



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-1187/P6  
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DOA:.....Boggs, BB0258 - Create authority for UW-Madison

**FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION**

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

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*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**HIGHER EDUCATION**

Currently, the UW System consists of 13 four-year institutions, including the UW-Madison, 13 two-year colleges, and the UW-Extension. The UW System is governed by the Board of Regents, which consists of the state superintendent of public instruction, the president of the technical college system, 14 citizen members, and two students. The latter 16 members are appointed by the governor and confirmed by the senate. There is a shared, hierarchical system of governance for the UW System: the Board of Regents has primary responsibility, followed by the UW System president, the chancellors of the institutions, the faculty, and the academic staff and students. Three boards are created in or attached to the UW System: the Environmental Education Board, the Laboratory of Hygiene Board, and the Veterinary Diagnostic Laboratory.

This bill creates an authority entitled the University of Wisconsin-Madison, consisting of the current UW-Madison. The bill also creates a board of trustees to govern the authority. Twenty-one members, 11 of whom are appointed by the governor, and the chancellor, who serves as a nonvoting member, comprise the Board of Trustees. The chancellor is appointed by the Board of Trustees to serve at its pleasure and is the chief executive officer of the authority. The bill establishes a shared, hierarchical governance system for the authority, consisting of the Board of Trustees, the chancellor, the faculty, and the academic staff and students.

The bill transfers all assets and liabilities of the current UW-Madison, including real property, and all incumbent UW-Madison employees to the authority. Until July 1, 2012, the authority must adhere to the terms of any collective bargaining agreement covering the employees, and the authority is considered an agency under the state employment relations laws for all purposes. Beginning July 1, 2012, the authority must implement its own personnel system. Tenured faculty at the current UW-Madison retain their tenure at the authority. The authority remains a participating employer in the Wisconsin Retirement System and authority employees retain health insurance and other benefits enjoyed as state employees. All contracts entered into by the Board of Regents that are primarily related to the operation of the current UW-Madison, including the contracts with the Board of Directors of the UW Hospitals and Clinics Authority, are transferred to the authority's Board of Trustees.

The bill does not require the Board of Trustees to promulgate administrative rules except for rules relating to conduct on university property. The bill authorizes the Board of Trustees to condemn property.

Current law prohibits the Board of Regents of the UW System from increasing resident undergraduate tuition beyond an amount sufficient to fund certain specified costs and activities, including the amounts specified in the state budget act, the approved recommendations of the director of the Office of State Employment Relations for staff compensation and fringe benefits, and distance education. This bill does not impose these restrictions on the establishment of tuition by the Board of Trustees.

The bill appropriates general purpose revenue, program revenue, and moneys from segregated funds to the authority. The authority is not required to deposit moneys that it receives, such as tuition, gifts, grants, and federal revenue, into the state treasury. However, it must transfer daily to the state treasurer for deposit into the local government pooled-investment fund the collected cash balance from all sources except gifts, grants, and donations. The bill authorizes the Board of Trustees to transfer gifts, grants, and donations to the UW Foundation.

The bill exempts the Board of Trustees from DOA's authority over state agency use of gasohol, alternative fuels, and hybrid-electric vehicles. The bill also exempts authority employees from certain requirements regarding employment or retention by another state agency or authority.

The bill abolishes the Laboratory of Hygiene Board and the Veterinary Diagnostic Laboratory Board and transfers their functions to the authority. The bill directs the Board of Trustees, instead of the Board of Regents, to appoint the director of the laboratory of hygiene, the director of the psychiatric institute, the state geologist, and the state cartographer.

The bill makes other changes regarding the UW-System and the UW-Madison, including the following:

1. The bill transfers loan assistance programs for physicians and other health care providers, but not dentist and dental hygienist programs, from the Board of Regents to the Board of Trustees.

2. The bill adds one person associated with the authority to each of the following boards and councils: the teachers retirement board in DETF, the natural areas preservation council in DNR, the professional standards council for teachers in DPI, the Higher Educational Aids Board, and the Technical College System Board.

3. The bill replaces certain Board of Regents members of the following bodies with Board of Trustees members: the University of Wisconsin Hospitals and Clinics Board and the board of directors of the University of Wisconsin Hospitals and Clinics Authority.

The bill does the following regarding legal proceedings involving the authority:

1. Under current law, no one may sue a state officer, employee, or agent who is acting in his or her official capacity for damages unless the person serves the attorney general with a written notice of claim within 120 days of the event that allegedly caused the damages. The bill applies the prohibition to actions against an officer, director, employee, or agent of the Board of Trustees.

2. With few exceptions, current law limits damages in a case against a state officer, employee, or agent who is acting in his or her official capacity to \$250,000. The bill applies the limit to actions against an officer, director, employee, or agent of the Board of Trustees.

3. Under current law, generally, if a public officer or a state employee is sued in an official capacity or for actions undertaken within the scope of his or her employment, the state or the political subdivision that employs the officer or employee must provide legal counsel to the defendant officer or employee or cover legal costs for the officer or employee. If damages are assessed against the officer or employee, the state or political subdivision must pay the damages. Under the bill, an officer, director, employer, or agent of the Board of Trustees is treated as a state officer, director, employer, or agent for purposes of the foregoing requirements.

4. Under current law, DOJ represents the state, state agencies, and state employees in certain legal proceedings, reviews, and actions. Under the bill, DOJ represents the Board of Trustees as a department of state government and the officials, employees, and agents of the board as state officials, employees, and agents for the purpose of representation in civil and criminal proceedings, and upon request, for the purpose of appearing for and representing the board or its officials, employees, or agents at an administrative or civil court proceeding.

See also STATE GOVERNMENT — STATE BUILDING PROGRAM and OTHER STATE GOVERNMENT.

## **STATE GOVERNMENT**

### **STATE BUILDING PROGRAM**

Currently, with limited exceptions, each state agency, including the UW System, must submit for approval of the Building Commission any contract for the engineering, design, construction, reconstruction, remodeling, or expansion of a building, structure, or facility if the project cost exceeds \$150,000; if the project cost exceeds \$500,000, the project must be enumerated in the Authorized State Building Program, which is set forth by law. Currently, DOA manages all engineering, design, and construction work for state agencies, including the UW System, but DOA may delegate its management authority to an agency for a specific project. If

management authority for a project is delegated, the agency to which authority is delegated is subject to the same requirements that apply to DOA if DOA manages the project directly. With limited exceptions, DOA must provide public notice of proposed work and let contracts to the lowest responsible bidder. Plans and specifications for all work on UW projects are subject to approval of DOA. DOA may assess and collect from state agencies, including the UW System, a construction project management fee to cover its costs in managing each project. With limited exceptions, each engineering, design, or construction contract for a state building, structure, or facility is subject to approval of the secretary of administration and, if the contract involves an expenditure of more than \$60,000, the approval of the governor. DOA must grant preference to Wisconsin-based firms under certain conditions and must attempt to ensure that 5 percent of the total amount that the state expends on DOA-supervised projects in each fiscal year is paid to minority-owned businesses and that a portion of that amount is also paid to disabled veteran-owned businesses.

This bill deletes DOA's and the governor's responsibility for management and supervision of, and approval of plans, specifications, and contracts for, any building, structure, or facility to be constructed, reconstructed, remodeled, or expanded for the authority if the project is funded entirely from sources other than state general purpose revenue or general fund supported bonding. The bill also deletes the requirement for approval of the Building Commission on any such project if the cost of the project does not exceed \$500,000. Under the bill, the authority is not required to adhere to any of the requirements that currently apply to DOA with respect to any such project and is not subject to assessment by DOA for its construction management services.

Currently, the UW System may not accept a gift or grant of real property valued in excess of \$30,000 or any gift of a building, structure, or facility that is constructed for the benefit of the UW System without approval of the Building Commission. Under the bill, this restriction does not apply to the authority. Currently, no state agency, including the UW System, may permit a facility that would be privately owned or operated to be constructed on state-owned land without approval of the Building Commission. Under the bill, this restriction does not apply to the authority.

#### **STATE FINANCE**

Currently, the secretary of administration may reallocate moneys from state funds or accounts to other state funds and accounts to cover deficiencies, subject to certain limitations, and may reallocate an amount equal to not more than 3 percent of current general purpose revenue appropriations to the general fund for not more than 30 days. This bill increases that amount to not more than 6 percent of current general purpose revenue appropriations.

#### **OTHER STATE GOVERNMENT**

Currently, except as otherwise provided by law, the records of a state or local governmental officer or entity are subject to the right of public inspection and copying unless the custodian demonstrates that the public interest in withholding access to the information in a record outweighs the strong public interest in providing access to that information. This bill permits any public institution of

higher education to withhold from access any information that is produced or collected by or for the faculty or staff of the institution in the conduct of, or as a result of, study or research on a commercial, scientific, or technical subject until that information is publicly disseminated or patented.

Under current law, the chancellor of the UW-Madison and the vice chancellor who serves as deputy are subject to the standards of conduct under the code of ethics for state public officials as well as the requirement to file annual statements of economic interests. Other employees of the UW-Madison are subject to a code of ethics established by the Board of Regents of the UW System. This bill continues coverage of the chancellor and vice chancellor under the code of conduct but not under the filing requirement and directs the Board of Trustees of the authority to establish a code of ethics for other employees of the authority.

