

61095
file cont.

1 SECTION 206. 111.825 (2) (a) of the statutes is renumbered 111.825 (1t) (em) and
2 amended to read:

3 111.825 (1t) (em) The program, project, and teaching assistants of the
4 University of Wisconsin-Madison and,

5 (1r) (em) The program, project, and teaching assistants of the University of
6 Wisconsin-Extension.

7 SECTION 207. 111.825 (2) (b), (c) and (f) of the statutes are renumbered 111.825
8 (1r) (eb), (ec) and (ef).

9 SECTION 208. 111.825 (2) (g) of the statutes is renumbered 111.825 (1t) (er) and
10 amended to read:

11 111.825 (1t) (er) Research assistants of the University of Wisconsin-Madison
12 and,

13 (1r) (er) Research assistants of the University of Wisconsin-Extension.

14 SECTION 209. 111.825 (2) (h) and (i) of the statutes are renumbered 111.825 (1r)
15 (eh) and (ei).

16 SECTION 210. 111.825 (3) of the statutes is ~~amended to read:~~

17 111.825 (3) The commission shall assign employees to the appropriate
18 collective bargaining units set forth in subs. (1), (1r), (1t), (2), and (2g).

19 SECTION 211. 111.825 (3m) of the statutes is created to read:

20 111.825 (3m) If, on or after the effective date of this subsection [LRB inserts
21 date], the University of Wisconsin-Madison or the Board of Regents of the University
22 of Wisconsin System creates a new position title or classification for a position, the
23 commission shall, within 30 days of being notified of the creation, determine if the
24 title or classification would make the person who holds the position an employee
25 under s. 111.81 (7) (ar) or (at) and assign any new position title or classification that

fix component

INS
RED

and
2011
Wisconsin
Act....
(this act)

as affected by 2011 Wisconsin Act 10

repealed and recreated
to read

PLAIN

comma
slays

AND



AND

AND

and 2011 Wisconsin Act ...
(this act)

fix component

would make the position holder an employee to the appropriate collective bargaining unit under s. 111.825 (1r) or (1t).

as affected by 2011 Wisconsin Act 10/15
repealed and reworded

SECTION 212. 111.825 (4) of the statutes is amended to read:

111.825 (4) Any labor organization may petition for recognition as the exclusive representative of a collective bargaining unit specified in sub. (1), (1r), (1t), (2), or

(2g) in accordance with the election procedures set forth in s. 111.83, provided the petition is accompanied by a 30% showing of interest in the form of signed authorization cards. Each additional labor organization seeking to appear on the ballot shall file petitions within 60 days of the date of filing of the original petition and prove, through signed authorization cards, that at least 10% of the employees in the collective bargaining unit want it to be their representative.

INS PURPLE

SECTION 213. 111.825 (6) of the statutes is amended to read:

as affected by 2011 Wisconsin Act 11,
repealed and reworded

111.825 (6) The commission shall only assign only an employee of the department of administration, department of transportation, University of Wisconsin-Madison, or board of regents of the University of Wisconsin System who engages in the detection and prevention of crime, who enforces the laws and who is authorized to make arrests for violations of the laws; an employee of the department of administration, department of transportation, University of Wisconsin-Madison, or board of regents of the University of Wisconsin System who provides technical law enforcement support to such employees; and an employee of the department of transportation who engages in motor vehicle inspection or operator's license examination to ~~the~~ a collective bargaining unit under sub. (1) (cm), (1r) (cm), or (1t) (cm), whichever is appropriate.

SECTION 214. 111.825 (7) of the statutes is created to read:

and 2011 Wisconsin Act....
(this act)

2011-2012 Legislature

- 982 -

LRBs0144/1
ALL:all:all
SECTION 2410n

is repealed and
replaced
to
read:

Section 2410mp

111.825 (6)(a)

as affected by 2011 Wisconsin Act 10/A

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65-4

1 111.825 (6) The commission shall ~~only~~ assign only an employee of the
2 department of administration, department of transportation, University of
3 Wisconsin-Madison, or board of regents of the University of Wisconsin System who
4 engages in the detection and prevention of crime, who enforces the laws and who is
5 authorized to make arrests for violations of the laws; an employee of the department
6 of administration, department of transportation, University of Wisconsin-Madison,
7 or board of regents of the University of Wisconsin System who provides technical law
8 enforcement support to such employees; and an employee of the department of
9 transportation who engages in motor vehicle inspection or operator's license
10 examination to ~~be~~ a collective bargaining unit under sub. (1) (cm) (1r) (cm), or (1t)
11 (cm), whichever is appropriate.

PLAIN

12 **SECTION 2410o.** 111.825 (7) of the statutes is created to read:

13 111.825 (7) Notwithstanding sub. (3), if on the effective date of this subsection
14 ... [LRB inserts date], an employee of the University of Wisconsin System is assigned
15 to a collective bargaining unit under sub. (1) or (2) (a), (b), (c), (g), (h), or (i) the
16 commission shall assign the person to the corresponding collective bargaining unit
17 under sub. (1r) or (1t), whichever is appropriate. Except as otherwise provided in this
18 subchapter, the commission may not assign any other persons to the collective
19 bargaining units under sub. (1r) or (1t).

20 **SECTION 2410pm.** 111.83 (5) (a) of the statutes is amended to read:

21 111.83 (5) (a) This subsection applies only to the collective bargaining unit
22 specified in s. 111.825 (2) (e) (1r) (ec).

23 **SECTION 2410q.** 111.83 (5) (b) of the statutes is amended to read:

24 111.83 (5) (b) Upon filing of a petition with the commission indicating a
25 showing of interest of at least 30% of the employees at an institution who are

1 be prepared in accordance with sub. (3), except as otherwise provided in this
2 subsection.

3 SECTION 217. 111.83 (5) (c) of the statutes is amended to read:

4 111.83 (5) (c) Notwithstanding s. 111.825 (2) (c) (1r) (ec), the employees at any
5 institution included within the collective bargaining unit at which no petition is filed
6 and no election is held or at which the employees indicate, by a majority of those
7 voting in an election, a desire not to participate in collective bargaining are not
8 considered to be a part of that collective bargaining unit.

9 SECTION 218. 111.83 (7) of the statutes is renumbered 111.83 (7) (a).

10 SECTION 219. 111.83 (7) (b) of the statutes is created to read:

11 111.83 (7) (b) Notwithstanding subs. (1), (3) and (6) and s. 111.825 (4), if on the
12 effective date of this paragraph ... [LRB inserts date], there is a representative
13 recognized or certified to represent the employees in any of the collective bargaining
14 units specified in s. 111.825 (1) (a) to (f), that representative shall become the
15 representative of the employees in the corresponding collective bargaining units
16 specified in s. 111.825 (1r) (a) to (f) or (1t) (a) to (f), whichever is appropriate, without
17 the necessity of filing a petition or conducting an election, subject to the right of any
18 person to file a petition under this section during October 2014 or at any subsequent
19 time when sub. (6) applies.

fix component

and
2011
Wisconsin
Act
(this act),

as affected by 2011 Wisconsin Act 10

20 SECTION 220. 111.84 (2) (c) of the statutes is amended to read:

2410tdd

repealed and recreated

21 111.84 (2) (c) To refuse to bargain collectively on matters set forth in s. 111.91
22 (1) with the duly authorized officer or agent of the employer which is the recognized
23 or certified exclusive collective bargaining representative of employees specified in
24 s. 111.81 (7) (a) in an appropriate collective bargaining unit or with the certified
25 exclusive collective bargaining representative of employees specified in s. 111.81 (7)

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or (3), whichever is appropriate

Handwritten notes: "PLAIN" with an arrow pointing to a circled "(j)" and a circled "(a)" with a slash through it.

