

LRB-1211
File

1 ✓ SECTION ~~152~~. 111.70 (3) (b) 6. of the statutes is repealed.

2 ✓ SECTION ~~153~~. 111.70 (3m) of the statutes is repealed.

3 ✓ SECTION ~~154~~. 111.70 (3p) of the statutes is repealed.

MS
7-22

4 ✓ SECTION ~~155~~. 111.70 (4) (c) (title) of the statutes is amended to read:

111.70 (4) (c) (title) *Methods for peaceful settlement of disputes; law enforcement
and fire fighting personnel* ← *protective occupation participants* ← (F) plan

7 SECTION 156. 111.70 (4) (c) 3. (intro.) of the statutes is amended to read:

111.70 (4) (c) 3. 'Fact-finding.' (intro.) If Unless s. 111.77 applies, if a dispute has not been settled after a reasonable period of negotiation and after the settlement procedures, if any, established by the parties have been exhausted, and the parties are deadlocked with respect to any dispute between them arising in the collective bargaining process, either party, or the parties jointly, may petition the commission, in writing, to initiate fact-finding, as provided hereafter, and to make recommendations to resolve the deadlock.

15 SECTION ~~157~~. 111.70 (4) (c) 4. of the statutes is repealed.

INS
10-11

INSERT 11-20

16 SECTION ~~158~~. 111.70 (4) (cm) of the statutes ^{5, 6, 7, 7g, 7r and 8.} are repealed.

17 SECTION 159. 111.70 (4) (d) 2. a. of the statutes is amended to read:

111.70 (4) (d) 2. a. The commission shall determine the appropriate collective bargaining unit for the purpose of collective bargaining and shall whenever possible, ~~unless otherwise required under this subchapter,~~ avoid fragmentation by maintaining as few collective bargaining units as practicable in keeping with the size of the total municipal workforce. In making such a determination, the commission may decide whether, in a particular case, the municipal employees in the same or several departments, divisions, institutions, crafts, professions, or other occupational groupings constitute a collective bargaining unit. Before making its

1 determination, the commission may provide an opportunity for the municipal
 2 employees concerned to determine, by secret ballot, whether they desire to be
 3 established as a separate collective bargaining unit. ~~The commission shall not~~
 4 ~~decide, however, that any group of municipal employees constitutes an appropriate~~
 5 ~~collective bargaining unit if the group includes both professional employees and~~
 6 ~~nonprofessional employees, unless a majority of the professional employees vote for~~
 7 ~~inclusion in the unit. The commission shall not decide that any group of municipal~~
 8 ~~employees constitutes an appropriate collective bargaining unit if the group includes~~
 9 ~~both craft employees and noncraft employees unless a majority of the craft employees~~
 10 ~~vote for inclusion in the unit. The commission shall place the professional employees~~
 11 ~~who are assigned to perform any services at a charter school, as defined in s. 115.001~~
 12 ~~(1), in a separate collective bargaining unit from a unit that includes any other~~
 13 ~~professional employees whenever at least 30% of those professional employees~~
 14 ~~request an election to be held to determine that issue and a majority of the~~
 15 ~~professional employees at the charter school who cast votes in the election decide to~~
 16 ~~be represented in a separate collective bargaining unit. Upon the expiration of any~~
 17 ~~collective bargaining agreement in force, the commission shall combine into a single~~
 18 ~~collective bargaining unit 2 or more collective bargaining units consisting of school~~
 19 ~~district employees if a majority of the employees voting in each collective bargaining~~
 20 ~~unit vote to combine. Any vote taken under this subsection shall be by secret ballot.~~

21 SECTION ~~159~~ 111.70 (4) (L) of the statutes is amended to read:

22 111.70 (4) (L) *Strikes prohibited.* Except as authorized under par. (cm) 5. and
 23 6. ~~c. nothing~~ Nothing contained in this subchapter constitutes a grant of the right
 24 to strike by any municipal employee or labor organization, and such strikes are

INS
1513



SECTION 160

1 hereby expressly prohibited. Paragraph (cm) does not authorize any strike after an
2 injunction has been issued against such strike under sub. (7m).

3 ✓ SECTION ~~141~~. 111.70 (4) (m) of the statutes is repealed.