Currently, DOA manages the state's risk management program, including worker's compensation and liability insurance, and annually assesses each state agency, including the UW System, for its risk management costs. This bill permits the authority with 6 months' notice, to opt in or out of the state's risk management program for any fiscal year.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

**SECTION 1.** 13.106 (title) of the statutes is amended to read:

**13.106** (title) ~~Medical College of Wisconsin and UW-Madison Medical School~~ school reports.

**SECTION 2.** 13.106 (1) (intro.) of the statutes is amended to read:

13.106 (1) (intro.) The Medical College of Wisconsin and the University of ~~Wisconsin-Madison Medical~~ Wisconsin School of Medicine and Public Health shall biennially report to the governor and the joint committee on finance on the:

**SECTION 3.** 13.106 (2) of the statutes is amended to read:

13.106 (2) The Medical College of Wisconsin and the University of ~~Wisconsin-Madison Medical~~ Wisconsin School of Medicine and Public Health shall submit a biennial report containing financial summaries for the college and school to the governor and the joint committee on finance, in a consistent format and



methodology to be developed in consultation with the medical education review committee under s. 39.16.

**SECTION 4.** 13.106 (3) (intro.) of the statutes is amended to read:

13.106 (3) (intro.) By October 15 of each even-numbered year, the Medical College of Wisconsin and the University of ~~Wisconsin-Madison~~ Wisconsin School of Medicine and Public Health shall submit a report to the governor and to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2) that provides information on all of the following:

**SECTION 5.** 13.172 (1) of the statutes, as affected by [2011 Wisconsin Act 7](#), is amended to read:

13.172 (1) In this section, “agency” means an office, department, agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, that is entitled to expend moneys appropriated by law, including the legislature and the courts, and any authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 37, 52, 231, 233, 234, 238, or 279.

\*\*\*NOTE: Section 13.172 specifies the manner for state agencies to provide reports to the legislature that are required by other statutes. The above applies s. 13.172 to the UW.

\*\*\*NOTE: It's unnecessary to include the UW in s. 13.40 (3m), because the provision is obsolete.

**SECTION 6.** 13.48 (1) of the statutes is amended to read:

13.48 (1) **POLICY.** The legislature finds and determines that it is necessary to improve the adequacy of the public building facilities that are required by the various state agencies and the University of Wisconsin-Madison including the educational institutions, for the proper performance of their duties and functions, and that it is in the interest of economy, efficiency and the public welfare that such improvement

be accomplished by means of a long-range public building program, with funds to be provided by successive legislatures. The long-range program shall include the necessary lands, new buildings, and all facilities and equipment required and also the remodeling, reconstruction, maintenance and reequipping of existing buildings and facilities, as determined by the building commission.

**SECTION 7.** 13.48 (1m) (b) of the statutes is amended to read:

13.48 (1m) (b) The long-range public building program shall recognize the importance of historic properties and shall include a program of preservation and restoration of those historic properties under the control of the state and the University of Wisconsin-Madison as provided in s. 44.41, including criteria for determining which historic properties should be preserved and restored.

**SECTION 8.** 13.48 (1m) (c) of the statutes is amended to read:

13.48 (1m) (c) The long-range public building program shall require the biennial review of each historic property under the control of the state and the University of Wisconsin-Madison to determine the current uses of the property and compliance by state agency compliance agencies and the University of Wisconsin-Madison with the requirements of the long-range program.

**SECTION 9.** 13.48 (1m) (d) of the statutes is amended to read:

13.48 (1m) (d) The building commission shall allocate, from that portion of the state building program funding which is available to all state agencies and the University of Wisconsin-Madison, an amount of funds deemed necessary by the building commission for the preservation, restoration and maintenance of historic properties under the control of the state and the University of Wisconsin-Madison.

**SECTION 10.** 13.48 (2) (b) 2. of the statutes is amended to read:

**SECTION 10**

13.48 (2) (b) 2. In the construction of all new buildings or additions to existing buildings used for housing state offices and constructed for general state purposes and not specially for the use of any particular state agency or the University of Wisconsin-Madison, the building commission shall function with respect to such construction in the same manner as other state agencies function with respect to buildings constructed for such agencies. The building commission shall fix the rental for all space in such buildings, and, notwithstanding any other statute, may remove to any building any department housed in the state capitol. After the completion of such buildings, they shall be in the charge of the department of administration as provided by s. 16.84.

**SECTION 11.** 13.48 (2) (d) of the statutes is repealed.

**SECTION 12.** 13.48 (2) (e) 2. of the statutes is amended to read:

13.48 (2) (e) 2. It is the intent of the legislature that it be given a complete picture of the results of its past decisions regarding the state's state building program which will serve as background for making further decisions.

**SECTION 13.** 13.48 (2) (g) of the statutes is amended to read:

13.48 (2) (g) The building commission shall review assessments on property of the state and the University of Wisconsin-Madison under s. 66.0703 (6).

**SECTION 14.** 13.48 (3) of the statutes is amended to read:

13.48 (3) STATE BUILDING TRUST FUND. In the interest of the continuity of the program, the moneys appropriated to the state building trust fund under s. 20.867 (2) (f) shall be retained as a nonlapsing building depreciation reserve. Such moneys shall be deposited into the state building trust fund. At such times as the building commission directs, or in emergency situations under s. 16.855 (16) (b), the governor shall authorize releases from this fund to become available for projects of state



agencies or the University of Wisconsin–Madison and shall direct the department of administration to allocate from this fund such amounts as are approved for these projects. In issuing such directions, the building commission shall consider the cash balance in the state building trust fund, the necessity and urgency of the proposed improvement, employment conditions and availability of materials in the locality in which the improvement is to be made. The building commission may authorize any project costing \$500,000 or less for any state agency or the University of Wisconsin–Madison in accordance with priorities to be established by the building commission and may adjust the priorities by deleting, substituting or adding new projects as needed to reflect changing program needs and unforeseen circumstances. The building commission may enter into contracts for the construction of buildings for any state agency or the University of Wisconsin–Madison, except a project authorized under sub. (10) (c), and shall be responsible for accounting for all funds released to projects. The building commission may designate the department of administration, the University of Wisconsin–Madison, or the agency for which the project is constructed to act as its representative in such accounting.

**SECTION 15.** 13.48 (4) of the statutes is amended to read:

13.48 (4) STATE AGENCIES AND THE UNIVERSITY OF WISCONSIN–MADISON TO REPORT PROPOSED PROJECTS. ~~Each~~ Whenever any state agency ~~contemplating or the~~ University of Wisconsin–Madison contemplates a project under ~~this the state building program, it~~ shall report its proposed projects the project to the building commission. The report shall be made on such date and in such manner as the building commission prescribes. This subsection does not apply to projects identified in sub. (10) (c).

**SECTION 16.** 13.48 (6) of the statutes is amended to read:

13.48 (6) REVIEW OF PROJECTS. All reports submitted as provided by sub. (4) shall be reviewed by the building commission, which shall make its report as soon after November 20 as is possible. Such report shall include specific recommendations and establish priorities for the next 3 biennia from among all projects submitted which the building commission deems essential and shall recommend additional appropriations if necessary for the execution thereof. The building commission shall include in the report any projects proposed by the state fair park board involving a cost of not more than \$250,000, together with the method of financing proposed for those projects by the board, without recommendation. The building commission shall include in its report an appraisal and recommendation of available and alternative methods of financing buildings for the use of state agencies and the University of Wisconsin–Madison and shall file copies of its report with the governor–elect.

**SECTION 17.** 13.48 (10) (c) of the statutes is created to read:

13.48 (10) (c) Paragraph (a) does not apply to any contract for a building project involving a cost of not more than \$500,000 to be constructed for the University of Wisconsin–Madison that is funded entirely from sources other than general purpose revenue or general fund supported borrowing.

**SECTION 18.** 13.48 (12) (b) 6. of the statutes is created to read:

13.48 (12) (b) 6. A facility constructed by or for the University of Wisconsin–Madison.

**SECTION 19.** 13.48 (13) (a) of the statutes, as affected by [2011 Wisconsin Act 7](#), is amended to read:

13.48 (13) (a) Except as provided in par. (b) or (c), every building, structure or facility that is constructed for the benefit of or use of the state, any state agency,

board, commission or department, the University of Wisconsin-Madison, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Quality Home Care Authority, the Wisconsin Economic Development Corporation, or any local professional baseball park district created under subch. III of ch. 229 if the construction is undertaken by the department of administration on behalf of the district, shall be in compliance with all applicable state laws, rules, codes and regulations but the construction is not subject to the ordinances or regulations of the municipality in which the construction takes place except zoning, including without limitation because of enumeration ordinances or regulations relating to materials used, permits, supervision of construction or installation, payment of permit fees, or other restrictions.

\*\*\*\*NOTE: Section 13.48 (14), stats., governing sale or lease of state lands and property, is not amended because by its terms it applies only to state agencies, state-owned buildings and structures, and state-owned land.

**SECTION 20.** 13.48 (15) of the statutes is amended to read:

13.48 (15) ACQUISITION OF LEASEHOLD INTERESTS. Subject to the requirements of s. 20.924 (1) (i), the building commission shall have the authority to acquire leasehold interests in land and buildings where such authority is not otherwise provided to an agency or the University of Wisconsin-Madison by law.

