

1 ***-1372/2.3*** SECTION 2649. 110.20 (8) of the statutes is renumbered 110.20 (8)
2 (am), and 110.20 (8) (am) 1., as renumbered, is amended to read:
3 110.20 (8) (am) 1. The emissions test and equipment inspection of nonexempt
4 vehicles shall may be performed by persons under contract with the department. The
5 Each such contract shall require the contractor to operate inspection stations for a
6 minimum of 3 years and shall provide for equitable compensation to the contractor
7 if the operation of an inspection and maintenance program within any county is
8 terminated within 3 years after the inspection and maintenance program in the
9 county is begun. No officer, director or employee of the contractor may be an
10 employee of the department or a person engaged in the business of selling,
11 maintaining or repairing motor vehicles or of selling motor vehicle replacement or
12 repair parts. The department shall require the contractor to operate a sufficient
13 number of inspection stations, permanent or mobile, to ensure public convenience in
14 those counties identified under sub. (5).

15 ***-1372/2.4*** SECTION 2650. 110.20 (8) (am) 1m. of the statutes is created to
16 read:

17 110.20 (8) (am) 1m. Each contract under subd. 1. may authorize or require the
18 contractor to install and operate self-service inspection stations and may allow the
19 use of different methods for emissions testing and equipment inspection, consistent
20 with methods established under par. (bm), than those used at inspection stations
21 that are not self-service.

22 ***-1372/2.5*** SECTION 2651. 110.20 (8) (bm) of the statutes is created to read:

23 110.20 (8) (bm) The department may establish methods for emissions testing
24 and equipment inspection of nonexempt vehicles in addition to testing and
25 inspection by contractors. These methods may include the installation and operation

1 by the department of self-service inspection stations and the utilization of any
2 technology related to emissions or data transmission with which motor vehicles may
3 be equipped. The department may establish methods for emissions testing and
4 equipment inspection specifically applicable to self-service inspection stations,
5 which methods shall apply equally to self-service inspection stations operated by
6 contractors under par. (am) 1m. and self-service inspection stations operated by the
7 department under this paragraph.

8 ***-1372/2.6* SECTION 2652.** 110.20 (9) (k) of the statutes is created to read:

9 110.20 (9) (k) Prescribe a procedure for any method for emissions testing and
10 equipment inspection established under sub. (8) (bm).

11 ***-1372/2.7* SECTION 2653.** 110.20 (10m) of the statutes is amended to read:

12 110.20 (10m) REINSPECTION. The owner of a nonexempt vehicle inspected under
13 this section is entitled, if the inspection determines that any applicable emission
14 limitation is exceeded, to one reinspection of the same vehicle at any inspection
15 station within this state operated by a contractor under sub. (8) (am), or at any other
16 location where, as established under sub. (8) (bm), the vehicle was initially inspected,
17 if the reinspection takes place within 30 days after the initial inspection or the owner
18 presents satisfactory evidence that the repairs and adjustments which were
19 performed on the vehicle could not have been made within 30 days of the initial
20 inspection.

21 ***-1372/2.8* SECTION 2654.** 110.20 (11) of the statutes is amended to read:

22 110.20 (11) INSPECTION TESTS; RESULTS. (a) The A contractor shall perform the
23 tests required under the federal act, and any testing and inspection method
24 established under sub. (8) (bm) shall include the tests required under the federal act.

25 The tests shall include one of the approved short tests required by the federal act to

1 determine compliance with applicable emission limitations for carbon monoxide,
2 hydrocarbons and oxides of nitrogen. The department may require the contractor
3 contractors to provide information on the fuel efficiency of the motor vehicle.

4 (b) The department shall require the each contractor to furnish the results of
5 the emissions inspection in writing to the person presenting the vehicle for
6 inspection before he or she departs from the inspection station. For emissions
7 inspections not conducted by a contractor, the department shall require any testing
8 and inspection method established under sub. (8) (bm) to include the
9 contemporaneous furnishing of the results of the emissions inspection in writing to
10 the person having the vehicle inspected. If the inspection shows that the vehicle does
11 not comply with one or more applicable emissions limitations, the results shall
12 include, to the extent possible, a description of the noncompliance and the
13 adjustments or repairs likely to be needed for compliance.

14 ***-1372/2.9* SECTION 2655.** 110.21 of the statutes is amended to read:

15 **110.21 Education and training related to motor vehicle emissions.** The
16 department and its contractors under s. 110.20 (8) (am) shall conduct a program of
17 public education related to the motor vehicle emission and equipment inspection and
18 maintenance program established under s. 110.20 (6). The program under s. 110.20
19 (6) may include a pilot project of motor vehicle emissions inspections for those owners
20 who elect to present their motor vehicles for inspection.

21 ***-0438/3.1* SECTION 2656.** 111.70 (1) (b) of the statutes is amended to read:

22 111.70 (1) (b) "Collective bargaining unit" means ~~a~~ the unit consisting of
23 ~~municipal employees who are school district professional employees or of municipal~~
24 ~~employees who are not school district professional employees that is determined by~~
25 the commission to be appropriate for the purpose of collective bargaining.

1 ***-0438/3.2*** SECTION 2657. 111.70 (1) (dm) of the statutes is repealed.

2 ***-0438/3.3*** SECTION 2658. 111.70 (1) (fm) of the statutes is repealed.

3 ***-1524/P3.93*** SECTION 2659. 111.70 (1) (j) of the statutes is amended to read:

4 111.70 (1) (j) "Municipal employer" means any city, county, village, town,
5 metropolitan sewerage district, school district, family long-term care district, or any
6 other political subdivision of the state, or instrumentality of one or more political
7 subdivisions of the state, that engages the services of an employee and includes any
8 person acting on behalf of a municipal employer within the scope of the person's
9 authority, express or implied, but specifically does not include a local cultural arts
10 district created under subch. V of ch. 229.

11 ***-0438/3.4*** SECTION 2660. 111.70 (1) (nc) of the statutes is repealed.

12 ***-0438/3.5*** SECTION 2661. 111.70 (4) (cm) 5. of the statutes is amended to read:

13 111.70 (4) (cm) 5. 'Voluntary impasse resolution procedures.' In addition to the
14 other impasse resolution procedures provided in this paragraph, a municipal
15 employer and labor organization may at any time, as a permissive subject of
16 bargaining, agree in writing to a dispute settlement procedure, including
17 authorization for a strike by municipal employees or binding interest arbitration,
18 which is acceptable to the parties for resolving an impasse over terms of any
19 collective bargaining agreement under this subchapter. A copy of such agreement
20 shall be filed by the parties with the commission. If the parties agree to any form of
21 binding interest arbitration, the arbitrator shall give weight to the factors
22 enumerated under subds. 7., 7g. and subd. 7r.

23 ***-0438/3.6*** SECTION 2662. 111.70 (4) (cm) 5s. of the statutes is repealed.

24 ***-0438/3.7*** SECTION 2663. 111.70 (4) (cm) 6. a. of the statutes is amended to
25 read:

1 111.70 (4) (cm) 6. a. If in any collective bargaining unit a dispute relating to one
2 or more issues, ~~qualifying for interest arbitration under subd. 5s. in a collective~~
3 ~~bargaining unit to which subd. 5s. applies,~~ has not been settled after a reasonable
4 period of negotiation and after mediation by the commission under subd. 3. and other
5 settlement procedures, if any, established by the parties have been exhausted, and
6 the parties are deadlocked with respect to any dispute between them over wages,
7 hours and conditions of employment to be included in a new collective bargaining
8 agreement, either party, or the parties jointly, may petition the commission, in
9 writing, to initiate compulsory, final and binding arbitration, as provided in this
10 paragraph. At the time the petition is filed, the petitioning party shall submit in
11 writing to the other party and the commission its preliminary final offer containing
12 its latest proposals on all issues in dispute. Within 14 calendar days after the date
13 of that submission, the other party shall submit in writing its preliminary final offer
14 on all disputed issues to the petitioning party and the commission. If a petition is
15 filed jointly, both parties shall exchange their preliminary final offers in writing and
16 submit copies to the commission at the time the petition is filed.