INS 16-9

✓ SECTION ~~142~~. 111.70 (4) (mc) 4. of the statutes is repealed.

13

5 SECTION 163. 111.70 (4) (mc) 6. of the statutes is created to read:

11

6 111.70 (4) (mc) 6. The determination of the municipal employer's and the
7 municipal employee's shares of premium costs for health care coverage under a
8 health care coverage plan and the impact of the determination on the wages, hours,
9 and conditions of employment of the municipal employees.

****NOTE: Caitlin, Rick drafted in -0757 the retirement benefits prohibited subject piece as 111.70 (4) (mc) 5. This health care coverage provision is just a placeholder until I see that language.

10 ✓ SECTION 164. 111.70 (4) (n) of the statutes is repealed.

11 ✓ SECTION 165. 111.70 (4) (o) of the statutes is repealed.

(7m)(am)

12 SECTION 166. 111.70 (7) (a) of the statutes is renumbered 111.70 (7) and
13 amended to read:

cam

Any protective occupation participant who

14 111.70 (7) PENALTY FOR STRIKER. Whoever violates sub. (4) (L) after an injunction
15 against such a strike has been issued shall be fined \$10. After the injunction has
16 been issued, any municipal employee ^{protective occupation participant} who is absent from work because of purported
17 illness shall be presumed to be on strike unless the illness is verified by a written
18 report from a physician to the employer. Each day of continued violation constitutes
19 a separate offense. The court shall order that any fine imposed under this subsection
20 be paid by means of a salary deduction at a rate to be determined by the court.

21 SECTION 167. 111.70 (7) (b) of the statutes is repealed.

22 SECTION 168. 111.70 (7m) of the statutes is repealed.

23 SECTION ~~169~~. 111.70 (8) (a) of the statutes is amended to read:

INS 17-5



1 111.70 (8) (a) This section, ~~except subs. (1) (nm), (4) (cm) and (7m)~~, applies to ^{plan} law enforcement supervisors employed by a 1st class city. ~~This section, except subs.~~
 2 ~~(1) (nm), (4) (cm) and (jm) and (7m)~~ ^{plan} applies ~~and~~ to law enforcement supervisors
 3 employed by a county having a population of 500,000 or more. For purposes of such
 4 application, the ^{terms} ~~term~~ "municipal employee" [↓] includes ^{and "protective occupation"} such a supervisor. ^{participant}

6 ~~SECTION 111.71~~ 111.71 (2) of the statutes is amended to read: ^{include}

7 111.71 (2) The commission shall assess and collect a filing fee for filing a
 8 complaint alleging that a prohibited practice has been committed under s. 111.70 (3).
 9 The commission shall assess and collect a filing fee for filing a request that the
 10 commission act as an arbitrator to resolve a dispute involving the interpretation or
 11 application of a collective bargaining agreement under s. 111.70 (4) (c) 2. ~~or (cm) 4.~~ ^{plan}
 12 The commission shall assess and collect a filing fee for filing a request that the
 13 commission initiate fact-finding under s. 111.70 (4) (c) 3. The commission shall
 14 assess and collect a filing fee for filing a request that the commission act as a
 15 mediator under s. 111.70 (4) (c) 1. ~~or (cm) 3.~~ ^{plan} The commission shall assess and collect
 16 a filing fee for filing a request that the commission initiate compulsory, final and
 17 binding arbitration under s. ~~111.70 (4) (cm) 6. or (jm) or 111.77 (3).~~ ^{plan} For the ^{and}
 18 performance of commission actions under ss. 111.70 (4) (c) 1., 2. and 3., ~~(cm) 3., 4. and~~
 19 ~~6.~~ [↓] and (jm) and 111.77 (3), the commission shall require that the parties to the dispute
 20 equally share in the payment of the fee and, for the performance of commission
 21 actions involving a complaint alleging that a prohibited practice has been committed
 22 under s. 111.70 (3), the commission shall require that the party filing the complaint
 23 pay the entire fee. If any party has paid a filing fee requesting the commission to act
 24 as a mediator for a labor dispute and the parties do not enter into a voluntary
 25 settlement of the dispute, the commission may not subsequently assess or collect a