**SECTION 21.** 13.48 (19) of the statutes is amended to read:

13.48 (19) ALTERNATIVES TO STATE CONSTRUCTION. Whenever the building commission determines that the use of innovative types of design and construction processes will make better use of the resources and technology available in the building industry, the building commission may waive any or all of s. 16.855 if such action is in the best interest of the state or the University of Wisconsin-Madison and if the waiver is accomplished through formal action of the building commission. The

building commission may authorize the lease, lease purchase or acquisition of such state facilities constructed in the manner authorized by the building commission. Subject to the requirements of s. 20.924 (1) (i), the building commission may also authorize the lease, lease purchase or acquisition of existing facilities in lieu of state construction of any project enumerated in the authorized state building program.

**SECTION 22.** 13.48 (25) of the statutes is amended to read:

13.48 (25) WISCONSIN INITIATIVE FOR STATE TECHNOLOGY AND APPLIED RESEARCH. There is created a program, to be known as the Wisconsin initiative for state technology and applied research, for the purpose of providing financial support to maintain the ability of the University of Wisconsin–Madison and the University of Wisconsin System and other state agencies, as defined in s. 20.001 (1), to attract federal and private research funds which enable the state to engage in high-technology endeavors, which expand the state's economy and which influence the ability of the state and nation to compete in an increasingly complex world. To carry out the program, the building commission may authorize new construction projects and projects to repair and renovate existing research facilities and supporting systems. Projects shall be financed from the appropriation under s. 20.866 (2) (z) or as otherwise provided in the authorized state building program.

**SECTION 23.** 13.48 (25t) of the statutes is amended to read:

13.48 (25t) WISBUILD INITIATIVE. There is created a program, to be known as the “Wisbuild initiative”, for the purpose of providing financial support for the maintenance, repair and renovation of state-owned buildings owned by the state and the University of Wisconsin–Madison. Funding may be provided under the initiative for high priority, comprehensive building renovation projects, as well as for the maintenance and repair of the exterior components of buildings and, without

limitation because of enumeration, systems such as mechanical, electrical, plumbing and other building systems. Funding may also be provided under the initiative for projects to remove barriers that reduce access to and use of state facilities and University of Wisconsin–Madison facilities by persons with disabilities. The building commission shall allocate available funding for the initiative. Projects funded as a part of the initiative shall be financed from the appropriation under s. 20.866 (2) (z) or as otherwise provided in the authorized state building program.

**SECTION 24.** 13.48 (28) (title) of the statutes is amended to read:

13.48 (28) (title) STATE AND UNIVERSITY OF WISCONSIN–MADISON PROPERTY LEASED TO THE UNIVERSITY OF WISCONSIN HOSPITALS AND CLINICS AUTHORITY.

**SECTION 25.** 13.48 (29) of the statutes is amended to read:

13.48 (29) SMALL PROJECTS. Except as otherwise required under s. 16.855 (10m), the building commission may prescribe simplified policies and procedures to be used in lieu of the procedures provided in s. 16.855 for any project that does not require prior approval of the building commission under sub. (10) (a), except projects specified in sub. (10) (c).

**SECTION 26.** 13.488 (1) (intro.) of the statutes is amended to read:

13.488 (1) (intro.) For the purpose of providing housing for state departments and agencies and the University of Wisconsin–Madison, including housing for state offices anywhere in the state and the completion of the state office building, and all buildings, improvements, facilities or equipment or other capital items required in connection therewith, for the acquisition of lands for future office building development, and to refinance indebtedness previously or hereafter created by a nonprofit-sharing corporation for the purpose of providing a state office building or buildings or additions or improvements thereto which are located on land owned by

the state or by the nonprofit-sharing corporation, or for any one or more of said purposes, the building commission shall have the following powers and duties:

**SECTION 27.** 13.488 (5) of the statutes is amended to read:

13.488 (5) Unless the context requires otherwise, the terms “building”, “new buildings” and “existing buildings”, as used in this section, include all buildings, structures, improvements, facilities, equipment or other capital items as the building commission determines to be necessary or desirable for the purpose of providing housing for state departments ~~and~~, agencies, and the University of Wisconsin-Madison.

\*\*\*\*NOTE: Section 13.488, stats. is not amended because the section, except sub. (1) (m) relating to arbitrage payments, pertains to dummy building corporations which have not been used since 1969. No amendment of sub. (1) (m) is required.

**SECTION 28.** 13.62 (2) of the statutes, as affected by [2011 Wisconsin Act 7](#), is amended to read:

13.62 (2) “Agency” means any board, commission, department, office, society, institution of higher education, council, or committee in the state government, or any authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. ~~37~~, 52, 231, 232, 233, 234, 237, 238, or 279, except that the term does not include a council or committee of the legislature.

\*\*\*\*NOTE: This SECTION provides that the UW is subject to the same requirements that apply to agencies under subch. III of ch. 13, which regulates lobbying.

**SECTION 29.** 13.94 (1) (intro.) of the statutes is amended to read:

13.94 (1) DUTIES OF THE BUREAU. (intro.) The legislative audit bureau shall be responsible for conducting postaudits of the accounts and other financial records of departments to assure that all financial transactions have been made in a legal and proper manner. In connection with such postaudits, the legislative audit bureau shall review the performance and program accomplishments of the department



during the fiscal period for which the audit is being conducted to determine whether the department carried out the policy of the legislature and the governor during the period for which the appropriations were made. In performing postaudits under this subsection, the legislative audit bureau shall not examine issues related to academic freedom within the University of Wisconsin–Madison or the University of Wisconsin System. A postaudit shall not examine into or comment upon the content of the various academic programs, including degree requirements, majors, curriculum or courses within the University of Wisconsin–Madison or the University of Wisconsin System, nor shall any such postaudit examine into the manner in which individual faculty members or groups of faculty members conduct their instructional, research or public service activities. This subsection does not preclude the bureau from reviewing the procedures by which decisions are made and priorities set in the University of Wisconsin–Madison or the University of Wisconsin System, or the manner in which such decisions and priorities are implemented within the University of Wisconsin–Madison or the University of Wisconsin System, insofar as such review is not inconsistent with s. 36.09 or 37.03. The legislative audit bureau shall audit the fiscal concerns of the state as required by law. To this end, it shall:

**SECTION 30.** 13.94 (4) (a) 1. of the statutes, as affected by [2011 Wisconsin Act 7](#), is amended to read:

13.94 (4) (a) 1. Every state department, board, examining board, affiliated credentialing board, commission, independent agency, council or office in the executive branch of state government; all bodies created by the legislature in the legislative or judicial branch of state government; any public body corporate and politic created by the legislature including specifically the University of Wisconsin–Madison, the Wisconsin Quality Home Care Authority, the Fox River

Navigational System Authority, the Lower Fox River Remediation Authority, and the Wisconsin Aerospace Authority, the Wisconsin Economic Development Corporation, a professional baseball park district, a local professional football stadium district, a local cultural arts district and a long-term care district under s. 46.2895; every Wisconsin works agency under subch. III of ch. 49; every provider of medical assistance under subch. IV of ch. 49; technical college district boards; every county department under s. 51.42 or 51.437; every nonprofit corporation or cooperative or unincorporated cooperative association to which moneys are specifically appropriated by state law; and every corporation, institution, association or other organization which receives more than 50% of its annual budget from appropriations made by state law, including subgrantee or subcontractor recipients of such funds.

**SECTION 31.** 13.95 (intro.) of the statutes, as affected by [2011 Wisconsin Act 7](#), is amended to read:

**13.95 Legislative fiscal bureau.** (intro.) There is created a bureau to be known as the “Legislative Fiscal Bureau” headed by a director. The fiscal bureau shall be strictly nonpartisan and shall at all times observe the confidential nature of the research requests received by it; however, with the prior approval of the requester in each instance, the bureau may duplicate the results of its research for distribution. Subject to s. 230.35 (4) (a) and (f), the director or the director’s designated employees shall at all times, with or without notice, have access to all state agencies, the University of Wisconsin Hospitals and Clinics Authority, the University of Wisconsin–Madison, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, the Lower Fox River Remediation Authority, the Wisconsin Quality Home Care Authority, the Wisconsin Economic

Development Corporation, and the Fox River Navigational System Authority, and to any books, records, or other documents maintained by such agencies or authorities and relating to their expenditures, revenues, operations, and structure.

**SECTION 32.** 14.015 (1) of the statutes is amended to read:

14.015 (1) **DISABILITY BOARD.** There is created a disability board which is attached to the office of the governor under s. 15.03. Where not in conflict with s. 17.025, s. 15.07 applies to the disability board. The disability board shall consist of the governor, the chief justice of the supreme court, the speaker of the assembly, the president of the senate, the minority leader of the assembly, the minority leader of the senate, and the dean of the University of Wisconsin Medical School of Medicine and Public Health. In case of the absence or disability of any of the members to serve for a particular meeting of the board, the lieutenant governor, a justice of the supreme court designated by the chief justice, the deputy speaker of the assembly, the majority leader of the senate, the assistant minority leader of the assembly, the assistant minority leader of the senate, or an associate dean of the University of Wisconsin Medical School of Medicine and Public Health designated by the dean shall serve, respectively, in place of the officers.

**SECTION 33.** 14.76 (1m) of the statutes is created to read:

14.76 (1m) In this section, “state agency” includes the University of Wisconsin–Madison.

