



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2001 Assembly Bill 113

Assembly Amendment 1

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Assembly Amendment 1:

- Adds emergency medical technicians (EMTs) to the definition of “emergency personnel.” Thus, the provisions of the bill that deal with residency requirements for emergency personnel will include EMTs, as well as law enforcement officers and fire fighters.
- Deletes as unnecessary reference to “town sanitary district” on page 4, line 12 of the bill. The bill applies generally to “local governmental units,” as defined in the bill; the definition does not include town sanitary districts.
- In connection with the bill’s provisions on residency requirements for emergency personnel, deletes the grandfather clause for current employees (page 4, lines 19 to 25 of the bill) and substitutes a prohibition on imposing the otherwise authorized residency requirement for emergency personnel if, at the time the bill takes effect, the local governmental unit does not have a residency requirement or has an emergency personnel residency requirement that is less stringent than what the bill authorizes.

Under the bill, if a local governmental unit has an emergency personnel residency requirement on the effective date of the bill that is less stringent than the emergency personnel residency requirement authorized under the bill, a residency requirement enacted or adopted as authorized under the bill may not be applied to any emergency personnel who are employed on the bill’s effective date.

Assembly Amendment 1 deletes the above-described provision and provides, instead, that if a local governmental unit does not have a residency requirement applicable to emergency personnel on the effective date of the bill, or if a local governmental unit has a residency requirement when the bill takes effect that applies to emergency personnel and that requirement is less stringent than the residency requirement authorized under the bill, the local governmental unit may not enact or impose a residency

requirement as otherwise authorized by the bill. However, the governmental unit may continue to impose the less stringent residency requirement.

- Provides that a decision to impose an emergency personnel residency requirement, as authorized by the bill, is a prohibited subject of collective bargaining. [See page 3, lines 1 to 7 of the amendment.]
- Clarifies the initial applicability of the bill to employees covered by collective bargaining agreements. Under the amendment, the bill first applies “to the imposition of any residency requirement for an employee of any city, village, town, county, or school district who is covered by a collective bargaining agreement that is in effect . . . [when the bill takes effect] upon the expiration, extension, renewal, or modification of the agreement.” This language replaces page 5, lines 1 to 5 of the bill.

Adoption of Assembly Amendment 1 was recommended by the Assembly Committee on Urban and Local Affairs by a vote of Ayes, 3; Noes, 1, on April 11, 2001.

DD:wu:tlu;ksm