1 (a) to (j) in an appropriate collective bargaining unit. Such refusal to bargain
2 shall include, but not be limited to, the refusal to execute a collective bargaining
3 agreement previously orally agreed upon.

4 SECTION 221. 111.85 (5) of the statutes is renumbered 111.85 (5) (a).

5 SECTION 222. 111.85 (5) (b) of the statutes is created to read:

6 111.85 (5) (b) Notwithstanding sub. (1), if on the effective date of this paragraph
7 [LRB inserts date], there is a fair-share or maintenance of membership
8 agreement in effect in any of the collective bargaining units specified in s. 111.825
9 (1) (a) to (f), that fair-share or maintenance of membership agreement shall apply
10 to the corresponding collective bargaining unit under s. 111.825 (1r) (a) to (f) or (1t)
11 (a) to (f), whichever is appropriate, without the necessity of filing a petition or
12 conducting a referendum, subject to the right of the employees in each collective
13 bargaining unit to file a petition requesting a referendum under sub. (2) (a).

14 SECTION 223. 111.91 (4) of the statutes is amended to read:

15 111.91 (4) The director of the office, in connection with the development of
16 tentative collective bargaining agreements to be submitted under s. 111.92 (1) (a) 1,
17 shall endeavor to obtain tentative agreements with each recognized or certified labor
18 organization representing employees or supervisors of employees specified in s.
19 111.81 (7) (a) and with each certified labor organization representing employees
20 specified in s. 111.81 (7) (b) to (e) which do not contain any provision for the payment
21 to any employee of a cumulative or noncumulative amount of compensation in
22 recognition of or based on the period of time an employee has been employed by the
23 state.

24 SECTION 224. 111.92 (1) (a) of the statutes is renumbered 111.92 (1) (a) 1. and
25 amended to read:

fix component

2011 - 2012 Legislature

- 986 -

2011 Wisconsin Act... (this act)

LRBs0144/1

ALL:all:all

SECTION 2426g

INS 76-7

Act 10 and is repealed and needed to read:

1 SECTION 2426g. 111.92 (1) (a) of the statutes ~~is numbered 111.92 (1) (a) and~~

2 amended to read:

3 111.92 (1) (a) 1. Any tentative agreement reached between the office ~~or, as~~

4 ~~provided in s. 111.815 (1), the department of health services, acting for the state, and~~

5 any labor organization representing a collective bargaining unit specified in s.

6 111.825 (1) ~~(2) (a) to (d) or (e) or (2) (g)~~ shall, after official ratification by the labor

or PLAIN

7 organization, be submitted by the office ~~or department of health services~~ to the joint

8 committee on employment relations, which shall hold a public hearing before

9 determining its approval or disapproval.

PLAIN

10 4. If the committee approves ~~the a~~ tentative agreement under subd. 1., 2., or

11 3., it shall introduce in a bill or companion bills, to be put on the calendar or referred

12 to the appropriate scheduling committee of each house, that portion of the tentative

13 agreement which requires legislative action for implementation, such as salary and

14 wage adjustments, changes in fringe benefits, and any proposed amendments,

15 deletions or additions to existing law. Such bill or companion bills are not subject to

16 ss. 13.093 (1), 13.50 (6) (a) and (b) and 16.47 (2). The committee may, however, submit

17 suitable portions of the tentative agreement to appropriate legislative committees

18 for advisory recommendations on the proposed terms. The committee shall

19 accompany the introduction of such proposed legislation with a message that informs

20 the legislature of the committee's concurrence with the matters under consideration

21 and which recommends the passage of such legislation without change. If the joint

22 committee on employment relations does not approve the tentative agreement, it

23 shall be returned to the parties for renegotiation. If the legislature does not adopt

24 without change that portion of the tentative agreement introduced by the joint

1 committee on employment relations, the tentative agreement shall be returned to
2 the parties for renegotiation.

3 **SECTION 2426L.** 111.92 (1) (a) 2. and 3. of the statutes are created to read:

4 111.92 (1) (a) 2. Any tentative agreement reached between the Board of
5 Regents of the University of Wisconsin System, acting for the state, and any labor
6 organization representing a collective bargaining unit specified in s. 111.825 (1r)
7 shall, after official ratification by the labor organization, be submitted by the Board
8 of Regents of the University of Wisconsin System to the joint committee on
9 employment relations, which shall hold a public hearing before determining its
10 approval or disapproval.

11 3. Any tentative agreement reached between the University of
12 Wisconsin-Madison, acting for the state, and any labor organization representing a
13 collective bargaining unit specified in s. 111.825 (1t) shall, after official ratification
14 by the labor organization and approval by the Board of Regents of the University of
15 Wisconsin System, be submitted by the University of Wisconsin-Madison to the joint
16 committee on employment relations, which shall hold a public hearing before
17 determining its approval or disapproval.

18 **SECTION 2426p.** 111.92 (1) (c) of the statutes is amended to read:

19 111.92 (1) (c) Any tentative agreement reached between the governing board
20 of the charter school established by contract under s. 118.40 (2r) (cm), acting for the
21 state, and any labor organization representing a collective bargaining unit specified
22 in s. 111.825 (2) (f) (1r) (ef) shall, after official ratification by the labor organization
23 and approval by the chancellor of the University of Wisconsin-Parkside, be executed
24 by the parties.

25 **SECTION 2426t.** 111.93 (3) of the statutes is amended to read:

END
OF
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76-7

1 111.92 (1) (a) 2. Any tentative agreement reached between the Board of
2 Regents of the University of Wisconsin System, acting for the state, and any labor
3 organization representing a collective bargaining unit specified in s. 111.825 (1r)
4 shall, after official ratification by the labor organization, be submitted by the Board
5 of Regents of the University of Wisconsin System to the joint committee on
6 employment relations, which shall hold a public hearing before determining its
7 approval or disapproval.

8 3. Any tentative agreement reached between the University of
9 Wisconsin-Madison, acting for the state, and any labor organization representing a
10 collective bargaining unit specified in s. 111.825 (1t) shall, after official ratification
11 by the labor organization and approval by the Board of Regents of the University of
12 Wisconsin System, be submitted by the University of Wisconsin-Madison to the joint
13 committee on employment relations, which shall hold a public hearing before
14 determining its approval or disapproval.

15 SECTION 226. 111.92 (1) (c) of the statutes is amended to read:

16 111.92 (1) (c) Any tentative agreement reached between the governing board
17 of the charter school established by contract under s. 118.40 (2r) (cm), acting for the
18 state, and any labor organization representing a collective bargaining unit specified
19 in s. 111.825 (2) (f) (1r) (ef) shall, after official ratification by the labor organization
20 and approval by the chancellor of the University of Wisconsin-Parkside, be executed
21 by the parties.

and
2011
Wisconsin
Act....
(this act),

22 SECTION 227. 111.93 (3) of the statutes is amended to read:

23 (a) 111.93 (3) Except as provided in ss. 7.33 (4), 40.05, 40.80 (3), 111.91 (1) (cm),
24 230.35 (2d) and (3) (e) 6., and 230.88 (2) (b), if a collective bargaining agreement
25 exists between the employer and a labor organization representing employees in a

1/25
AQUA

as affected by 2011 Wisconsin Act 101
repeated and recodified

fix
component

under s. 111.825(1)(g)

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1 collective bargaining unit the provisions of that agreement shall supersede the
2 provisions of civil service and other applicable statutes, as well as rules and policies
3 of the University of Wisconsin-Madison and the ^B ^R board of regents of the University
4 of Wisconsin System, related to wages, fringe benefits, hours, and conditions of
5 employment whether or not the matters contained in those statutes, rules, and
6 policies are set forth in the collective bargaining agreement.

