

1 ***-0438/3.12*** SECTION 2662. 111.70 (4) (cm) 8m. a. and c. of the statutes are
2 consolidated, renumbered 111.70 (4) (cm) 8m. and amended to read:

3 111.70 (4) (cm) 8m. 'Term of agreement; reopening of negotiations.' Except for
4 the initial collective bargaining agreement between the parties and, except as the
5 parties otherwise agree, every collective bargaining agreement covering municipal
6 employees subject to this paragraph ~~other than school district professional~~
7 ~~employees shall be for a term of 2 years. No, but in no case may a collective~~
8 bargaining agreement for any collective bargaining unit consisting of municipal
9 ~~employees subject to this paragraph other than school district professional~~
10 ~~employees shall be for a term exceeding 3 years. e. No arbitration award may contain~~
11 a provision for reopening of negotiations during the term of a collective bargaining
12 agreement, unless both parties agree to such a provision. The requirement for
13 agreement by both parties does not apply to a provision for reopening of negotiations
14 with respect to any portion of an agreement that is declared invalid by a court or
15 administrative agency or rendered invalid by the enactment of a law or promulgation
16 of a federal regulation.

17 ***-0438/3.13*** SECTION 2663. 111.70 (4) (cm) 8m. b. of the statutes is repealed.

18 ***-0438/3.14*** SECTION 2664. 111.70 (4) (cm) 8p. of the statutes is repealed.

19 ***-0438/3.15*** SECTION 2665. 111.70 (4) (cm) 8s. of the statutes is repealed.

20 ***-0438/3.16*** SECTION 2666. 111.70 (4) (cn) of the statutes is repealed.

21 ***-0438/3.17*** SECTION 2667. 111.70 (4) (d) 2. a. of the statutes is amended to
22 read:

23 111.70 (4) (d) 2. a. The commission shall determine the appropriate collective
24 bargaining unit for the purpose of collective bargaining and shall whenever possible,
25 unless otherwise required under this subchapter, avoid fragmentation by

1 maintaining as few collective bargaining units as practicable in keeping with the size
2 of the total municipal work force. In making such a determination, the commission
3 may decide whether, in a particular case, the municipal employees in the same or
4 several departments, divisions, institutions, crafts, professions, or other
5 occupational groupings constitute a collective bargaining unit. Before making its
6 determination, the commission may provide an opportunity for the municipal
7 employees concerned to determine, by secret ballot, whether or not they desire to be
8 established as a separate collective bargaining unit. ~~The commission shall not~~
9 ~~decide, however, that any group of municipal employees constitutes an appropriate~~
10 ~~collective bargaining unit if the group includes both municipal employees who are~~
11 ~~school district professional employees and municipal employees who are not school~~
12 ~~district professional employees.~~ The commission shall not decide, however, that any
13 other group of municipal employees constitutes an appropriate collective bargaining
14 unit if the group includes both professional employees and nonprofessional
15 employees, unless a majority of the professional employees vote for inclusion in the
16 unit. The commission shall not decide that any group of municipal employees
17 constitutes an appropriate collective bargaining unit if the group includes both craft
18 employees and noncraft employees unless a majority of the craft employees vote for
19 inclusion in the unit. The commission shall place the professional employees who are
20 assigned to perform any services at a charter school, as defined in s. 115.001 (1), in
21 a separate collective bargaining unit from a unit that includes any other professional
22 employees whenever at least 30% of those professional employees request an election
23 to be held to determine that issue and a majority of the professional employees at the
24 charter school who cast votes in the election decide to be represented in a separate

1 collective bargaining unit. Any vote taken under this subsection shall be by secret
2 ballot.

3 ***-1553/P2.4* SECTION 2668.** 111.91 (2) (n) of the statutes is amended to read:
4 111.91 (2) (n) The provision to employees of the health insurance coverage
5 required under s. 632.895 (11) to (14) (15).

6 ***-1352/4.33* SECTION 2669.** Subchapter VI of chapter 111 [precedes 111.95] of
7 the statutes is created to read:

8 **CHAPTER 111**

9 **SUBCHAPTER VI**

10 **UNIVERSITY OF WISCONSIN SYSTEM**

11 **FACULTY AND ACADEMIC STAFF**

12 **LABOR RELATIONS**

13 **111.95 Declaration of policy.** The public policy of the state as to labor
14 relations and collective bargaining involving faculty and academic staff at the
15 University of Wisconsin System, in furtherance of which this subchapter is enacted,
16 is as follows:

17 (1) The people of the state of Wisconsin have a fundamental interest in
18 developing harmonious and cooperative labor relations within the University of
19 Wisconsin System.

20 (2) It recognizes that there are 3 major interests involved: that of the public,
21 that of the employee, and that of the employer. These 3 interests are to a considerable
22 extent interrelated. It is the policy of this state to protect and promote each of these
23 interests with due regard to the rights of the others.

24 **111.96 Definitions.** In this subchapter:

1 (1) "Academic staff" has the meaning given under s. 36.05 (1), but does not
2 include any individual holding an appointment under s. 36.13 or 36.15 (2m) or who
3 is appointed to a visiting faculty position.

4 (2) "Board" means the Board of Regents of the University of Wisconsin System.

5 (3) "Collective bargaining" means the performance of the mutual obligation of
6 the state as an employer, by its officers and agents, and the representatives of its
7 employees, to meet and confer at reasonable times, in good faith, with respect to the
8 subjects of bargaining provided in s. 111.998 with the intention of reaching an
9 agreement, or to resolve questions arising under such an agreement. The duty to
10 bargain, however, does not compel either party to agree to a proposal or require the
11 making of a concession. Collective bargaining includes the reduction of any
12 agreement reached to a written and signed document.

13 (4) "Collective bargaining unit" means a unit established under s. 111.98 (1).

14 (5) "Commission" means the employment relations commission.

15 (6) "Election" means a proceeding conducted by the commission in which the
16 employees in a collective bargaining unit cast a secret ballot for collective bargaining
17 representatives, or for any other purpose specified in this subchapter.

18 (7) "Employee" includes:

19 (a) All faculty, except faculty who are supervisors, management employees, and
20 individuals who are privy to confidential matters affecting the employer-employee
21 relationship and except for faculty who hold a limited appointment under s. 36.17 or
22 deans.

23 (b) All academic staff, except for supervisors, management employees, and
24 individuals who are privy to confidential matters affecting the employer-employee
25 relationship.

1 (8) "Employer" means the state of Wisconsin.

2 (9) "Faculty" has the meaning given in s. 36.05 (8), except for an individual
3 holding an appointment under s. 36.15 (1), (2), (2m), or (3).

4 (10) "Fair-share agreement" means an agreement between the employer and
5 a labor organization representing employees under which all of the employees in a
6 collective bargaining unit are required to pay their proportionate share of the cost
7 of the collective bargaining process and contract administration measured by the
8 amount of dues uniformly required of all members.

9 (11) "Institution" has the meaning given in s. 36.05 (9).

10 (12) "Labor dispute" means any controversy with respect to the subjects of
11 bargaining provided in this subchapter.

12 (13) "Labor organization" means any employee organization whose purpose is
13 to represent employees in collective bargaining with the employer, or its agents, on
14 matters pertaining to terms and conditions of employment, but does not include any
15 organization that does any of the following:

16 (a) Advocates the overthrow of the constitutional form of government in the
17 United States.

18 (b) Discriminates with regard to the terms or conditions of membership
19 because of race, color, creed, sex, age, sexual orientation, or national origin.

20 (14) "Maintenance of membership agreement" means an agreement between
21 the employer and a labor organization representing employees that requires that all
22 of the employees whose dues are being deducted from earnings under s. 20.921 (1)
23 or 111.992 at or after the time the agreement takes effect shall continue to have dues
24 deducted for the duration of the agreement and that dues shall be deducted from the

1 earnings of all employees who are hired on or after the effective date of the
2 agreement.

3 (15) "Management employees" include those personnel engaged
4 predominately in executive and managerial functions.

5 (16) "Office" means the office of state employment relations in the department
6 of administration.

7 (17) "Referendum" means a proceeding conducted by the commission in which
8 employees, or supervisors specified in s. 111.98 (5) or (6), in a collective bargaining
9 unit may cast a secret ballot on the question of directing the labor organization and
10 the employer to enter into a fair-share or maintenance of membership agreement or
11 to terminate such an agreement.

12 (18) "Representative" includes any person chosen by an employee to represent
13 the employee.

14 (19) "Strike" includes any strike or other concerted stoppage of work by
15 employees, any concerted slowdown or other concerted interruption of operations or
16 services by employees, or any concerted refusal to work or perform their usual duties
17 as employees of the state.

18 (20) "Supervisor" means any individual whose principal work is different from
19 that of the individual's subordinates and who has authority, in the interest of the
20 employer, to hire, transfer, suspend, lay off, recall, promote, discharge, assign,
21 reward or discipline employees, or to adjust their grievances, or to authoritatively
22 recommend such action, if the individual's exercise of such authority is not of a
23 merely routine or clerical nature, but requires the use of independent judgment.

24 (21) "Unfair labor practice" means any unfair labor practice specified in s.
25 111.991.

1 **111.965 Duties of the state.** (1) In the furtherance of this subchapter, the
2 state shall be considered as a single employer. The board shall negotiate and
3 administer collective bargaining agreements. To coordinate the employer position
4 in the negotiation of agreements, the board shall maintain close liaison with the
5 legislature and the office relative to the negotiation of agreements and the fiscal
6 ramifications of those agreements. The board shall coordinate its collective
7 bargaining activities with the office. The legislative branch shall act upon those
8 portions of tentative agreements negotiated by the board that require legislative
9 action.