**SECTION 34.** 15.105 (25m) (bm) of the statutes is created to read:

15.105 (25m) (bm) The chairperson of the board of trustees of the University of Wisconsin–Madison or his or her designee.

\*\*\*NOTE: This is reconciled s. 15.105 (25m) (bm). This SECTION has been affected by drafts with the following LRB numbers: LRB-1187/P4 and LRB-0698/3.

**SECTION 35.** 15.165 (3) (a) (intro.) of the statutes is amended to read:

15.165 (3) (a) (intro.) There is created in the department of employee trust funds a teachers retirement board. The board shall consist of ~~13~~ 14 members, to serve for staggered 5-year terms. The board shall consist of the following members:

**SECTION 36.** 15.165 (3) (a) 8. of the statutes is created to read:

15.165 (3) (a) 8. One University of Wisconsin-Madison representative who is a teacher participant in the Wisconsin retirement system.

**SECTION 37.** 15.347 (4) (f) of the statutes is created to read:

15.347 (4) (f) One from the University of Wisconsin-Madison appointed by the board of trustees of the University of Wisconsin-Madison.

**SECTION 38.** 15.377 (8) (c) 8m. of the statutes is created to read:

15.377 (8) (c) 8m. One faculty member of a department or the School of Education in the University of Wisconsin-Madison recommended by the chancellor of the University of Wisconsin-Madison.

**SECTION 39.** 15.377 (8) (c) 10. of the statutes is amended to read:

15.377 (8) (c) 10. One additional faculty member, appointed from the list of persons recommended under subd. 8., 8m., or 9.

**SECTION 40.** 15.67 (1) (a) 1m. of the statutes is created to read:

15.67 (1) (a) 1m. One member of the board of trustees of the University of Wisconsin-Madison.

**SECTION 41.** 15.797 (1) (b) 8. of the statutes is amended to read:

15.797 (1) (b) 8. One member who is a University of Wisconsin System or University of Wisconsin-Madison faculty member with expertise regarding the health impacts of wind energy systems.

**SECTION 42.** 15.91 of the statutes is amended to read:

**15.91 Board of regents of the University of Wisconsin System; creation.**

There is created a board of regents of the University of Wisconsin System consisting of the state superintendent of public instruction, the president, or by his or her designation another member, of the technical college system board and 14 citizen members appointed for staggered 7-year terms, and 2 students enrolled at least half-time and in good academic standing at institutions within the University of Wisconsin System who are residents of this state, for 2-year terms. The student members may be selected from recommendations made by elected representatives of student governments at institutions within the University of Wisconsin System. The governor shall appoint one student member who is at least 18 years old and one undergraduate student member who is at least 24 years old and represents the views of nontraditional students, such as those who are employed or are parents. The governor may not appoint a student member from the same institution in any 2 consecutive terms; and the 2 student members who are appointed may not be from the same institution; ~~and a student from the University of Wisconsin-Madison and a student from the University of Wisconsin-Milwaukee may not serve on the Board of Regents at the same time.~~ If a student member loses the status upon which the appointment was based, he or she shall cease to be a member of the board of regents.

**SECTION 43.** 15.915 (1) of the statutes is repealed.

**SECTION 44.** 15.915 (2) of the statutes is repealed.

**SECTION 45.** 15.917 (1) (a) of the statutes is amended to read:

15.917 (1) (a) A representative of the University of Wisconsin ~~Medical School~~  
of Medicine and Public Health.

**SECTION 46.** 15.94 (intro.) of the statutes is amended to read:

**15.94 Technical college system board; creation.** (intro.) There is created a technical college system board consisting of ~~13~~ 14 members. No person may serve as president of the board for more than 2 successive annual terms. The board shall be composed of:

**SECTION 47.** 15.94 (2v) of the statutes is created to read:

15.94 (2v) The chairperson, or by his or her designation another member, of the board of trustees of the University of Wisconsin-Madison.

**SECTION 48.** 15.96 (1) (b) of the statutes is amended to read:

15.96 (1) (b) Three members of the board of ~~regents~~ trustees of the University of Wisconsin-Madison appointed by the ~~president~~ chairperson of the board of ~~regents~~ trustees.

**SECTION 49.** 15.96 (1) (d) of the statutes is amended to read:

15.96 (1) (d) The dean of the University of ~~Wisconsin-Madison Medical~~ Wisconsin School of Medicine and Public Health.

**SECTION 50.** 15.96 (1) (e) of the statutes is amended to read:

15.96 (1) (e) A chairperson of a department at the University of ~~Wisconsin-Madison Medical~~ Wisconsin School of Medicine and Public Health, appointed by the chancellor of the University of Wisconsin-Madison.

**SECTION 51.** 15.96 (1) (f) of the statutes is amended to read:

15.96 (1) (f) A faculty member of a health professions school of the University of Wisconsin-Madison ~~health professions school~~, other than the University of ~~Wisconsin-Madison Medical~~ Wisconsin School of Medicine and Public Health, appointed by the chancellor of the University of Wisconsin-Madison.

**SECTION 52.** 16.002 (2) of the statutes, as affected by [2011 Wisconsin Act 7](#), is amended to read:



16.002 (2) “Departments” means constitutional offices, departments, and independent agencies and includes all societies, associations, and other agencies of state government for which appropriations are made by law, but not including authorities created in subch. II of ch. 114 or subch. III of ch. 149 or in ~~chs.~~ ch. 37, 52, 231, 232, 233, 234, 235, 237, 238, or 279.

\*\*\*\*NOTE: The above exempts the UW from the following:

Section 16.52 (11), which allows the DOA secretary to “allocate and charge, and ... prescribe the procedures for departments to allocate and charge, the central services costs of [DOA] or of individual departments to selected federal grants or contracts.”

Section 16.53 (1) (ca), which requires all departments to “diligently review and supervise the travel expenditures of their employees” and allows them to promulgate rules governing such expenditures that are consistent with uniform guidelines established under s. 20.916 (8).

Section 16.54 (10), which requires all departments, “before acceptance of any federal grant on behalf of the state which will or may involve the provision of auditing services by the legislative audit bureau,” to provide written notification to the state auditor.

Section 16.61 (3) (d) 1., which requires the public records board to establish a system for protecting essential public records in the event of a disaster and consult with state departments in determining what public records are essential for such system.

Section 16.61 (3) (d) 4., which requires the public records board to furnish state departments with copies of its final plan for preserving essential public records.

Section 16.85 (6), which requires DOA to “approve the appointment of a principal engineer or architect for departments, boards and commissions and when such continuous service is needed.”

**SECTION 53.** 16.004 (4) of the statutes, as affected by [2011 Wisconsin Act 7](#), is amended to read:

16.004 (4) **FREEDOM OF ACCESS.** The secretary and such employees of the department as the secretary designates may enter into the offices of state agencies and authorities created under subch. II of ch. 114 or subch. III of ch. 149 and under chs. 37, 52, 231, 233, 234, 237, 238, and 279, and may examine their books and accounts and any other matter that in the secretary’s judgment should be examined and may interrogate the agency’s employees publicly or privately relative thereto.

**SECTION 54.** 16.004 (5) of the statutes, as affected by [2011 Wisconsin Act 7](#), is amended to read:

16.004 (5) AGENCIES AND EMPLOYEES TO COOPERATE. All state agencies and authorities created under subch. II of ch. 114 or subch. III of ch. 149 and under chs. [37](#), [52](#), [231](#), [233](#), [234](#), [237](#), [238](#), and [279](#), and their officers and employees, shall cooperate with the secretary and shall comply with every request of the secretary relating to his or her functions.

**SECTION 55.** 16.004 (8) (am) of the statutes is amended to read:

16.004 (8) (am) The secretary shall maintain a system of rental policies for state-owned housing administered by all agencies other than the University of Wisconsin-Madison, and shall periodically review the system for possible changes. Whenever the secretary proposes to change rental policies other than rental rates, the secretary shall submit a report relating to the system to the joint committee on finance. The report shall include any changes in rental policies recommended by the secretary.

**SECTION 56.** 16.004 (12) (a) of the statutes, as affected by [2011 Wisconsin Act 7](#), is amended to read:

16.004 (12) (a) In this subsection, “state agency” means an association, authority, board, department, commission, independent agency, institution, office, society, or other body in state government created or authorized to be created by the constitution or any law, including the legislature, the office of the governor, and the courts, but excluding the University of Wisconsin Hospitals and Clinics Authority, the University of Wisconsin-Madison, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, the Lower Fox River Remediation

Authority, the Wisconsin Quality Home Care Authority, the Wisconsin Economic Development Corporation, and the Fox River Navigational System Authority.

**SECTION 57.** 16.04 (1) (intro.) of the statutes is amended to read:

16.04 (1) (intro.) The department shall ensure optimum efficiency and economy in the fleet management and maintenance activities of all agencies, as defined in s. 16.52 (7), other than the University of Wisconsin- Madison. The department may:

**SECTION 58.** 16.045 (1) (a) of the statutes, as affected by [2011 Wisconsin Act 7](#), is amended to read:

16.045 (1) (a) “Agency” means an office, department, independent agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, that is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. [37](#), [52](#), [231](#), [232](#), [233](#), [234](#), [235](#), [237](#), [238](#), or [279](#).

