

2001 DRAFTING REQUEST

Bill

Received: 12/20/2000

Received By: grantpr

Wanted: As time permits

Identical to LRB:

For: Administration-Budget 6-1923

By/Representing: Maternowski

This file may be shown to any legislator: NO

Drafter: grantpr

May Contact:

Alt. Drafters: champra

Subject: Education - sch. dist. reorg.
Employ Pub - collective bargain

Extra Copies: MJL

Pre Topic:

DOA:.....Maternowski -

Topic:

Layoff or reassignment of employees upon school district consolidation

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	grantpr 12/21/2000 champra 12/30/2000	jdye 01/02/2001		_____			
/1			pgreensl 01/04/2001	_____	lrb_docadmin 01/04/2001		

FE Sent For:

<END>

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1?	grantpr	1 1/2 jul	1/3/01 PB	1/4/01 P6/R5			

FE Sent For:


<END>

TOMMY G. THOMPSON
GOVERNOR

GEORGE LIGHTBOURN
SECRETARY

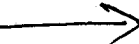


Division of Executive Budget and Finance
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1736
Fax (608) 267-0372
TTY (608) 267-9629

Date: December 20, 2000
To: Stephen Miller, Chief
Legislative Reference Bureau
From: Peter Maternowski 
Subject: 2001-2003 Budget Drafting Requests

Please draft the following items for possible inclusion in the Governor's 2001-2003 biennial budget bill.

- 1. Limit dates of school districts referenda to spring and fall elections.** Under current law, a school board must seek voter approval at referendum in order to incur debt, to exceed its controlled revenue limit or to exceed the levy rate limit for a school construction fund (applicable only to MPS). Provide that school district referenda can only be held on the statutory spring and fall election dates. (See 99-01 biennial budget draft LRB-1193/1)
- 2. Direct DPI vocational education consultants to work with the GWBLB.** Under current law, the State Superintendent is required to employ 9.5 vocational education consultants, (s. 115.001 (30)). Require the State Superintendent to ensure the vocational education consultants coordinate their activities with the staff of the Governor's Work Based Learning Board and support their activities under s. 106.12 (2).
- 3. Certification of bond sales.** Require that before issuing long-term debt the terms and conditions of the sale must be 'certified' by the Department of Administration. School boards would be required to receive certification for both competitive and negotiated bond sales. The department would determine the information that districts would be required to submit and the guidelines the proposed sale would need to meet to be certified.
- 4. Require the State Superintendent to ensure maximum flow through of federal funds to LEAs.** Under s. 115.28 (9), the State Superintendent is authorized to accept federal education aids. Require the State Superintendent to distribute to school districts (LEAs) the maximum amount of federal funding received that is consistent with federal guidelines. The department can retain funds for program administration as defined by federal law.
- 5. District consolidation and treatment of staff.** S. 117.25, specifies the rights retained by employees of school districts that are consolidated. Modify the section to



(1)(d)

allow a school board to reassign staff and layoff staff in the consolidated district without regard to seniority.

6. **CESA Grant Appropriation and Program.** Create a grant program for CESAs, in a separate appropriation, and funded at \$2.4 million GPR in FY03. The grants would be made to CESAs, or consortia of CESAs to develop new non-instruction related (i.e. back-office) education services to school districts. CESAs, or consortia, applying for grant funds under the program would be required to provide a 50% match for the state funding. Earmark up to \$50,000 annually of the appropriated funds for grants to school districts to conduct feasibility studies of either consolidation with another school district or a consolidation of educational service delivery.
7. **Extend MPS School Closing Language to All Districts.** Under current law the MPS Board of School Directors has the special authority to reassign staff in the event that it closes a low performing school. In such stances, the board can reassign building staff without regard to seniority. Extend the special authority granted to MPS under s. 119.18 (23) to all school districts in the state. (Note 99-01 budget draft LRB 1356 99-01.)

Thank you for your assistance.

12/25/00

TC w/ Peter Matanowski

time limit : 60 days after date of consolidation

2001

Date (time) needed

Sam

LRB- 1613 / 1

DOA BUDGET DRAFT

PG. # PAC: jld:

Use the appropriate components and routines developed for bills.