SECTION 170

1 filing fee to initiate fact-finding or arbitration to resolve the same labor dispute. If
 2 any request for the performance of commission actions concerns issues arising as a
 3 result of more than one unrelated event or occurrence, each such separate event or
 4 occurrence shall be treated as a separate request. The commission shall promulgate
 5 rules establishing a schedule of filing fees to be paid under this subsection. Fees
 6 required to be paid under this subsection shall be paid at the time of filing the
 7 complaint or the request for fact-finding, mediation or arbitration. A complaint or
 8 request for fact-finding, mediation or arbitration is not filed until the date such fee
 9 or fees are paid, except that the failure of the respondent party to pay the filing fee
 10 for having the commission initiate compulsory, final and binding arbitration under
 11 s. 111.70 (4) ~~(em) 6. or (jm)~~ or 111.77 (3) shall may not prohibit the commission from
 12 initiating such arbitration. The commission may initiate collection proceedings
 13 against the respondent party for the payment of the filing fee. Fees collected under
 14 this subsection shall be credited to the appropriation account under s. 20.425 (1) (i).

15 ~~SECTION 171.~~ 111.71 (4) of the statutes is repealed.

16 ~~SECTION 172.~~ 111.71 (5) of the statutes is repealed.

17 ~~SECTION 173.~~ 111.77 (intro.) of the statutes is amended to read:

18 **111.77 Settlement of disputes in collective bargaining units composed**
 19 **of law enforcement personnel and fire fighters.** (intro.) In fire departments
 20 and city and county law enforcement agencies ~~municipal~~ Municipal employers and
 21 municipal employees, as provided in sub. (8), have the duty to bargain collectively
 22 in good faith including the duty to refrain from strikes or lockouts and to comply with
 23 the following procedures set forth below:

24 ~~SECTION 174.~~ 111.77 (9) of the statutes is amended to read:

END
INS
17-5

1 111.77 (9) Section 111.70 (4) (c) 3. and (em) shall does not apply to employments
2 covered by this section.

3 SECTION 175. Subchapter V of chapter 111 [precedes s. 111.80] of the statutes
4 is repealed.

5 SECTION 176. Subchapter VI of chapter 111 [precedes s. 111.95] of the statutes
6 is repealed.

7 SECTION 177. 117.25 (1) (d) 1. of the statutes is renumbered 117.25 (1) (d).

8 SECTION 178. 117.25 (1) (d) 2. and 3. of the statutes are repealed.

9 SECTION 179. 117.25 (3) of the statutes is amended to read:

10 117.25 (3) DISSOLUTIONS. If the board affirms the school board's dissolution
11 order under s. 117.10 (4), the board's order shall specify that either sub. (1) (d) 1. or
12 (2) (b) applies to employees of the dissolved school district and shall identify the other
13 school district or school districts that shall be treated as the new consolidated school
14 district or school district to which territory is attached for the purposes of sub. (1) (d)
15 1. or (2) (b). If the board's order identifies more than one such school district, it shall
16 also identify which of the employees of the dissolved school district become
17 employees of which of the identified school districts under sub. (1) (d) 1., or have
18 priority for employment in which of the identified school districts under sub. (2) (b).

19 SECTION 180. 118.22 (4) of the statutes is repealed.

20 SECTION 181. 118.23 (5) of the statutes is repealed.

KEEP

21 SECTION 182. 118.24 (9) (intro.) and (a) of the statutes are consolidated,
22 renumbered 118.24 (9) and amended to read:

23 118.24 (9) Nothing in this section shall be construed: (a) To prohibit the
24 school board of any district from hiring part-time administrative personnel; or

25 SECTION 183. 118.24 (9) (b) of the statutes is repealed.

INS
32-4B

SECTION 184

1 **SECTION 184.** 118.40 (2r) (b) 3. a. of the statutes is amended to read:

2 118.40 ~~(2r)~~ (b) 3. a. Delegate to the governing board of the charter school the
3 board of regents' authority to establish and adjust all compensation and fringe
4 benefits of instructional staff, ~~subject to the terms of any collective bargaining~~
5 ~~agreement under subch. V of ch. 111 that covers the instructional staff. In the~~
6 ~~absence of a collective bargaining agreement, the governing board may establish and~~
7 ~~adjust all compensation and fringe benefits of the instructional staff only with the~~
8 approval of the chancellor of the University of Wisconsin-Parkside.

