 62.50 **(30)** Rᴇᴠɪᴇᴡ ᴏꜰ, ᴀᴘᴘᴇᴀʀᴀɴᴄᴇ ʙʏ, ᴄʜɪᴇꜰꜱ. (a) If the common council of a 1st

14 class city adopts a resolution by a two-thirds vote of the members-elect, as defined

15 in s. 59.001 (2m), to conduct a performance review of either the chief of police or the

16 chief engineer of the fire department, the board shall conduct such a review and

17 forward its written report with the common council.

18 (b) At least once each year, the chief of police and the chief engineer of the fire

19 department shall meet with the members of the common council of a 1st class city

20 at a regular meeting of the council.".

21 **18.** Page 17, line 8: delete "that" and substitute "as otherwise provided in this

22 paragraph.".

1   **19.** Page 17, line 9: delete "in cases" and substitute "The court or arbitrator

2   may consider any new evidence that is exculpatory to the accused. In cases".

3   **(END)**