LPS - Fix request sheet

>>FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION<<

AN ACT . . . [DO NOT generate catalog]; relating to: the budget.

.....
.....

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: create → anal: → title: → head

For the subheading, execute: create → anal: → title: → sub

For the sub-subheading, execute: create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: create → anal: → text

(attached)

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

SECTION #.

↓

✓ Insert RAC 1 →

SEC. # CR. 117.25⁵ (1)(e)⁴

~~117.25 (1g) CONSOLIDATIONS: LAYOFFS, REASSIGNMENT
OF EMPLOYEES. Notwithstanding sub. (1)(d),~~

117.25 (1)(e) ③

For 60 days after the effective date, ~~of~~

~~consolidation of school districts under~~

~~s. 117.07 or 117.09~~, the school district

administrator of the new school district may

lay off ~~the~~ school district employees ^{or reassign}

~~or reassign the school district~~

without regard to seniority in service.

Insert RAC 2: →

(end)

ANALYSIS

EDUCATION ← head

PRIMARY AND SECONDARY EDUCATION ← sub

A Current law allows two ^{or} more school districts to consolidate. Upon the effective date of the consolidation, employees of the consolidating school districts become employees of the new consolidated school district.

This bill authorizes the school district administrator of the new consolidated school district, for 60 days after the effective date of the consolidation, to lay off or reassign school district employees without regard to seniority in service. ↑

✓
Insert
RAE
Analysis

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1613/?ins
.....

NO
Φ
Insert RAC Analysis:

In addition, the bill provides that any such lay off or reassignment of school district employees is a prohibited subject of collective bargaining.

Insert RAC 1:

SECTION 1. 111.70 (4) (m) 5. of the statutes is created to read:

111.70 (4) (m) 5. Layoff or reassignment of municipal employees, with or without regard to seniority, as provided under s. 117.25[✓](1) (e), or the impact of any such layoff or reassignment on the wages, hours, or conditions of employment of the municipal employees.

Insert RAC 2:

SECTION 9317. Initial applicability; employment relations commission.

(1) LAYOFF AND ASSIGNMENT OF SCHOOL DISTRICT EMPLOYEES. The treatment of section 111.70 (4) (m) 5. of the statutes first applies to collective bargaining agreements for which notices of commencement of contract negotiations have been filed with the employment relations commission under section 111.70 (4) (cm) 1. of the statutes on the effective date of this subsection.



DOA:.....Maternowski – Layoff or reassignment of employees upon school district consolidation

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau
EDUCATION

PRIMARY AND SECONDARY EDUCATION

Current law allows two or more school districts to consolidate. On the effective date of the consolidation, employees of the consolidating school districts become employees of the new consolidated school district.

This bill authorizes the school district administrator of the new consolidated school district, for 60 days after the effective date of the consolidation, to lay off or reassign school district employees without regard to seniority in service. In addition, the bill provides that any such layoff or reassignment of school district employees is a prohibited subject of collective bargaining.

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

2 **SECTION 1.** 111.70 (4) (m) 5. of the statutes is created to read:

3 111.70 (4) (m) 5. Layoff or reassignment of municipal employees, with or
4 without regard to seniority, as provided under s. 117.25 (1) (e), or the impact of any

1 such layoff or reassignment on the wages, hours, or conditions of employment of the
2 municipal employees.

3 **SECTION 2.** 117.25 (1) (e) of the statutes is created to read:

4 117.25 (1) (e) For 60 days after the effective date, the school district
5 administrator of the new school district may lay off or reassign school district
6 employees without regard to seniority in service.

7 **SECTION 9317. Initial applicability; employment relations commission.**

8 (1) LAYOFF AND ASSIGNMENT OF SCHOOL DISTRICT EMPLOYEES. The treatment of
9 section 111.70 (4) (m) 5. of the statutes first applies to collective bargaining
10 agreements for which notices of commencement of contract negotiations have been
11 filed with the employment relations commission under section 111.70 (4) (cm) 1. of
12 the statutes on the effective date of this subsection.

13 (END)