

☞ **09hr_SC-LEUA_ab0560_pt01**



Details:

(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2009-10

(session year)

Senate

(Assembly, Senate or Joint)

**Committee on ... Labor, Elections, and Urban
Affairs (SC-LEUA)**

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Senate

Record of Committee Proceedings

Committee on Labor, Elections and Urban Affairs

Assembly Bill 560

Relating to: remedial statutory changes affecting the Wisconsin Employment Relations Commission (suggested as remedial legislation by the Wisconsin Employment Relations Commission).

By Law Revision Committee.

January 29, 2010 Referred to Committee on Labor, Elections and Urban Affairs.

March 10, 2010 **PUBLIC HEARING HELD**

Present: (5) Senators Coggs, Wirsch, Lehman, A. Lasee and Grothman.

Absent: (0) None.

Appearances For

- Kurt Stege — Wisconsin Employment Relations Commission

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- None.

Registrations Against

- None.

Registrations for Information Only

- None.

March 16, 2010 **EXECUTIVE SESSION HELD**

Present: (5) Senators Coggs, Wirsch, Lehman, A. Lasee and Grothman.

Absent: (0) None.

Moved by Senator Wirsch, seconded by Senator A. Lasee that **Assembly Bill 560** be recommended for concurrence.

Ayes: (5) Senators Coggs, Wirch, Lehman, A. Lasee
and Grothman.

Noes: (0) None.

CONCURRENCE RECOMMENDED, Ayes 5, Noes 0



Adam Plotkin
Committee Clerk

Vote Record Committee on Labor, Elections and Urban Affairs

Date: FEB. 2/16/10

Moved by: WIRCH Seconded by: LASEE

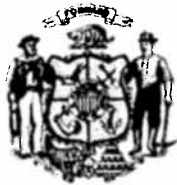
AB 560 SB _____ Clearinghouse Rule _____
 AJR _____ SJR _____ Appointment _____
 AR _____ SR _____ Other _____

A/S Amdt _____
 A/S Amdt _____ to A/S Amdt _____
 A/S Sub Amdt _____
 A/S Amdt _____ to A/S Sub Amdt _____
 A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

Be recommended for:
 Passage Adoption Confirmation Concurrence Indefinite Postponement
 Introduction Rejection Tabling Nonconcurrence

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Senator Spencer Coggs, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Wirch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator John Lehman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Alan Lasee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Glenn Grothman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>5</u>	<u>0</u>	_____	_____

Motion Carried Motion Failed



2009 ASSEMBLY BILL 560

- time limit for appeals in wrong section of statutes
- gives investigatory authority to wrong body
- repeals AFDC reference

November 10, 2009 - Introduced by LAW REVISION COMMITTEE. Referred to Committee on Labor.

1 AN ACT *to repeal* 230.45 (1) (e); and *to amend* 230.44 (3), 230.44 (4) (b), 230.45
2 (1) (h) and 230.45 (3) of the statutes; **relating to:** remedial statutory changes
3 affecting the Wisconsin Employment Relations Commission (suggested as
4 remedial legislation by the Wisconsin Employment Relations Commission).

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Wisconsin Employment Relations Commission and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor nonsubstantive changes in the statutes, and that these changes are desirable as a matter of public policy.

5 SECTION 1. 230.44 (3) of the statutes is amended to read:
6 230.44 (3) TIME LIMITS. Any appeal filed under this section may not be heard
7 unless the appeal is filed within 30 days after the effective date of the action, or

ASSEMBLY BILL 560**SECTION 1**

1 within 30 days after the appellant is notified of the action, whichever is later, ~~except~~
2 ~~that if the appeal alleges discrimination under subch. II of ch. 111, the time limit for~~
3 ~~that part of the appeal alleging such discrimination shall be 300 days after the~~
4 ~~alleged discrimination occurred.~~

NOTE: Eliminates language relating to the filing period for fair employment act complaints. These complaints are processed by the Equal Rights Division (in the Department of Workforce Development) under s. 230.45 (1e) (a), stats., and not under this subsection, which deals with time for appeals to the Wisconsin Employment Relations Commission (WERC). The placement of this unrelated provision in s. 230.44 (3), stats., is unnecessary and confusing.

5 **SECTION 2.** 230.44 (4) (b) of the statutes is amended to read:

6 230.44 (4) (b) An employee shall attend a hearing under this subsection and
7 testify when requested to do so by the commission. Any person not under the civil
8 service who appears before the commission by order shall receive for his or her
9 attendance the fees and mileage provided for witnesses in civil actions in courts of
10 record under ch. 885, which shall be audited and paid by the state in the same
11 manner as other expenses are audited and paid, upon the presentation of properly
12 verified vouchers approved by the commission and charged to the proper
13 appropriation for the commission. No witness subpoenaed at the insistence of a
14 party other than the commission is entitled to compensation from the state for
15 attendance or travel, unless the commission certifies that his or her testimony was
16 relevant and material to the matter investigated.

NOTE: The authority of WERC under s. 230.45 (1), stats., does not include conducting investigations; the Equal Rights Division conducts investigations under s. 230.45 (1e), stats. Therefore, reference to the matter "investigated" is deleted.

17 **SECTION 3.** 230.45 (1) (e) of the statutes is repealed.