9 **SECTION 185.** 118.40 (2r) (b) 3. b. of the statutes is amended to read:

10 118.40 ~~(2r)~~ (b) 3. b. Authorize the governing board of the charter school to
11 perform specified duties for the board of regents with respect to the instructional
12 staff. This authorization may include duties related to supervising the instructional
13 staff, taking disciplinary actions with respect to the instructional staff,
14 recommending new hires or layoffs, ~~collective bargaining, claims, complaints, or~~
15 benefits and records administration.

16 **SECTION 186.** 118.40 (7) (ar) of the statutes is repealed.

17 **SECTION 187.** 118.40 (8) (a) (intro.) of the statutes is amended to read:

18 118.40 ~~(8)~~ (a) *Location.* (intro.) For the purposes of sub. (7) (a), ~~and (am), and~~
19 ~~(ar),~~ a virtual charter school is considered to be located in the following school
20 district:

21 **SECTION ~~188~~.** 118.42 (3) (a) 4. of the statutes is amended to read:

22 118.42 (3) (a) 4. Implement changes in administrative and personnel
23 structures that are consistent with applicable collective bargaining agreements.

24 **SECTION 189.** 118.42 (5) of the statutes is amended to read:

INS
32210

KEEP

cont.



1 118.42 (5) Nothing in this section alters or otherwise affects the rights or
2 remedies afforded school districts and school district employees under federal or
3 state law or under the terms of any applicable collective bargaining agreement.

1105
32-14
cont

4 SECTION ~~190~~ 120.12 (15) of the statutes is amended to read:

5 120.12 (15) SCHOOL HOURS. Establish rules scheduling the hours of a normal
6 school day. The school board may differentiate between the various elementary and
7 high school grades in scheduling the school day. The equivalent of 180 such days, as
8 defined in s. 115.01 (10), shall be held during the school term. ~~This subsection shall
9 not be construed to eliminate a school district's duty to bargain with the employee's
10 collective bargaining representative over any calendaring proposal which is
11 primarily related to wages, hours and conditions of employment.~~

12 SECTION 191. 120.12 (24) of the statutes is repealed.

13 SECTION 192. 120.13 (35) (b) 2. of the statutes is amended to read:

14 120.13 (35) (b) 2. Subdivision 1. does not apply to pupils, parents of pupils, or
15 school district employees or officials or agents of a certified or recognized
16 representative of school district employees who are included in a collective
17 bargaining unit.

18 SECTION 193. 120.18 (1) (gm) of the statutes is amended to read:

19 120.18 (1) (gm) Payroll and related benefit costs for all school district
20 employees in the previous school year. ~~Costs for represented employees shall be
21 based upon the costs of any collective bargaining agreements covering such
22 employees for the previous school year. If, as of the time specified by the department
23 for filing the report, the school district has not entered into a collective bargaining
24 agreement for any portion of the previous school year with the recognized or certified
25 representative of any of its employees and the school district and the representative~~

SECTION 193

1 ~~have been required to submit final offers under s. 111.70 (4) (cm) 6., increased costs~~
2 ~~limited to the lower of the school district's offer or the representative's offer shall be~~
3 ~~reflected in the report. The school district shall amend the annual report to reflect~~
4 ~~any change in such costs as a result of any award or settlement under s. 111.70 (4)~~
5 ~~(cm) 6. between the date of filing the report and October 1. Any such amendment~~
6 ~~shall be concurred in by the certified public accountant licensed or certified under ch.~~
7 ~~442 certifying the school district audit.~~

8 **SECTION 194.** 120.25 (2) (a) of the statutes is amended to read:

9 120.25 (2) (a) Provide for acquisition, construction, operation and
10 administration of a facility, and establish the functions, projects and services to be
11 provided in the facility, including, without limitation because of enumeration,
12 proration of all expenses involved, operational and fiscal management including
13 deposit and disbursement of funds appropriated, designation of the municipal
14 employer for purposes of compliance with s. 111.70, teacher retirement, worker's
15 compensation, and unemployment insurance.