10 (2) The board shall establish a collective bargaining capacity and shall
11 represent the state in its responsibility as an employer under this subchapter. The
12 board shall coordinate its actions with the director of the office.

13 **111.97 Rights of employees.** Employees shall have the right of
14 self-organization and the right to form, join, or assist labor organizations, to bargain
15 collectively through representatives of their own choosing under this subchapter,
16 and to engage in lawful, concerted activities for the purpose of collective bargaining
17 or other mutual aid or protection. Employees shall also have the right to refrain from
18 any such activities.

19 **111.98 Collective bargaining units.** (1) Collective bargaining units for
20 faculty and staff in the unclassified service of the state shall be structured with a
21 collective bargaining unit for each of the following groups:

22 (a) Faculty of the University of Wisconsin-Madison.

23 (am) Faculty of the University of Wisconsin-Milwaukee.

24 (b) Faculty of the University of Wisconsin-Extension.

25 (bm) Faculty of the University of Wisconsin-Eau Claire.

1 (c) Faculty of the University of Wisconsin-Green Bay.

2 (cm) Faculty of the University of Wisconsin-La Crosse.

3 (d) Faculty of the University of Wisconsin-Oshkosh.

4 (dm) Faculty of the University of Wisconsin-Parkside.

5 (e) Faculty of the University of Wisconsin-Platteville.

6 (em) Faculty of the University of Wisconsin-River Falls.

7 (f) Faculty of the University of Wisconsin-Stevens Point.

8 (fm) Faculty of the University of Wisconsin-Stout.

9 (g) Faculty of the University of Wisconsin-Superior.

10 (gm) Faculty of the University of Wisconsin-Whitewater.

11 (h) Faculty of the University of Wisconsin Colleges.

12 (i) All academic staff employed by the Board of Regents of the University of
13 Wisconsin System.

14 (2) (a) Notwithstanding sub. (1), 2 or more collective bargaining units described
15 under sub. (1) (a) to (h) may be combined into a single unit. If 2 or more collective
16 bargaining units seek to combine into a single collective bargaining unit, the
17 commission shall, upon the petition of at least 30 percent of the employees in each
18 unit, hold an election to determine whether a majority of those employees voting in
19 each unit desire to combine into a single unit. A combined collective bargaining unit
20 shall be formed including all employees from each of those units in which a majority
21 of the employees voting in the election approve a combined unit. The combined
22 collective bargaining unit shall be formed immediately if there is no existing
23 collective bargaining agreement in force in any of the units to be combined. If there
24 is a collective bargaining agreement in force at the time of the election in any of the

1 collective bargaining units to be combined, the combined unit shall be formed upon
2 expiration of the last agreement for the units concerned.

3 (b) If 2 or more collective bargaining units have combined under par. (a), the
4 commission shall, upon petition of at least 30 percent of the employees in any of the
5 original units, hold an election of the employees in the original unit to determine
6 whether the employees in that unit desire to withdraw from the combined collective
7 bargaining unit. If a majority of the employees voting desire to withdraw from the
8 combined collective bargaining unit, separate units consisting of the unit in which
9 the election was held and a unit composed of the remainder of the combined unit shall
10 be formed. The new collective bargaining units shall be formed immediately if there
11 is no collective bargaining agreement in force for the combined unit. If there is a
12 collective bargaining agreement in force for the combined collective bargaining unit,
13 the new units shall be formed upon the expiration of the agreement. While there is
14 a collective bargaining agreement in force for the combined collective bargaining
15 unit, a petition for an election under this paragraph may be filed only during October
16 in the calendar year prior to the expiration of the agreement.

17 (3) The commission shall assign employees to the appropriate collective
18 bargaining units described under sub. (1) or (2).

19 (4) Any labor organization may petition for recognition as the exclusive
20 representative of a collective bargaining unit described under sub. (1) or (2) in
21 accordance with the election procedures under s. 111.990 if the petition is
22 accompanied by a 30 percent showing of interest in the form of signed authorization
23 cards. Any additional labor organization seeking to appear on the ballot shall file a
24 petition within 60 days of the date of filing of the original petition and prove, through

1 signed authorization cards, that at least 10 percent of the employees in the collective
2 bargaining unit want it to be their representative.

3 (5) Although academic staff supervisors are not considered employees for the
4 purpose of this subchapter, the commission may consider a petition for a statewide
5 collective bargaining unit consisting of academic staff supervisors, but the
6 representative of the supervisors may not be affiliated with any labor organization
7 representing employees. For purposes of this subsection, affiliation does not include
8 membership in a national, state, county, or municipal federation of national or
9 international labor organizations. The certified representative of the supervisors
10 may not bargain collectively with respect to any matter other than wages and fringe
11 benefits.

12 (6) Although faculty supervisors are not considered employees for the purpose
13 of this subchapter, the commission may consider a petition for a statewide collective
14 bargaining unit consisting of faculty supervisors, but the representative of the
15 supervisors may not be affiliated with any labor organization representing
16 employees. For purposes of this subsection, affiliation does not include membership
17 in a national, state, county, or municipal federation of national or international labor
18 organizations. The certified representative of the supervisors may not bargain
19 collectively with respect to any matter other than wages and fringe benefits.

20 **111.990 Representatives and elections.** (1) A representative chosen for the
21 purposes of collective bargaining by a majority of the employees voting in a collective
22 bargaining unit shall be the exclusive representative of all of the employees in such
23 unit for the purposes of collective bargaining. Any individual employee, or any
24 minority group of employees in any collective bargaining unit, may present any
25 grievance to the employer in person, or through representatives of their own

1 choosing, and the employer shall confer with the individual employee or group of
2 employees with respect to the grievance if the majority representative has been
3 afforded the opportunity to be present at the conference. Any adjustment resulting
4 from such a conference may not be inconsistent with the conditions of employment
5 established by the majority representative and the employer.

6 (2) Whenever a question arises concerning the representation of employees in
7 a collective bargaining unit, the commission shall determine the representation by
8 taking a secret ballot of the employees and certifying in writing the results to the
9 interested parties and to the board. There shall be included on any ballot for the
10 election of representatives the names of all labor organizations having an interest
11 in representing the employees participating in the election as indicated in petitions
12 filed with the commission. The name of any existing representative shall be included
13 on the ballot without the necessity of filing a petition. The commission may exclude
14 from the ballot one who, at the time of the election, stands deprived of his or her rights
15 under this subchapter by reason of a prior adjudication of his or her having engaged
16 in an unfair labor practice. The ballot shall be so prepared as to permit a vote against
17 representation by anyone named on the ballot. For elections in a collective
18 bargaining unit composed of employees who are members of the faculty or academic
19 staff, whenever more than one representative qualifies to appear on the ballot, the
20 ballot shall be prepared to provide separate votes on 2 questions. The first question
21 shall be: "Shall the employees of the ... (name of collective bargaining unit)
22 participate in collective bargaining?". The 2nd question shall be: "If the employees
23 of the ... (name of collective bargaining unit) elect to participate in collective
24 bargaining, which labor organization do you favor to act as representative of the
25 employees?". The 2nd question shall not include a choice for no representative. All

1 employees in the collective bargaining unit may vote on both questions. Unless a
2 majority of those employees voting in the election vote to participate in collective
3 bargaining, no votes for a particular representative may be counted. If a majority
4 of those employees voting in the election vote to participate in collective bargaining,
5 the ballots for representatives shall be counted. The commission's certification of the
6 results of any election is conclusive as to the findings included therein unless
7 reviewed under s. 111.07 (8).

8 (3) Whenever an election has been conducted under sub. (2) in which a majority
9 of the employees voting indicate a desire to participate in collective bargaining but
10 in which no named representative is favored by a majority of the employees voting,
11 the commission may, if requested by a party to the proceeding within 30 days from
12 the date of the certification of the results of the election, conduct a runoff election.
13 In that runoff election, the commission shall drop from the ballot the name of the
14 representative who received the least number of votes at the original election.

15 (4) While a collective bargaining agreement between a labor organization and
16 an employer is in force under this subchapter, a petition for an election in the
17 collective bargaining unit to which the agreement applies may be filed only during
18 October in the calendar year prior to the expiration of that agreement. An election
19 held under that petition may be held only if the petition is supported by proof that
20 at least 30 percent of the employees in the collective bargaining unit desire a change
21 or discontinuance of existing representation. Within 60 days of the time that an
22 original petition is filed, another petition may be filed supported by proof that at least
23 10 percent of the employees in the same collective bargaining unit desire a different
24 representative. If a majority of the employees in the collective bargaining unit vote
25 for a change or discontinuance of representation by any named representative, the

1 decision takes effect upon expiration of any existing collective bargaining agreement
2 between the employer and the existing representative.

3 **111.991 Unfair labor practices.** (1) It is an unfair labor practice for an
4 employer individually or in concert with others:

5 (a) To interfere with, restrain, or coerce employees in the exercise of their rights
6 guaranteed under s. 111.97.

7 (b) Except as otherwise provided in this paragraph, to initiate, create,
8 dominate, or interfere with the formation or administration of any labor or employee
9 organization or contribute financial support to it. Except as provided in ss. 40.02 (22)

10 (e) and 40.23 (1) (f) 4., no change in any law affecting the Wisconsin Retirement
11 System under ch. 40 and no action by the employer that is authorized by such a law
12 is a violation of this paragraph unless an applicable collective bargaining agreement
13 specifically prohibits the change or action. No such change or action affects the
14 continuing duty to bargain collectively regarding the Wisconsin Retirement System
15 under ch. 40 to the extent required by s. 111.998. It is not an unfair labor practice
16 for the employer to reimburse an employee at his or her prevailing wage rate for the
17 time spent during the employee's regularly scheduled hours conferring with the
18 employer's officers or agents and for attendance at commission or court hearings
19 necessary for the administration of this subchapter.

