

**ASSEMBLY AMENDMENT 1,
TO 2001 ASSEMBLY BILL 113**

April 11, 2001 – Offered by COMMITTEE ON URBAN AND LOCAL AFFAIRS.

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

2 **1.** Page 4, line 5: after “officer” insert “, emergency medical technician,”.

3 **2.** Page 4, line 12: delete “or town sanitary district,”.

4 **3.** Page 4, line 19: delete lines 19 to 25 and substitute:

5 “(c) If a local governmental unit does not have a residency requirement that is
6 in effect on the effective date of this paragraph [revisor inserts date], that applies
7 to emergency personnel, or if a local governmental unit has a residency requirement
8 that is in effect on the effective date of this paragraph [revisor inserts date], that
9 applies to emergency personnel and that requirement is less stringent than a
10 residency requirement described under par. (b), the local governmental unit may not
11 enact or impose a residency requirement under par. (b), but the local governmental
12 unit may continue to enforce its residency requirement that is in effect on the

1 effective date of this paragraph [revisor inserts date], that is less stringent than
2 a residency requirement described under par. (b).

3 **SECTION 7c.** 111.70 (1) (a) of the statutes is amended to read:

4 111.70 (1) (a) “Collective bargaining” means the performance of the mutual
5 obligation of a municipal employer, through its officers and agents, and the
6 representative of its municipal employees in a collective bargaining unit, to meet and
7 confer at reasonable times, in good faith, with the intention of reaching an
8 agreement, or to resolve questions arising under such an agreement, with respect to
9 wages, hours and conditions of employment, and with respect to a requirement of the
10 municipal employer for a municipal employee to perform law enforcement and fire
11 fighting services under s. 61.66, except as provided in sub. (4) (m) and (o) and s. 40.81
12 (3) and except that a municipal employer shall not meet and confer with respect to
13 any proposal to diminish or abridge the rights guaranteed to municipal employees
14 under ch. 164. The duty to bargain, however, does not compel either party to agree
15 to a proposal or require the making of a concession. Collective bargaining includes
16 the reduction of any agreement reached to a written and signed document. The
17 municipal employer shall not be required to bargain on subjects reserved to
18 management and direction of the governmental unit except insofar as the manner
19 of exercise of such functions affects the wages, hours and conditions of employment
20 of the municipal employees in a collective bargaining unit. In creating this
21 subchapter the legislature recognizes that the municipal employer must exercise its
22 powers and responsibilities to act for the government and good order of the
23 jurisdiction which it serves, its commercial benefit and the health, safety and welfare
24 of the public to assure orderly operations and functions within its jurisdiction,

1 subject to those rights secured to municipal employees by the constitutions of this
2 state and of the United States and by this subchapter.

3 **SECTION 7h.** 111.70 (4) (m) (title) of the statutes is amended to read:

4 111.70 (4) (m) (title) *Prohibited subjects of bargaining; school districts.*

5 **SECTION 7p.** 111.70 (4) (m) 5m. of the statutes is created to read:

6 111.70 (4) (m) 5m. A decision to impose a residency requirement under s.
7 66.0502 (4) (b).

8 **SECTION 7t.** 111.70 (4) (o) of the statutes is created to read:

9 111.70 (4) (o) *Prohibited subjects of bargaining.* In a city, village, town, or
10 county, the municipal employer is prohibited from bargaining collectively with
11 respect to a decision to impose a residency requirement under s. 66.0502 (4) (b).”.

12 **4.** Page 5, line 2: delete lines 2 to 5 and substitute:

13 “(1) This act first applies to the imposition of any residency requirement for an
14 employee of any city, village, town, county, or school district who is covered by a
15 collective bargaining agreement that is in effect on the effective date of this
16 subsection upon the expiration, extension, renewal, or modification of the
17 agreement.”.

18 (END)