17 *-0438/3.8* SECTION 2664. 111.70 (4) (cm) 6. am. of the statutes is amended
18 to read:

19 111.70 (4) (cm) 6. am. Upon receipt of a petition to initiate arbitration, the
20 commission shall make an investigation, with or without a formal hearing, to
21 determine whether arbitration should be commenced. If in determining whether an
22 impasse exists the commission finds that the procedures set forth in this paragraph
23 have not been complied with and such compliance would tend to result in a
24 settlement, it may order such compliance before ordering arbitration. The validity
25 of any arbitration award or collective bargaining agreement shall not be affected by

1 failure to comply with such procedures. Prior to the close of the investigation each
2 party shall submit in writing to the commission its single final offer containing its
3 final proposals on all issues in dispute that are subject to interest arbitration under
4 this subdivision ~~or under subd. 5s. in collective bargaining units to which subd. 5s.~~
5 applies. If a party fails to submit a single, ultimate final offer, the commission shall
6 close the investigation based on the last written position of the party. ~~The municipal~~
7 ~~employer may not submit a qualified economic offer under subd. 5s. after the close~~
8 ~~of the investigation.~~ Such final offers may include only mandatory subjects of
9 bargaining, except that a permissive subject of bargaining may be included by a
10 party if the other party does not object and shall then be treated as a mandatory
11 subject. No later than such time, the parties shall also submit to the commission a
12 stipulation, in writing, with respect to all matters which are agreed upon for
13 inclusion in the new or amended collective bargaining agreement. The commission,
14 after receiving a report from its investigator and determining that arbitration should
15 be commenced, shall issue an order requiring arbitration and immediately submit
16 to the parties a list of 7 arbitrators. Upon receipt of such list, the parties shall
17 alternately strike names until a single name is left, who shall be appointed as
18 arbitrator. The petitioning party shall notify the commission in writing of the
19 identity of the arbitrator selected. Upon receipt of such notice, the commission shall
20 formally appoint the arbitrator and submit to him or her the final offers of the
21 parties. The final offers shall be considered public documents and shall be available
22 from the commission. In lieu of a single arbitrator and upon request of both parties,
23 the commission shall appoint a tripartite arbitration panel consisting of one member
24 selected by each of the parties and a neutral person designated by the commission
25 who shall serve as a chairperson. An arbitration panel has the same powers and

1 duties as provided in this section for any other appointed arbitrator, and all
2 arbitration decisions by such panel shall be determined by majority vote. In lieu of
3 selection of the arbitrator by the parties and upon request of both parties, the
4 commission shall establish a procedure for randomly selecting names of arbitrators.
5 Under the procedure, the commission shall submit a list of 7 arbitrators to the
6 parties. Each party shall strike one name from the list. From the remaining 5
7 names, the commission shall randomly appoint an arbitrator. Unless both parties
8 to an arbitration proceeding otherwise agree in writing, every individual whose
9 name is submitted by the commission for appointment as an arbitrator shall be a
10 resident of this state at the time of submission and every individual who is
11 designated as an arbitration panel chairperson shall be a resident of this state at the
12 time of designation.

13 ***-0438/3.9* SECTION 2665.** 111.70 (4) (cm) 7. of the statutes is renumbered
14 111.70 (4) (cm) 7r. am. and amended to read:

15 111.70 (4) (cm) 7r. am. ~~'Factor given greatest weight.'~~ In making any decision
16 under the arbitration procedures authorized by this paragraph, the arbitrator or
17 arbitration panel shall consider and shall give the greatest weight to any Any state
18 law or directive lawfully issued by a state legislative or administrative officer, body
19 or agency which places limitations on expenditures that may be made or revenues
20 that may be collected by a municipal employer. The arbitrator or arbitration panel
21 shall give an accounting of the consideration of this factor in the arbitrator's or
22 panel's decision.

23 ***-0438/3.10* SECTION 2666.** 111.70 (4) (cm) 7g. of the statutes is renumbered
24 111.70 (4) (cm) 7r. ar. and amended to read:

1 111.70 (4) (cm) 7r. ar. ~~'Factor given greater weight.'~~ In making any decision
2 under the arbitration procedures authorized by this paragraph, the arbitrator or
3 arbitration panel shall consider and shall give greater weight to economic Economic
4 conditions in the jurisdiction of the municipal employer than to any of the factors
5 specified in subd. 7r.

6 ***-0438/3.11*** SECTION 2667. 111.70 (4) (cm) 7r. (intro.) of the statutes is
7 amended to read:

8 111.70 (4) (cm) 7r. ~~'Other factors~~ Factors considered.' (intro.) In making any
9 decision under the arbitration procedures authorized by this paragraph, the
10 arbitrator or arbitration panel shall also give weight to the following factors:

11 ***-0438/3.12*** SECTION 2668. 111.70 (4) (cm) 8m. a. and c. of the statutes are
12 consolidated, renumbered 111.70 (4) (cm) 8m. and amended to read:

13 111.70 (4) (cm) 8m. 'Term of agreement; reopening of negotiations.' Except for
14 the initial collective bargaining agreement between the parties and, except as the
15 parties otherwise agree, every collective bargaining agreement covering municipal
16 employees subject to this paragraph other than school district professional
17 employees shall be for a term of 2 years. ~~No, but in no case may a collective~~
18 bargaining agreement for any collective bargaining unit consisting of municipal
19 employees subject to this paragraph other than school district professional
20 employees shall be for a term exceeding 3 years. e. No arbitration award may contain
21 a provision for reopening of negotiations during the term of a collective bargaining
22 agreement, unless both parties agree to such a provision. The requirement for
23 agreement by both parties does not apply to a provision for reopening of negotiations
24 with respect to any portion of an agreement that is declared invalid by a court or

1 administrative agency or rendered invalid by the enactment of a law or promulgation
2 of a federal regulation.

3 ***-0438/3.13* SECTION 2669.** 111.70 (4) (cm) 8m. b. of the statutes is repealed.

4 ***-0438/3.14* SECTION 2670.** 111.70 (4) (cm) 8p. of the statutes is repealed.

5 ***-0438/3.15* SECTION 2671.** 111.70 (4) (cm) 8s. of the statutes is repealed.

6 ***-0438/3.16* SECTION 2672.** 111.70 (4) (cn) of the statutes is repealed.

7 ***-0438/3.17* SECTION 2673.** 111.70 (4) (d) 2. a. of the statutes is amended to
8 read:

9 111.70 (4) (d) 2. a. The commission shall determine the appropriate collective
10 bargaining unit for the purpose of collective bargaining and shall whenever possible,
11 unless otherwise required under this subchapter, avoid fragmentation by
12 maintaining as few collective bargaining units as practicable in keeping with the size
13 of the total municipal work force. In making such a determination, the commission
14 may decide whether, in a particular case, the municipal employees in the same or
15 several departments, divisions, institutions, crafts, professions, or other
16 occupational groupings constitute a collective bargaining unit. Before making its
17 determination, the commission may provide an opportunity for the municipal
18 employees concerned to determine, by secret ballot, whether or not they desire to be
19 established as a separate collective bargaining unit. ~~The commission shall not~~
20 ~~decide, however, that any group of municipal employees constitutes an appropriate~~
21 ~~collective bargaining unit if the group includes both municipal employees who are~~
22 ~~school district professional employees and municipal employees who are not school~~
23 ~~district professional employees.~~ The commission shall not decide, however, that any
24 other group of municipal employees constitutes an appropriate collective bargaining
25 unit if the group includes both professional employees and nonprofessional

1 employees, unless a majority of the professional employees vote for inclusion in the
2 unit. The commission shall not decide that any group of municipal employees
3 constitutes an appropriate collective bargaining unit if the group includes both craft
4 employees and noncraft employees unless a majority of the craft employees vote for
5 inclusion in the unit. The commission shall place the professional employees who are
6 assigned to perform any services at a charter school, as defined in s. 115.001 (1), in
7 a separate collective bargaining unit from a unit that includes any other professional
8 employees whenever at least 30% of those professional employees request an election
9 to be held to determine that issue and a majority of the professional employees at the
10 charter school who cast votes in the election decide to be represented in a separate
11 collective bargaining unit. Any vote taken under this subsection shall be by secret
12 ballot.