7 SECTION 228. 111.935 (2) of the statutes is amended to read:

8 111.935 (2) Notwithstanding s. 111.83 (2), the commission shall establish a
9 procedure whereby research assistants may determine whether to form themselves
10 into collective bargaining units under s. 111.825 (2) (g), (h), or (i) (1r) (eh), (ei), or (er)
11 or (1t) (er) by authorization cards in lieu of secret ballot. The procedure shall provide
12 that once a majority of research assistants have indicated their preference on the
13 authorization cards to form themselves into a collective bargaining unit, the
14 collective bargaining unit is established.

15 SECTION 229. 227.01 (13) (Lm) of the statutes is created to read:

16 227.01 (13) (Lm) Relates to the personnel systems developed under s. 36.115.

17 SECTION 230. 227.01 (13) (Ln) of the statutes is created to read:

18 227.01 (13) (Ln) Relates to bidding procedures or changes thereto under s.
19 36.11 (53).

20 SECTION 231. 230.01 (1) of the statutes is amended to read:

21 230.01 (1) It is the purpose of this chapter to provide state agencies and
22 ~~institutions of higher education~~ with competent personnel who will furnish state
23 services to citizens as fairly, efficiently and effectively as possible.

24 SECTION 232. 230.03 (3) of the statutes, as affected by 2011 Wisconsin Act 7,
25 is amended to read:

9 # Page 1045, line 19: delete the material beginning with that line and ends with page 1046, line 3, and substitute:

9 Section 119.04 (1) of the statutes is amended to read:
2533b as affected by 2011 Wisconsin Act 10,
is repealed and recodified

4 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c), 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, ~~115.361~~^e, 115.365 (3), 115.38 (2), 115.445, ~~115.446~~^e, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, ~~118.153~~^e, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, ^{118.223} 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), ^{118.245} 118.255, 118.258, 118.291, 118.30 to 118.43, 118.46, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (27), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.14, 120.21 (3), and 120.25 are applicable to a 1st class city school district and board. 

NOTE: Sub. (1) is shown as affected by 2009 Wisconsin Acts 28, 60, 96, 215, 273, 305, and 309 and as merged by the legislative reference bureau under s. 13.92 (2) (i).

History: 1971 c. 152 s. 38; 1971 c. 154 s. 80; 1973 c. 89 s. 20 (1); 1973 c. 90; 1973 c. 188 s. 6; 1973 c. 243, 254, 290, 307, 333; 1975 c. 39, 41, 95, 220, 379, 395, 422; 1977 c. 29; 1977 c. 203 s. 106; 1977 c. 206, 284, 447; 1979 c. 20; 1979 c. 34 s. 2102 (43) (a); 1979 c. 221, 298, 331; 1979 c. 346 s. 15; 1979 c. 355; 1981 c. 59; 1981 c. 241 s. 4; 1983 a. 193; 1983 a. 339 s. 10; 1983 a. 374 s. 12; 1983 a. 412, 489, 538; 1985 a. 29 s. 3202 (43); 1985 a. 56 s. 43; 1985 a. 214 s. 4; 1985 a. 225, 332; 1987 a. 27, 187, 285, 386, 403; 1989 a. 31, 120, 121, 122, 201, 209, 359; 1991 a. 39, 42, 189, 269; 1993 a. 16, 334, 377, 491; 1995 a. 27, 225; 1997 a. 27, 77, 113, 240, 252, 335; 1999 a. 9, 32, 73; 1999 a. 150 ss. 631, 672; 1999 a. 186; 2005 a. 99, 290, 346; 2007 a. 20, 97, 220, 222; 2009 a. 28, 60, 96, 215, 273, 305, 309; s. 13.92 (2) (i).

#. Page 1057, line 6 after that line insert:

✓ Section #. 120.12 (15) of the statutes is amended to read:
2558m

120.12 (15) SCHOOL HOURS. Establish rules scheduling the hours of a normal school day. The school board may differentiate between the various elementary and high school grades in scheduling the school day. The equivalent of 180 such days, as defined in s. 115.01 (10), shall be held during the school term.

~~This subsection shall not be construed to eliminate a school district's duty to bargain with the employee's collective bargaining representative over any calendaring proposal which is primarily related to wages, hours and conditions of employment.~~

History: 1973 c. 61, 90; 1975 c. 180, 421; 1977 c. 206, 418; 1979 c. 301, 318, 334; 1983 a. 189 s. 329 (21); 1985 a. 29, 218, 225; 1987 a. 285; 1989 a. 31, 114, 209, 264, 359; 1991 a. 39, 269; 1993 a. 16, 27, 437; 1995 a. 27 ss. 4022r, 4023m, 9126 (19), 9145 (1); 1995 a. 77, 201; 1997 a. 27, 160, 237, 240; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 30; 2005 a. 220; 2007 a. 20 s. 9121 (6) (a); 2007 a. 40; 2009 a. 28, 305, 309, 334.

80-15

1 Quality Home Care Authority, the Wisconsin Economic Development Corporation,
2 and the Wisconsin Health and Educational Facilities Authority, but excluding the
3 Health Insurance Risk-Sharing Plan Authority and the Lower Fox River
4 Remediation Authority.

Page 1196, line 4: delete that line and T

5 SECTION 47. 230.03 (3) of the statutes is amended to read:
6 230.03 (3) "Agency" means any board, commission, committee, council, or
7 department in state government or a unit thereof created by the constitution or
8 statutes if such board, commission, committee, council, department, unit, or the
9 head thereof, is authorized to appoint subordinate staff by the constitution or
10 statute, except a legislative or judicial board, commission, committee, council,
11 department, or unit thereof or an authority created under subch. II of ch. 114 or
12 subch. III of ch. 149 or under ch. 52, 231, 232, 233, 234, 235, 237, 238, or 279.
13 "Agency" does not mean any local unit of government or body within one or more local
14 units of government that is created by law or by action of one or more local units of
15 government. *W/O*

L, as affected by 2011 WISCONSIN Act 7,

PLAIN

16 SECTION 48. Chapter 238 of the statutes is created to read:

17 CHAPTER 238

18 WISCONSIN ECONOMIC DEVELOPMENT

19 CORPORATION

20 238.01 Definitions. In this chapter, except as otherwise provided:

- 21 (1) "Board" means the board of directors of the corporation.
- 22 (2) "Corporation" means the Wisconsin Economic Development Corporation.
- 23 (3) "Economic development program" means a program or activity having the
- 24 primary purpose of encouraging the establishment and growth of business in this
- 25 state, including the creation and retention of jobs.



- ⑨ #. Page 1146, line 5: delete \surd 7, is amended \surd
 2011 Wisconsin Act
 and substitute \surd 10 and (plus act) ⑨ is repealed
 and recreated \surd ⑩
- #. Page 1146, line 10: delete \surd the Board of Regents
of the University of Wisconsin System \surd and
 substitute \surd the Board of Regents of the University
of Wisconsin System \surd ⑩
- #. Page 1146, line 13: delete \surd 52, \surd ⑩

end of
80-15

Ⓟ # Page 1147, line 5: after that line insert:

Ⓟ ✓ Section #. 230.08 (2) (e) 1. of the statutes is amended to read:
↳ 2753d

Ⓟ 230.08 (2) (e) 1. Administration — ~~14~~ 12

History: 1971 c. 40, 270; 1973 c. 333, 335; 1977 c. 29, 187; 1977 c. 196 ss. 34, 108, 130 (5); 1977 c. 272, 418, 449; Stats. 1977 s. 230.08; 1979 c. 34, 189, 221, 356, 361; 1981 c. 20, 347, 374; 1983 a. 27 ss. 1605o to 1609am, 2200 (15); 1983 a. 189 s. 329 (27); 1983 a. 371, 378; 1985 a. 29; 1987 a. 27, 119, 204, 354, 399, 403; 1989 a. 31, 107, 119, 122, 169, 208, 219, 336; 1991 a. 39, 250, 269; 1993 a. 16, 349, 399; 1995 a. 27 ss. 6245 to 6277m, 9126 (19), 9130 (4); 1995 a. 216; 1997 a. 3, 27, 179, 194, 237; 1999 a. 9, 42, 87, 186; 2001 a. 16, 19, 109; 2003 a. 33 ss. 2392 to 2407b, 9160; 2003 a. 91, 326; 2005 a. 22, 25; 2007 a. 1; 2007 a. 20 ss. 3006 to 3014, 9121 (6) (a); 2009 a. 28.

