

# State of Wisconsin



1995 Senate Bill 37

Date of enactment: **December 6, 1995**  
Date of publication\*: **December 20, 1995**

## 1995 WISCONSIN ACT 111

AN ACT *to amend* 115.29 (3); and *to create* 118.23 (6) and 119.42 (3) of the statutes; **relating to:** teacher tenure in populous counties.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 115.29 (3) of the statutes is amended to read:

115.29 (3) AUXILIARY INSTRUCTIONAL EMPLOYEES. By order, establish classes of auxiliary instructional employes and authorize their employment in the instructional program of the elementary and high schools for specific purposes and their reimbursement from the instructional budget. Auxiliary instructional employes shall not be covered as teachers as defined in s. 40.02 (55) or under ss. s. 118.21 to 118.23, 118.215, 118.22 or 121.006 (2) but shall be eligible under the public employe trust fund as participating employes as defined in s. 40.02 (46), if it is made applicable, other than through s. 40.21 (3), to the school district employing them.

**SECTION 2.** 118.23 (6) of the statutes is created to read:

118.23 (6) This section does not apply after the effective date of this subsection .... [revisor inserts date]. Any person whose employment is permanent under sub. (3) on the effective date of this subsection .... [revisor inserts date], shall retain all of the rights and privileges of such permanent employment after that date.

**SECTION 3.** 119.42 (3) of the statutes is created to read:

119.42 (3) This section does not apply after the effective date of this subsection .... [revisor inserts date]. Any person whose employment is permanent under this section on the effective date of this subsection .... [revisor inserts date], shall retain all of the rights and privileges of such permanent employment after that date.

**SECTION 4. Nonstatutory provisions; arbitration of teacher tenure rights.**

(1) Notwithstanding section 111.70 (4) (cm) 5s. of the statutes, in any collective bargaining unit for which a representative is recognized or certified under subchapter IV of chapter 111 of the statutes and which includes municipal employes to whom section 118.23, 1993 stats., applied prior to the effective date of this subsection, the issue of procedural rights and rights to continued employment accorded to municipal employes who attain permanent status after completion of a probationary period is not an economic issue for purposes of the application of section 111.70 (4) (cm) 6. a. of the statutes, solely for purposes of the first dispute between the parties for which final offers are submitted under section 111.70 (4) (cm) 6. a. of the statutes on or after the effective date of this subsection. This subsection does not apply to any collective bargaining unit in which the parties enter into a collective bargaining agreement after the effective date of this subsection without submission

\* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

of any issue to arbitration under section 111.70 (4) (cm)  
6. of the statutes.

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