13 ***-1553/P2.4* SECTION 2674.** 111.91 (2) (n) of the statutes is amended to read:

14 111.91 (2) (n) The provision to employees of the health insurance coverage
15 required under s. 632.895 (11) to ~~(14)~~ (15).

16 ***-1352/4.33* SECTION 2675.** Subchapter VI of chapter 111 [precedes 111.95] of
17 the statutes is created to read:

18 **CHAPTER 111**

19 **SUBCHAPTER VI**

20 **UNIVERSITY OF WISCONSIN SYSTEM**

21 **FACULTY AND ACADEMIC STAFF**

22 **LABOR RELATIONS**

23 **111.95 Declaration of policy.** The public policy of the state as to labor
24 relations and collective bargaining involving faculty and academic staff at the

1 University of Wisconsin System, in furtherance of which this subchapter is enacted,
2 is as follows:

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

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

10 **111.96 Definitions.** In this subchapter:

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

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

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

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

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

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

4 (7) "Employee" includes:

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

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

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

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

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

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

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

23 (13) "Labor organization" means any employee organization whose purpose is
24 to represent employees in collective bargaining with the employer, or its agents, on

1 matters pertaining to terms and conditions of employment, but does not include any
2 organization that does any of the following:

3 (a) Advocates the overthrow of the constitutional form of government in the
4 United States.

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

7 (14) "Maintenance of membership agreement" means an agreement between
8 the employer and a labor organization representing employees that requires that all
9 of the employees whose dues are being deducted from earnings under s. 20.921 (1)
10 or 111.992 at or after the time the agreement takes effect shall continue to have dues
11 deducted for the duration of the agreement and that dues shall be deducted from the
12 earnings of all employees who are hired on or after the effective date of the
13 agreement.

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

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

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

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

1 (19) "Strike" includes any strike or other concerted stoppage of work by
2 employees, any concerted slowdown or other concerted interruption of operations or
3 services by employees, or any concerted refusal to work or perform their usual duties
4 as employees of the state.

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

11 (21) "Unfair labor practice" means any unfair labor practice specified in s.
12 111.991.

13 **111.965 Duties of the state. (1)** In the furtherance of this subchapter, the
14 state shall be considered as a single employer. The board shall negotiate and
15 administer collective bargaining agreements. To coordinate the employer position
16 in the negotiation of agreements, the board shall maintain close liaison with the
17 legislature and the office relative to the negotiation of agreements and the fiscal
18 ramifications of those agreements. The board shall coordinate its collective
19 bargaining activities with the office. The legislative branch shall act upon those
20 portions of tentative agreements negotiated by the board that require legislative
21 action.

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

1 **111.97 Rights of employees.** Employees shall have the right of
2 self-organization and the right to form, join, or assist labor organizations, to bargain
3 collectively through representatives of their own choosing under this subchapter,
4 and to engage in lawful, concerted activities for the purpose of collective bargaining
5 or other mutual aid or protection. Employees shall also have the right to refrain from
6 any such activities.

7 **111.98 Collective bargaining units. (1)** Collective bargaining units for
8 faculty and staff in the unclassified service of the state shall be structured with a
9 collective bargaining unit for each of the following groups:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 (2) (a) Notwithstanding sub. (1), 2 or more collective bargaining units described
4 under sub. (1) (a) to (h) may be combined into a single unit. If 2 or more collective
5 bargaining units seek to combine into a single collective bargaining unit, the
6 commission shall, upon the petition of at least 30 percent of the employees in each
7 unit, hold an election to determine whether a majority of those employees voting in
8 each unit desire to combine into a single unit. A combined collective bargaining unit
9 shall be formed including all employees from each of those units in which a majority
10 of the employees voting in the election approve a combined unit. The combined
11 collective bargaining unit shall be formed immediately if there is no existing
12 collective bargaining agreement in force in any of the units to be combined. If there
13 is a collective bargaining agreement in force at the time of the election in any of the
14 collective bargaining units to be combined, the combined unit shall be formed upon
15 expiration of the last agreement for the units concerned.

16 (b) If 2 or more collective bargaining units have combined under par. (a), the
17 commission shall, upon petition of at least 30 percent of the employees in any of the
18 original units, hold an election of the employees in the original unit to determine
19 whether the employees in that unit desire to withdraw from the combined collective
20 bargaining unit. If a majority of the employees voting desire to withdraw from the
21 combined collective bargaining unit, separate units consisting of the unit in which
22 the election was held and a unit composed of the remainder of the combined unit shall
23 be formed. The new collective bargaining units shall be formed immediately if there
24 is no collective bargaining agreement in force for the combined unit. If there is a
25 collective bargaining agreement in force for the combined collective bargaining unit,

1 the new units shall be formed upon the expiration of the agreement. While there is
2 a collective bargaining agreement in force for the combined collective bargaining
3 unit, a petition for an election under this paragraph may be filed only during October
4 in the calendar year prior to the expiration of the agreement.

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

7 (4) Any labor organization may petition for recognition as the exclusive
8 representative of a collective bargaining unit described under sub. (1) or (2) in
9 accordance with the election procedures under s. 111.990 if the petition is
10 accompanied by a 30 percent showing of interest in the form of signed authorization
11 cards. Any additional labor organization seeking to appear on the ballot shall file a
12 petition within 60 days of the date of filing of the original petition and prove, through
13 signed authorization cards, that at least 10 percent of the employees in the collective
14 bargaining unit want it to be their representative.

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

24 (6) Although faculty supervisors are not considered employees for the purpose
25 of this subchapter, the commission may consider a petition for a statewide collective

1 bargaining unit consisting of faculty supervisors, but the representative of the
2 supervisors may not be affiliated with any labor organization representing
3 employees. For purposes of this subsection, affiliation does not include membership
4 in a national, state, county, or municipal federation of national or international labor
5 organizations. The certified representative of the supervisors may not bargain
6 collectively with respect to any matter other than wages and fringe benefits.

7 **111.990 Representatives and elections. (1)** A representative chosen for the
8 purposes of collective bargaining by a majority of the employees voting in a collective
9 bargaining unit shall be the exclusive representative of all of the employees in such
10 unit for the purposes of collective bargaining. Any individual employee, or any
11 minority group of employees in any collective bargaining unit, may present any
12 grievance to the employer in person, or through representatives of their own
13 choosing, and the employer shall confer with the individual employee or group of
14 employees with respect to the grievance if the majority representative has been
15 afforded the opportunity to be present at the conference. Any adjustment resulting
16 from such a conference may not be inconsistent with the conditions of employment
17 established by the majority representative and the employer.

18 **(2)** Whenever a question arises concerning the representation of employees in
19 a collective bargaining unit, the commission shall determine the representation by
20 taking a secret ballot of the employees and certifying in writing the results to the
21 interested parties and to the board. There shall be included on any ballot for the
22 election of representatives the names of all labor organizations having an interest
23 in representing the employees participating in the election as indicated in petitions
24 filed with the commission. The name of any existing representative shall be included
25 on the ballot without the necessity of filing a petition. The commission may exclude

1 from the ballot one who, at the time of the election, stands deprived of his or her rights
2 under this subchapter by reason of a prior adjudication of his or her having engaged
3 in an unfair labor practice. The ballot shall be so prepared as to permit a vote against
4 representation by anyone named on the ballot. For elections in a collective
5 bargaining unit composed of employees who are members of the faculty or academic
6 staff, whenever more than one representative qualifies to appear on the ballot, the
7 ballot shall be prepared to provide separate votes on 2 questions. The first question
8 shall be: "Shall the employees of the ... (name of collective bargaining unit)
9 participate in collective bargaining?". The 2nd question shall be: "If the employees
10 of the ... (name of collective bargaining unit) elect to participate in collective
11 bargaining, which labor organization do you favor to act as representative of the
12 employees?". The 2nd question shall not include a choice for no representative. All
13 employees in the collective bargaining unit may vote on both questions. Unless a
14 majority of those employees voting in the election vote to participate in collective
15 bargaining, no votes for a particular representative may be counted. If a majority
16 of those employees voting in the election vote to participate in collective bargaining,
17 the ballots for representatives shall be counted. The commission's certification of the
18 results of any election is conclusive as to the findings included therein unless
19 reviewed under s. 111.07 (8).