82-15

1 230.08 (2) (pd) The chairperson of the ~~earned release review parole~~
2 commission.

3 SECTION 2760. 230.08 (2) (v) of the statutes is amended to read:

4 230.08 (2) (v) Not more than ~~5~~ 2 bureau directors in the department of
5 ~~regulation and licensing~~ safety and professional services.

6 SECTION 2761. 230.08 (2) (yb) of the statutes is created to read:

7 230.08 (2) (yb) The director and the deputy director of the office of business
8 development in the department of administration.

9 SECTION 2762. 230.08 (2) (vc) of the statutes is repealed.

Ⓟ #. Page 1148, line 10: delete lines 10 to 20 and substitute:

10 Ⓟ SECTION 2763. 230.08 (4) (a) of the statutes ~~is amended~~ to read: *as affected by*

2763b

↑ fix component

11 230.08 (4) (a) The number of administrator positions specified in sub. (2) (e)

12 includes all administrator positions specifically authorized by law to be employed

13 outside the classified service in each department, board or commission and the

14 historical society. In this paragraph, "department" has the meaning given under s.

15 15.01 (5), "board" means the educational communications board, government

16 accountability board, investment board, public defender board and technical college

17 system board and "commission" means the employment relations commission and

18 the public service commission. Notwithstanding sub. (2) (z), no division

19 administrator position exceeding the number authorized in sub. (2) (e) may be

20 created in the unclassified service. ✓/Ⓞ

21 SECTION 2763m. 230.08 (4) (d) of the statutes is created to read:

22 ~~230.08 (4) (d) The division administrator appointed under sub. (2) (e) 4. shall~~

23 be an attorney.

24 SECTION 2763p. 230.09 (2) (g) of the statutes is amended to read:

↑ and any other managerial position determined by an appointing authority

2011 WISCONSIN ACT 109 is repealed and recreated

83-14

④ # Page 1148, line 24: delete \checkmark is amended \checkmark and substitute \checkmark as affected by 2011 Wisconsin 10, is repealed and recreated \checkmark ○

④ # Page 1149, line 1: delete lines 1 to 20 and substitute:



✓ CC

1 230.09 (2) (g) When filling a new or vacant position, if the director determines
 2 that the classification for a position is different than that provided for by the
 3 legislature as established by law or in budget determinations, or as authorized by the
 4 joint committee on finance under s. 13.10, or as specified by the governor creating
 5 positions under s. 16.505 (1) (c) or (2) ~~or the University of Wisconsin Hospitals and~~
 6 ~~Clinics Board creating positions under s. 16.505 (2a) or the board of regents of the~~
 7 ~~University of Wisconsin System creating positions under s. 16.505 (2a)~~, or is
 8 different than that of the previous incumbent, the director shall notify the
 9 administrator and the secretary of administration. The administrator shall
 10 withhold action on the selection and certification process for filling the position. The
 11 secretary of administration shall review the position to determine that sufficient
 12 funds exist for the position and that the duties and responsibilities of the proposed
 13 position reflect the intent of the legislature as established by law or in budget
 14 determinations, the intent of the joint committee on finance acting under s. 13.10,
 15 the intent of the governor creating positions under s. 16.505 (1) (c) or (2) ~~or the~~
 16 ~~University of Wisconsin Hospitals and Clinics Board creating positions under s.~~
 17 ~~16.505 (2a) or the intent of the board of regents of the University of Wisconsin System~~
 18 ~~creating positions under s. 16.505 (2a)~~. The administrator may not proceed with the
 19 selection and certification process until the secretary of administration has
 20 authorized the position to be filled. ✓ (1)

end of
8/14

21 ~~SECTION 2763s. 230.10 (2) of the statutes is amended to read:~~
 22 ~~230.10 (2) The compensation plan in effect at the time that a representative~~
 23 ~~is recognized or certified to represent employees in a collective bargaining unit and~~
 24 ~~the employee salary and benefit provisions under s. 230.12 (3) (e) in effect at the time~~
 25 ~~that a representative is certified to represent employees in a collective bargaining~~

86-7

and 2011 Wisconsin Act ... (this act)

(4) # Page 1151, line 4. delete the material beginning with first line and ending with page 1152, line 4, and substitute:

1 230.12 (3) (e) (title) *University of Wisconsin System senior executives, faculty,*
2 *and academic staff nonrepresented employees; Wisconsin Technical College System*
3 *senior executives.*

4 SECTION 2764c 230.12 (3) (e) 1. of the statutes is amended to read:

as affected by 2011 Wisconsin Act 10

5 ^{fix component} 230.12 (3) (e) 1. The director, after receiving recommendations from the board
6 of regents and the chancellor of the University of Wisconsin-Madison, shall submit
7 to the joint committee on employment relations a proposal for adjusting
8 compensation and employee benefits for University of Wisconsin System employees

PLAIN

~~9 under ss. 20.023 (4g), (5) and (6) (m) and 230.08 (2) (d) who are not included in a
10 collective bargaining unit under subch. V or VI of ch. 111 for which a representative
11 is certified. The proposal shall include the salary ranges and adjustments to the
12 salary ranges for the university senior executive salary groups 1 and 2 established~~

13 under s. 20.023 (4g). The proposal shall be based upon the competitive ability of the
14 board of regents to recruit and retain qualified faculty and academic staff, data
15 collected as to rates of pay for comparable work in other public services, universities
16 and commercial and industrial establishments, recommendations of the board of
17 regents and any special studies carried on as to the need for any changes in
18 compensation and employee benefits to cover each year of the biennium. The
19 proposal shall also take proper account of prevailing pay rates, costs and standards
20 of living and the state's employment policies. The proposal for such pay adjustments
21 may contain recommendations for across-the-board pay adjustments, merit or other
22 adjustments and employee benefit improvements. Paragraph (b) and sub. (1) (bf)
23 shall apply to the process for approval of all pay adjustments for such employees

24 ~~under ss. 20.023 (4g), (5) and (6) (m) and 230.08 (2) (d).~~ The proposal as approved
25 by the joint committee on employment relations and the governor shall be based

is repealed and recreated

1 upon a percentage of the budgeted salary base for such employees ~~under ss. 20.026~~

2 ~~(a), (b) and (c) (m) and 20.08 (2) (b)~~ The amount included in the proposal for merit
3 and adjustments other than across-the-board pay adjustments is available for
4 discretionary use by the board of regents. ^{period stays} ✓

86-74

5 SECTION 2764n. 230.143 (intro.) of the statutes is renumbered 230.143 and
6 amended to read:

7 **230.143 Appointment; selective service registration.** A person who is
8 required to register with the selective service system under 50 USC, Appendix,
9 sections 451 to 473, but has not registered, may not receive any of the following an
10 original appointment to a position in the classified service during the period that the
11 person is required to register.

