WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO

2005 Assembly Bill 1032	**Assembly Substitute Amendment 2**

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Current law provides that no member of the police force in a first class city (currently only Milwaukee) may be suspended or discharged without pay or benefits until the matter that is the subject of the suspension or discharge is disposed of by the Board of Police and Fire Commissioners (board) or the time for an appeal passes without an appeal being made. Current law specifies that if the board receives a notice of appeal, it must schedule a trial within five to 15 days after service of the notice and complaint.

Assembly Substitute Amendment 2 provides that if a member of the police force appeals, and the board sustains the discharge, or the appeal is not conducted due to the member's resignation or because the member's position has been vacated, the member must reimburse the city for all salary, pay, wages, or benefits received from the time the member was given notice of the discharge until the date the board disposes of the discharge if the discharge results from the member's conduct or involvement in an incident which resulted in felony charges being filed against the member. The substitute amendment creates an exception to the reimbursement requirement and provides that the member may be allowed to reimburse the city a lesser amount, or not at all, if the member and the city enter into a written agreement that specifies the amount, if any, that the member must reimburse the city. Assembly Substitute Amendment 2 also changes the timeframe for the board to schedule a trial to between 30 to 60 days after service of the notice and complaint.

Legislative History

Assembly Substitute Amendment 2 was offered by Representative Bies on March 9, 2006. On the same date, the Assembly adopted Assembly Substitute Amendment 2 on a voice vote, and passed the bill, as amended, on a vote of Ayes, 60; Noes, 34.

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