20 (3) Whenever an election has been conducted under sub. (2) in which a majority
21 of the employees voting indicate a desire to participate in collective bargaining but
22 in which no named representative is favored by a majority of the employees voting,
23 the commission may, if requested by a party to the proceeding within 30 days from
24 the date of the certification of the results of the election, conduct a runoff election.

1 In that runoff election, the commission shall drop from the ballot the name of the
2 representative who received the least number of votes at the original election.

3 (4) While a collective bargaining agreement between a labor organization and
4 an employer is in force under this subchapter, a petition for an election in the
5 collective bargaining unit to which the agreement applies may be filed only during
6 October in the calendar year prior to the expiration of that agreement. An election
7 held under that petition may be held only if the petition is supported by proof that
8 at least 30 percent of the employees in the collective bargaining unit desire a change
9 or discontinuance of existing representation. Within 60 days of the time that an
10 original petition is filed, another petition may be filed supported by proof that at least
11 10 percent of the employees in the same collective bargaining unit desire a different
12 representative. If a majority of the employees in the collective bargaining unit vote
13 for a change or discontinuance of representation by any named representative, the
14 decision takes effect upon expiration of any existing collective bargaining agreement
15 between the employer and the existing representative.

16 **111.991 Unfair labor practices.** (1) It is an unfair labor practice for an
17 employer individually or in concert with others:

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

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

23 (e) and 40.23 (1) (f) 4., no change in any law affecting the Wisconsin Retirement
24 System under ch. 40 and no action by the employer that is authorized by such a law
25 is a violation of this paragraph unless an applicable collective bargaining agreement

1 specifically prohibits the change or action. No such change or action affects the
2 continuing duty to bargain collectively regarding the Wisconsin Retirement System
3 under ch. 40 to the extent required by s. 111.998. It is not an unfair labor practice
4 for the employer to reimburse an employee at his or her prevailing wage rate for the
5 time spent during the employee's regularly scheduled hours conferring with the
6 employer's officers or agents and for attendance at commission or court hearings
7 necessary for the administration of this subchapter.

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

12 (d) To refuse to bargain collectively on matters set forth in s. 111.998 with a
13 representative of a majority of its employees in an appropriate collective bargaining
14 unit. Whenever the employer has a good faith doubt as to whether a labor
15 organization claiming the support of a majority of its employees in an appropriate
16 collective bargaining unit does in fact have that support, it may file with the
17 commission a petition requesting an election as to that claim. The employer is not
18 considered to have refused to bargain until an election has been held and the results
19 of the election are certified to the employer by the commission. A violation of this
20 paragraph includes the refusal to execute a collective bargaining agreement
21 previously orally agreed upon.

22 (e) To violate any collective bargaining agreement previously agreed upon by
23 the parties with respect to wages, hours, and conditions of employment affecting the
24 employees, including an agreement to arbitrate or to accept the terms of an

1 arbitration award, when previously the parties have agreed to accept such award as
2 final and binding upon them.

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

11 (1m) Notwithstanding sub. (1), it is not an unfair labor practice for the board
12 to implement changes in salaries or conditions of employment for members of the
13 faculty or academic staff at one institution, and not for other members of the faculty
14 or academic staff at another institution, but this may be done only if the differential
15 treatment is based on comparisons with the compensation and working conditions
16 of employees performing similar services for comparable higher education
17 institutions or based upon other competitive factors.

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

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

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

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

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

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

12 (f) To coerce or intimidate a supervisory employee, officer, or agent of the
13 employer, working at the same trade or profession as the employer's employees, to
14 induce the person to become a member of or act in concert with the labor organization
15 of which the employee is a member

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

20 (4) Any controversy concerning unfair labor practices may be submitted to the
21 commission as provided in s. 111.07, except that the commission shall schedule a
22 hearing on complaints involving alleged violations of sub. (2) (e) within 3 days after
23 filing of a complaint, and notice shall be given to each party interested by service on
24 the party personally, or by telegram, advising the party of the nature of the complaint
25 and of the date, time, and place of hearing. The commission may appoint a substitute

1 tribunal to hear unfair labor practice charges by either appointing a 3-member panel
2 or submitting a 7-member panel to the parties and allowing each to strike 2 names.
3 Any such panel shall report its finding to the commission for appropriate action.

4 **111.992 Fair-share and maintenance of membership agreements. (1)**

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

13 (b) For a fair-share agreement to be authorized, at least two-thirds of the
14 eligible employees or supervisors voting in a referendum shall vote in favor of the
15 agreement. For a maintenance of membership agreement to be authorized, at least
16 a majority of the eligible employees or supervisors voting in a referendum shall vote
17 in favor of the agreement. In a referendum on a fair-share agreement, if less than
18 two-thirds but more than one-half of the eligible employees or supervisors vote in
19 favor of the agreement, a maintenance of membership agreement is authorized.

20 (c) If a fair-share or maintenance of membership agreement is authorized in
21 a referendum, the employer shall enter into such an agreement with the labor
22 organization named on the ballot in the referendum. Each fair-share or
23 maintenance of membership agreement shall contain a provision requiring the
24 employer to deduct the amount of dues as certified by the labor organization from the
25 earnings of the employees or supervisors affected by the agreement and to pay the

1 amount so deducted to the labor organization. Unless the parties agree to an earlier
2 date, the agreement shall take effect 60 days after certification by the commission
3 that the referendum vote authorized the agreement. The employer shall be held
4 harmless against any claims, demands, suits and other forms of liability made by
5 employees or supervisors or local labor organizations which may arise for actions
6 taken by the employer in compliance with this section. All such lawful claims,
7 demands, suits and other forms of liability are the responsibility of the labor
8 organization entering into the agreement.

9 (d) Under each fair-share or maintenance of membership agreement, an
10 employee or supervisor who has religious convictions against dues payments to a
11 labor organization based on teachings or tenets of a church or religious body of which
12 he or she is a member shall, on request to the labor organization, have his or her dues
13 paid to a charity mutually agreed upon by the employee or supervisor and the labor
14 organization. Any dispute concerning this paragraph may be submitted to the
15 commission for adjudication.

16 (2) (a) Once authorized, a fair-share or maintenance of membership
17 agreement shall continue in effect, subject to the right of the employer or labor
18 organization concerned to petition the commission to conduct a new referendum.
19 Such a petition must be supported by proof that at least 30 percent of the employees
20 or supervisors in the collective bargaining unit desire that the fair-share or
21 maintenance of membership agreement be discontinued. Upon so finding, the
22 commission shall conduct a new referendum. If the continuance of the fair-share or
23 maintenance of membership agreement is approved in the referendum by at least the
24 percentage of eligible voting employees or supervisors required for its initial
25 authorization, it shall be continued in effect, subject to the right of the employer or

1 labor organization to later initiate a further vote following the procedure prescribed
2 in this subsection. If the continuation of the agreement is not supported in any
3 referendum, it is considered terminated at the termination of the collective
4 bargaining agreement, or one year from the date of the certification of the result of
5 the referendum, whichever is earlier.

6 (b) The commission shall declare any fair-share or maintenance of
7 membership agreement suspended upon such conditions and for such time as the
8 commission decides whenever it finds that the labor organization involved has
9 refused on the basis of race, color, sexual orientation, or creed to receive as a member
10 any employee or supervisor in the collective bargaining unit involved, and the
11 agreement shall be made subject to the findings and orders of the commission. Any
12 of the parties to the agreement, or any employee or supervisor covered under the
13 agreement, may come before the commission, as provided in s. 111.07, and petition
14 the commission to make such a finding.

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

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

21 **111.993 Grievance arbitration.** (1) Parties to the dispute pertaining to the
22 interpretation of a collective bargaining agreement may agree in writing to have the
23 commission or any other appointing state agency serve as arbitrator or may
24 designate any other competent, impartial, and disinterested persons to so serve.
25 Such arbitration proceedings shall be governed by ch. 788.

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

7 **111.994 Mediation.** The commission may appoint any competent, impartial,
8 disinterested person to act as mediator in any labor dispute either upon its own
9 initiative or upon the request of one of the parties to the dispute. It is the function
10 of a mediator to bring the parties together voluntarily under such favorable auspices
11 as will tend to effectuate settlement of the dispute, but neither the mediator nor the
12 commission shall have any power of compulsion in mediation proceedings.