20 (c) To encourage or discourage membership in any labor organization by
21 discrimination in regard to hiring, tenure, or other terms or conditions of
22 employment. This paragraph does not apply to fair-share or maintenance of
23 membership agreements.

24 (d) To refuse to bargain collectively on matters set forth in s. 111.998 with a
25 representative of a majority of its employees in an appropriate collective bargaining

1 unit. Whenever the employer has a good faith doubt as to whether a labor
2 organization claiming the support of a majority of its employees in an appropriate
3 collective bargaining unit does in fact have that support, it may file with the
4 commission a petition requesting an election as to that claim. The employer is not
5 considered to have refused to bargain until an election has been held and the results
6 of the election are certified to the employer by the commission. A violation of this
7 paragraph includes the refusal to execute a collective bargaining agreement
8 previously orally agreed upon.

9 (e) To violate any collective bargaining agreement previously agreed upon by
10 the parties with respect to wages, hours, and conditions of employment affecting the
11 employees, including an agreement to arbitrate or to accept the terms of an
12 arbitration award, when previously the parties have agreed to accept such award as
13 final and binding upon them.

14 (f) To deduct labor organization dues from an employee's earnings, unless the
15 employer has been presented with an individual order therefor, signed by the
16 employee personally, and terminable by at least the end of any year of its life or
17 earlier by the employee giving at least 30 but not more than 120 days written notice
18 of such termination to the employer and to the representative labor organization,
19 except if there is a fair-share or maintenance of membership agreement in effect.
20 The employer shall give notice to the labor organization of receipt of such notice of
21 termination.

22 (1m) Notwithstanding sub. (1), it is not an unfair labor practice for the board
23 to implement changes in salaries or conditions of employment for members of the
24 faculty or academic staff at one institution, and not for other members of the faculty
25 or academic staff at another institution, but this may be done only if the differential

1 treatment is based on comparisons with the compensation and working conditions
2 of employees performing similar services for comparable higher education
3 institutions or based upon other competitive factors.

4 (2) It is unfair practice for an employee individually or in concert with others:

5 (a) To coerce or intimidate an employee in the enjoyment of the employee's legal
6 rights, including those guaranteed under s. 111.97.

7 (b) To coerce, intimidate, or induce any officer or agent of the employer to
8 interfere with any of the employer's employees in the enjoyment of their legal rights
9 including those guaranteed under s. 111.97 or to engage in any practice with regard
10 to its employees which would constitute an unfair labor practice if undertaken by the
11 officer or agent on the officer's or agent's own initiative.

12 (c) To refuse to bargain collectively on matters specified in s. 111.998 with the
13 authorized officer or agent of the employer that is the recognized or certified
14 exclusive collective bargaining representative of employees in an appropriate
15 collective bargaining unit. Such refusal to bargain shall include a refusal to execute
16 a collective bargaining agreement previously orally agreed upon.

17 (d) To violate the provisions of any written agreement with respect to terms and
18 conditions of employment affecting employees, including an agreement to arbitrate
19 or to accept the terms of an arbitration award, when previously the parties have
20 agreed to accept such awards as final and binding upon them.

21 (e) To engage in, induce, or encourage any employees to engage in a strike or
22 a concerted refusal to work or perform their usual duties as employees.

23 (f) To coerce or intimidate a supervisory employee, officer, or agent of the
24 employer, working at the same trade or profession as the employer's employees, to

1 induce the person to become a member of or act in concert with the labor organization
2 of which the employee is a member

3 (3) It is an unfair labor practice for any person to do or cause to be done on
4 behalf of or in the interest of employers or employees, or in connection with or to
5 influence the outcome of any controversy as to employment relations, any act
6 prohibited by subs. (1) and (2).

7 (4) Any controversy concerning unfair labor practices may be submitted to the
8 commission as provided in s. 111.07, except that the commission shall schedule a
9 hearing on complaints involving alleged violations of sub. (2) (e) within 3 days after
10 filing of a complaint, and notice shall be given to each party interested by service on
11 the party personally, or by telegram, advising the party of the nature of the complaint
12 and of the date, time, and place of hearing. The commission may appoint a substitute
13 tribunal to hear unfair labor practice charges by either appointing a 3-member panel
14 or submitting a 7-member panel to the parties and allowing each to strike 2 names.
15 Any such panel shall report its finding to the commission for appropriate action.

16 **111.992 Fair-share and maintenance of membership agreements. (1)**

17 (a) No fair-share or maintenance of membership agreement may become effective
18 unless authorized by a referendum. The commission shall order a referendum
19 whenever it receives a petition supported by proof that at least 30 percent of the
20 employees or supervisors specified in s. 111.98 (5) or (6) in a collective bargaining unit
21 desire that a fair-share or maintenance of membership agreement be entered into
22 between the employer and a labor organization. A petition may specify that a
23 referendum is requested on a maintenance of membership agreement only, in which
24 case the ballot shall be limited to that question.

1 (b) For a fair-share agreement to be authorized, at least two-thirds of the
2 eligible employees or supervisors voting in a referendum shall vote in favor of the
3 agreement. For a maintenance of membership agreement to be authorized, at least
4 a majority of the eligible employees or supervisors voting in a referendum shall vote
5 in favor of the agreement. In a referendum on a fair-share agreement, if less than
6 two-thirds but more than one-half of the eligible employees or supervisors vote in
7 favor of the agreement, a maintenance of membership agreement is authorized.

8 (c) If a fair-share or maintenance of membership agreement is authorized in
9 a referendum, the employer shall enter into such an agreement with the labor
10 organization named on the ballot in the referendum. Each fair-share or
11 maintenance of membership agreement shall contain a provision requiring the
12 employer to deduct the amount of dues as certified by the labor organization from the
13 earnings of the employees or supervisors affected by the agreement and to pay the
14 amount so deducted to the labor organization. Unless the parties agree to an earlier
15 date, the agreement shall take effect 60 days after certification by the commission
16 that the referendum vote authorized the agreement. The employer shall be held
17 harmless against any claims, demands, suits and other forms of liability made by
18 employees or supervisors or local labor organizations which may arise for actions
19 taken by the employer in compliance with this section. All such lawful claims,
20 demands, suits and other forms of liability are the responsibility of the labor
21 organization entering into the agreement.

22 (d) Under each fair-share or maintenance of membership agreement, an
23 employee or supervisor who has religious convictions against dues payments to a
24 labor organization based on teachings or tenets of a church or religious body of which
25 he or she is a member shall, on request to the labor organization, have his or her dues

1 paid to a charity mutually agreed upon by the employee or supervisor and the labor
2 organization. Any dispute concerning this paragraph may be submitted to the
3 commission for adjudication.

4 (2) (a) Once authorized, a fair-share or maintenance of membership
5 agreement shall continue in effect, subject to the right of the employer or labor
6 organization concerned to petition the commission to conduct a new referendum.
7 Such a petition must be supported by proof that at least 30 percent of the employees
8 or supervisors in the collective bargaining unit desire that the fair-share or
9 maintenance of membership agreement be discontinued. Upon so finding, the
10 commission shall conduct a new referendum. If the continuance of the fair-share or
11 maintenance of membership agreement is approved in the referendum by at least the
12 percentage of eligible voting employees or supervisors required for its initial
13 authorization, it shall be continued in effect, subject to the right of the employer or
14 labor organization to later initiate a further vote following the procedure prescribed
15 in this subsection. If the continuation of the agreement is not supported in any
16 referendum, it is considered terminated at the termination of the collective
17 bargaining agreement, or one year from the date of the certification of the result of
18 the referendum, whichever is earlier.

19 (b) The commission shall declare any fair-share or maintenance of
20 membership agreement suspended upon such conditions and for such time as the
21 commission decides whenever it finds that the labor organization involved has
22 refused on the basis of race, color, sexual orientation, or creed to receive as a member
23 any employee or supervisor in the collective bargaining unit involved, and the
24 agreement shall be made subject to the findings and orders of the commission. Any
25 of the parties to the agreement, or any employee or supervisor covered under the

1 agreement, may come before the commission, as provided in s. 111.07, and petition
2 the commission to make such a finding.

3 (3) A stipulation for a referendum executed by an employer and a labor
4 organization may not be filed until after the representation election has been held
5 and the results certified.

6 (4) The commission may, under rules adopted for that purpose, appoint as its
7 agent an official of a state agency whose employees are entitled to vote in a
8 referendum to conduct a referendum under this section.

9 **111.993 Grievance arbitration.** (1) Parties to the dispute pertaining to the
10 interpretation of a collective bargaining agreement may agree in writing to have the
11 commission or any other appointing state agency serve as arbitrator or may
12 designate any other competent, impartial, and disinterested persons to so serve.
13 Such arbitration proceedings shall be governed by ch. 788.

14 (2) The board shall charge an institution for the employer's share of the cost
15 related to grievance arbitration under sub. (1) for any arbitration that involves one
16 or more employees of the institution. Each institution so charged shall pay the
17 amount that the board charges from the appropriation account or accounts used to
18 pay the salary of the grievant. Funds received under this subsection shall be credited
19 to the appropriation account under s. 20.545 (1) (km).