\*\*\*\*NOTE: The above exempts the UW from DOA’s authority over agency use of gasohol, alternative fuels, and hybrid-electric vehicles.

**SECTION 59.** 16.41 (1) of the statutes is amended to read:

16.41 (1) All agencies shall keep their accounts and other financial records as prescribed by the secretary under s. 16.40 (5), except as otherwise specifically directed by law. All agencies and authorities and the University of Wisconsin-Madison shall furnish to the secretary all information relating to their financial transactions which the secretary requests pursuant to this subchapter for such periods as the secretary requests, and shall render such assistance in connection with the preparation of the state budget report and the budget bill and in auditing accounts, as the secretary or the governor may require.

**SECTION 60.** 16.417 (1) (a) of the statutes, as affected by [2011 Wisconsin Act 7](#), section [19](#), is amended to read:

16.417 (1) (a) “Agency” means an office, department, independent agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, that is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority or the body created under subch. III of ch. 149 or under ch. [37](#) or [238](#).

\*\*\*\*NOTE: The above exempts the UW from the dual retention/employment requirements of s. 16.417 that apply to agencies and authorities. Note that s. 16.417 (1) (b) defines “authority” to include authorities created under specified statutes. By not including the UW in s. 16.417 (1) (b), and by excluding the UW from the definition of “agency” in the above, this draft exempts the UW from s. 16.417.

**SECTION 61.** 16.417 (1) (a) of the statutes, as affected by [2011 Wisconsin Act 7](#), section [20](#), and [2011 Wisconsin Act ...](#) (this act), is repealed and recreated to read:

16.417 (1) (a) “Agency” means an office, department, independent agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, that is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority or the body created under subch. III of ch. 149 or under ch. [37](#).

**SECTION 62.** 16.42 (1) (intro.) of the statutes is amended to read:

16.42 (1) (intro.) All agencies, ~~other than~~ including the University of Wisconsin-Madison but excluding the legislature and the courts, no later than September 15 of each even-numbered year, in the form and content prescribed by the department, shall prepare and forward to the department and to the legislative fiscal bureau the following program and financial information:

**SECTION 63.** 16.513 (1) of the statutes is amended to read:

16.513 (1) Each agency, including the University of Wisconsin–Madison, which has a program revenue appropriation or appropriation of segregated revenues from program receipts shall, at such times as required by the secretary, make quarterly reports to the department projecting the revenues and expenditures for the ensuing quarterly period under each such appropriation to the agency.

**SECTION 64.** 16.513 (3) (a) of the statutes is amended to read:

16.513 (3) (a) If there are insufficient moneys, assets, or accounts receivable, as determined under s. 20.903 (2), that are projected by an agency, including the University of Wisconsin–Madison, or projected by the department under s. 16.40 (7) to cover anticipated expenditures under a program revenue appropriation or appropriation of segregated revenues from program receipts, the agency shall propose and submit to the department a plan to assure that there are sufficient moneys, assets, or accounts receivable to meet projected expenditures under the appropriation.

**SECTION 65.** 16.528 (1) (a) of the statutes, as affected by [2011 Wisconsin Act 7](#), is amended to read:

16.528 (1) (a) “Agency” means an office, department, independent agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, that is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 37, 52, 231, 233, 234, 237, 238, or 279.

\*\*\*NOTE: The above exempts the UW from the requirements under s. 16.528 for an agency to pay interest on late payments made by the agency.

**SECTION 66.** 16.53 (2) of the statutes, as affected by [2011 Wisconsin Act 7](#), is amended to read:

16.53 (2) IMPROPER INVOICES. If an agency receives an improperly completed invoice, the agency shall notify the sender of the invoice within 10 working days after it receives the invoice of the reason it is improperly completed. In this subsection, “agency” means an office, department, independent agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, that is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. [37](#), [52](#), [231](#), [233](#), [234](#), [237](#), [238](#), or [279](#).

**SECTION 67.** 16.53 (7) of the statutes is amended to read:

16.53 (7) CERTIFICATION OF BOARDS, EVIDENCE OF CORRECTNESS OF ACCOUNT. The certificate of the proper officers of the ~~board of regents~~ Board of Regents of the University of Wisconsin System, ~~the Board of Trustees of the University of Wisconsin-Madison~~, the department of health services, or the proper officers of any other board or commission organized or established by the state, shall in all cases be evidence of the correctness of any account which may be certified by them.

**SECTION 68.** 16.54 (8g) of the statutes is amended to read:

16.54 (8g) Subsections (1) to (8) do not apply to federal moneys made available to the ~~board of regents~~ Board of Regents of the University of Wisconsin System ~~or the Board of Trustees of the University of Wisconsin-Madison~~ for instruction, extension, special projects or emergency employment opportunities.

\*\*\*NOTE: The above ensures that the UW maintains an exemption under current law that applies to the UW-System.



**SECTION 69.** 16.54 (8r) (a) of the statutes is amended to read:

16.54 **(8r)** (a) Whenever the federal government makes available moneys for instruction, extension, special projects or emergency employment opportunities, the ~~board of regents~~ Board of Regents of the University of Wisconsin System ~~and the Board of Trustees of the University of Wisconsin-Madison~~ may accept the moneys on behalf of the state. The ~~board of regents~~ Board of Regents and the Board of Trustees shall, in the administration of the expenditure of such moneys, comply with the requirements of the act of congress making the moneys available and with the regulations prescribed by the federal government or the federal agency administering the act, insofar as the act or regulations are consistent with state law. The ~~board of regents~~ Board of Regents and the Board of Trustees may submit any plan, budget, application or proposal required by the federal agency as a precondition to receipt of the moneys. The ~~board of regents~~ Board of Regents and the Board of Trustees may, consistent with state law, perform any act required by the act of congress or the federal agency to carry out the purpose of the act of congress. The ~~board of regents~~ Board of Regents shall deposit all moneys received under this paragraph in the appropriation account under s. 20.285 (1) (m).

**SECTION 70.** 16.54 (9) (a) 1. of the statutes, as affected by [2011 Wisconsin Act 7](#), is amended to read:

16.54 **(9)** (a) 1. "Agency" means an office, department, independent agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 37, 52, 231, 233, 234, 237, 238, or 279.

\*\*\*NOTE: The above exempts the UW from the requirements under s. 16.54 (9) that apply to "moneys received by an agency from the federal government as reimbursement for indirect costs of administration of a federal grant or contract for which no specific use is mandated by the federal government."

**SECTION 71.** 16.61 (13) (a) of the statutes is amended to read:

16.61 (13) (a) The historical society, as trustee for the state, shall be the ultimate depository of the archives of the state, and the board may transfer to the society such original records and reproductions as it deems proper and worthy of permanent preservation, including records and reproductions which the custodian thereof has been specifically directed by statute to preserve or keep in the custodian's office. The permanent preservation of records of the University of Wisconsin System and of the University of Wisconsin-Madison may be accomplished under par. (b). The society may deposit in the regional depositories established under s. 44.10, title remaining with the society, the records of state agencies or their district or regional offices which are primarily created in the geographic area serviced by the depository, but the records of all central departments, offices, establishments and agencies shall remain in the main archives in the capital city under the society's immediate jurisdiction, except that the society may place the records temporarily at a regional depository for periods of time to be determined by the society. Nothing in this subsection nor in ch. 44 prevents the society's taking the steps for the safety of articles and materials entrusted to its care in library, museum or archives, including temporary removal to safer locations, dictated by emergency conditions arising from a state of war, civil rebellion or other catastrophe.

**SECTION 72.** 16.61 (13) (b) of the statutes is amended to read:

16.61 (13) (b) The board may designate an archival depository at the University of Wisconsin-Madison and at each university as defined in s. 36.05 (13) which shall meet standards for university archival depositories established by the

board with the advice of the ~~board of regents~~ Board of Trustees, the Board of Regents, and the historical society or their respective designated representatives. The board may transfer to the appropriate university archival depository all original records and reproductions the board deems worthy of permanent preservation.

**SECTION 73.** 16.70 (1e) of the statutes is amended to read:

16.70 (1e) “Agency” means an office, department, agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, ~~but not including an.~~ “Agency” includes the University of Wisconsin–Madison but does not include any other authority.

**SECTION 74.** 16.705 (1r) (d) of the statutes is amended to read:

16.705 (1r) (d) Contractual services purchased by the Board of Regents of the University of Wisconsin System with moneys appropriated under s. 20.285 (1) (j), (ja), (jm), (u), or (w) ~~or (5) (j).~~

**SECTION 75.** 16.705 (1r) (e) of the statutes is created to read:

16.705 (1r) (e) Contractual services purchased by the Board of Trustees of the University of Wisconsin–Madison with moneys other than moneys appropriated under s. 20.280 (1) (a) to (s).

**SECTION 76.** 16.71 (4) of the statutes is created to read:

16.71 (4) The department shall delegate to the Board of Trustees of the University of Wisconsin–Madison the authority to enter into contracts for materials, supplies, equipment, or services that relate to higher education and that agencies other than the University of Wisconsin–System or the University of Wisconsin–Madison do not commonly purchase.

**SECTION 77.** 16.72 (8) of the statutes is amended to read:

16.72 (8) The department may purchase educational technology materials, supplies, equipment, or contractual services from orders placed with the department by school districts, cooperative educational service agencies, technical college districts, and the board of regents Board of Regents of the University of Wisconsin System, and the Board of Trustees of the University of Wisconsin-Madison.