13 **111.995 Fact-finding.** (1) If a dispute has not been settled after a reasonable
14 period of negotiation and after the settlement procedures, if any, established by the
15 parties have been exhausted, the representative that has been certified by the
16 commission after an election, as the exclusive representative of employees in an
17 appropriate bargaining unit, and the employer, its officers, and agents, after a
18 reasonable period of negotiation, are deadlocked with respect to any dispute between
19 them arising in the collective bargaining process, the parties jointly may petition the
20 commission, in writing, to initiate fact-finding under this section, and to make
21 recommendations to resolve the deadlock.

22 (2) Upon receipt of a petition to initiate fact-finding, the commission shall
23 make an investigation with or without a formal hearing, to determine whether a
24 deadlock in fact exists. The commission shall certify the results of the investigation.
25 If the commission decides that fact-finding should be initiated, it shall appoint a

1 qualified, disinterested person or, when jointly requested by the parties, a 3-member
2 panel to function as a fact finder.

3 (3) The fact finder may establish dates and place of hearings and shall conduct
4 the hearings under rules established by the commission. Upon request, the
5 commission shall issue subpoenas for hearings conducted by the fact finder. The fact
6 finder may administer oaths. Upon completion of the hearing, the fact finder shall
7 make written findings of fact and recommendations for solution of the dispute and
8 shall cause the same to be served on the parties and the commission. In making
9 findings and recommendations, the fact finder shall take into consideration among
10 other pertinent factors the principles vital to the public interest in efficient and
11 economical governmental administration. Upon the request of either party the fact
12 finder may orally present the recommendations in advance of service of the written
13 findings and recommendations. Cost of fact-finding proceedings shall be divided
14 equally between the parties. At the time the fact finder submits a statement of his
15 or her costs to the parties, the fact finder shall submit a copy thereof to the
16 commission at its Madison office.

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

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

1 **111.996 Strike prohibited.** (1) Upon establishing that a strike is in progress,
2 the employer may either seek an injunction or file an unfair labor practice charge
3 with the commission under s. 111.991 (2) (e) or both. It is the responsibility of the
4 board to decide whether to seek an injunction or file an unfair labor practice charge.

5 The existence of an administrative remedy does not constitute grounds for denial of
6 injunctive relief.

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

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

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

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

17 **111.997 Management rights.** Nothing in this subchapter shall interfere with
18 the right of the board, in accordance with this subchapter to do any of the following:

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

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

24 (3) Suspend, demote, discharge, or take other appropriate disciplinary action
25 against the employee; or to lay off employees in the event of lack of work or funds or

1 under conditions where continuation of such work would be inefficient and
2 nonproductive.

3 **111.998 Subjects of bargaining. (1)** (a) Except as provided in pars. (b) to (f),
4 matters subject to collective bargaining to the point of impasse are salaries; fringe
5 benefits consistent with sub. (2); and hours and conditions of employment.

6 (b) The board is not required to bargain on management rights under s.
7 111.997, except that procedures for the adjustment or settlement of grievances or
8 disputes arising out of any type of disciplinary action in s. 111.997 (3) is a subject of
9 bargaining.

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

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

12 (f) 4., all laws governing the Wisconsin Retirement System under ch. 40 and all
13 actions of the board that are authorized under any such law which apply to
14 nonrepresented individuals employed by the state shall apply to similarly situated
15 employees, unless otherwise specifically provided in a collective bargaining
16 agreement that applies to those employees.

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

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

21 **(2)** The board is prohibited from bargaining on:

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

- 1 (b) Amendments to this subchapter.
- 2 (c) Family leave and medical leave rights below the minimum afforded under
- 3 s. 103.10. Nothing in this paragraph prohibits the board from bargaining on rights
- 4 to family leave or medical leave which are more generous to the employee than the
- 5 rights provided under s. 103.10.
- 6 (d) An increase in benefit adjustment contribution rates under s. 40.05 (2n) (a)
- 7 3.
- 8 (e) The rights of employees to have retirement benefits computed under s.
- 9 40.30.
- 10 (f) Honesty testing requirements that provide fewer rights and remedies to
- 11 employees than are provided under s. 111.37.
- 12 (h) Creditable service to which s. 40.285 (2) (b) 4. applies.
- 13 (i) Compliance with the health benefit plan requirements under ss. 632.746 (1)
- 14 to (8) and (10), 632.747, and 632.748.
- 15 (j) Compliance with the insurance requirements under s. 631.95.
- 16 (k) The definition of earnings under s. 40.02 (22).
- 17 (L) The maximum benefit limitations under s. 40.31
- 18 (m) The limitations on contributions under s. 40.32.
- 19 (n) The provision to employees of the health insurance coverage required under
- 20 s. 632.895 (11) to (14).
- 21 (o) The requirements related to coverage of and prior authorization for
- 22 treatment of an emergency medical condition under s. 632.85.
- 23 (p) The requirements related to coverage of drugs and devices under s. 632.853.
- 24 (q) The requirements related to experimental treatment under s. 632.855.

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

3 (s) The requirements related to internal grievance procedures under s. 632.83
4 and independent review of certain health benefit plan determinations under s.
5 632.835.

6 **111.999 Labor proposals.** The board shall notify and consult with the joint
7 committee on employment relations, in such form and detail as the committee
8 requests, regarding substantial changes in wages, employee benefits, personnel
9 management, and program policy contract provisions to be included in any contract
10 proposal to be offered to any labor organization by the state or to be agreed to by the
11 state before such proposal is actually offered or accepted.

12 **111.9991 Agreements. (1)** Any tentative agreement reached between the
13 board, acting for the state, and any labor organization representing a collective
14 bargaining unit specified in s. 111.98 shall, after official ratification by the labor
15 organization, be submitted by the board to the joint committee on employment
16 relations, which shall hold a public hearing before determining its approval or
17 disapproval. If the committee approves the tentative agreement, it shall introduce
18 in a bill or companion bills, to be put on the calendar or referred to the appropriate
19 scheduling committee of each house, that portion of the tentative agreement which
20 requires legislative action for implementation, such as salary and wage adjustments,
21 changes in fringe benefits, and any proposed amendments, deletions, or additions to
22 existing law. Such bill or companion bills are not subject to ss. 13.093 (1), 13.50 (6)
23 (a) and (b), and 16.47 (2). The committee may, however, submit suitable portions of
24 the tentative agreement to appropriate legislative committees for advisory
25 recommendations on the proposed terms. The committee shall accompany the

1 introduction of such proposed legislation with a message that informs the legislature
2 of the committee's concurrence with the matters under consideration and that
3 recommends the passage of such legislation without change. If the joint committee
4 on employment relations does not approve the tentative agreement, it shall be
5 returned to the parties for renegotiation. If the legislature does not adopt without
6 change that portion of the tentative agreement introduced by the joint committee on
7 employment relations, the tentative agreement shall be returned to the parties for
8 renegotiation.

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

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

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

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

15 **111.9992 Status of existing benefits and rights.** Unless a prohibited
16 subject of bargaining under s. 111.998 (2), and except as provided in ss. 7.33 (4),
17 40.05, 40.80 (3), 111.998 (1) (d), and 230.35 (2d) and (3) (e) 6., all statutes and rules
18 governing the salaries, fringe benefits, hours, and conditions of employment apply
19 to each employee, unless otherwise provided in a collective bargaining agreement.

20 **111.9993 Rules, transcripts, fees.** (1) The commission may adopt
21 reasonable and proper rules relative to the exercise of its powers and authority and
22 proper rules to govern its proceedings and to regulate the conduct of all elections and
23 hearings under this subchapter. The commission shall, upon request, provide a
24 transcript of a proceeding to any party to the proceeding for a fee, established by rule,

1 by the commission at a uniform rate per page. All transcript fees shall be credited
2 to the appropriation account under s. 20.425 (1) (i).