16 **SECTION 195.** 120.25 (6) of the statutes is amended to read:

17 120.25 (6) School boards entering into a contract under this section shall
18 designate for each employee providing services under the contract either a school
19 district entering into the contract or a cooperative educational service agency as the
20 employer for purposes of compliance with s. 111.70, teacher's retirement, worker's
21 compensation, and unemployment insurance.

22 **SECTION 196.** 146.59 (3) (a) of the statutes is amended to read:

23 146.59 (3) (a) Any contractual services agreement under sub. (2) may include
24 a provision that authorizes the authority to perform specified duties for the board
25 with respect to employees of the board. This authorization may include duties

INS
33
A

1 related to supervising employees, taking disciplinary action, or recommending new
 2 hires or layoffs, ~~or with respect to collective bargaining, claims, (complaints, or)~~
 3 ~~benefits (and records administration).~~ *plain* *or* *plain*

4 **SECTION 197.** 146.59 (3) (b) of the statutes is amended to read:

5 146.59 (3) (b) Any authorization under par. (a) shall comply with all applicable
 6 provisions of subch. V of ch. 111 and ch. 230, and any delegation of authority by the
 7 office of state employment relations to the board, and any collective bargaining
 8 agreement with respect to employees of the board.

9 **SECTION 198.** 227.03 (7) of the statutes is amended to read:

10 227.03 (7) Except as provided in s. 230.44 (4) (bm), this chapter does not apply
 11 to proceedings before the ~~employment relations commission~~ division of hearings and
 12 appeals in matters that are arbitrated in accordance with s. 230.44 (4) (bm).

13 **SECTION 199.** 227.47 (2) of the statutes is amended to read:

14 227.47 (2) Except as otherwise provided in this subsection, a proposed or final
 15 decision of the ~~employment relations commission~~ division of hearings and appeals,
 16 hearing examiner or arbitrator concerning an appeal of the decision of the director
 17 of the office of state employment relations made under s. 230.09 (2) (a) or (d) shall
 18 not be accompanied by findings of fact or conclusions of law. If within 30 days after
 19 the ~~commission~~ division of hearings and appeals issues a decision in such an appeal
 20 either party files a petition for judicial review of the decision under s. 227.53 and files
 21 a written notice with the ~~commission~~ division of hearings and appeals that the party
 22 has filed such a petition, the ~~commission~~ division of hearings and appeals shall issue
 23 written findings of fact and conclusions of law within 90 days after receipt of the
 24 notice. The court shall stay the proceedings pending receipt of the findings and
 25 conclusions.

3

INS
33-8
C

1 ~~SECTION 203.~~ 230.03 (3) of the statutes is amended to read:

2 230.03 (3) "Agency" means any board, commission, committee, council, or
3 department in state government or a unit thereof created by the constitution or
4 statutes if such board, commission, committee, council, department, unit, or the
5 head thereof, is authorized to appoint subordinate staff by the constitution or
6 statute, except a legislative or judicial board, commission, committee, council,
7 department, or unit thereof or an authority created under subch. II of ch. 114 or
8 subch. III of ch. 149 or under ch. 52, 231, 232, 233, 234, 235, 237, or 279. "Agency"
9 does not mean any local unit of government or body within one or more local units
10 of government that is created by law or by action of one or more local units of
11 government.

12 ~~SECTION 204.~~ 230.03 (7) of the statutes is repealed.

13 SECTION 205. 230.03 (8) of the statutes is repealed.

14 SECTION 206. 230.03 (10h) of the statutes is created to read:

15 230.03 (10h) "Division of hearings and appeals" means the division of hearings
16 and appeals in the department of administration.

17 SECTION 207. 230.04 (1) of the statutes is amended to read:

18 230.04 (1) The director is charged with the effective administration of this
19 chapter. All powers and duties, necessary to that end, which are not exclusively
20 vested by statute in the ~~commission~~ division of hearings and appeals, the division of
21 equal rights, the administrator or appointing authorities, are reserved to the
22 director.