**SECTION 78.** 16.73 (4m) of the statutes is created to read:

16.73 (4m) The Board of Trustees of the University of Wisconsin-Madison may enter into agreements with other higher education institutions under which any of the parties may agree to participate in, administer, sponsor, or conduct purchasing of materials, supplies, equipment, permanent personal property, miscellaneous capital, or contractual services. The University of Wisconsin-Madison may purchase from any vendor selected as a result of such purchasing agreements.

**SECTION 79.** 16.73 (5) of the statutes is amended to read:

16.73 (5) If the department designates the ~~board of regents~~ Board of Trustees of the University of Wisconsin System Wisconsin-Madison as its purchasing agent for any purpose under s. 16.71 (1), the board may enter into a contract to sell any materials, supplies, equipment or contractual services purchased by the board to the University of Wisconsin Hospitals and Clinics Authority, and may contract with the University of Wisconsin Hospitals and Clinics Authority for the joint purchase of any materials, supplies, equipment or contractual services if the sale or purchase is made consistently with that delegation and with this subchapter.

**SECTION 80.** 16.78 (1) of the statutes, as affected by [2011 Wisconsin Act 7](#), is amended to read:

16.78 (1) Every agency other than the ~~board of regents~~ Board of Regents of the University of Wisconsin System, ~~the Board of Trustees of the University of Wisconsin-Madison~~, or an agency making purchases under s. 16.74 shall make all purchases of materials, supplies, equipment, and contractual services relating to information technology or telecommunications from the department, unless the department requires the agency to purchase the materials, supplies, equipment, or contractual services pursuant to a master contract established under s. 16.972 (2) (h), or grants written authorization to the agency to procure the materials, supplies, equipment, or contractual services under s. 16.75 (1) or (2m), to purchase the materials, supplies, equipment, or contractual services from another agency or to provide the materials, supplies, equipment, or contractual services to itself. The ~~board of regents~~ Board of Regents of the University of Wisconsin System may make purchases of materials, supplies, equipment, and contractual services relating to information technology or telecommunications from the department.

**SECTION 81.** 16.847 (1) (b) of the statutes is amended to read:

16.847 (1) (b) “State facilities” means all property owned and operated by the state for the purpose of carrying out usual state functions, including the University of Wisconsin-Madison and each institution within the University of Wisconsin System.

\*\*\*NOTE: Section 16.848, stats., relating to sale of state-owned real property, is not amended because under the draft the UW's real property will not be state-owned.

**SECTION 82.** 16.85 (1) of the statutes is amended to read:

16.85 (1) To take charge of and supervise all engineering or architectural services or construction work, as defined in s. 16.87, performed by, or for, the state, or any department, board, institution, commission, or officer of the state, and any

such work to be performed for the University of Wisconsin-Madison, including nonprofit-sharing corporations organized for the purpose of assisting the state in the construction and acquisition of new buildings or improvements and additions to existing buildings as contemplated under ss. 13.488, 36.09, and 36.11, 37.03, and 37.11, except work to be performed for the University of Wisconsin-Madison with respect to a building, structure, or facility that is funded entirely from sources other than general purpose revenue or general fund supported borrowing; the engineering, architectural, and construction work of the department of transportation; and the engineering service performed by the department of commerce safety and professional services, department of revenue, public service commission, department of health services, and other departments, boards, and commissions when the service is not related to the maintenance, and construction and planning, of the physical properties of the state. The department may not authorize construction work for any state office facility in the city of Madison after May 11, 1990, unless the department first provides suitable space for a child care center primarily for use by children of state employees.

\*\*\*NOTE: This is reconciled s. 16.85 (1). This SECTION is affected by drafts with the following LRB numbers: LRB-1187 and LRB-1465.

**SECTION 83.** 16.85 (2) of the statutes, as affected by [2011 Wisconsin Act 7](#), is amended to read:

16.85 (2) To furnish engineering, architectural, project management, and other building construction services whenever requisitions therefor are presented to the department by any agency or the University of Wisconsin-Madison. The department may deposit moneys received from the provision of these services in the account under s. 20.505 (1) (kc) or in the general fund as general purpose revenue — earned.



In this subsection, “agency” means an office, department, independent agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 37, 52, 231, 233, 234, 237, 238, or 279.

**SECTION 84.** 16.85 (5) of the statutes is amended to read:

16.85 (5) To promote the use of energy conservation methods in state-owned facilities and facilities owned by the University of Wisconsin-Madison, to implement and refine a statewide energy monitoring system and to develop and implement initiatives of replacing fossil fuels with renewable energy fuels.

**SECTION 85.** 16.85 (7) of the statutes is amended to read:

16.85 (7) To rebuild and repair discarded machinery of the several state institutions and the University of Wisconsin-Madison when found feasible, and put the same back into service in the same department or at the university or in any other state department or the university, and upon requisition to furnish services and material and loan equipment at fair rentals based on the cost thereof, in connection with the construction, operation and maintenance of heating and power plants, utilities and equipment.

**SECTION 86.** 16.85 (10) of the statutes is amended to read:

16.85 (10) To prepare in cooperation with the state agencies concerned and with the University of Wisconsin-Madison, plans for the future growth and development of various state institutions and to serve as technical adviser to the building commission in connection with the development of the state long-range building program provided in ss. 13.48 and 13.482.

**SECTION 87.** 16.85 (12) of the statutes is amended to read:

16.85 (12) To review and approve plans and specifications for any building or structure that is constructed for the benefit of the University of Wisconsin System or any institution thereof, and to periodically review the progress of any such building or structure during construction to assure compliance with the approved plans and specifications. This subsection does not apply to any building, structure, or facility that is constructed, remodeled, repaired, renewed, or expanded for the University of Wisconsin-Madison if the project is funded entirely from sources other than general purpose revenue or general fund supported borrowing.

**SECTION 88.** 16.851 of the statutes is amended to read:

**16.851 Plans for state and university buildings, structures or facilities.**

Except as the department otherwise provides by rule, records of the department and the University of Wisconsin-Madison containing plans or specifications for any state-owned or state-leased or any university-owned or university-leased building, structure or facility, or any proposed state-owned or state-leased or university-owned or university-leased building, structure or facility, are not subject to the right of public inspection or copying under s. 19.35 (1). If the department or the University of Wisconsin-Madison transfers any records containing any such plans or specifications to any other authority as defined in s. 19.32 (1), the department or university shall require the authority to agree in writing not to make the record available for public inspection or copying except as the department otherwise permits by rule.

**SECTION 89.** 16.8511 of the statutes is amended to read:

**16.8511 Secretary of administration; powers, duties. (1)** The secretary or the secretary's designated assistants shall make a biennial inspection of each

building of each institution of the state and the University of Wisconsin-Madison. The secretary may delegate this responsibility to the board, commission or officer in charge of such institution.

(2) The secretary may delegate any of the work under this subchapter to the various state agencies or to the University of Wisconsin-Madison when the secretary determines that the best interests of the state or the university will be served. All such delegation will be in writing and accompanied by the proper rules and guidelines the agencies or the university must follow to ensure performance to the satisfaction of the secretary.

**SECTION 90.** 16.855 (2) (intro.) of the statutes is amended to read:

16.855 (2) (intro.) Except for projects authorized under s. 16.858, whenever the estimated construction cost of a project exceeds \$40,000, or if less and in the best interest of the state or the University of Wisconsin-Madison, the department shall:

**SECTION 91.** 16.855 (2) (b) 2. of the statutes is amended to read:

16.855 (2) (b) 2. If the federal government participates in a state or University of Wisconsin-Madison project, the bid guarantee required in this paragraph controls, unless the federal government makes a specific provision for a different bid guarantee.

**SECTION 92.** 16.855 (5) of the statutes is amended to read:

16.855 (5) Any or all bids may be rejected if, in the opinion of the department, it is in the best interest of the state or the University of Wisconsin-Madison. The reasons for rejection shall be given to the bidder or bidders in writing.

**SECTION 93.** 16.855 (7) of the statutes is amended to read:

16.855 (7) The department may issue contract change orders, if they are deemed to be in the best interests of the state or the University of Wisconsin-Madison.

**SECTION 94.** 16.855 (10) of the statutes is amended to read:

16.855 (10) When the department believes that it is in the best interests of the state or the University of Wisconsin-Madison to contract for certain articles or materials available from only one source, it may contract for said articles or materials without the usual statutory procedure, after a publication of a class 1 notice, under ch. 985, in the official state newspaper.

**SECTION 95.** 16.855 (13) (c) of the statutes is amended to read:

16.855 (13) (c) Changes may be made in the list of subcontractors, with the agreement of the department and the prime contractor, when in the opinion of the department it is in the best interests of the state or the University of Wisconsin-Madison to require the change.

**SECTION 96.** 16.855 (14) (b) of the statutes is amended to read:

16.855 (14) (b) The state is and the University of Wisconsin-Madison are not liable to a prime contractor for damage from delay caused by another prime contractor if the department or the university takes reasonable action to require the delaying prime contractor to comply with its contract. If the state or the university is not liable under this paragraph, the delayed prime contractor may bring an action for damages against the delaying prime contractor.