20 **111.994 Mediation.** The commission may appoint any competent, impartial,
21 disinterested person to act as mediator in any labor dispute either upon its own
22 initiative or upon the request of one of the parties to the dispute. It is the function
23 of a mediator to bring the parties together voluntarily under such favorable auspices
24 as will tend to effectuate settlement of the dispute, but neither the mediator nor the
25 commission shall have any power of compulsion in mediation proceedings.

1 **111.995 Fact-finding. (1)** If a dispute has not been settled after a reasonable
2 period of negotiation and after the settlement procedures, if any, established by the
3 parties have been exhausted, the representative that has been certified by the
4 commission after an election, as the exclusive representative of employees in an
5 appropriate bargaining unit, and the employer, its officers, and agents, after a
6 reasonable period of negotiation, are deadlocked with respect to any dispute between
7 them arising in the collective bargaining process, the parties jointly may petition the
8 commission, in writing, to initiate fact-finding under this section, and to make
9 recommendations to resolve the deadlock.

10 **(2)** Upon receipt of a petition to initiate fact-finding, the commission shall
11 make an investigation with or without a formal hearing, to determine whether a
12 deadlock in fact exists. The commission shall certify the results of the investigation.
13 If the commission decides that fact-finding should be initiated, it shall appoint a
14 qualified, disinterested person or, when jointly requested by the parties, a 3-member
15 panel to function as a fact finder.

16 **(3)** The fact finder may establish dates and place of hearings and shall conduct
17 the hearings under rules established by the commission. Upon request, the
18 commission shall issue subpoenas for hearings conducted by the fact finder. The fact
19 finder may administer oaths. Upon completion of the hearing, the fact finder shall
20 make written findings of fact and recommendations for solution of the dispute and
21 shall cause the same to be served on the parties and the commission. In making
22 findings and recommendations, the fact finder shall take into consideration among
23 other pertinent factors the principles vital to the public interest in efficient and
24 economical governmental administration. Upon the request of either party the fact
25 finder may orally present the recommendations in advance of service of the written

1 findings and recommendations. Cost of fact-finding proceedings shall be divided
2 equally between the parties. At the time the fact finder submits a statement of his
3 or her costs to the parties, the fact finder shall submit a copy thereof to the
4 commission at its Madison office.

5 (4) A fact finder may mediate a dispute at any time prior to the issuance of the
6 fact finder's recommendations.

7 (5) Within 30 days of the receipt of the fact finder's recommendations or within
8 a time period mutually agreed upon by the parties, each party shall advise the other,
9 in writing, as to the party's acceptance or rejection, in whole or in part, of the fact
10 finder's recommendations and, at the same time, send a copy of the notification to
11 the commission at its Madison office. Failure to comply with this subsection, by the
12 employer or employee representative, is a violation of s. 111.991 (1) (d) or (2) (c).

13 **111.996 Strike prohibited.** (1) Upon establishing that a strike is in progress,
14 the employer may either seek an injunction or file an unfair labor practice charge
15 with the commission under s. 111.991 (2) (e) or both. It is the responsibility of the
16 board to decide whether to seek an injunction or file an unfair labor practice charge.
17 The existence of an administrative remedy does not constitute grounds for denial of
18 injunctive relief.

19 (2) The occurrence of a strike and the participation in the strike by an employee
20 do not affect the rights of the employer, in law or in equity, to deal with the strike,
21 including all of the following:

22 (a) The right to impose discipline, including discharge, or suspension without
23 pay, of any employee participating in the strike.

24 (b) The right to cancel the reinstatement eligibility of any employee engaging
25 in the strike.

1 (c) The right of the employer to request the imposition of fines, either against
2 the labor organization or the employee engaging in the strike, or to sue for damages
3 because of such strike activity.

4 **111.997 Management rights.** Nothing in this subchapter shall interfere with
5 the right of the board, in accordance with this subchapter to do any of the following:

6 (1) Carry out the statutory mandate and goals assigned to the board by the
7 most appropriate and efficient methods and means and utilize personnel in the most
8 appropriate and efficient manner possible.

9 (2) Manage the employees; hire, promote, transfer, assign, or retain employees;
10 and, in that regard, establish reasonable work rules.

11 (3) Suspend, demote, discharge, or take other appropriate disciplinary action
12 against the employee; or to lay off employees in the event of lack of work or funds or
13 under conditions where continuation of such work would be inefficient and
14 nonproductive.

15 **111.998 Subjects of bargaining.** (1) (a) Except as provided in pars. (b) to (f),
16 matters subject to collective bargaining to the point of impasse are salaries; fringe
17 benefits consistent with sub. (2); and hours and conditions of employment.

18 (b) The board is not required to bargain on management rights under s.
19 111.997, except that procedures for the adjustment or settlement of grievances or
20 disputes arising out of any type of disciplinary action in s. 111.997 (3) is a subject of
21 bargaining.

22 (c) The board is prohibited from bargaining on matters contained in sub. (2).

23 (d) Except as provided in sub. (2) (d) and (e) and ss. 40.02 (22) (e) and 40.23 (1)

24 (f) 4., all laws governing the Wisconsin Retirement System under ch. 40 and all
25 actions of the board that are authorized under any such law which apply to

1 nonrepresented individuals employed by the state shall apply to similarly situated
2 employees, unless otherwise specifically provided in a collective bargaining
3 agreement that applies to those employees.

4 (e) Demands relating to retirement and group insurance shall be submitted to
5 the board at least one year prior to commencement of negotiations.

6 (f) The board is not required to bargain on matters related to employee
7 occupancy of houses or other lodging provided by the state.

8 (2) The board is prohibited from bargaining on:

9 (a) The mission and goals of the board as set forth in the statutes; the
10 diminution of the right of tenure provided the faculty under s. 36.13, the rights
11 granted faculty under s. 36.09 (4) and academic staff under s. 36.09 (4m), or the
12 rights of appointment provided academic staff under s. 36.15; or academic freedom.

13 (b) Amendments to this subchapter.

14 (c) Family leave and medical leave rights below the minimum afforded under
15 s. 103.10. Nothing in this paragraph prohibits the board from bargaining on rights
16 to family leave or medical leave which are more generous to the employee than the
17 rights provided under s. 103.10.

18 (d) An increase in benefit adjustment contribution rates under s. 40.05 (2n) (a)
19 3.

20 (e) The rights of employees to have retirement benefits computed under s.
21 40.30.

22 (f) Honesty testing requirements that provide fewer rights and remedies to
23 employees than are provided under s. 111.37.

24 (h) Creditable service to which s. 40.285 (2) (b) 4. applies.

1 (i) Compliance with the health benefit plan requirements under ss. 632.746 (1)
2 to (8) and (10), 632.747, and 632.748.

3 (j) Compliance with the insurance requirements under s. 631.95.

4 (k) The definition of earnings under s. 40.02 (22).

5 (L) The maximum benefit limitations under s. 40.31

6 (m) The limitations on contributions under s. 40.32.

7 (n) The provision to employees of the health insurance coverage required under
8 s. 632.895 (11) to (14).

9 (o) The requirements related to coverage of and prior authorization for
10 treatment of an emergency medical condition under s. 632.85.

11 (p) The requirements related to coverage of drugs and devices under s. 632.853.

12 (q) The requirements related to experimental treatment under s. 632.855.

13 (r) The requirements under s. 609.10 related to offering a point-of-service
14 option plan.

15 (s) The requirements related to internal grievance procedures under s. 632.83
16 and independent review of certain health benefit plan determinations under s.
17 632.835.

18 **111.999 Labor proposals.** The board shall notify and consult with the joint
19 committee on employment relations, in such form and detail as the committee
20 requests, regarding substantial changes in wages, employee benefits, personnel
21 management, and program policy contract provisions to be included in any contract
22 proposal to be offered to any labor organization by the state or to be agreed to by the
23 state before such proposal is actually offered or accepted.

24 **111.9991 Agreements.** (1) Any tentative agreement reached between the
25 board, acting for the state, and any labor organization representing a collective

1 bargaining unit specified in s. 111.98 shall, after official ratification by the labor
2 organization, be submitted by the board to the joint committee on employment
3 relations, which shall hold a public hearing before determining its approval or
4 disapproval. If the committee approves the tentative agreement, it shall introduce
5 in a bill or companion bills, to be put on the calendar or referred to the appropriate
6 scheduling committee of each house, that portion of the tentative agreement which
7 requires legislative action for implementation, such as salary and wage adjustments,
8 changes in fringe benefits, and any proposed amendments, deletions, or additions to
9 existing law. Such bill or companion bills are not subject to ss. 13.093 (1), 13.50 (6)
10 (a) and (b), and 16.47 (2). The committee may, however, submit suitable portions of
11 the tentative agreement to appropriate legislative committees for advisory
12 recommendations on the proposed terms. The committee shall accompany the
13 introduction of such proposed legislation with a message that informs the legislature
14 of the committee's concurrence with the matters under consideration and that
15 recommends the passage of such legislation without change. If the joint committee
16 on employment relations does not approve the tentative agreement, it shall be
17 returned to the parties for renegotiation. If the legislature does not adopt without
18 change that portion of the tentative agreement introduced by the joint committee on
19 employment relations, the tentative agreement shall be returned to the parties for
20 renegotiation.

21 (2) No portion of any tentative agreement shall become effective separately.

22 (3) Agreements shall coincide with the fiscal year or biennium.

23 (4) The negotiation of collective bargaining agreements and their approval by
24 the parties should coincide with the overall fiscal planning and processes of the state.

1 (5) All compensation adjustments for employees shall be effective on the
2 beginning date of the pay period nearest the statutory or administrative date.