23 SECTION 208. 230.04 (1m) of the statutes is amended to read:

24 230.04 (1m) The director may delegate, in writing, any of his or her functions
25 set forth in this chapter to an appointing authority, within prescribed standards if

****NOTE: Caitlin, please review this provision.

SECTION ~~228~~ 230.34 (1) (ar) of the statutes is amended to read:

230.34 (1) (ar) Paragraphs (a) ~~and~~ (am) ~~and~~ (ap) apply to all employees with permanent status in class in the classified service and all employees who have served with the state as an assistant district attorney for a continuous period of 12 months or more, ~~except that for employees specified in s. 111.81 (7) (a) in a collective bargaining unit for which a representative is recognized or certified, or for employees specified in s. 111.81 (7) (b) or (c) in a collective bargaining unit for which a representative is certified, if a collective bargaining agreement is in effect covering employees in the collective bargaining unit, the determination of just cause and all aspects of the appeal procedure shall be governed by the provisions of the collective bargaining agreement.~~

SECTION ~~227~~ 230.35 (1s) of the statutes is amended to read:

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.~~

~~SECTION 228. 230.35 (2d) (e) of the statutes is repealed.~~

SECTION 229. 230.35 (2r) (c) of the statutes is amended to read:

230.35 (2r) (c) No employee may grieve under an agency's grievance procedure any appointing authority's decision relating to a catastrophic leave program under

MS
34-3A

plain

1 230.81 (1) (intro.) An employee with knowledge of information the disclosure
 2 of which is not expressly prohibited by state or federal law, rule or regulation may
 3 disclose that information to any other person. However, to obtain protection under
 4 s. 230.83, before disclosing that information to any person other than his or her
 5 attorney, ~~collective bargaining representative~~ or legislator, the employee shall do
 6 either of the following:

7 **SECTION 248.** 230.81 (3) of the statutes is amended to read:

8 230.81 (3) Any disclosure of information by an employee to his or her attorney,
 9 ~~collective bargaining representative~~ or legislator or to a legislative committee or
 10 legislative service agency is a lawful disclosure under this section and is protected
 11 under s. 230.83.

12 **SECTION 249.** 230.88 (2) (b), of the statutes is repealed.

13 ~~SECTION 250.~~ 233.02 (1) (h) of the statutes is repealed.

14 ~~SECTION 251.~~ 233.02 (8) of the statutes is amended to read:

15 233.02 (8) The members of the board of directors shall annually elect a
 16 chairperson and may elect other officers as they consider appropriate. Eight voting
 17 members of the board of directors constitute a quorum for the purpose of conducting
 18 the business and exercising the powers of the authority, notwithstanding the
 19 existence of any vacancy. The members of the board of directors specified under sub.
 20 (1) (c) and (g) may not be the chairperson of the board of directors for purposes of 1995
 21 Wisconsin Act 27, section 9159 (2). The board of directors may take action upon a vote
 22 of a majority of the members present, unless the bylaws of the authority require a
 23 larger number.

24 ~~SECTION 252.~~ 233.03 (7) of the statutes is amended to read:

NS
34-3
C

1 233.03 (7) Subject to s. 233.10 and ch. 40 and 1995 Wisconsin Act 27, section
2 9159 (4) ~~and the duty to engage in collective bargaining with employees in a collective~~
3 ~~bargaining unit for which a representative is recognized or certified under subch. I~~
4 ~~of ch. 111, employ any agent, employee or special advisor that the authority finds~~
5 ~~necessary and fix his or her compensation and provide any employee benefits,~~
6 ~~including an employee pension plan.~~

7 SECTION ~~253~~. 233.04 (2) of the statutes is amended to read:

8 233.04 (2) Subject to subs. (4) ~~to (4r)~~ and (4m) and s. 233.10, develop and
9 implement a personnel structure and other employment policies for employees of the
10 authority.

11 SECTION ~~254~~. 233.04 (4r) of the statutes is repealed.

12 SECTION ~~255~~. 233.10 (1) of the statutes is amended to read:

13 233.10 (1) Subject to s. 233.04 (4) ~~to (4r)~~ and (4m) and 1995 Wisconsin Act 27,
14 section 9159 (2) and (4), the authority shall employ such employees as it may require
15 and shall determine the qualifications and duties of its employees. Appointments
16 to and promotions in the authority shall be made according to merit and fitness.