**SECTION 97.** 16.855 (16) (a) of the statutes is amended to read:

16.855 (16) (a) This section does not apply to contracts between the state or the University of Wisconsin-Madison and federal government or any agency thereof, or with any political subdivision of the state. Subject to the approval of the governor,

the requirements of this section may be waived in emergency situations involving the public health, welfare or safety or with respect to contracting with public utilities, but only when any such waiver is deemed by the governor to be in the best interests of the state or the university.

**SECTION 98.** 16.855 (16) (b) 2. of the statutes is amended to read:

16.855 (16) (b) 2. In emergency situations, the governor may approve repairs and construction of a building, structure, or facility in lieu of building commission approval under s. 13.48 (10), and for such purposes, may authorize the expenditure of up to \$500,000 from the state building trust fund or from other available moneys appropriated to an agency or other available moneys of the University of Wisconsin-Madison derived from any revenue source. The governor may delegate to the secretary the authority to grant approvals under this subdivision. The governor shall report any such authorization to the building commission at its next regular meeting following the authorization. In this subdivision, “emergency” means any natural or human-caused situation that results in or may result in substantial injury or harm to the population or substantial damage to or loss of property.

**SECTION 99.** 16.855 (20) of the statutes is amended to read:

16.855 (20) This section does not apply to construction work performed by University of Wisconsin System or University of Wisconsin-Madison students when the construction work performed is a part of a curriculum and where the work is course-related for the student involved. Prior approval of the building commission must be obtained for all construction projects to be performed by University of Wisconsin System or University of Wisconsin-Madison students, except projects specified in s. 13.48 (10) (c).

**SECTION 100**

**SECTION 100.** 16.855 (22) of the statutes is amended to read:

16.855 (22) The provisions of this section, except sub. (10m), do not apply to construction work for any project that does not require the prior approval of the building commission under s. 13.48 (10) (a) if the project is constructed in accordance with policies and procedures prescribed by the building commission under s. 13.48 (29). The provisions of this section do not apply to construction work for any project by or for the University of Wisconsin–Madison that is funded entirely from sources other than general purpose revenue or general fund supported borrowing. If the estimated construction cost of any project, other than a University of Wisconsin–Madison project that is exempted under this subsection, is at least \$40,000, and the building commission elects to utilize the procedures prescribed under s. 13.48 (29) to construct the project, the department shall provide adequate public notice of the project and the procedures to be utilized to construct the project on a publicly accessible computer site.

**SECTION 101.** 16.865 (1) (a) of the statutes is amended to read:

16.865 (1) (a) ~~Protect~~ Except as provided in sub. (10), protect the state and the University of Wisconsin–Madison from losses which are catastrophic in nature and minimize total cost to the state of all activities related to the control of accidental loss.

**SECTION 102.** 16.865 (2) of the statutes is amended to read:

16.865 (2) ~~Identify~~ Except as provided in sub. (10), identify and evaluate exposure to loss to the state, ~~its~~ and University of Wisconsin–Madison and their employees or injury to the public by reason of fire or other accidents and fortuitous events at state-owned and the university-owned properties or facilities.

**SECTION 103.** 16.865 (3) of the statutes is amended to read:

16.865 (3) ~~Recommend~~ Except as provided in sub. (10), recommend changes in procedures, program conditions or capital improvement for all agencies and the University of Wisconsin-Madison which would satisfactorily eliminate or reduce the existing exposure.

**SECTION 104.** 16.865 (4) of the statutes is amended to read:

16.865 (4) ~~Manage the state employees'~~ Except as provided in sub. (10), manage the worker's compensation program for state and University of Wisconsin-Madison employees and the statewide self-funded programs to protect the state and the University of Wisconsin-Madison from losses of and damage to state property and liability.

**SECTION 105.** 16.865 (5) of the statutes is amended to read:

16.865 (5) ~~Arrange~~ Except as provided in sub. (10), arrange appropriate insurance contracts for the transfer of risk of loss on the part of the state and the University of Wisconsin-Madison or its their employees, to the extent such loss cannot reasonably be assumed by the individual agencies or the university or the self-funded programs. The placement of insurance may be by private negotiation rather than competitive bid, if such insurance has a restricted number of interested carriers. The department shall approve all insurance purchases.

**SECTION 106.** 16.865 (8) of the statutes, as affected by [2011 Wisconsin Act 7](#), is amended to read:

16.865 (8) ~~Annually~~ Except as provided in sub. (10), annually in each fiscal year, allocate as a charge to each agency and to the University of Wisconsin-Madison a proportionate share of the estimated costs attributable to programs administered by the agency or the university to be paid from the appropriation under s. 20.505 (2) (k). The department may charge premiums to agencies and to the University of



**SECTION 106**

Wisconsin-Madison to finance costs under this subsection and pay the costs from the appropriation on an actual basis. The department shall deposit all collections under this subsection in the appropriation account under s. 20.505 (2) (k). Costs assessed under this subsection may include judgments, investigative and adjustment fees, data processing and staff support costs, program administration costs, litigation costs, and the cost of insurance contracts under sub. (5). In this subsection, “agency” means an office, department, independent agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, that is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 37, 52, 231, 232, 233, 234, 235, 237, 238, or 279.

**SECTION 107.** 16.865 (10) of the statutes is created to read:

16.865 (10) This section does not apply to the University of Wisconsin-Madison for any fiscal year if the University of Wisconsin-Madison, no later than December 31 preceding the beginning of that fiscal year, provides written notice to the department that it has elected not to be governed by this section. Any notice of nonelection applies to all subsequent fiscal years unless the University of Wisconsin-Madison, no later than December 31 preceding the beginning of a fiscal year, provides written notice to the department that it has elected to be governed by this section. Any notice of election applies to all subsequent fiscal years unless the University of Wisconsin-Madison again provides timely notice of nonelection.

**SECTION 108.** 16.87 (2) (a) of the statutes is amended to read:

16.87 (2) (a) A contract for engineering services or architectural services or a contract involving an expenditure of \$10,000 or more for construction work, or

\$30,000 or more for limited trades work, to be done for or furnished to the state or a department, board, commission, or officer of the state or the University of Wisconsin-Madison is exempt from the requirements of ss. 16.705 and 16.75.

**SECTION 109.** 16.87 (5) of the statutes is created to read:

16.87 (5) This subsection does not apply to any project for the University of Wisconsin-Madison that is funded entirely from sources other than general purpose revenue or general fund supported borrowing.

**SECTION 110.** 16.875 of the statutes is amended to read:

**16.875 Setoffs.** All amounts owed by this state or the University of Wisconsin-Madison under this subchapter are subject to being set off under s. 73.12.

**SECTION 111.** 16.89 of the statutes is amended to read:

**16.89 Construction and services controlled by this chapter.** No department, independent agency, constitutional office or agent of the state shall employ engineering, architectural or allied services or expend money for construction purposes on behalf of the state, except as provided in this chapter. The University of Wisconsin-Madison shall not employ engineering, architectural, or allied services or expend money for construction purposes on behalf of the university, except as provided in this chapter and except that the university may engage such employment for any project that is financed entirely from sources other than general purpose revenue or general fund supported borrowing.

**SECTION 112.** 16.891 (1) (b) of the statutes is amended to read:

16.891 (1) (b) "Total cost of occupancy" means the cost to operate and maintain the physical plant of a building, structure, or facility, including administrative costs of an agency or the University of Wisconsin-Madison attributable to operation and maintenance of a building, structure, or facility, together with any debt service costs

associated with the building, structure, or facility, computed in the manner prescribed by the department.

**SECTION 113.** 16.891 (2) of the statutes is amended to read:

16.891 (2) Except as provided in sub. (4), each agency and the University of Wisconsin-Madison shall report to the department no later than October 1 of each year concerning the total cost of occupancy of each state-owned or university-owned building, structure, and facility, excluding public highways and bridges, under the jurisdiction of the agency or university for the preceding fiscal year. The report shall be made in a format prescribed by the department. Beginning in 2009, if a building, structure, or facility is a part of an institution, the agency having jurisdiction of the institution or the University of Wisconsin-Madison shall also include in its report the total cost of occupancy of all of the buildings, structures, and facilities within the institution.

**SECTION 114.** 16.891 (4) of the statutes is amended to read:

16.891 (4) The department may exempt an agency or the University of Wisconsin-Madison from compliance with the reporting requirement under sub. (2) with respect to any building, structure, or facility that the department determines to have a minimal total cost of occupancy.

**SECTION 115.** 16.895 (title) of the statutes is amended to read:

**16.895 (title) ~~State-owned~~ State- or university-owned or operated heating, cooling or power plants.**

**SECTION 116.** 16.895 (2) (a) of the statutes is amended to read:

16.895 (2) (a) Prepare all specifications, bid and administer contracts for the purchase of fuels for all ~~state-owned or operated~~ heating, cooling or power plants that are owned or operated by the state or the University of Wisconsin-Madison.

**SECTION 117.** 16.895 (2) (c) of the statutes is amended to read:

16.895 (2) (c) Determine the method of operation of ~~state-owned~~ state- or university-owned or operated heating, cooling or power plants, including maintenance standards and policies concerning utilization of alternative fuels and energy conservation.

**SECTION 118.** 16.895 (2) (d) of the statutes is amended to read:

16.895 (2) (d) Assure compliance with federal and state laws, federal regulations and state administrative rules applicable to ~~state-owned~~ state- or university-owned or operated heating, cooling or power plants.