12 SECTION 2764r. 230.143 (1) of the statutes is repealed.

13 SECTION 2764w. 230.143 (2) of the statutes is repealed.

14 SECTION 2765. 230.339 of the statutes is created to read:

15 **230.339 Rights of certain employees of the department of safety and**
16 **professional services.** (1) If any of the following employees who hold the position
17 of bureau director in the classified service at the department of commerce on the day
18 before the effective date of this subsection [LRB inserts date], and who have
19 achieved permanent status in class on or before that date are transferred to the
20 position of bureau director in the unclassified service at the department of safety and
21 professional services, that transferred employee shall retain those protections
22 afforded employees in the classified service under ss. 230.34 (1) (a) and 230.44 (1) (c)
23 relating to demotion, suspension, discharge, layoff, or reduction in base pay:

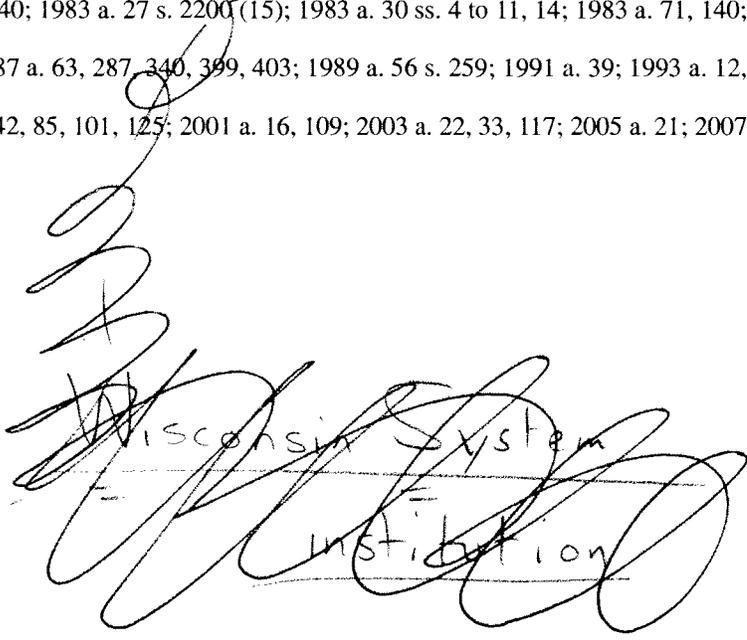
24 (b) Director of the bureau of petroleum environmental cleanup fund
25 administration in the division of environmental and regulatory services.

Section #. 230.35 (1s) of the statutes is amended to read:

2766M

230.35 (1s) Annual leave of absence with pay for instructional staff employed by the board of regents of the University of Wisconsin System who provide services for a charter school established by contract under s. 118.40 (2r) (cm) shall be determined by the governing board of the charter school established by contract under s. 118.40 (2r) (cm), as approved by the chancellor of the University of Wisconsin-Parkside and subject to the terms of any collective bargaining agreement under subch. V of ch. 111 covering the instructional staff.

History: 1971 c. 91, 125, 183, 211, 226; 1971 c. 270 ss. 70, 71, 83, 104; Stats. 1971 s. 16.30; 1973 c. 51, 243; 1975 c. 28, 39, 41; 1975 c. 147 s. 54; 1975 c. 189, 199, 421, 422; 1977 c. 44; 1977 c. 187 s. 135; 1977 c. 196 ss. 56, 118, 130 (3), (5), (12), 131; 1977 c. 273; 1977 c. 418 ss. 726, 727, 924 (13m); Stats. 1977 s. 230.35; 1979 c. 34, 89; 1979 c. 110 s. 60 (11); 1979 c. 221; 1981 c. 20, 96, 140; 1983 a. 27 s. 2200(15); 1983 a. 30 ss. 4 to 11, 14; 1983 a. 71, 140; 1983 a. 192 ss. 220, 221, 304; 1985 a. 119; 1987 a. 63, 287, 340, 399, 403; 1989 a. 56 s. 259; 1991 a. 39; 1993 a. 12, 47; 1995 a. 37, 178; 1997 a. 118, 307; 1999 a. 42, 85, 101, 125; 2001 a. 16, 109; 2003 a. 22, 33, 117; 2005 a. 21; 2007 a. 106, 142; 2009 a. 28.

A large, stylized handwritten signature in black ink is written over a rectangular stamp. The stamp contains the text "Wisconsin System" on the top line and "Institution" on the bottom line, with a horizontal line separating the two words.

91-5

1 distribution to the legislature under s. 13.172 (2), a report for the previous fiscal year
2 on each of the economic development programs of the corporation that contains all
3 of the following:

- 4 (a) A description of each program.
- 5 (b) A comparison of expected and actual program outcomes.
- 6 (c) The number of grants made under the program.
- 7 (d) The number of loans made under the program.
- 8 (e) The amount of each grant and loan made under the program.
- 9 (f) The recipient of each grant or loan made under the program.
- 10 (g) The sum total of all grants and loans awarded to and received by each
11 recipient under the program.
- 12 (h) Any recommended changes to the program.
- 13 (3) The board shall make readily accessible to the public on an Internet-based
14 system the information required under sub. (2).

15 SECTION 48. 281.75 (4) (b) 3. of the statutes is amended to read:

16 281.75 (4) (b) 3. An authority created under subch. II of ch. 114 or ch. 114
17 233, 234, ~~or 237~~ ^{or 238} PLAIN

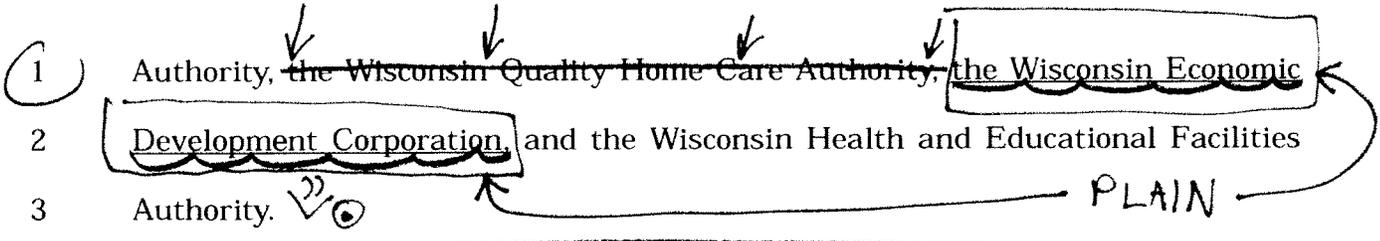
18 SECTION 50. 285.59 (1) (b) of the statutes is amended to read:

19 285.59 (1) (b) "State agency" means any office, department, agency, institution
20 of higher education, association, society, or other body in state government created
21 or authorized to be created by the constitution or any law which is entitled to expend
22 moneys appropriated by law, including the legislature and the courts, the Wisconsin
23 Housing and Economic Development Authority, the Bradley Center Sports and
24 Entertainment Corporation, the University of Wisconsin Hospitals and Clinics
25 Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace

not affected by 2011 Wisconsin Act 71
use 2+
strike

④ #. Page 1193, line 12: after that line insert

④ #. Page 1199, line 18: after that line insert:

1 Authority, ~~the Wisconsin Quality Home Care Authority,~~ the Wisconsin Economic
2 Development Corporation, and the Wisconsin Health and Educational Facilities
3 Authority. 

4 **SECTION 9155. Nonstatutory provisions; Other.**

5 (1) ABOLITION OF DEPARTMENT OF COMMERCE POSITIONS. Notwithstanding section
6 16.505 (1) of the statutes, before July 1, 2011, the secretary of administration may
7 abolish any full-time equivalent position or portion thereof that is funded from the
8 general fund from revenues appropriated under section 20.143 of the statutes and
9 that is assigned duties relating to economic development programs of the
10 department of commerce.