17 SECTION ~~256~~. 233.10 (2) (intro.) of the statutes is amended to read:

18 233.10 (2) (intro.) Subject to subs. (3), ~~(3m)~~, (3r) and (3t) and ch. 40 ~~and the duty~~
19 ~~to engage in collective bargaining with employees in a collective bargaining unit for~~
20 ~~which a representative is recognized or certified under subch. I of ch. 111, the~~
21 authority shall establish any of the following:

22 SECTION ~~257~~. 233.10 (3) (a) (intro.) of the statutes is amended to read:

23 233.10 (3) (a) (intro.) In this subsection and ~~subs. (3m) and sub. (4)~~, "carry-over
24 employee" means an employee of the authority who satisfies all of the following:

25 SECTION ~~258~~. 233.10 (3) (b) of the statutes is repealed.

1 SECTION ~~259~~. 233.10 (3) (c) (intro.) of the statutes is amended to read:

2 233.10 (3) (c) (intro.) If an employee of the authority is a carry-over employee
3 ~~and is an employee to whom par. (b) does not apply~~, the authority shall, when setting
4 the terms of the carry-over employee's employment during the period beginning on
5 June 29, 1996, and ending on June 30, 1997, do all of the following:

6 SECTION ~~260~~. 233.10 (3) (d) of the statutes is amended to read:

7 233.10 (3) (d) If an employee of the authority is not a carry-over employee ~~and~~
8 ~~is an employee to whom par. (b) does not apply~~, the authority shall, from June 29,
9 1996, to June 30, 1997, provide that employee the same rights, benefits and
10 compensation provided to a carry-over employee under par. (c) who holds a position
11 at the authority with similar duties.

12 SECTION ~~261~~. 233.10 (3m) of the statutes is repealed.

13 SECTION 262. 251.01 (7m) of the statutes is repealed.

14 SECTION 263. 251.02 (1m) (intro.) of the statutes is amended to read:

15 251.02 (1m) (intro.) ~~Subject to sub. (1r), in~~ In counties with a population of less
16 than 500,000, the county board and the governing body of a city that has a city health
17 department may jointly establish a city-county health department, which shall meet
18 the requirements of this chapter. A city-county health department shall serve all
19 areas of the county that are not served by a city health department that was
20 established prior to January 1, 1994, by a town or village health department
21 established under sub. (3m), or by a multiple municipal local health department
22 established under sub. (3r). A city-county health department established under this
23 subsection after September 1, 2001, is subject to the control of the city and county
24 acting jointly under an agreement entered into under s. 66.0301 that specifies, in
25 conformity with this chapter, all of the following:

1WS
34-3
9
↓

SECTION 264

34-303
6014

1 ~~SECTION 264. 251.02 (1r) of the statutes is repealed.~~

2 SECTION ~~265~~ 281.75 (4) (b) 3. of the statutes is amended to read:

3 281.75 (4) (b) 3. An authority created under subch. II of ch. 114 or ch. ~~52~~, 231,
4 233, 234, or 237.

5 SECTION ~~266~~ 285.59 (1) (b) of the statutes is amended to read:

6 285.59 (1) (b) "State agency" means any office, department, agency, institution
7 of higher education, association, society or other body in state government created
8 or authorized to be created by the constitution or any law which is entitled to expend
9 moneys appropriated by law, including the legislature and the courts, the Wisconsin
10 Housing and Economic Development Authority, the Bradley Center Sports and
11 Entertainment Corporation, the University of Wisconsin Hospitals and Clinics
12 Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace
13 Authority, ~~the Wisconsin Quality Home Care Authority~~, and the Wisconsin Health
14 and Educational Facilities Authority.

15 SECTION ~~267~~ 704.31 (3) of the statutes is amended to read:

16 704.31 (3) This section does not apply to a lease to which a local professional
17 baseball park district created under subch. III of ch. 229, ~~the Wisconsin Quality~~
18 ~~Home Care Authority~~, or the Fox River Navigational System Authority is a party.