3 **111.9992 Status of existing benefits and rights.** Unless a prohibited
4 subject of bargaining under s. 111.998 (2), and except as provided in ss. 7.33 (4),
5 40.05, 40.80 (3), 111.998 (1) (d), and 230.35 (2d) and (3) (e) 6., all statutes and rules
6 governing the salaries, fringe benefits, hours, and conditions of employment apply
7 to each employee, unless otherwise provided in a collective bargaining agreement.

8 **111.9993 Rules, transcripts, fees.** (1) The commission may adopt
9 reasonable and proper rules relative to the exercise of its powers and authority and
10 proper rules to govern its proceedings and to regulate the conduct of all elections and
11 hearings under this subchapter. The commission shall, upon request, provide a
12 transcript of a proceeding to any party to the proceeding for a fee, established by rule,
13 by the commission at a uniform rate per page. All transcript fees shall be credited
14 to the appropriation account under s. 20.425 (1) (i).

15 (2) The commission shall assess and collect a filing fee for filing a complaint
16 alleging that an unfair labor practice has been committed under s. 111.991. The
17 commission shall assess and collect a filing fee for filing a request that the
18 commission act as an arbitrator to resolve a dispute involving the interpretation or
19 application of a collective bargaining agreement under s. 111.993. The commission
20 shall assess and collect a filing fee for filing a request that the commission initiate
21 fact-finding under s. 111.995. The commission shall assess and collect a filing fee
22 for filing a request that the commission act as a mediator under s. 111.994. For the
23 performance of commission actions under ss. 111.993, 111.994, and 111.995, the
24 commission shall require that the parties to the dispute equally share in the payment
25 of the fee and, for the performance of commission actions involving a complaint

1 alleging that an unfair labor practice has been committed under s. 111.991, the
2 commission shall require that the party filing the complaint pay the entire fee. If any
3 party has paid a filing fee requesting the commission to act as a mediator for a labor
4 dispute and the parties do not enter into a voluntary settlement of the labor dispute,
5 the commission may not subsequently assess or collect a filing fee to initiate
6 fact-finding to resolve the same labor dispute. If any request concerns issues arising
7 as a result of more than one unrelated event or occurrence, each such separate event
8 or occurrence shall be treated as a separate request. The commission shall
9 promulgate rules establishing a schedule of filing fees to be paid under this
10 subsection. Fees required to be paid under this subsection shall be paid at the time
11 of filing the complaint or the request for fact-finding, mediation, or arbitration. A
12 complaint or request for fact-finding, mediation, or arbitration is not filed until the
13 date such fee or fees are paid. Fees collected under this subsection shall be credited
14 to the appropriation account under s. 20.425 (1) (i).

15 ***-1278/3.13* SECTION 2670.** 114.33 (10) of the statutes is amended to read:

16 114.33 (10) Subject to the approval of the governor under this subsection, the
17 secretary may sell at public or private sale property of whatever nature owned by the
18 state and under the jurisdiction of the secretary when the secretary determines that
19 the property is no longer necessary for the state's use for airport purposes and, if real
20 property, the real property is not the subject of a petition under s. 560.9810. The
21 secretary shall present to the governor a full and complete report of the property to
22 be sold, the reason for the sale, and the minimum price for which the property should
23 be sold, together with an application for the governor's approval of the sale. The
24 governor shall investigate the proposed sale as he or she deems necessary and
25 approve or disapprove the application. Upon approval and receipt of the full

1 purchase price, the secretary shall by appropriate deed or other instrument transfer
2 the property to the purchaser. The funds derived from the sale shall be deposited in
3 the appropriate airport fund, and the expense incurred by the secretary in
4 connection with the sale shall be paid from that fund. This subsection does not apply
5 to real property that is sold under s. 16.848.

6 ***-0473/1.2* SECTION 2671.** 115.28 (23) (d) of the statutes is amended to read:

7 115.28 (23) (d) The ~~minority group pupil~~ precollege scholarship program under
8 s. 115.43.

9 ***-1286/2.2* SECTION 2672.** 115.28 (46) of the statutes is created to read:

10 115.28 (46) GRANTS FOR SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS
11 PROGRAMS. From the appropriation under s. 20.255 (2) (fz), award grants to school
12 districts to develop innovative instructional programs in science, technology,
13 engineering and mathematics; support pupils who are typically under-represented
14 in these subjects; and increase the academic achievement of pupils in those subjects.

15 ***-1261/5.720* *-1267/P1.232* SECTION 2673.** 115.315 of the statutes is
16 amended to read:

17 **115.315 Memorandum of understanding; license restriction and**
18 **suspension.** As provided in the memorandum of understanding under s. 49.857, the
19 department shall restrict or suspend a license or permit granted by the department
20 if the licensee or permit holder is delinquent in making court-ordered payments of
21 child or family support, maintenance, birth expenses, medical expenses or other
22 expenses related to the support of a child or former spouse or if the licensee or permit
23 holder fails to comply, after appropriate notice, with a subpoena or warrant issued
24 by the department of workforce development children and families or a county child

1 support agency under s. 59.53 (5) and related to paternity or child support
2 proceedings.

3 ***-0469/1.1* SECTION 2674.** 115.341 (1) of the statutes is amended to read:

4 115.341 (1) From the appropriation under s. 20.255 (2) (cm), the state
5 superintendent shall reimburse each school board ~~10~~ 15 cents for each breakfast
6 served at a school that meets the requirements of 7 CFR 220.8 or 220.8a, whichever
7 is applicable, and shall reimburse each governing body of a private school ~~10~~ 15 cents
8 for each breakfast served at the private school that meets the requirements of 7 CFR
9 220.8 or 220.8a, whichever is applicable.

10 ***-1261/5.721* *-1267/P1.233* SECTION 2675.** 115.347 (1) of the statutes is
11 amended to read:

12 115.347 (1) Beginning in the 1994-95 school year, a school board may submit
13 enrollment data to the department of workforce development children and families
14 for the purpose of directly certifying children as eligible for free or reduced-price
15 meals under the federal school nutrition programs. The department of workforce
16 development children and families shall prescribe a format for the report.

17 ***-1261/5.722* *-1267/P1.234* SECTION 2676.** 115.347 (2) of the statutes is
18 amended to read:

19 115.347 (2) Whenever a school district that is located in whole or in part in a
20 county that has converted to the client assistance for reemployment and economic
21 support data system submits a report under sub. (1) in the prescribed format, the
22 department of workforce development children and families shall determine which
23 children enrolled in the school district are members of Wisconsin works Works
24 groups participating under s. 49.147 (3) to (5) or of families receiving aid to families
25 with dependent children or food stamps and shall provide the information to the

1 school board as soon thereafter as possible. The school board shall use the
2 information to directly certify children as eligible for free or reduced-price meals
3 served by the school district under federal school nutrition programs, pursuant to 42
4 USC 1758 (b) (2) (C) (ii) and (iii).

5 ***-1261/5.723* *-1267/P1.235* SECTION 2677.** 115.347 (3) of the statutes is
6 amended to read:

7 115.347 (3) The state superintendent shall assist school boards in developing
8 a method for submitting enrollment data to the department of workforce
9 development children and families under sub. (1).

10 ***-1261/5.724* *-1261/P3.530* SECTION 2678.** 115.365 (2) (intro.) of the
11 statutes is amended to read:

12 115.365 (2) (intro.) The department, in conjunction with the department of
13 health and family services and the department of children and families, shall:

14 ***-1261/5.725* *-1261/P3.531* SECTION 2679.** 115.368 (2) (intro.) of the
15 statutes is amended to read:

16 115.368 (2) (intro.) The department, in conjunction with the department of
17 health and family services and the department of children and families, and after
18 consulting with established organizations providing services with a focus on children
19 of risk, shall:

20 ***-1481/3.2* SECTION 2680.** 115.395 of the statutes is created to read:

21 **115.395 Grants for improving pupil academic achievement. (1)** In this
22 section, "board" means the board of school directors in charge of the school district
23 operating under ch. 119.

24 **(2)** The board may apply to the department of administration for a grant of up
25 to \$5,000,000 in the 2007-08 school year and up to \$10,000,000 in any school year

1 thereafter to implement initiatives to improve pupil academic achievement in all
2 grades, such as employing licensed teachers to tutor pupils who are struggling
3 academically, or employing persons to coordinate the district's instructional
4 programs and provide ongoing professional development for teachers. The board
5 shall submit with its application a plan for the department of administration's
6 approval describing the initiatives for which the grant will be used, describing the
7 research showing that the initiatives have a positive effect on pupil academic
8 achievement, and including criteria for evaluating the effectiveness of the
9 initiatives, such as high school graduation rates or the results of the statewide pupil
10 assessments under ch. 118.30.

11 (3) The department of administration may approve the plan submitted under
12 sub. (2) in whole or in part. If the department approves a plan in part, the board may
13 submit an additional plan for the same school year and the department may award
14 the board all or part of the balance of grant funds.

15 (4) Upon receipt of a notice from the department of administration that a plan
16 has been approved under sub. (3), the state superintendent shall pay to the board,
17 from the appropriation under s. 20.255 (2) (df), the amount specified by the
18 department of administration.

19 *-1188/3.2* SECTION 2681. 115.42 (title) of the statutes is amended to read:

20 115.42 (title) **National Grants for national teacher certification or**
21 **master educator licensure.**

22 *-1188/3.3* SECTION 2682. 115.42 (1) (a) 1. of the statutes is amended to read:

23 115.42 (1) (a) 1. The person is certified by the National Board for Professional
24 Teaching Standards or licensed by the department as a **master educator under s. PI**
25 **34.19, Wis. Adm. Code.**

1 *-1188/3.4* SECTION 2683. 115.42 (1) (a) 2. of the statutes is amended to read:

2 115.42 (1) (a) 2. The person is licensed as a teacher by the state superintendent,
3 or employed as a teacher in a private school located in this state in a position that
4 would require a license issued by the state superintendent if the position were in a
5 public school.