11 (2) TRANSFER OF MONEYS FROM THE DEPARTMENT OF COMMERCE TO THE WISCONSIN
12 ECONOMIC DEVELOPMENT CORPORATION. Before July 1, 2011, or the effective date of the
13 2011–2013 biennial budget act, whichever is later, the secretary of administration
14 may transfer moneys from any general fund appropriation under section 20.143 (1)
15 or (4) of the statutes that are used to fund economic development programs of the
16 department of commerce to the appropriation under section 20.192 (1) (k) of the
17 statutes, as created by this act. The secretary may not transfer any moneys under
18 this subsection if the transfer of those moneys would violate a condition imposed by
19 the federal government on the expenditure of the moneys or if the transfer would
20 violate the federal or state constitution.

21 **SECTION 9455. Effective dates; Other.**

22 (1) DUAL EMPLOYMENT. The treatment of section 16.417 (1) (a) (by SECTION 20)
23 and (b) of the statutes takes effect on January 1, 2012.

24 (END)

(INS 94-9)

④ # Page 1459, line 4: delete ~~2011~~ ①

④ # Page 1459, line 5: delete lines 5 to 7 and
 substitute ^(CS) SECTIONS 9315 ^{1g} (f) and (f) ^{2g}
 and 9332 ^{1g} (f) of this act. The memorandum
 of understanding ^{2g} ①

Page 1459, line 21: delete the normal
 wording, with ~~2011~~ and ending with
~~legislation~~ ① on line 24 and substitute
^(CS) SECTIONS 9315 (f) and (f) and 9332 (f)
 of this act. ^{1g} ^{2g} ^{1g} ①

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

[Handwritten signature]
96-2

⑨ #. Page 1496, line 2: delete lines
2 to 19.

2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0774/p5insch
CMH:.....

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Insert 43-8

SECTION 2406gh. 111.70 (1) (p) of the statutes is created to read:

111.70 (1) (p) "Transit employee" means a municipal employee who is determined to be a transit employee under sub. (4) (bm).

Insert 46-5

SECTION 2406pr. 111.70 (3) (a) ^{pr} of the statutes is ~~amended~~ ^{created} to read: ← fix component

111.70 (3) (a) ^{pr} To refuse or otherwise fail to implement an arbitration decision lawfully made under sub. (4) ~~(bm)~~ ^(cg) plain

History: 1971 c. 124, 246, 247, 307, 336; 1973 c. 64, 65; 1977 c. 178, 186, 272, 442, 449; 1979 c. 32 s. 92 (15); 1981 c. 20, 112, 187; 1983 a. 189, 192; 1985 a. 29; 1985 a. 182 s. 57; 1985 a. 318; 1987 a. 153, 399; 1991 a. 136; 1993 a. 16, 429, 492; 1995 a. 27, 225, 289; 1997 a. 27, 237; 1999 a. 9, 65; 1999 a. 150 s. 672; 2001 a. 16; 2005 a. 253; 2007 a. 20; 2009 a. 15, 21, 28, 34, 60, 402; s. 13.92 (2) (i).

Insert 46-11

SECTION 2406fr. 111.70 (3) (b) ^{fr} of the statutes is ~~amended~~ ^{created} to read: ← fix component

111.70 (3) (b) ^{fr} To refuse or otherwise fail to implement an arbitration decision lawfully made under sub. (4) ~~(bm)~~ ^(cg) plain

History: 1971 c. 124, 246, 247, 307, 336; 1973 c. 64, 65; 1977 c. 178, 186, 272, 442, 449; 1979 c. 32 s. 92 (15); 1981 c. 20, 112, 187; 1983 a. 189, 192; 1985 a. 29; 1985 a. 182 s. 57; 1985 a. 318; 1987 a. 153, 399; 1991 a. 136; 1993 a. 16, 429, 492; 1995 a. 27, 225, 289; 1997 a. 27, 237; 1999 a. 9, 65; 1999 a. 150 s. 672; 2001 a. 16; 2005 a. 253; 2007 a. 20; 2009 a. 15, 21, 28, 34, 60, 402; s. 13.92 (2) (i).

Insert 46-22

SECTION 2407bg. 111.70 (4) (bm) of the statutes is created to read:

111.70 (4) (bm) *Transit employee determination.* The commission shall determine that any municipal employee is a transit employee if the commission determines that the municipal employer who employs the municipal employee would

1 lose federal funding under 49 USC 5333 (b) if the municipal employee is not a transit
2 employee.

3
4 Insert 49-7

5 **SECTION 2407ep.** 111.70 (4) (cg) of the statutes is created to read:

6 111.70 (4) (cg) *Methods for peaceful settlement of disputes; transit employees.*

7 1. 'Notice of commencement of contract negotiations.' To advise the commission of
8 the commencement of contract negotiations involving a collective bargaining unit
9 containing transit employees, whenever either party requests the other to reopen
10 negotiations under a binding collective bargaining agreement, or the parties
11 otherwise commence negotiations if no collective bargaining agreement exists, the
12 party requesting negotiations shall immediately notify the commission in writing.
13 Upon failure of the requesting party to provide notice, the other party may provide
14 notice to the commission. The notice shall specify the expiration date of the existing
15 collective bargaining agreement, if any, and shall provide any additional information
16 the commission may require on a form provided by the commission.

17 2. 'Presentation of initial proposals; open meetings.' The meetings between
18 parties to a collective bargaining agreement or proposed collective bargaining
19 agreement under this subchapter that involve a collective bargaining unit
20 containing a transit employee and that are held to present initial bargaining
21 proposals, along with supporting rationale, are open to the public. Each party shall
22 submit its initial bargaining proposals to the other party in writing. Failure to
23 comply with this subdivision does not invalidate a collective bargaining agreement
24 under this subchapter.

1 3. 'Mediation.' The commission or its designee shall function as mediator in
2 labor disputes involving transit employees upon request of one or both of the parties,
3 or upon initiation of the commission. The function of the mediator is to encourage
4 voluntary settlement by the parties. No mediator has the power of compulsion.

5 4. 'Grievance arbitration.' Parties to a dispute pertaining to the meaning or
6 application of the terms of a written collective bargaining agreement involving a
7 collective bargaining unit containing a transit employee may agree in writing to have
8 the commission or any other appropriate agency serve as arbitrator or may designate
9 any other competent, impartial, and disinterested person to serve as an arbitrator.

10 5. 'Voluntary impasse resolution procedures.' In addition to the other impasse
11 resolution procedures provided in this paragraph, a municipal employer that
12 employs a transit employee and labor organization may at any time, as a permissive
13 subject of bargaining, agree in writing to a dispute settlement procedure, including
14 binding interest arbitration, which is acceptable to the parties for resolving an
15 impasse over terms of any collective bargaining agreement under this subchapter.
16 The parties shall file a copy of the agreement with the commission. If the parties
17 agree to any form of binding interest arbitration, the arbitrator shall give weight to
18 the factors enumerated under subs. 7. and 7g.

19 6. 'Interest arbitration.' a. If in any collective bargaining unit containing
20 transit employees a dispute has not been settled after a reasonable period of
21 negotiation and after mediation by the commission under subd. 3. and other
22 settlement procedures, if any, established by the parties have been exhausted, and
23 the parties are deadlocked with respect to any dispute between them over wages,
24 hours, or conditions of employment to be included in a new collective bargaining
25 agreement, either party, or the parties jointly, may petition the commission, in

1 writing, to initiate compulsory, final, and binding arbitration, as provided in this
2 paragraph. At the time the petition is filed, the petitioning party shall submit in
3 writing to the other party and the commission its preliminary final offer containing
4 its latest proposals on all issues in dispute. Within 14 calendar days after the date
5 of that submission, the other party shall submit in writing its preliminary final offer
6 on all disputed issues to the petitioning party and the commission. If a petition is
7 filed jointly, both parties shall exchange their preliminary final offers in writing and
8 submit copies to the commission when the petition is filed.

