



State of Wisconsin
2001 - 2002 LEGISLATURE

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**ASSEMBLY AMENDMENT 1,
TO 2001 ASSEMBLY BILL 40**

January 23, 2001 – Offered by COMMITTEE ON CAMPAIGNS AND ELECTIONS.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 2: after “officials” insert “and requiring government employers
3 to grant time off to certain employees for service as an election official”.

4 **2.** Page 1, line 3: before that line insert:

5 “SECTION 1f. 7.33 (4) of the statutes is amended to read:

6 7.33 (4) Each Except as otherwise provided in this subsection, each local
7 governmental unit, as defined in s. 16.97 (7), and each state agency shall, upon
8 proper application under sub. (3), permit each of its employees to serve as an election
9 official without loss of fringe benefits or seniority privileges earned for scheduled
10 working hours during the period specified in sub. (3), and without loss of pay for
11 scheduled working hours during the period specified in sub. (3) except as provided
12 in sub. (5), and shall not impose any other penalty upon an employee who serves as
13 an election official. For employees who are included in a collective bargaining unit

1 for which a representative is recognized or certified under subch. V of ch. 111, this
2 subsection shall apply unless otherwise provided in a collective bargaining
3 agreement.

4 **SECTION 1h.** 7.33 (5) of the statutes is amended to read:

5 7.33 (5) Any employee of ~~the state~~ a local governmental unit, as defined in s.
6 16.97 (7), or state agency who obtains a paid leave of absence under sub. (4) in order
7 to serve as an election official under s. 7.30 shall certify in writing to the head of the
8 local governmental unit or state agency by which he or she is employed the amount
9 of compensation that the employee receives for such service. Upon receipt of the
10 certification, the head of the local governmental unit or state agency shall deduct
11 that amount from the employee's pay earned for scheduled working hours during the
12 period specified in sub. (2) when the employee is on a paid leave of absence.

13 **SECTION 1u.** 111.93 (3) of the statutes is amended to read:

14 111.93 (3) Except as provided in ss. 7.33 (4), 40.05, 40.80 (3), 111.91 (1) (cm),
15 230.35 (2d), 230.35 (3) (e) 6., and 230.88 (2) (b), if a collective bargaining agreement
16 exists between the employer and a labor organization representing employees in a
17 collective bargaining unit, the provisions of that agreement shall supersede the
18 provisions of civil service and other applicable statutes, as well as rules and policies
19 of the board of regents of the University of Wisconsin System, related to wages, fringe
20 benefits, hours and conditions of employment whether or not the matters contained
21 in those statutes, rules and policies are set forth in the collective bargaining
22 agreement.”.

23 **3.** Page 1, line 3: delete “1” and substitute “1z”.

24 **4.** Page 1, line 4: before “The” insert “ELECTIONS BOARD RECOMMENDATIONS.”.