6 *-1188/3.5* SECTION 2684. 115.42 (1) (a) 4. of the statutes is amended to read:

7 115.42 (1) (a) 4. The person is employed as a teacher in this state in a position
8 that requires a license issued by the state superintendent or that would require such
9 a license if the position were in a public school.

10 *-1188/3.6* SECTION 2685. 115.42 (1) (b) of the statutes is amended to read:

11 115.42 (1) (b) The grant under this subsection shall be an amount equal to the
12 costs of obtaining certification or licensure under par. (a) 1. that are borne by the
13 person, not to exceed \$2,000. The department shall award the grant under this
14 subsection in the first school year in which the person meets the requirements under
15 par. (a).

16 *-1188/3.7* SECTION 2686. 115.42 (2) (a) (intro.) of the statutes is amended to
17 read:

18 115.42 (2) (a) (intro.) The Except as provided in par. (c), the department shall
19 award 9 grants of \$2,500 each to each person who received a grant under sub. (1) if
20 the person satisfies all of the following requirements:

21 *-1188/3.8* SECTION 2687. 115.42 (2) (a) 1. of the statutes is amended to read:

22 115.42 (2) (a) 1. The person maintains his or her certification by the National
23 Board for Professional Teaching Standards national teacher certificate or master
24 educator license.

25 *-1188/3.9* SECTION 2688. 115.42 (2) (a) 2. of the statutes is amended to read:

1 115.42 (2) (a) 2. The person maintains his or her license as a teacher issued by
2 the state superintendent or remains employed in a private school located in this
3 state.

4 ***-1188/3.10* SECTION 2689.** 115.42 (2) (a) 4. of the statutes is amended to read:

5 115.42 (2) (a) 4. The person remains employed as a teacher in this state in a
6 position that requires a license issued by the state superintendent or that would
7 require a license if the position were in a public school.

8 ***-1188/3.11* SECTION 2690.** 115.42 (2) (c) of the statutes is created to read:

9 115.42 (2) (c) The amount of each grant under par. (a) shall be \$5,000 in any
10 school year in which the recipient is employed in a school in which at least 60 percent
11 of the pupils enrolled are eligible for a free or reduced-price lunch under 42 USC
12 1758 (6).

13 ***-1188/3.12* SECTION 2691.** 115.42 (3) of the statutes is amended to read:

14 115.42 (3) The department may not require, as a condition for renewing a
15 person's teaching license, that the person have earned continuing professional
16 education credits or their equivalent in the 5 years immediately preceding his or her
17 application for license renewal if he or she has been initially certified by the National
18 Board for Professional Teaching Standards during those 5 years.

19 ***-1188/3.13* SECTION 2692.** 115.42 (4) (c) of the statutes is amended to read:

20 115.42 (4) (c) The number of times that a teacher person may be exempt from
21 continuing professional education requirements under sub. (3).

22 ***-0473/1.3* SECTION 2693.** 115.43 (title) of the statutes is amended to read:

23 115.43 (title) **Minority group pupil Precollege scholarships.**

24 ***-0473/1.4* SECTION 2694.** 115.43 (1) of the statutes is amended to read:

1 115.43 (1) DEFINITION. In this section, "~~minority group economically~~
2 disadvantaged pupil" means a pupil who is ~~Black or African American, Hispanic,~~
3 ~~American Indian, an Alaskan native, or a person of Asian or Pacific Island origin~~
4 eligible for a free or reduced-price lunch under 42 USC 1758 (b).

5 ***-0473/1.5*** SECTION 2695. 115.43 (2) (a) of the statutes is amended to read:

6 115.43 (2) (a) Annually set goals relating to increasing the percentages of
7 minority group economically disadvantaged pupils who graduate from high school
8 and are prepared for postsecondary school education.

9 ***-0473/1.6*** SECTION 2696. 115.43 (2) (b) of the statutes is amended to read:

10 115.43 (2) (b) From the appropriation under s. 20.255 (3) (fz), award precollege
11 scholarships, on a competitive basis, to minority group economically disadvantaged
12 pupils who enroll in a technical college or in college or university classes or programs
13 designed to improve academic skills that are essential for success in postsecondary
14 school education. The state superintendent shall give preference to minority group
15 economically disadvantaged pupils who are inadequately represented in the
16 technical college and University of Wisconsin Systems.

17 ***-1480/2.2*** SECTION 2697. 115.445 of the statutes is created to read:

18 **115.445 Four-year-old kindergarten grants.** (1) A school board may
19 apply to the department for a 2-year grant under this section to implement a
20 4-year-old kindergarten program.

21 (2) (a) In the first school year of a grant awarded under this section, the
22 department shall pay the school board up to \$3,000 for each 4-year-old kindergarten
23 pupil enrolled in the school district. In the succeeding school year, the department
24 shall pay the school board up to \$1,500 for each 4-year-old kindergarten pupil
25 enrolled in the school district.

1 (b) The department shall award grants under this section beginning in the
2 2008-09 school year and shall give preference in awarding grants to school boards
3 that use community approaches to early education, as defined by the department by
4 rule. If the funds in the appropriation under s. 20.255 (2) (dp) are insufficient to pay
5 all eligible school boards, the department shall prorate the payments.

6 (3) The department shall promulgate rules to implement this section.

7 ***-0453/1.2* SECTION 2698.** 115.455 of the statutes is created to read:

8 **115.455 Grants for world languages instruction.** (1) Beginning in
9 2008-09, the state superintendent shall award grants to school districts to promote
10 the teaching of world languages in grades 1 to 6. Grants awarded under this section
11 shall be paid from the appropriation under s. 20.255 (2) (ch) over a non renewable,
12 6-year term.

13 (2) The department shall promulgate rules to implement this section, which
14 rules shall include all of the following:

15 (a) A definition of world languages eligible for inclusion under this section.

16 (b) Criteria for selecting recipients of an award under this section. Selection
17 criteria shall include the quality of the application and the ability of the applicant
18 to continue teaching world languages at the end of the 6-year term. The department
19 shall strive to distribute grants among urban, rural, and suburban school districts.

20 (c) The schedule of payments to be made pursuant to each award.

21 (3) A school board may apply to the department for a 6-year grant to add
22 instruction in world languages in grades 1 to 6. Except as provided in subs. (4) and
23 (5), the state superintendent shall award grants and each school board receiving an
24 award under this section shall use the grant moneys as follows:

1 (a) During the first year of the award, \$30,000 to assign one teacher to teach
2 a world language to first grade students.

3 (b) During the 2nd year of the award, \$30,000 to assign one teacher to teach
4 one or more world languages to 1st and 2nd grade students.

5 (c) During the 3rd year of the award, \$60,000 to assign 2 teachers to teach one
6 or more world languages to 1st, 2nd, and 3rd grade students.

7 (d) During the 4th year of the award, \$60,000 to assign 2 teachers to teach one
8 or more world languages to 1st to 4th grade students.

9 (e) During the 5th year of the award, \$30,000 to assign 2 teachers to teach one
10 or more world languages to 1st to 5th grade students.

11 (f) During the 6th year of the award, \$30,000 to assign 2 teachers to teach one
12 or more world languages to 1st to 6th grade students.

13 (4) In each year of the 6-year grant, each school board receiving an award
14 under this section shall use a portion of the grant moneys received to send the
15 following 3 teachers to twice-yearly professional development workshops offered by
16 the department:

17 (a) One teacher who is funded by a grant awarded under this section and who
18 is teaching a world language in the grade level added, pursuant to the schedule under
19 sub. (3), in the year the workshop is offered.

20 (b) For the purpose of integrating a world language into their curricula, 2
21 teachers who do not teach a world language but who teach at the same grade level
22 as the teacher specified in par. (a).

23 (5) If the appropriation under s. 20.255 (2) (ch) in any fiscal year is insufficient
24 to fully fund the grants awarded under this section, the department shall prorate the
25 available moneys among the school districts receiving an award under this section.

1 ***-1261/5.726*** ***-1261/P3.532*** SECTION 2699. 115.812 (1) of the statutes is
2 amended to read:

3 115.812 (1) PLACEMENT DISPUTES. If a dispute arises between a local educational
4 agency and the department of health and family services children and families, the
5 department of corrections, or a county department under s. 46.215, 46.22, or 46.23,
6 or between local educational agencies under s. 115.81 (4) (c), over the placement of
7 a child, the state superintendent shall resolve the dispute. This subsection applies
8 only to placements in nonresidential educational programs made under s. 48.57 (1)
9 (c) and to placements in residential care centers made under s. 115.81.

10 ***-1261/5.727*** ***-1261/P3.533*** SECTION 2700. 118.125 (2) (i) of the statutes is
11 amended to read:

12 118.125 (2) (i) Upon request, the school district clerk or his or her designee shall
13 provide the names of pupils who have withdrawn from the public school prior to
14 graduation under s. 118.15 (1) (c) to the technical college district board in which the
15 public school is located or, for verification of eligibility for public assistance under ch.
16 49, to the department of health and family services, the department of workforce
17 development children and families, or a county department under s. 46.215, 46.22,
18 or 46.23.