NOTE: Repeals an obsolete provision regarding WERC's authority to hear county merit system appeals. The referenced rules are Aid to Families with Dependent Children (AFDC) rules that have been repealed.

18 **SECTION 4.** 230.45 (1) (h) of the statutes is amended to read:

ASSEMBLY BILL 560

1 230.45 (1) (h) Keep minutes of its own proceedings and other official actions.
2 All such records shall, subject to reasonable rules, be open to public inspection.
3 Records of the director or the administrator which are confidential shall be kept
4 confidential by the ~~division of equal rights or the~~ commission.

NOTE: Removes reference to the Division of Equal Rights. The duties of the
Division of Equal Rights in this regard are stated in s. 230.45 (1e) (c), stats.

5 **SECTION 5.** 230.45 (3) of the statutes is amended to read:

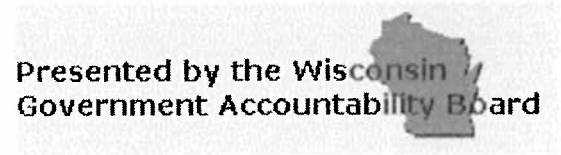
6 230.45 (3) The commission shall promulgate rules establishing a schedule of
7 filing fees to be paid by any person who files an appeal under sub. (1) (c) ~~or (e)~~ or s.
8 230.44 (1) (a) or (b) with the commission on or after the effective date of the rules
9 promulgated under this subsection. Fees paid under this subsection shall be credited
10 to the appropriation account under s. 20.425 (1) (i).

NOTE: Makes a cross-reference change to reflect the repeal of par. (e) of s. 230.45
(1), stats., by SECTION 3 of the bill.

11

(END)

- ▶ Home
- ▶ Lobbying in Wisconsin
- ▶ Organizations employing lobbyists
- ▶ Lobbyists



as of Monday, March 08, 2010

2009-2010 legislative session
Legislative bills and resolutions

(search for another legislative bill or resolution at the bottom of this page)

Assembly Bill 560

remedial statutory changes affecting the Wisconsin Employment Relations Commission (suggested as remedial legislation by the Wisconsin Employment Relations Commission).

<p>TEXT sponsors LRB analysis</p>	<p>STATUS committee actions and votes text of amendments</p>	<p>COST & HOURS of lobbying efforts directed at this proposal</p>
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Organization	These organizations have reported lobbying on this proposal:	Date Notified	Position	Comments				
<table border="1" style="font-size: small;"> <tr> <td style="width: 50px;">Profile</td> <td>Interests</td> </tr> </table>	Profile	Interests	<table border="1" style="font-size: x-small;"> <tr> <td colspan="2">Place pointer on icon to display comments, click icon to display prior comments</td> </tr> </table>	Place pointer on icon to display comments, click icon to display prior comments		1/7/2010		
Profile	Interests							
Place pointer on icon to display comments, click icon to display prior comments								
<table border="1" style="font-size: x-small;"> <tr> <td style="width: 20px; text-align: center;">•</td> <td style="width: 20px; text-align: center;">•</td> </tr> </table>	•	•	Wisconsin Alliance of Cities Inc					
•	•							

Select a legislative proposal and click "go"

House	<table style="width: 100%; border: none;"> <tr><td style="background-color: black; color: white;">Assembly</td></tr> <tr><td>Senate</td></tr> </table>	Assembly	Senate	
Assembly				
Senate				
Proposal Type	<table style="width: 100%; border: none;"> <tr><td style="background-color: black; color: white;">Bill</td></tr> <tr><td>Joint Resolution</td></tr> <tr><td>Resolution</td></tr> </table>	Bill	Joint Resolution	Resolution
Bill				
Joint Resolution				
Resolution				
Proposal Number	560 (enter proposal number)			
Legislative Session	2009 Regular Session ▼			
	<input type="button" value="Go"/>			

LEVA Exec & Hearing - 3/10/10

EXEC

AB 560

broadcast
on WT Eye

SB 390

Russ explains sub

no one says nothing or nothing



HEARING

AB 560

Kurt Stegge - brief remarks

AB 567

no testimony - Russ describes briefly

SB 522

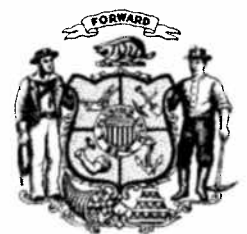
Ron Kent, James Bucher, John Conway

- AFL + WMC have written testimony
- Conway brief remarks, overview of Walker's Camp + process
- Bucher goes off script, mostly about process
- Ron Kent, opening of script remarks then reads testimony
- SC asks them to comment on efforts to reach consensus
- Bucher talks about how they work together
- Kent talks about how they work together + more on process
- Brothman ?'s on increased PPD + PTD rates
- try to explain how it works

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WISCONSIN STATE LEGISLATURE



LEVA Exec + Hearing

Tue. Mar. 16, 2010

EXEC

AB 560

AB 560
AB 567
SB 522 } nothing

- SB 429 - Grothman explains amendment
Russo explains more
SC asks ?'s
- SB 440 - Russo describes both amendments

HEARING

SB 595

SC + Rep. Van Arman

- SC reads written testimony
- IVA brief remarks
- GB 2 on preemption
- Russo answers that it's hard to predict
- Danny McGowan
- no written testimony
- John Metcalf + Jonathan Swain
- mixed part of Swain's verbal testimony

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