3 (2) The commission shall assess and collect a filing fee for filing a complaint
4 alleging that an unfair labor practice has been committed under s. 111.991. The
5 commission shall assess and collect a filing fee for filing a request that the
6 commission act as an arbitrator to resolve a dispute involving the interpretation or
7 application of a collective bargaining agreement under s. 111.993. The commission
8 shall assess and collect a filing fee for filing a request that the commission initiate
9 fact-finding under s. 111.995. The commission shall assess and collect a filing fee
10 for filing a request that the commission act as a mediator under s. 111.994. For the
11 performance of commission actions under ss. 111.993, 111.994, and 111.995, the
12 commission shall require that the parties to the dispute equally share in the payment
13 of the fee and, for the performance of commission actions involving a complaint
14 alleging that an unfair labor practice has been committed under s. 111.991, the
15 commission shall require that the party filing the complaint pay the entire fee. If any
16 party has paid a filing fee requesting the commission to act as a mediator for a labor
17 dispute and the parties do not enter into a voluntary settlement of the labor dispute,
18 the commission may not subsequently assess or collect a filing fee to initiate
19 fact-finding to resolve the same labor dispute. If any request concerns issues arising
20 as a result of more than one unrelated event or occurrence, each such separate event
21 or occurrence shall be treated as a separate request. The commission shall
22 promulgate rules establishing a schedule of filing fees to be paid under this
23 subsection. Fees required to be paid under this subsection shall be paid at the time
24 of filing the complaint or the request for fact-finding, mediation, or arbitration. A
25 complaint or request for fact-finding, mediation, or arbitration is not filed until the

1 date such fee or fees are paid. Fees collected under this subsection shall be credited
2 to the appropriation account under s. 20.425 (1) (i).

3 ***-1278/3.13* SECTION 2676.** 114.33 (10) of the statutes is amended to read:

4 114.33 (10) Subject to the approval of the governor under this subsection, the
5 secretary may sell at public or private sale property of whatever nature owned by the
6 state and under the jurisdiction of the secretary when the secretary determines that
7 the property is no longer necessary for the state's use for airport purposes and, if real
8 property, the real property is not the subject of a petition under s. 560.9810. The
9 secretary shall present to the governor a full and complete report of the property to
10 be sold, the reason for the sale, and the minimum price for which the property should
11 be sold, together with an application for the governor's approval of the sale. The
12 governor shall investigate the proposed sale as he or she deems necessary and
13 approve or disapprove the application. Upon approval and receipt of the full
14 purchase price, the secretary shall by appropriate deed or other instrument transfer
15 the property to the purchaser. The funds derived from the sale shall be deposited in
16 the appropriate airport fund, and the expense incurred by the secretary in
17 connection with the sale shall be paid from that fund. This subsection does not apply
18 to real property that is sold under s. 16.848.

19 ***-0473/1.2* SECTION 2677.** 115.28 (23) (d) of the statutes is amended to read:

20 115.28 (23) (d) The ~~minority group pupil~~ pupil precollege scholarship program under
21 s. 115.43.

22 ***-1286/2.2* SECTION 2678.** 115.28 (46) of the statutes is created to read:

23 115.28 (46) GRANTS FOR SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS
24 PROGRAMS. From the appropriation under s. 20.255 (2) (fz), award grants to school
25 districts to develop innovative instructional programs in science, technology,

1 engineering and mathematics; support pupils who are typically under-represented
2 in these subjects; and increase the academic achievement of pupils in those subjects.

3 ***-1261/5.720* *-1267/P1.232* SECTION 2679.** 115.315 of the statutes is
4 amended to read:

5 **115.315 Memorandum of understanding; license restriction and**
6 **suspension.** As provided in the memorandum of understanding under s. 49.857, the
7 department shall restrict or suspend a license or permit granted by the department
8 if the licensee or permit holder is delinquent in making court-ordered payments of
9 child or family support, maintenance, birth expenses, medical expenses or other
10 expenses related to the support of a child or former spouse or if the licensee or permit
11 holder fails to comply, after appropriate notice, with a subpoena or warrant issued
12 by the department of ~~workforce development~~ children and families or a county child
13 support agency under s. 59.53 (5) and related to paternity or child support
14 proceedings.

15 ***-0469/1.1* SECTION 2680.** 115.341 (1) of the statutes is amended to read:

16 115.341 (1) From the appropriation under s. 20.255 (2) (cm), the state
17 superintendent shall reimburse each school board ~~10~~ 15 cents for each breakfast
18 served at a school that meets the requirements of 7 CFR 220.8 or 220.8a, whichever
19 is applicable, and shall reimburse each governing body of a private school ~~10~~ 15 cents
20 for each breakfast served at the private school that meets the requirements of 7 CFR
21 220.8 or 220.8a, whichever is applicable.

22 ***-1261/5.721* *-1267/P1.233* SECTION 2681.** 115.347 (1) of the statutes is
23 amended to read:

24 115.347 (1) Beginning in the 1994-95 school year, a school board may submit
25 enrollment data to the department of ~~workforce development~~ children and families

1 for the purpose of directly certifying children as eligible for free or reduced-price
2 meals under the federal school nutrition programs. The department of workforce
3 development children and families shall prescribe a format for the report.

4 ***-1261/5.722*** ***-1267/P1.234*** **SECTION 2682.** 115.347 (2) of the statutes is
5 amended to read:

6 115.347 (2) Whenever a school district that is located in whole or in part in a
7 county that has converted to the client assistance for reemployment and economic
8 support data system submits a report under sub. (1) in the prescribed format, the
9 department of workforce development children and families shall determine which
10 children enrolled in the school district are members of Wisconsin works Works
11 groups participating under s. 49.147 (3) to (5) or of families receiving aid to families
12 with dependent children or food stamps and shall provide the information to the
13 school board as soon thereafter as possible. The school board shall use the
14 information to directly certify children as eligible for free or reduced-price meals
15 served by the school district under federal school nutrition programs, pursuant to 42
16 USC 1758 (b) (2) (C) (ii) and (iii).

17 ***-1261/5.723*** ***-1267/P1.235*** **SECTION 2683.** 115.347 (3) of the statutes is
18 amended to read:

19 115.347 (3) The state superintendent shall assist school boards in developing
20 a method for submitting enrollment data to the department of workforce
21 development children and families under sub. (1).

22 ***-1261/5.724*** ***-1261/P3.530*** **SECTION 2684.** 115.365 (2) (intro.) of the
23 statutes is amended to read:

24 115.365 (2) (intro.) The department, in conjunction with the department of
25 health and family services and the department of children and families, shall:

1 *~~1261/5.725~~* *~~1261/P3.531~~* **SECTION 2685.** 115.368 (2) (intro.) of the
2 statutes is amended to read:

3 115.368 (2) (intro.) The department, in conjunction with the department of
4 health and family services and the department of children and families, and after
5 consulting with established organizations providing services with a focus on children
6 of risk, shall:

7 *~~1481/3.2~~* **SECTION 2686.** 115.395 of the statutes is created to read:

8 **115.395 Grants for improving pupil academic achievement.** (1) In this
9 section, "board" means the board of school directors in charge of the school district
10 operating under ch. 119.

11 (2) The board may apply to the department of administration for a grant of up
12 to \$5,000,000 in the 2007-08 school year and up to \$10,000,000 in any school year
13 thereafter to implement initiatives to improve pupil academic achievement in all
14 grades, such as employing licensed teachers to tutor pupils who are struggling
15 academically, or employing persons to coordinate the district's instructional
16 programs and provide ongoing professional development for teachers. The board
17 shall submit with its application a plan for the department of administration's
18 approval describing the initiatives for which the grant will be used, describing the
19 research showing that the initiatives have a positive effect on pupil academic
20 achievement, and including criteria for evaluating the effectiveness of the
21 initiatives, such as high school graduation rates or the results of the statewide pupil
22 assessments under ch. 118.30.

23 (3) The department of administration may approve the plan submitted under
24 sub. (2) in whole or in part. If the department approves a plan in part, the board may

1 submit an additional plan for the same school year and the department may award
2 the board all or part of the balance of grant funds.

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

7 *-1188/3.2* SECTION 2687. 115.42 (title) of the statutes is amended to read:

8 115.42 (title) **National Grants for national teacher certification or**
9 **master educator licensure.**

10 *-1188/3.3* SECTION 2688. 115.42 (1) (a) 1. of the statutes is amended to read:

11 115.42 (1) (a) 1. The person is certified by the National Board for Professional
12 Teaching Standards or licensed by the department as a master educator under s. PI
13 34.19, Wis. Adm. Code.