19 ***-0011/3.2*** SECTION 2701. 118.163 (2) (a) of the statutes is amended to read:

20 118.163 (2) (a) Suspension of the person's operating privilege for not less than
21 30 days nor more than one year. The court shall immediately may take possession
22 of any suspended license and forward it. If the court takes possession of a license,
23 it shall destroy the license. The court shall forward to the department of
24 transportation together with a notice stating the reason for and the duration of the
25 suspension.

SECTION 2702

1 ***-0011/3.3*** SECTION 2702. 118.163 (2m) (a) of the statutes is amended to read:

2 118.163 (2m) (a) A county, city, village or town may enact an ordinance
3 permitting a court to suspend the operating privilege of a person who is at least 16
4 years of age but less than 18 years of age and is a dropout. The ordinance shall
5 provide that the court may suspend the person's operating privilege until the person
6 reaches the age of 18. The court ~~shall immediately~~ may take possession of any
7 suspended license ~~and forward it. If the court takes possession of a license, it shall~~
8 destroy the license. The court shall forward to the department of transportation
9 ~~together with~~ a notice stating the reason for and the duration of the suspension.

10 ***-1261/5.728*** ***-1267/P1.237*** SECTION 2703. 118.19 (1r) (a) of the statutes
11 is amended to read:

12 118.19 (1r) (a) As provided in the memorandum of understanding under s.
13 49.857, the department of public instruction may not issue or renew a license or
14 permit or revalidate a license that has no expiration date unless the applicant
15 provides the department of public instruction with his or her social security number.
16 The department of public instruction may not disclose the social security number
17 except to the department of ~~workforce development~~ children and families for the sole
18 purpose of administering s. 49.22.

19 ***-1261/5.729*** ***-1267/P1.238*** SECTION 2704. 118.19 (1r) (b) of the statutes
20 is amended to read:

21 118.19 (1r) (b) As provided in the memorandum of understanding under s.
22 49.857, the department may not issue or renew a license or permit or revalidate a
23 license that has no expiration date if the applicant, licensee or permit holder is
24 delinquent in making court-ordered payments of child or family support,
25 maintenance, birth expenses, medical expenses or other expenses related to the

1 support of a child or former spouse or if the applicant, licensee or permit holder fails
2 to comply, after appropriate notice, with a subpoena or warrant issued by the
3 department of workforce development children and families or a county child
4 support agency under s. 59.53 (5) and related to paternity or child support
5 proceedings.

6 ***-1261/5.730*** ***-1267/P1.239*** SECTION 2705. 118.19 (10) (g) of the statutes
7 is amended to read:

8 118.19 (10) (g) At the request under s. 49.22 (2m) of the department of
9 workforce development children and families or a county child support agency under
10 s. 59.53 (5), the state superintendent shall release the name and address of the
11 applicant or licensee, the name and address of the applicant's or licensee's employer
12 and financial information, if any, related to the applicant or licensee obtained under
13 this subsection to the department of workforce development children and families or
14 the county child support agency.

15 ***-0438/3.18*** SECTION 2706. 118.245 of the statutes is repealed.

16 ***-1066/1.1*** SECTION 2707. 118.33 (1) (a) 1. of the statutes is amended to read:

17 118.33 (1) (a) 1. In the high school grades, at least 4 credits of English including
18 writing composition, 3 credits of social studies including state and local government,
19 2 3 credits of mathematics, 2 3 credits of science and 1.5 credits of physical education.

20 ***-1819/1.1*** SECTION 2708. 118.40 (2r) (cg) of the statutes is created to read:

21 118.40 (2r) (cg) The common council of the city of Milwaukee may establish or
22 contract for the establishment of only one residential charter school under this
23 subsection. If the common council does so, the school may not accommodate more
24 than 300 pupils and the pupils shall reside at the school for at least 9 months each
25 school year.

1 ***-1819/1.2* SECTION 2709.** 118.40 (2r) (e) 3. of the statutes is created to read:
2 118.40 (2r) (e) 3. Notwithstanding subd. 1., if the common council of the city
3 of Milwaukee establishes or contracts for the establishment of a residential charter
4 school described under par. (cg), the department shall pay to the operator of the
5 charter school an amount equal to twice the amount calculated for the payment to
6 the charter school under subd. 1.

7 ***-0470/1.1* SECTION 2710.** 118.43 (2) (bt) of the statutes is created to read:
8 118.43 (2) (bt) In the 2008-09 school year, the school board of an eligible school
9 district may enter into a 5-year achievement guarantee contract with the
10 department on behalf of one or more schools in the school district if the school board
11 is not receiving a grant under the preschool to grade 5 program on behalf of the
12 schools under s. 115.45. In awarding a contract under this paragraph, the
13 department shall give priority to schools that have the highest percentage of
14 low-income pupil enrollment.

15 ***-0470/1.2* SECTION 2711.** 118.43 (2) (e) 1. of the statutes is amended to read:
16 118.43 (2) (e) 1. If the school board of an eligible school district does not enter
17 into an achievement guarantee contract with the department, a school board that
18 has entered into such a contract, other than the school board of the school district
19 operating under ch. 119, may apply to the department to enter into such a contract
20 on behalf of one or more schools that meet the requirements under par. (b), (bg) or,
21 (br), or (bt).

22 ***-0470/1.3* SECTION 2712.** 118.43 (2) (g) of the statutes is amended to read:
23 118.43 (2) (g) The department may renew an achievement guarantee contract
24 under pars. (b), (bg), and (br), and (bt) for one or more terms of 5 school years. As a
25 condition of receiving payments under a renewal of an achievement guarantee

1 contract, a school board shall maintain the reduction of class size achieved during
2 the last school year of the original achievement guarantee contract for the grades
3 specified for the last school year of the contract.

4 ***-0470/1.4* SECTION 2713.** 118.43 (3) (intro.) of the statutes is amended to
5 read:

6 118.43 (3) CONTRACT REQUIREMENTS. (intro.) ~~Except as provided in pars. (am)~~
7 ~~and (ar), an~~ An achievement guarantee contract shall require the school board to do
8 all of the following in each participating school:

9 ***-0470/1.5* SECTION 2714.** 118.43 (3) (a) (intro.) of the statutes is amended to
10 read:

11 118.43 (3) (a) *Class size.* (intro.) ~~Reduce~~ For contracts that begin in the
12 1996-97 school year, reduce each class size to 15 in the following manner:

13 ***-0470/1.6* SECTION 2715.** 118.43 (3) (at) of the statutes is created to read:

14 118.43 (3) (at) *Class size; additional contracts.* For contracts that begin in the
15 2008-09 school year, reduce each class size to 15 in the following manner:

- 16 1. In the 2008-09 school year, in at least grades kindergarten and one.
- 17 2. In the 2009-10 school year, in at least grades kindergarten to 2.
- 18 3. In the 2010-11 to 2012-13 school years, in at least grades kindergarten to

19 3.

20 ***-0470/1.7* SECTION 2716.** 118.43 (6) (b) 9. of the statutes is amended to read:

21 118.43 (6) (b) 9. In the 2005-06 and 2006-07 school years, \$2,000 multiplied
22 by the number of low-income pupils enrolled in grades eligible for funding in each
23 school in the school district covered by renewals of contracts under sub. (2) (g); and
24 in the 2007-08 school year and any subsequent school year, \$2,250 multiplied by the

1 number of low-income pupils enrolled in grades eligible for funding in each school
2 in the school district covered by renewals of contracts under sub. (2) (g).

3 ***-0470/1.8* SECTION 2717.** 118.43 (6) (b) 10. of the statutes is created to read:

4 118.43 (6) (b) 10. In the 2008-09 school year, \$2,250 multiplied by the number
5 of low-income pupils enrolled in grades eligible for funding in each school in the
6 school district covered by contracts under sub. (3) (at) and by renewals of contracts
7 under sub. (2) (g).

8 ***-1501/2.5* SECTION 2718.** 118.51 (14) (b) of the statutes is amended to read:

9 118.51 (14) (b) *Low-income assistance.* The parent of a pupil who is eligible for
10 a free or reduced-price lunch under 42 USC 1758 (b) and who will be attending public
11 school in a nonresident school district in the following school year under this section
12 may apply to the department, on the form prepared under sub. (15) (a), for the
13 reimbursement of costs incurred by the parent for the transportation of the pupil to
14 and from the pupil's residence and the school that the pupil will be attending. The
15 department shall determine the reimbursement amount and shall pay the amount
16 from the appropriation under s. 20.255 (2) (~~ey~~) (vy). The reimbursement amount may
17 not exceed the actual transportation costs incurred by the parent or 3 times the
18 statewide average per pupil transportation costs, whichever is less. If the
19 appropriation under s. 20.255 (2) (~~ey~~) (vy) in any one year is insufficient to pay the
20 full amount of approved claims under this paragraph, payments shall be prorated
21 among the parents entitled thereto. By the 2nd Friday following the first Monday
22 in May following receipt of the parent's application under sub. (3) (a), the department
23 shall provide to each parent requesting reimbursement under this paragraph an
24 estimate of the amount of reimbursement that the parent will receive if the pupil
25 attends public school in the nonresident school district in the following school year.

1 ***-1501/2.6* SECTION 2719.** 118.52 (11) (b) of the statutes is amended to read:

2 118.52 (11) (b) *Low-income assistance.* The parent of a pupil who is attending
3 a course in a public school in a nonresident school district under this section may
4 apply to the department for reimbursement of the costs incurred by the parent for
5 the transportation of the pupil to and from the pupil's residence or school in which
6 the pupil is enrolled and the school at which the pupil is attending the course if the
7 pupil and parent are unable to pay the cost of such transportation. The department
8 shall determine the reimbursement amount and shall pay the amount from the
9 appropriation under s. 20.255 (2) (~~ey~~) (vy). The department shall give preference
10 under this paragraph to those pupils who are eligible for a free or reduced-price
11 lunch under 42 USC 1758 (b).

