

**2005 DRAFTING REQUEST**

**Bill**

Received: **06/23/2005**

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Barbara Toles (608) 266-5580**

By/Representing: **Rep. Toles**

This file may be shown to any legislator: **NO**

Drafter: **mshovers**

May Contact: **Andy in Rep. Colon's office**

Addl. Drafters:

Subject: **Local Gov't - 1st class cities**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Toles@legis.state.wi.us**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Restrict the ability of fired Milwaukee police officers to receive pay after termination.

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**Instructions:**

Based on LRB -2929/1

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**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>
/?	mshovers 06/23/2005	kfollett 06/23/2005		_____			S&L
/1			pgreensl 06/23/2005	_____	lemery 06/23/2005	lemery 06/28/2005	

FE Sent For:

<END>

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Assembly  
Per MES

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1/?	mshovers	1/1/05	6/23/05	6/23/05	6/23/05		

Handwritten notes: 1/1/05, 6/23/05, 6/23/05, 6/23/05, 6/23/05, 6/23/05, 6/23/05, 6/23/05

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<END>

↓ AMNR  
E/gf

# 2005 BILL

NOTE The bill does not affect current law provisions relating to reinstatement and back pay for member if the board's decision is reversed.

Wanted!  
Fri.

*[Handwritten signature]*

1 **AN ACT to amend** 62.50 (18) of the statutes; **relating to:** payment of a 1st class  
2 city police officer's salary after discharge.

### *Analysis by the Legislative Reference Bureau*

Under current law, no member of the police force of a first class city (presently only Milwaukee) may be suspended or discharged without pay or benefits until the matter that is the subject of the suspension or discharge is disposed of by the board of fire and police commissioners or the time for an appeal passes without an appeal being made. *Also under current law, if the board's decision upholding*

This bill removes the current law's applicability to police officers who are discharged. *provisions relating to payment of salary to such officers*

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

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

3 **SECTION 1.** 62.50 (18) of the statutes is amended to read:  
4 **62.50 (18) SALARY DURING SUSPENSION.** No chief officer of either department or  
5 member of the fire department may be deprived of any salary or wages for the period  
6 of time suspended preceding an investigation or trial, unless the charge is sustained.

*the discharge or suspension is reversed, the member must be reinstated to his or her former position in the department and is entitled to pay as if he or she was not suspended or discharged.*

**BILL**

1 No member of the police force may be suspended ~~or discharged~~ under sub. (11) or (13)  
2 without pay or benefits until the matter that is the subject of the suspension ~~or~~  
3 ~~discharge~~ is disposed of by the board or the time for appeal under sub. (13) passes  
4 without an appeal being made.

5 **SECTION 2. Initial applicability.**

6 (1) This act first applies to any member of the police force who is covered by a  
7 collective bargaining agreement that contains provisions inconsistent with this act  
8 on the day on which the collective bargaining agreement expires or is extended,  
9 modified, or renewed, whichever occurs first.

10 (END)