



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBb0752/1
CMH:cjs:ph

**SENATE AMENDMENT 43,
TO ASSEMBLY BILL 40**

June 20, 2013 – Offered by Senator CARPENTER.

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

3 **1.** Page 960, line 4: after that line insert:

4 “**SECTION 1722g.** 111.70 (4) (jm) of the statutes is repealed.”.

5 **2.** Page 960, line 11: after that line insert:

6 “**SECTION 1723g.** 111.70 (8) (a) of the statutes is amended to read:

7 111.70 **(8)** (a) This section, except sub. (4) (cg) and (cm), applies to law
8 enforcement supervisors employed by a 1st class city. This section, except sub. (4)
9 (cm) and ~~(jm)~~, applies to law enforcement supervisors employed by a county having
10 a population of 500,000 or more. For purposes of such application, the terms
11 “municipal employee” and “public safety employee” include such a supervisor.

12 **SECTION 1723i.** 111.71 (2) of the statutes is amended to read:

1 111.71 (2) The commission shall assess and collect a filing fee for filing a
2 complaint alleging that a prohibited practice has been committed under s. 111.70 (3).
3 The commission shall assess and collect a filing fee for filing a request that the
4 commission act as an arbitrator to resolve a dispute involving the interpretation or
5 application of a collective bargaining agreement under s. 111.70 (4) (c) 2., (cg) 4., or
6 (cm) 4. The commission shall assess and collect a filing fee for filing a request that
7 the commission initiate fact-finding under s. 111.70 (4) (c) 3. The commission shall
8 assess and collect a filing fee for filing a request that the commission act as a
9 mediator under s. 111.70 (4) (c) 1., (cg) 3., or (cm) 3. The commission shall assess and
10 collect a filing fee for filing a request that the commission initiate compulsory, final
11 and binding arbitration under s. 111.70 (4) (cg) 6. ~~or (jm)~~ or 111.77 (3). For the
12 performance of commission actions under ss. 111.70 (4) (c) 1., 2. and 3., (cg) 3., 4., and
13 6., and (cm) 3. and 4., ~~and (jm)~~ and 111.77 (3), the commission shall require that the
14 parties to the dispute equally share in the payment of the fee and, for the
15 performance of commission actions involving a complaint alleging that a prohibited
16 practice has been committed under s. 111.70 (3), the commission shall require that
17 the party filing the complaint pay the entire fee. If any party has paid a filing fee
18 requesting the commission to act as a mediator for a labor dispute and the parties
19 do not enter into a voluntary settlement of the dispute, the commission may not
20 subsequently assess or collect a filing fee to initiate fact-finding or arbitration to
21 resolve the same labor dispute. If any request for the performance of commission
22 actions concerns issues arising as a result of more than one unrelated event or
23 occurrence, each such separate event or occurrence shall be treated as a separate
24 request. The commission shall promulgate rules establishing a schedule of filing fees
25 to be paid under this subsection. Fees required to be paid under this subsection shall

1 be paid at the time of filing the complaint or the request for fact-finding, mediation
2 or arbitration. A complaint or request for fact-finding, mediation or arbitration is
3 not filed until the date such fee or fees are paid, except that the failure of the
4 respondent party to pay the filing fee for having the commission initiate compulsory,
5 final and binding arbitration under s. 111.70 (4) (cg) 6. ~~or (jm)~~ or 111.77 (3) may not
6 prohibit the commission from initiating such arbitration. The commission may
7 initiate collection proceedings against the respondent party for the payment of the
8 filing fee. Fees collected under this subsection shall be credited to the appropriation
9 account under s. 20.425 (1) (i).

10 **SECTION 1723k.** 111.77 (8) (b) of the statutes is amended to read:

11 111.77 (8) (b) This section shall not apply to members of a police department
12 employed by a 1st class city ~~nor to any city, village or town having a population of less~~
13 than 2,500.”.

14 **3.** Page 1371, line 12: after that line insert:

15 “(1) COLLECTIVE BARGAINING; BINDING ARBITRATION IN FIRST CLASS CITIES. The
16 treatment of sections 111.70 (4) (jm) and (8) (a), 111.71 (2), and 111.77 (8) (b) of the
17 statutes first applies to collective bargaining agreements entered into, extended,
18 modified, or renewed, whichever occurs first, on the effective date of this
19 subsection.”.

20 (END)