12 ***-1501/2.7* SECTION 2720.** 118.55 (7g) of the statutes is amended to read:

13 118.55 (7g) **TRANSPORTATION.** The parent or guardian of a pupil who is
14 attending an institution of higher education or technical college under this section
15 and is taking a course for high school credit may apply to the state superintendent
16 for reimbursement of the cost of transporting the pupil between the high school in
17 which the pupil is enrolled and the institution of higher education or technical college
18 that the pupil is attending if the pupil and the pupil's parent or guardian are unable
19 to pay the cost of such transportation. The state superintendent shall determine the
20 reimbursement amount and shall pay the amount from the appropriation under s.
21 20.255 (2) (~~ew~~) (vw). The state superintendent shall give preference under this
22 subsection to those pupils who are eligible for a free or reduced-price lunch under
23 42 USC 1758 (b).

24 ***-1480/2.3* SECTION 2721.** 119.04 (1) of the statutes is amended to read:

1 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
2 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
3 115.345, 115.361, 115.38 (2), 115.445, 115.45, 115.455, 118.001 to 118.04, 118.045,
4 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153,
5 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6)
6 and (8), ~~118.245~~, 118.255, 118.258, 118.291, 118.30 to 118.43, 118.51, 118.52, 118.55,
7 120.12 (5) and (15) to (26), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26),
8 (34), (35), (37), (37m), and (38), 120.14, and 120.25 are applicable to a 1st class city
9 school district and board.

****NOTE: This is reconciled s. 119.04 (1). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0438, LRB-0453, and LRB-1480.

10 ***-1193/2.2* SECTION 2722.** 119.23 (2) (a) 8. of the statutes is created to read:

11 119.23 (2) (a) 8. Annually, the private school pays a nonrefundable fee to the
12 department. A private school that is not participating in the program under this
13 section in the current school year shall pay a fee, determined by the department by
14 rule, with its notice of intent to participate under subd. 3. A private school that is
15 required to comply with sub. (7) (am) shall pay a fee, determined by the department
16 by rule, with the information required by sub. (7) (am). The department shall use
17 all fees collected under this paragraph to evaluate the financial information
18 submitted under sub. (7) (am).

19 ***-1193/2.3* SECTION 2723.** 119.23 (10) (a) 2. of the statutes is amended to read:

20 119.23 (10) (a) 2. Failed to provide the notice required under sub. (2) (a) 3., or
21 the information required under sub. (7) (am) or (d), or the fee required under sub. (2)
22 (a) 8. by the date or within the period specified.

1 ***-1261/5.731*** ***-1261/P3.534*** SECTION 2724. 120.125 (4) (h) of the statutes
2 is amended to read:

3 120.125 (4) (h) That the day care provider shall meet the standards for licensed
4 day care centers established by the department of health and family services
5 children and families.

6 ***-1553/P2.5*** SECTION 2725. 120.13 (2) (g) of the statutes is amended to read:

7 120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss.
8 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3),
9 632.85, 632.853, 632.855, 632.87 (4), (5), and (6), 632.895 (9) to (14) (15), 632.896, and
10 767.513 (4).

11 ***-1261/5.732*** ***-1261/P3.535*** SECTION 2726. 120.13 (14) of the statutes is
12 amended to read:

13 120.13 (14) DAY CARE PROGRAMS. Establish and provide or contract for the
14 provision of day care programs for children. The school board may receive federal
15 or state funds for this purpose. The school board may charge a fee for all or part of
16 the cost of the service for participation in a day care program established under this
17 subsection. Costs associated with a day care program under this subsection may not
18 be included in shared costs under s. 121.07 (6). Day care programs established under
19 this subsection shall meet the standards for licensed day care centers established by
20 the department of health and family services children and families. If a school board
21 proposes to contract for or renew a contract for the provision of a day care program
22 under this subsection or if on July 1, 1996, a school board is a party to a contract for
23 the provision of a day care program under this subsection, the school board shall refer
24 the contractor or proposed contractor to the department of health and family services
25 children and families for the criminal history and child abuse record search required

1 under s. 48.685. Each school board shall provide the department of health and family
2 services with information about each person who is denied a contract for a reason
3 specified in s. 48.685 (4m) (a) 1. to 5.

4 ***-1618/2.1* SECTION 2727.** 120.13 (18m) of the statutes is created to read:

5 120.13 (18m) WIND ELECTRICITY GENERATORS. Construct or acquire, borrow
6 funds to construct or acquire, operate, and maintain a wind electricity generation
7 facility, and use or sell the energy generated by the facility, if the school board's share
8 of the installed capacity of the facility does not exceed 5 megawatts and the school
9 board incorporates information about the facility in its curriculum.

10 ***-1501/2.8* SECTION 2728.** 121.007 of the statutes is amended to read:

11 **121.007 Use of state aid; exemption from execution.** All moneys paid to
12 a school district under s. 20.255 (2) (ac), (bc), (cg), and ~~(ex)~~ (vr), shall be used by the
13 school district solely for the purposes for which paid. Such moneys are exempt from
14 execution, attachment, garnishment, or other process in favor of creditors, except as
15 to claims for salaries or wages of teachers and other school employees and as to
16 claims for school materials, supplies, fuel, and current repairs.

17 ***-1486/1.1* SECTION 2729.** 121.08 (4) (b) of the statutes is renumbered 121.08
18 (4) (b) (intro.) and amended to read:

19 121.08 (4) (b) (intro.) The amount of state aid that the school district operating
20 under ch. 119 is eligible to be paid from the appropriation under s. 20.255 (2) (ac) shall
21 also be reduced by 45% of the amounts paid under s. 119.23 (4) and (4m) in the
22 current school year. amount determined as follows:

23 ***-1486/1.2* SECTION 2730.** 121.08 (4) (b) 1. of the statutes is created to read:

24 121.08 (4) (b) 1. Add the amounts paid under s. 119.23 (4) and (4m) in the
25 current school year.

1 ***-1486/1.3* SECTION 2731.** 121.08 (4) (b) 2. of the statutes is created to read:
2 121.08 (4) (b) 2. If the number of pupils attending private schools under s.
3 119.23 in the current school year is no more than 15,000, multiply the sum under
4 subd. 1. by 45 percent.

5 ***-1486/1.4* SECTION 2732.** 121.08 (4) (b) 3. of the statutes is created to read:
6 121.08 (4) (b) 3. If the number of pupils attending private schools under s.
7 119.23 in the current school year is greater than 15,000, divide 15,000 by the number
8 of pupils attending private schools under s. 119.23 in the current school year,
9 multiply the quotient by the sum under subd. 1., and multiply the result by 45
10 percent.

11 ***-0472/3.2* SECTION 2733.** 121.41 of the statutes is renumbered 121.41 (1).

12 ***-0472/3.3* SECTION 2734.** 121.41 (2) of the statutes is created to read:

13 121.41 (2) (a) In this subsection, "eligible pupil" means a pupil who satisfied
14 all of the following criteria in the previous school year:

15 1. The pupil met the income eligibility standard for a free or reduced-price
16 lunch in the federal school lunch program under 42 USC 1758 (b).

17 2. The pupil enrolled in and successfully completed a driver education program
18 offered by the school district and approved by the department.

19 (b) Annually, beginning in the 2007-08 school year, the school board of the
20 school district operating under ch. 119 shall reduce the fee for driver education by
21 \$150 for each pupil who meets the income eligibility standard for a free or
22 reduced-price lunch in the federal school lunch program under 42 USC 1758 (b) and
23 who enrolls in a driver education program offered by the school district and approved
24 by the department.

1 (c) From the appropriation under s. 20.255 (2) (qm), beginning in the 2008-09
2 school year and annually thereafter, the department shall pay to the school district
3 operating under ch. 119 an amount determined as follows:

4 1. Divide the amount appropriated under s. 20.255 (2) (qm) by the number of
5 eligible pupils.

6 2. Multiply the number of eligible pupils by the quotient under subd. 1. or by
7 \$150, whichever is less.

8 ***-1501/2.9* SECTION 2735.** 121.575 (3) of the statutes is amended to read:

9 121.575 (3) If the federal government requires, as a condition of full federal
10 financial participation under sub. (2) (b), that this state provide assistance for the
11 purposes of sub. (2) (a) from state resources, the department shall provide the
12 assistance from the appropriation under s. 20.255 (2) (~~er~~) (vr) in the minimum
13 amount required to obtain full federal financial participation.

14 ***-0446/1.1* SECTION 2736.** 121.58 (2) (a) 4. of the statutes is amended to read:

15 121.58 (2) (a) 4. For each pupil so transported whose residence is more than
16 12 miles from the school attended, \$150 ~~\$180~~ per school year in the 2005-06 ~~2006-07~~
17 school year and \$180 ~~\$220~~ per school year thereafter.

18 ***-1501/2.10* SECTION 2737.** 121.58 (6) of the statutes is amended to read:

19 121.58 (6) APPROPRIATION PRORATED. If the appropriation under s. 20.255 (2) (~~er~~)
20 (vr) in any one year is insufficient to pay the full amount of approved claims under
21 this section, state aid payments for school districts not participating in the program
22 under s.121.575 shall be prorated as though the minimum amount under s. 121.575
23 (3) had not been made and state aid payments for school districts participating in the
24 program under s. 121.575 shall be prorated after deducting the minimum amount
25 under s. 121.575 (3).