14 *-1188/3.4* SECTION 2689. 115.42 (1) (a) 2. of the statutes is amended to read:

15 115.42 (1) (a) 2. The person is licensed as a teacher by the state superintendent,
16 or employed as a teacher in a private school located in this state in a position that
17 would require a license issued by the state superintendent if the position were in a
18 public school.

19 *-1188/3.5* SECTION 2690. 115.42 (1) (a) 4. of the statutes is amended to read:

20 115.42 (1) (a) 4. The person is employed as a teacher in this state in a position
21 that requires a license issued by the state superintendent or that would require such
22 a license if the position were in a public school.

23 *-1188/3.6* SECTION 2691. 115.42 (1) (b) of the statutes is amended to read:

24 115.42 (1) (b) The grant under this subsection shall be an amount equal to the
25 costs of obtaining certification or licensure under par. (a) 1. that are borne by the

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1 person, not to exceed \$2,000. The department shall award the grant under this
2 subsection in the first school year in which the person meets the requirements under
3 par. (a).

4 ***-1188/3.7* SECTION 2692.** 115.42 (2) (a) (intro.) of the statutes is amended to
5 read:

6 115.42 (2) (a) (intro.) ~~The~~ Except as provided in par. (c), the department shall
7 award 9 grants of \$2,500 each to each person who received a grant under sub. (1) if
8 the person satisfies all of the following requirements:

9 ***-1188/3.8* SECTION 2693.** 115.42 (2) (a) 1. of the statutes is amended to read:

10 115.42 (2) (a) 1. The person maintains his or her ~~certification by the National~~
11 ~~Board for Professional Teaching Standards~~ national teacher certificate or master
12 educator license.

13 ***-1188/3.9* SECTION 2694.** 115.42 (2) (a) 2. of the statutes is amended to read:

14 115.42 (2) (a) 2. The person maintains his or her license as a teacher issued by
15 the state superintendent or remains employed in a private school located in this
16 state.

17 ***-1188/3.10* SECTION 2695.** 115.42 (2) (a) 4. of the statutes is amended to read:

18 115.42 (2) (a) 4. The person remains employed as a ~~teacher in this state~~ in a
19 position that requires a license issued by the state superintendent or that would
20 require a license if the position were in a public school.

21 ***-1188/3.11* SECTION 2696.** 115.42 (2) (c) of the statutes is created to read:

22 115.42 (2) (c) The amount of each grant under par. (a) shall be \$5,000 in any
23 school year in which the recipient is employed in a school in which at least 60 percent
24 of the pupils enrolled are eligible for a free or reduced-price lunch under 42 USC
25 1758 (6).

1 ***-1188/3.12*** SECTION 2697. 115.42 (3) of the statutes is amended to read:

2 115.42 (3) The department may not require, as a condition for renewing a
3 person's teaching license, that the person have earned continuing professional
4 education credits or their equivalent in the 5 years immediately preceding his or her
5 application for license renewal if he or she has been initially certified by the National
6 Board for Professional Teaching Standards during those 5 years.

7 ***-1188/3.13*** SECTION 2698. 115.42 (4) (c) of the statutes is amended to read:

8 115.42 (4) (c) The number of times that a teacher person may be exempt from
9 continuing professional education requirements under sub. (3).

10 ***-0473/1.3*** SECTION 2699. 115.43 (title) of the statutes is amended to read:

11 **115.43 (title) Minority group pupil Precollege scholarships.**

12 ***-0473/1.4*** SECTION 2700. 115.43 (1) of the statutes is amended to read:

13 115.43 (1) DEFINITION. In this section, "~~minority group economically~~
14 disadvantaged pupil" means a pupil who is ~~Black or African American, Hispanic,~~
15 ~~American Indian, an Alaskan native, or a person of Asian or Pacific Island origin~~
16 eligible for a free or reduced-price lunch under 42 USC 1758 (b).

17 ***-0473/1.5*** SECTION 2701. 115.43 (2) (a) of the statutes is amended to read:

18 115.43 (2) (a) Annually set goals relating to increasing the percentages of
19 minority group economically disadvantaged pupils who graduate from high school
20 and are prepared for postsecondary school education.

21 ***-0473/1.6*** SECTION 2702. 115.43 (2) (b) of the statutes is amended to read:

22 115.43 (2) (b) From the appropriation under s. 20.255 (3) (fz), award precollege
23 scholarships, on a competitive basis, to minority group economically disadvantaged
24 pupils who enroll in a technical college or in college or university classes or programs
25 designed to improve academic skills that are essential for success in postsecondary

1 school education. The state superintendent shall give preference to ~~minority group~~
2 economically disadvantaged pupils who are inadequately represented in the
3 technical college and University of Wisconsin Systems.

4 ***-1480/2.2* SECTION 2703.** 115.445 of the statutes is created to read:

5 **115.445 Four-year-old kindergarten grants.** (1) A school board may
6 apply to the department for a 2-year grant under this section to implement a
7 4-year-old kindergarten program.

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

13 (b) The department shall award grants under this section beginning in the
14 2008-09 school year and shall give preference in awarding grants to school boards
15 that use community approaches to early education, as defined by the department by
16 rule. If the funds in the appropriation under s. 20.255 (2) (dp) are insufficient to pay
17 all eligible school boards, the department shall prorate the payments.

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

19 ***-0453/1.2* SECTION 2704.** 115.455 of the statutes is created to read:

20 **115.455 Grants for world languages instruction.** (1) Beginning in
21 2008-09, the state superintendent shall award grants to school districts to promote
22 the teaching of world languages in grades 1 to 6. Grants awarded under this section
23 shall be paid from the appropriation under s. 20.255 (2) (ch) over a non renewable,
24 6-year term.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14 ***-1261/5.726* *-1261/P3.532* SECTION 2705.** 115.812 (1) of the statutes is
15 amended to read:

16 115.812 (1) PLACEMENT DISPUTES. If a dispute arises between a local educational
17 agency and the department of ~~health and family services~~ children and families, the
18 department of corrections, or a county department under s. 46.215, 46.22, or 46.23,
19 or between local educational agencies under s. 115.81 (4) (c), over the placement of
20 a child, the state superintendent shall resolve the dispute. This subsection applies
21 only to placements in nonresidential educational programs made under s. 48.57 (1)
22 (c) and to placements in residential care centers made under s. 115.81.

23 ***-1261/5.727* *-1261/P3.533* SECTION 2706.** 118.125 (2) (i) of the statutes is
24 amended to read:

1 118.125 (2) (i) Upon request, the school district clerk or his or her designee shall
2 provide the names of pupils who have withdrawn from the public school prior to
3 graduation under s. 118.15 (1) (c) to the technical college district board in which the
4 public school is located or, for verification of eligibility for public assistance under ch.
5 49, to the department of health and family services, the department of workforce
6 development children and families, or a county department under s. 46.215, 46.22,
7 or 46.23.

8 ***-0011/3.2* SECTION 2707.** 118.163 (2) (a) of the statutes is amended to read:

9 118.163 (2) (a) Suspension of the person's operating privilege for not less than
10 30 days nor more than one year. The court shall immediately may take possession
11 of any suspended license and forward it. If the court takes possession of a license,
12 it shall destroy the license. The court shall forward to the department of
13 transportation together with a notice stating the reason for and the duration of the
14 suspension.

15 ***-0011/3.3* SECTION 2708.** 118.163 (2m) (a) of the statutes is amended to read:

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

24 ***-1261/5.728* *-1267/P1.237* SECTION 2709.** 118.19 (1r) (a) of the statutes
25 is amended to read:

1 118.19 (1r) (a) As provided in the memorandum of understanding under s.
2 49.857, the department of public instruction may not issue or renew a license or
3 permit or revalidate a license that has no expiration date unless the applicant
4 provides the department of public instruction with his or her social security number.
5 The department of public instruction may not disclose the social security number
6 except to the department of ~~workforce development~~ children and families for the sole
7 purpose of administering s. 49.22.