9 am. Upon receipt of a petition under subd. 6. a. to initiate arbitration, the
10 commission shall determine, with or without a formal hearing, whether arbitration
11 should be commenced. If in determining whether an impasse exists the commission
12 finds that the procedures under this paragraph have not been complied with and
13 compliance would tend to result in a settlement, it may order compliance before
14 ordering arbitration. The validity of any arbitration award or collective bargaining
15 agreement is not affected by failure to comply with the procedures. Prior to the close
16 of the investigation each party shall submit in writing to the commission its single
17 final offer containing its final proposals on all issues in dispute that are subject to
18 interest arbitration under this subdivision. If a party fails to submit a single,
19 ultimate final offer, the commission shall use the last written position of the party.
20 Such final offers may include only mandatory subjects of bargaining, except that a
21 permissive subject of bargaining may be included by a party if the other party does
22 not object and is then treated as a mandatory subject. At that time, the parties shall
23 submit to the commission a stipulation, in writing, with respect to all matters that
24 they agree to include in the new or amended collective bargaining agreement. The
25 commission, after determining that arbitration should be commenced, shall issue an

1 order requiring arbitration and immediately submit to the parties a list of 7
2 arbitrators. The parties shall alternately strike names from the list until one name
3 is left that person shall be appointed arbitrator. The petitioning party shall notify
4 the commission in writing of the identity of the arbitrator. The commission shall then
5 formally appoint the arbitrator and submit to him or her the final offers of the
6 parties. The final offers are public documents and the commission shall make them
7 available. In lieu of a single arbitrator and upon request of both parties, the
8 commission shall appoint a tripartite arbitration panel consisting of one member
9 selected by each of the parties and a neutral person designated by the commission
10 who shall serve as a chairperson. An arbitration panel has the same powers and
11 duties provided in this section as any other appointed arbitrator, and all arbitration
12 decisions by a panel shall be determined by majority vote. In lieu of selection of the
13 arbitrator by the parties and upon request of both parties, the commission shall
14 establish a procedure for randomly selecting names of arbitrators. Under the
15 procedure, the commission shall submit a list of 7 arbitrators to the parties. Each
16 party shall strike one name from the list. From the remaining 5 names, the
17 commission shall randomly appoint an arbitrator. Unless both parties to an
18 arbitration proceeding otherwise agree in writing, every individual whose name is
19 submitted by the commission for appointment as an arbitrator must be a resident of
20 this state at the time of submission and every individual who is designated as an
21 arbitration panel chairperson must be a resident of this state at the time of
22 designation.

eam

23 b. The arbitrator shall, within 10 days of his or her appointment under subd.
24 6. a., establish a date and place for the arbitration hearing. Upon petition of at least
25 5 citizens of the jurisdiction served by the municipal employer, filed within 10 days

1 after the date on which the arbitrator is appointed, the arbitrator shall hold a public
2 hearing in the jurisdiction to provide both parties the opportunity to present
3 supporting arguments for their positions and to provide to members of the public the
4 opportunity to offer their comments. The final offers of the parties, as transmitted
5 by the commission to the arbitrator, are the basis for continued negotiations, if any,
6 between the parties with respect to the issues in dispute. At any time prior to the
7 arbitration hearing, either party, with the consent of the other party, may modify its
8 final offer in writing.

9 c. Before issuing his or her arbitration decision, the arbitrator shall, on his or
10 her own motion or at the request of either party, conduct a meeting open to the public
11 to provide the opportunity to both parties to present supporting arguments for their
12 complete offer on all matters to be covered by the proposed agreement. The
13 arbitrator shall adopt without further modification the final offer of one of the parties
14 on all disputed issues submitted under subd. 6. am., except those items that the
15 commission determines not to be mandatory subjects of bargaining and those items
16 that have not been treated as mandatory subjects by the parties, and including any
17 prior modifications of the offer mutually agreed upon by the parties under subd. 6.

18 b. The decision shall be final and binding on both parties and shall be incorporated
19 into a written collective bargaining agreement. The arbitrator shall serve a copy of
20 his or her decision on both parties and the commission.

21 e. Arbitration proceedings may not be interrupted or terminated by reason of
22 any prohibited practice complaint filed by either party at any time.

23 f. The parties shall divide the costs of arbitration equally. The arbitrator shall
24 submit a statement of his or her costs to both parties and to the commission.

1 g. If a question arises as to whether any proposal made in negotiations by either
2 party is a mandatory, permissive, or prohibited subject of bargaining, the
3 commission shall determine the issue under par. (b). If either party to the dispute
4 petitions the commission for a declaratory ruling under par. (b), the proceedings
5 under subd. 6. c. ~~and d~~ shall be delayed until the commission renders a decision in
6 the matter, but not during any appeal of the commission order. The arbitrator's
7 award shall be made in accordance with the commission's ruling, subject to
8 automatic amendment by any subsequent court reversal.

9 7. 'Factor given greatest weight.' In making any decision under the arbitration
10 procedures under this paragraph, the arbitrator or arbitration panel shall consider
11 and shall give the greatest weight to the economic conditions in the jurisdiction of
12 the municipal employer. The arbitrator or arbitration panel shall give an accounting
13 of the consideration of this factor in the arbitrator's or panel's decision.

14 7g. 'Factor given greater weight.' In making any decision under the arbitration
15 procedures under this paragraph, the arbitrator or arbitration panel shall consider
16 and shall give greater weight to any state law or directive lawfully issued by a state
17 legislative or administrative officer, body, or agency that places limitations on
18 expenditures that may be made or revenues that may be collected by a municipal
19 employer than to any of the factors specified in subd. 7r.

20 7r. 'Other factors considered.' In making any decision under the arbitration
21 procedures authorized by ^{e under} this paragraph, the arbitrator or arbitration panel shall
22 give weight to the following factors:

- 23 a. The lawful authority of the municipal employer.
- 24 b. Stipulations of the parties.

1 c. The interests and welfare of the public and the financial ability of the unit
2 of government to meet the costs of any proposed settlement.

3 d. Comparison of wages, hours and conditions of employment of the transit
4 employees involved in the arbitration proceedings with the wages, hours, and
5 conditions of employment of other employees performing similar services.

6 e. Comparison of the wages, hours and conditions of employment of the transit
7 employees involved in the arbitration proceedings with the wages, hours, and
8 conditions of employment of other employees generally in public employment in the
9 same community and in comparable communities.

10 f. Comparison of the wages, hours and conditions of employment of the transit
11 employees involved in the arbitration proceedings with the wages, hours, and
12 conditions of employment of other employees in private employment in the same
13 community and in comparable communities.

14 g. The average consumer prices for goods and services, commonly known as the
15 cost of living.

16 h. The overall compensation presently received by the transit employees,
17 including direct wage compensation, vacation, holidays, and excused time,
18 insurance and pensions, medical and hospitalization benefits, the continuity and
19 stability of employment, and all other benefits received.

20 i. Changes in any of the foregoing circumstances during the pendency of the
21 arbitration proceedings.

22 j. Such other factors, not confined to the foregoing, which are normally or
23 traditionally taken into consideration in the determination of wages, hours and
24 conditions of employment through voluntary collective bargaining, mediation,

1 fact-finding, arbitration or otherwise between the parties, in the public service or in
2 private employment.

