### State of Misconsin 2023 - 2024 LEGISLATURE

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# ASSEMBLY SUBSTITUTE AMENDMENT 1, TO ASSEMBLY BILL 120

April 21, 2023 - Offered by Representative Donovan.

- 1 AN ACT to amend 111.70 (4) (mc) 6. of the statutes; relating to: the design of
- 2 health care coverage plans for public safety employees.

#### Analysis by the Legislative Reference Bureau

Under current law, municipal employees who are public safety employees, such as police officers, fire fighters, and emergency medical service providers for emergency medical services departments, may bargain collectively over wages, hours, and conditions of employment. Public safety employees, however, may not bargain over a subject that is identified as a prohibited subject of bargaining. Under current law, all costs and payments associated with health care coverage plans and the design and selection of health care coverage plans by a municipal employer for public safety employees, as well as the impact of the costs and payments and the design and selection of the plans on wages, hours, and conditions of employment of public safety employees, are prohibited subjects of bargaining for public safety employees.

This bill clarifies that for purposes of the prohibition against bargaining over the design of a health care coverage plan selected by a municipal employer, design does not include the coverage of current employees and their dependents, including coverage upon an employee's retirement, death, or disability. In other words, public safety employees may bargain with a municipal employer about the coverage of current employees and their dependents by a health care coverage plan selected by the municipal employer. In addition, this bill clarifies that the initial decision of 1

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whether or not to provide health care coverage is a permitted subject of bargaining between a municipal employer and public safety employees.

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

**SECTION 1.** 111.70 (4) (mc) 6. of the statutes is amended to read:

111.70 (4) (mc) 6. Except for whether or not to provide health care coverage and the employee premium contribution, all costs and payments associated with health care coverage plans and the design and selection of health care coverage plans by the municipal employer for public safety employees, and the impact of such costs and payments and the design and selection of the health care coverage plans on the wages, hours, and conditions of employment of the public safety employee. For purposes of this subdivision, "design" does not include the coverage of current employees and their dependents, including coverage upon an employee's retirement, death, or disability, by a health care coverage plan selected by a municipal employer.

#### **SECTION 2. Nonstatutory provisions.**

(1) LEGISLATIVE INTENT STATEMENT. The legislature intends that the treatment of s. 111.70 (4) (mc) 6. by this act is to clarify the intent of 2011 Wisconsin Acts 10 and 32 and that this act is to be considered a restatement of current law.

15 (END)