8 ***-1261/5.729* *-1267/P1.238* SECTION 2710.** 118.19 (1r) (b) of the statutes
9 is amended to read:

10 118.19 (1r) (b) As provided in the memorandum of understanding under s.
11 49.857, the department may not issue or renew a license or permit or revalidate a
12 license that has no expiration date if the applicant, licensee or permit holder is
13 delinquent in making court-ordered payments of child or family support,
14 maintenance, birth expenses, medical expenses or other expenses related to the
15 support of a child or former spouse or if the applicant, licensee or permit holder fails
16 to comply, after appropriate notice, with a subpoena or warrant issued by the
17 department of ~~workforce development~~ children and families or a county child
18 support agency under s. 59.53 (5) and related to paternity or child support
19 proceedings.

20 ***-1261/5.730* *-1267/P1.239* SECTION 2711.** 118.19 (10) (g) of the statutes
21 is amended to read:

22 118.19 (10) (g) At the request under s. 49.22 (2m) of the department of
23 ~~workforce development~~ children and families or a county child support agency under
24 s. 59.53 (5), the state superintendent shall release the name and address of the
25 applicant or licensee, the name and address of the applicant's or licensee's employer

1 and financial information, if any, related to the applicant or licensee obtained under
2 this subsection to the department of workforce development children and families or
3 the county child support agency.

4 ***-0438/3.18* SECTION 2712.** 118.245 of the statutes is repealed.

5 ***-1066/1.1* SECTION 2713.** 118.33 (1) (a) 1. of the statutes is amended to read:

6 118.33 (1) (a) 1. In the high school grades, at least 4 credits of English including
7 writing composition, 3 credits of social studies including state and local government,
8 2 3 credits of mathematics, 2 3 credits of science and 1.5 credits of physical education.

9 ***-1819/1.1* SECTION 2714.** 118.40 (2r) (cg) of the statutes is created to read:

10 118.40 (2r) (cg) The common council of the city of Milwaukee may establish or
11 contract for the establishment of only one residential charter school under this
12 subsection. If the common council does so, the school may not accommodate more
13 than 300 pupils and the pupils shall reside at the school for at least 9 months each
14 school year.

15 ***-1819/1.2* SECTION 2715.** 118.40 (2r) (e) 3. of the statutes is created to read:

16 118.40 (2r) (e) 3. Notwithstanding subd. 1., if the common council of the city
17 of Milwaukee establishes or contracts for the establishment of a residential charter
18 school described under par. (cg), the department shall pay to the operator of the
19 charter school an amount equal to twice the amount calculated for the payment to
20 the charter school under subd. 1.

21 ***-0470/1.1* SECTION 2716.** 118.43 (2) (bt) of the statutes is created to read:

22 118.43 (2) (bt) In the 2008-09 school year, the school board of an eligible school
23 district may enter into a 5-year achievement guarantee contract with the
24 department on behalf of one or more schools in the school district if the school board
25 is not receiving a grant under the preschool to grade 5 program on behalf of the

1 schools under s. 115.45. In awarding a contract under this paragraph, the
2 department shall give priority to schools that have the highest percentage of
3 low-income pupil enrollment.

4 ***-0470/1.2* SECTION 2717.** 118.43 (2) (e) 1. of the statutes is amended to read:

5 118.43 (2) (e) 1. If the school board of an eligible school district does not enter
6 into an achievement guarantee contract with the department, a school board that
7 has entered into such a contract, other than the school board of the school district
8 operating under ch. 119, may apply to the department to enter into such a contract
9 on behalf of one or more schools that meet the requirements under par. (b), (bg) or,
10 (br), or (bt).

11 ***-0470/1.3* SECTION 2718.** 118.43 (2) (g) of the statutes is amended to read:

12 118.43 (2) (g) The department may renew an achievement guarantee contract
13 under pars. (b), (bg), ~~and (br),~~ and (bt) for one or more terms of 5 school years. As a
14 condition of receiving payments under a renewal of an achievement guarantee
15 contract, a school board shall maintain the reduction of class size achieved during
16 the last school year of the original achievement guarantee contract for the grades
17 specified for the last school year of the contract.

18 ***-0470/1.4* SECTION 2719.** 118.43 (3) (intro.) of the statutes is amended to
19 read:

20 118.43 (3) CONTRACT REQUIREMENTS. (intro.) ~~Except as provided in pars. (am)~~
21 ~~and (ar),~~ an achievement guarantee contract shall require the school board to do
22 all of the following in each participating school:

23 ***-0470/1.5* SECTION 2720.** 118.43 (3) (a) (intro.) of the statutes is amended to
24 read:

1 118.43 (3) (a) *Class size.* (intro.) Reduce For contracts that begin in the
2 1996-97 school year, reduce each class size to 15 in the following manner:

3 ***-0470/1.6* SECTION 2721.** 118.43 (3) (at) of the statutes is created to read:

4 118.43 (3) (at) *Class size; additional contracts.* For contracts that begin in the
5 2008-09 school year, reduce each class size to 15 in the following manner:

6 1. In the 2008-09 school year, in at least grades kindergarten and one.

7 2. In the 2009-10 school year, in at least grades kindergarten to 2.

8 3. In the 2010-11 to 2012-13 school years, in at least grades kindergarten to
9 3.

10 ***-0470/1.7* SECTION 2722.** 118.43 (6) (b) 9. of the statutes is amended to read:

11 118.43 (6) (b) 9. In the 2005-06 and 2006-07 school years, \$2,000 multiplied
12 by the number of low-income pupils enrolled in grades eligible for funding in each
13 school in the school district covered by renewals of contracts under sub. (2) (g); and
14 in the 2007-08 school year and any subsequent school year, \$2,250 multiplied by the
15 number of low-income pupils enrolled in grades eligible for funding in each school
16 in the school district covered by renewals of contracts under sub. (2) (g).

17 ***-0470/1.8* SECTION 2723.** 118.43 (6) (b) 10. of the statutes is created to read:

18 118.43 (6) (b) 10. In the 2008-09 school year, \$2,250 multiplied by the number
19 of low-income pupils enrolled in grades eligible for funding in each school in the
20 school district covered by contracts under sub. (3) (at) and by renewals of contracts
21 under sub. (2) (g).

22 ***-1501/2.5* SECTION 2724.** 118.51 (14) (b) of the statutes is amended to read:

23 118.51 (14) (b) *Low-income assistance.* The parent of a pupil who is eligible for
24 a free or reduced-price lunch under 42 USC 1758 (b) and who will be attending public
25 school in a nonresident school district in the following school year under this section

1 may apply to the department, on the form prepared under sub. (15) (a), for the
2 reimbursement of costs incurred by the parent for the transportation of the pupil to
3 and from the pupil's residence and the school that the pupil will be attending. The
4 department shall determine the reimbursement amount and shall pay the amount
5 from the appropriation under s. 20.255 (2) ~~(ey)~~ (vy). The reimbursement amount may
6 not exceed the actual transportation costs incurred by the parent or 3 times the
7 statewide average per pupil transportation costs, whichever is less. If the
8 appropriation under s. 20.255 (2) ~~(ey)~~ (vy) in any one year is insufficient to pay the
9 full amount of approved claims under this paragraph, payments shall be prorated
10 among the parents entitled thereto. By the 2nd Friday following the first Monday
11 in May following receipt of the parent's application under sub. (3) (a), the department
12 shall provide to each parent requesting reimbursement under this paragraph an
13 estimate of the amount of reimbursement that the parent will receive if the pupil
14 attends public school in the nonresident school district in the following school year.

15 ***-1501/2.6*** SECTION 2725. 118.52 (11) (b) of the statutes is amended to read:

16 118.52 (11) (b) *Low-income assistance*. The parent of a pupil who is attending
17 a course in a public school in a nonresident school district under this section may
18 apply to the department for reimbursement of the costs incurred by the parent for
19 the transportation of the pupil to and from the pupil's residence or school in which
20 the pupil is enrolled and the school at which the pupil is attending the course if the
21 pupil and parent are unable to pay the cost of such transportation. The department
22 shall determine the reimbursement amount and shall pay the amount from the
23 appropriation under s. 20.255 (2) ~~(ey)~~ (vy). The department shall give preference
24 under this paragraph to those pupils who are eligible for a free or reduced-price
25 lunch under 42 USC 1758 (b).