3 8. 'Rule making.' The commission shall adopt rules for the conduct of all
4 arbitration proceedings under subd. 6., including, but not limited to, rules for:

5 a. The appointment of tripartite arbitration panels when requested by the
6 parties.

7 b. The expeditious rendering of arbitration decisions, such as waivers of briefs
8 and transcripts.

9 c. The removal of individuals who have repeatedly failed to issue timely
10 decisions from the commission's list of qualified arbitrators.

11 d. Proceedings for the enforcement of arbitration decisions.

12 8m. 'Term of agreement; reopening of negotiations.' Except for the initial
13 collective bargaining agreement between the parties and except as the parties
14 otherwise agree, every collective bargaining agreement covering transit employees

15 subject to this paragraph shall be for a term of 2 years, but in no case may a collective
16 bargaining agreement for any collective bargaining unit consisting of transit
17 employees subject to this paragraph be for a term exceeding 3 years. No arbitration
18 award involving transit employees may contain a provision for reopening of
19 negotiations during the term of a collective bargaining agreement, unless both
20 parties agree to such a provision. The requirement for agreement by both parties
21 does not apply to a provision for reopening of negotiations with respect to any portion
22 of an agreement that is declared invalid by a court or administrative agency or
23 rendered invalid by the enactment of a law or promulgation of a federal regulation.

24 9. 'Application.' Chapter 788 does not apply to arbitration proceedings under
25 this paragraph.

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209

Insert 52-9

if the group include includes both transit employees and general municipal employees, or if the group includes both transit employees and public safety employees

Insert 57-25

SECTION 2409hr: 111.71 (4) of the statutes is ~~amended~~ to read:

111.71 (4) The commission shall collect on a systematic basis information on the operation of the arbitration law under s. 111.70 (4) ~~(em)~~ ~~(cg)~~. The commission shall report on the operation of the law to the legislature on an annual basis. The report shall be submitted to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2).

History: 1971 c. 124; 1973 c. 90; 1981 c. 20; 1983 a. 27; 1985 a. 318; 1991 a. 39; 1993 a. 16; 1995 a. 27, 216; 2003 a. 33

SECTION 2409ig: 111.71 (5) of the statutes is ~~amended~~ to read:

111.71 (5) The commission shall, on a regular basis, provide training programs to prepare individuals for service as arbitrators or arbitration panel members under s. 111.70 (4) ~~(em)~~ ~~(cg)~~. The commission shall engage in appropriate promotional and recruitment efforts to encourage participation in the training programs by individuals throughout the state, including at least 10 residents of each congressional district. The commission may also provide training programs to individuals and organizations on other aspects of collective bargaining, including on areas of management and labor cooperation directly or indirectly affecting collective

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[PLAIN]

1 bargaining. The commission may charge a reasonable fee for participation in the
2 programs.

3 ~~Cross-reference: Cross-reference: Cross-reference: See also ch. ERC 50, Wis. adm. code. Cross-reference:~~
4 ~~History: 1971 c. 124; 1973 c. 90; 1981 c. 20; 1983 a. 27; 1985 a. 318; 1991 a. 39; 1993 a. 16; 1995 a. 27, 216; 2003 a. 33.~~

5 Insert 58-14

6 **SECTION 2409jn.** 111.77 (9) of the statutes is amended to read:

7 111.77 (9) Section 111.70 (4) (c) 3., (cg), and (cm) ~~shall~~ does not apply to
8 employments covered by this section.

9 **History:** 1971 c. 247, 307; 1973 c. 64; 1975 c. 259; 1977 c. 178; 1979 c. 32 s. 92 (15); 1989 a. 258; 1991 a. 136; 1993 a. 16; 1995 a. 27.

10 Insert 91-21

11 **1.** Page 1379, line 18: after that line insert:

12 **“SECTION 3508v.** 904.085 (2) (a) of the statutes is amended to read:

13 904.085 (2) (a) “Mediation” means mediation under s. 93.50 (3), conciliation
14 under s. 111.54, mediation under s. 111.11, 111.70 (4) (cg) or (cm) 3. or 111.87,
15 mediation under s. 115.797, negotiation under s. 289.33 (9), mediation under ch. 655
16 or s. 767.405, or any similar statutory, contractual or court-referred process
17 facilitating the voluntary resolution of disputes. “Mediation” does not include
18 binding arbitration or appraisal.”.

History: Sup. Ct. Order No. 93-03, 179 Wis. 2d xv (1993); 1995 a. 227; 1997 a. 59, 164, 292; 2005 a. 443 s. 265; Sup. Ct. Order No. 09-12, 2010 W1 31, filed 4-29-10, eff. 7-1-10.

101-6

SECTION 9451. Effective dates; University of Wisconsin Hospitals and Clinics Board.

SECTION 9452. Effective dates; University of Wisconsin System.

(1)(d) UNIVERSITY OF WISCONSIN. The treatment of sections 16.705 (1r) (d) and (e), 16.71 (1m) (by SECTION 241f) and (4), 16.72 (8), 16.73 (5), 16.78 (1), 16.998 (7), 19.42 (13) (b), (c), and (cm), 19.45 (11) (a) and (b), 20.865 (1) (c), (ci), (i), (ic), (s), and (si) 20.916 (10), 20.923 (4g), (5), (6) (Lm) and (m), (14) (b), (15) (b), and (16), 36.09 (1) (e), (i), (j), and (k), 36.15 (2), 36.30, 36.52, 40.02 (30), 111.335 (1) (cv), 111.81 (7) (ar) and (at), 111.815 (1) and (2), 111.825 (1r), (1t), (2) (a), (b), (c), (f), (g), (h), and (i), (3), (3m), (4), (6), and (7), 111.83 (5) (a), (b), and (c), 111.84 (2) (c), 111.91 (4), 111.93 (2) and (3), 111.935 (2), 230.01 (1), 230.03 (3), (6), (6m), (10h), and (13), 230.08 (2) (cm), (d), (dm), and (k), 230.10 (2), 230.12 (1) (a) 1. b. and (3) (e) (title) and 1f., and 230.34 (1) (ar) of the statutes, the repeal of sections 36.58 (5) and 230.143 (1) and (2) of the statutes, the renumbering of sections 111.83 (7) and 111.85 (5) of the statutes, the renumbering and amendment of sections 16.417 (2) (f), 111.92 (1) (a), and 230.143 (intro.) of the statutes, the creation of sections 16.417 (2) (f) 2., 111.83 (7) (b), 111.85 (5) (b), and 111.92 (1) (a) 2. and 3. of the statutes, and SECTION 9152 (1c) of this act take effect on July 1, 2013.

(1q) FEE REMISSION. The treatment of section 36.27 (3n) (a) (intro.), 1., 1g., and 2., and (bg) and (3p) (a) (intro.), 1., 1g., 1m., 2., 3., 4., 5., and 6. and (bg) of the statutes takes effect retroactively on January 1, 2010.

SECTION 9453. Effective dates; Veterans Affairs.

(1j) FISCAL CHANGES. SECTION 9253 (1j) of this act takes effect on the day after publication or retroactively to June 30, 2011, whichever is earlier.

SECTION 9454. Effective dates; Workforce Development.

Page 1531, line 4. deleted lines 4 to 18 and substituted.

(by SECTION 775rm)

(by SECTION 775rm)

(by SECTION 775rm)

(by SECTION 2410je)

(by SECTION 951km)

(by SECTION 2410mb)

(by SECTION 2410cc)

(a) (by SECTION 2410np)

(by SECTION 2410dd)

(a) (by SECTION 2426fb)

(by SECTION 2751e)

(by SECTION 2764dw)

(by SECTION 2426gn)

note