



**ASSEMBLY AMENDMENT 6,
TO 2009 SENATE BILL 437**

April 20, 2010 – Offered by Representative DAVIS.

1 At the locations indicated, amend the bill, as shown by senate substitute
2 amendment 1, as follows:

3 **1.** Page 1, line 7: before that line insert:

4 “**SECTION 1.** 111.70 (1) (a) of the statutes, as affected by 2009 Wisconsin Acts
5 34 and 60, is amended to read:

6 111.70 (1) (a) “Collective bargaining” means the performance of the mutual
7 obligation of a municipal employer, through its officers and agents, and the
8 representative of its municipal employees in a collective bargaining unit, to meet and
9 confer at reasonable times, in good faith, with the intention of reaching an
10 agreement, or to resolve questions arising under such an agreement, with respect to
11 wages, hours, and conditions of employment, and with respect to a requirement of
12 the municipal employer for a municipal employee to perform law enforcement and
13 fire fighting services under s. 61.66 and ~~for a school district with respect to any~~

1 ~~matter under sub. (4) (o)~~, and for a school district with respect to any matter under
2 sub. (4) (n), except as provided in subs. (3m), (3p), and (4) (m) and (mc) and s. 40.81
3 (3) and except that a municipal employer shall not meet and confer with respect to
4 any proposal to diminish or abridge the rights guaranteed to municipal employees
5 under ch. 164. The duty to bargain, however, does not compel either party to agree
6 to a proposal or require the making of a concession. Collective bargaining includes
7 the reduction of any agreement reached to a written and signed document. The
8 municipal employer shall not be required to bargain on subjects reserved to
9 management and direction of the governmental unit except insofar as the manner
10 of exercise of such functions affects the wages, hours, and conditions of employment
11 of the municipal employees in a collective bargaining unit. In creating this
12 subchapter the legislature recognizes that the municipal employer must exercise its
13 powers and responsibilities to act for the government and good order of the
14 jurisdiction which it serves, its commercial benefit and the health, safety and welfare
15 of the public to assure orderly operations and functions within its jurisdiction,
16 subject to those rights secured to municipal employees by the constitutions of this
17 state and of the United States and by this subchapter.

18 **SECTION 1g.** 111.70 (4) (o) of the statutes, as created by 2009 Wisconsin Act 60,
19 is repealed.”.

20 **2.** Page 1, line 7: delete “**SECTION 1**” and substitute “**SECTION 1m**”.

21 **3.** Page 1, line 9: after that line insert:

22 “**SECTION 1r.** 118.30 (2) (c) of the statutes, as affected by 2009 Wisconsin Act
23 60, is amended to read:

1 118.30 **(2)** (c) The results of examinations administered under this section or
2 under 20 USC 6311 (b) (3) to pupils enrolled in public schools, including charter
3 schools, may not be used to discharge, suspend or formally discipline the sole reason
4 for discharging, suspending, or formally disciplining a teacher or ~~as the reason for~~
5 ~~the nonrenewal of~~ for not renewing a teacher's contract.”.

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(END)