



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBa2347/1
MES:ahc

**SENATE AMENDMENT 1,
TO SENATE BILL 512**

March 2, 2018 - Offered by Senator WANGGAARD.

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 13, line 16: after “made.” insert “A chief officer of either department
23 and a member of the fire department may be deprived of any salary or wages to which

1 the officer or member would otherwise be entitled to receive if such an individual is
2 charged with a felony, as defined in s. 939.60, and bound over for trial as provided
3 in s. 970.02 (4) or 970.03 (7).”.

4 **17.** Page 14, line 11: delete lines 11 to 21 and substitute:

5 “62.50 (20) ~~CIRCUIT COURT REVIEW~~ APPEAL OF BOARD DECISION; NOTICE. Any officer
6 or member of either department ~~discharged, suspended or reduced~~ who is
7 disciplined, may, within 10 days after the decision and findings under this section are
8 ~~filed with~~ delivered to the secretary of the board, ~~bring an action in the circuit court~~
9 ~~of the county in which the city is located to review the order.~~ Such appeal that
10 decision either to the circuit court of the county in which the city is located or to an
11 arbitrator who shall be selected jointly by the parties to review the order. An action
12 shall begin by the serving of a notice on the secretary of the board making such order
13 and on the city attorney of such city, which notice may be in one of the following or
14 similar ~~form~~ forms:”

15 **18.** Page 15, line 12: after that line insert:

16 “**SECTION 24m.** 62.50 (30) of the statutes is created to read:

17 62.50 (30) REVIEW OF, APPEARANCE BY, CHIEFS. (a) If the common council of a 1st
18 class city adopts a resolution by a two-thirds vote of the members-elect, as defined
19 in s. 59.001 (2m), to conduct a performance review of either the chief of police or the
20 chief engineer of the fire department, the board shall conduct such a review and
21 forward its written report with the common council.

22 (b) At least once each year, the chief of police and the chief engineer of the fire
23 department shall meet with the members of the common council of a 1st class city
24 at a regular meeting of the council.”.