19 SECTION ~~268~~ 851.71 (4) of the statutes is amended to read:

20 851.71 (4) In counties having a population of 500,000 or more, the appointment
21 under subs. (1) and (2) shall be made as provided in those subsections but the judges
22 shall not remove the register in probate and deputy registers, except through charges
23 for dismissal made and sustained under s. 63.10 ~~or an applicable collective~~
24 ~~bargaining agreement.~~

25 SECTION 269. 904.085 (2) (a) of the statutes is amended to read:

be years later. The unions may still have duties under the CBAs regarding the employees but will not receive dues. Is that OK?

1 (c) Each political subdivision with an employee who is not included as a
2 municipal employee under section 111.70 (1) (i) of the statutes, as affected by this act,
3 shall establish a compensation plan to cover those employees as follows:

4 1. If the employees are covered by a collective bargaining agreement that
5 expired prior to, or expires on, the effective date of this subdivision, the political
6 subdivision shall establish a compensation plan that covers those employees no later
7 than 6 months after the effective date of this subdivision.

8 2. If the employees are covered by a collective bargaining agreement that
9 expires after the effective date of this subdivision, the political subdivision shall
10 establish a compensation plan that covers those employees no later than 6 months
11 after the collective bargaining agreement expires.

*Section 12
9135,
13
Non-statutory
Provisions;
11*

~~§~~ WISCONSIN QUALITY HOME CARE AUTHORITY ASSETS, LIABILITIES, PERSONAL
PROPERTY, AND CONTRACTS.

(a) On the effective date of this paragraph, the assets and liabilities of the
Wisconsin Quality Home Care Authority shall become the assets and liabilities of the
department of health services.

(b) On the effective date of this paragraph, all tangible personal property,
including records, of the Wisconsin Quality Home Care Authority is transferred to
the department of health services.

(c) All contracts entered into by the Wisconsin Quality Home Care Authority
in effect on the effective date of this paragraph remain in effect and are transferred
to the department of health services. The department of health services shall carry

*INS
34-9*



1 out any obligations under such a contract until the contract is modified or rescinded
2 by the department of health services to the extent allowed under the contract.

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

4 (1) WAGE PROVISION CONTINUATION; UNION DUES.

5 (a) The wage provisions of any collective bargaining agreement under
6 subchapter I, V, or VI of chapter 111, 2009 stats., that expired on June 30, 2009,
7 continue to cover the employees who were covered by those collective bargaining
8 agreements until July 1, 2011, or until the joint committee on employment relations
9 completes a modified classification and compensation plan that includes the
10 employees, whichever occurs later.

11 (b) Notwithstanding the provisions of any fair-share agreement, maintenance
12 of membership agreement, or other agreement to pay dues to a labor organization,
13 any employee under subchapter I, V, or VI of chapter 111, 2009 stats., may stop
14 making those dues payments on the effective date of this paragraph.

15 **SECTION 9332. Initial applicability; Local Government.**

16 (1) COLLECTIVE BARGAINING; MUNICIPAL EMPLOYEES. For municipal employees
17 who are covered by a collective bargaining agreement under subchapter IV of chapter
18 111 of the statutes that expires on or after the effective date of this subsection, the
19 treatment of sections 19.356 (2) (b), 19.36 (10) (intro.), 20.425 (1) (i), 40.21 (3m),
20 46.2895 (8) (a) 1., 49.825 (3) (a) and (b) 4., 49.826 (3) (a) and (b) 4., 59.58 (4) (b) and
21 (c), 66.1039 (6) (b), 111.70 (1) (a), (b), (d), (i), (j), (L), (n), (ne), and (nm), (2), (3) (a) 4.
22 and 7. and (b) 6., (3m), (3p), (4) (c) (title), 3. (intro.), and 4., (cm), (d) 2. a., (L), (m), (mc)
23 4., (n), and (o), (7) (a) and (b), (7m), and (8) (a), 111.71 (2), (4), and (5), 111.77 (intro.)
24 and (9), 117.25 (1) (d) 1., 2., and 3. and (3), 118.22 (4), 118.23 (5), 118.24 (9) (intro.),
25 (a), and (b), 118.40 (2r) (b) 3. a. and b., (7) (ar), and (8) (a) (intro.), 118.42 (3) (a) 4. and