**SECTION 119.** 16.895 (2) (e) of the statutes is amended to read:

16.895 (2) (e) Delegate to any agency or to the University of Wisconsin-Madison the department's authority under par. (c) or (d) and approve all expenditures of the agency or university under par. (c) or (d).

**SECTION 120.** 16.895 (2) (g) of the statutes is amended to read:

16.895 (2) (g) Provide for emissions testing, waste product disposal and fuel quality testing at ~~state-owned~~ state- or university-owned or operated heating, cooling or power plants, and secure permits that are required for operation of the plants.

**SECTION 121.** 16.895 (2) (h) of the statutes is amended to read:

16.895 (2) (h) Periodically assess to agencies and the University of Wisconsin-Madison their proportionate cost of the expenses incurred by the department under this subsection and ss. 16.85 (4), 16.90, 16.91 and 16.92 in accordance with a method of apportionment determined by the department.

**SECTION 122.** 16.897 of the statutes is amended to read:

**SECTION 122**

**16.897 Space and water heating systems.** In planning and designing space or water heating systems for new or existing state facilities and facilities of the University of Wisconsin-Madison, the department shall ensure that geothermal technologies are utilized to the greatest extent that is cost-effective and technically feasible.

**SECTION 123.** 16.90 (title) of the statutes is amended to read:

**16.90 (title) Fuel for state and university heating, cooling or power plants.**

**SECTION 124.** 16.90 (2) (a) of the statutes is amended to read:

16.90 (2) (a) Prepare all specifications for contracts for the purchase of fuel for each ~~state-owned or operated~~ heating, cooling or power plant that is owned or operated by the state or the University of Wisconsin-Madison. All such specifications where feasible shall provide for purchase of such fuel on a heating value and quality basis and may provide for an adjustment of the base price of any fuel as a result of changes in production or transportation costs during the term of a contract.

**SECTION 125.** 16.90 (2) (b) of the statutes is amended to read:

16.90 (2) (b) Distribute fuel purchased by the department ~~or~~ any other agency, ~~or the University of Wisconsin-Madison~~ to agencies ~~that require it~~ or to the University of Wisconsin-Madison as required, and reallocate such fuel between agencies or the University of Wisconsin-Madison in the event of a shortage.

**SECTION 126.** 16.90 (2) (c) of the statutes is amended to read:

16.90 (2) (c) Set standards for storage of fuel by agencies and the University of Wisconsin-Madison.

**SECTION 127.** 16.90 (2) (d) of the statutes is amended to read:

16.90 (2) (d) Test all fuel purchased for each ~~state-owned~~ state- or university-owned or operated heating, cooling or power plant wherein the annual requirement is in excess of 12,500 therms and where purchased on a heating value and quality basis.

**SECTION 128.** 16.90 (2) (e) of the statutes is amended to read:

16.90 (2) (e) Promulgate such rules as the secretary considers necessary, not inconsistent with this section, to promote efficiency, energy conservation and economy in the testing, handling and use of fuel for ~~state-owned~~ state- or university-owned or operated heating, cooling or power plants.

**SECTION 129.** 16.91 (2) of the statutes is amended to read:

16.91 (2) No contract for the purchase of fuel for any ~~state-owned~~ state- or university-owned or operated heating or heating and power plant wherein the annual requirement is in excess of 12,500 therms is binding unless purchased upon specifications furnished by the secretary. A contract for fuel may be for any term deemed to be in the best interests of the state or the University of Wisconsin-Madison, but the term and any provisions for renewal or extension shall be incorporated in the bid specifications and the contract document.

**SECTION 130.** 16.91 (3) of the statutes is amended to read:

16.91 (3) Payments for fuel delivered under contracts specified in sub. (2) and for delivery costs shall be made upon vouchers approved by the secretary. Upon being audited and paid, the department shall charge each purchase against the appropriation to the agency which has jurisdiction over the facility at which the fuel is used or to the University of Wisconsin-Madison, if the university has such jurisdiction. The secretary shall report on a quarterly basis to each such agency and to the University of Wisconsin-Madison the total amount of payments charged under

**SECTION 130**

this subsection to each of its appropriations and facilities. Approval of the payments by the any agency whose appropriation is charged is not required.

**SECTION 131.** 16.92 (2) of the statutes is amended to read:

16.92 (2) Each agency and the University of Wisconsin-Madison shall utilize the most cost-effective means of procurement of fuel, electricity, heat and chilled water.

**SECTION 132.** 16.93 (2) of the statutes is amended to read:

16.93 (2) Except as provided in sub. (3), any agency or the University of Wisconsin-Madison, with the approval of the department, may sell fuel, water, sewage treatment service, electricity, heat or chilled water to another agency, a federal agency, a local government or a private entity.

**SECTION 133.** 16.993 (1) of the statutes is amended to read:

16.993 (1) In cooperation with school districts, cooperative educational service agencies, the technical college system board, the Board of Trustees of the University of Wisconsin-Madison, and the ~~board of regents~~ Board of Regents of the University of Wisconsin System, promote the efficient, cost-effective procurement, installation, and maintenance of educational technology by school districts, cooperative educational service agencies, technical college districts, the University of Wisconsin-Madison, and the University of Wisconsin System.

**SECTION 134.** 16.993 (4) of the statutes is amended to read:

16.993 (4) In cooperation with the Board of Trustees of the University of Wisconsin-Madison, the ~~board of regents~~ Board of Regents of the University of Wisconsin System, the technical college system board, the department of public instruction and other entities, support the development of courses for the instruction



of professional employees who are licensed by the state superintendent of public instruction concerning the effective use of educational technology.

**SECTION 135.** 16.993 (7) of the statutes is amended to read:

16.993 (7) Purchase educational technology materials, supplies, equipment, and contractual services for school districts, cooperative educational service agencies, technical college districts, the Board of Trustees of the University of Wisconsin-Madison, and the ~~board of regents~~ Board of Regents of the University of Wisconsin System under s. 16.72 (8), and establish standards and specifications for purchases of educational technology hardware and software by school districts, cooperative educational service agencies, technical college districts, and the ~~board of regents~~ Board of Regents of the University of Wisconsin System.

**SECTION 136.** 19.32 (1) (w) of the statutes is created to read:

19.32 (1) (w) “Public institution of higher education” means the University of Wisconsin-Madison, an institution within the University of Wisconsin System, or a technical college.

**SECTION 137.** 19.36 (14) of the statutes is created to read:

19.36 (14) Any authority may withhold from access under s. 19.35 (1) information in a record that is produced or collected by or for the faculty or staff of a public institution of higher education in the conduct of, or as a result of, study or research on a commercial, scientific, or technical subject, whether sponsored by the institution alone or in conjunction with an authority or a private person, until that information is publicly disseminated or patented.

**SECTION 138.** 19.42 (13) (bm) of the statutes is created to read:

19.42 (13) (bm) The positions of chancellor and vice chancellor of the University of Wisconsin-Madison.

**SECTION 139**

**SECTION 139.** 19.45 (11) (e) of the statutes is created to read:

19.45 (11) (e) The board of trustees of the University of Wisconsin-Madison shall establish a code of ethics for its employees who are not state public officials.

**SECTION 140.** 19.84 (5m) of the statutes is created to read:

19.84 (5m) Departments and their subunits in the University of Wisconsin-Madison are exempt from the requirements of subs. (1) to (4) but shall provide meeting notice that is reasonably likely to apprise interested persons and news media who have filed written requests for such notice.

**SECTION 141.** 20.002 (11) (b) 3. of the statutes is amended to read:

20.002 (11) (b) 3. In addition to the amount permitted for temporary reallocations in subd. 2., the secretary may permit an additional ~~3%~~ 6 percent of the total amounts shown in the schedule under s. 20.005 (3) of appropriations of general purpose revenues, calculated by the secretary as of that time and for that fiscal year, to be used for temporary reallocations to the general fund but only if the reallocation is for a period not to exceed 30 days. Reallocations may not be made under this subdivision for consecutive periods.

**SECTION 142.** 20.235 (1) (fz) of the statutes is amended to read:

20.235 (1) (fz) *Remission of fees and reimbursement for veterans and dependents.* Biennially, the amounts in the schedule to reimburse the Board of Regents of the University of Wisconsin System, the Board of Trustees of the University of Wisconsin-Madison, and technical college district boards under s. 39.50 for fee remissions made under ss. 36.27 (3n) (b) or (3p) (b), 37.27 (3n) (b) or (3p) (b), and 38.24 (7) (b) or (8) (b) and to reimburse veterans and dependents as provided in ss. 36.27 (3n) (bm) or (3p) (bm), 37.27 (3n) (bm) or (3p) (bm), and 38.24 (7) (bm) or (8) (bm).

**SECTION 143.** 20.255 (2) (cn) of the statutes is amended to read:

20.255 (2) (cn) *Aids for school lunches and nutritional improvement.* The amounts in the schedule for the payment of school lunch aids under s. 115.34 (2) and for nutritional improvement under ss. 36.51, 37.51, 38.36 and 115.345.

**SECTION 144.** 20.280 of the statutes is created to read:

**20.280 University of Wisconsin-Madison.** There is appropriated to the University of Wisconsin-Madison for the following program:

(1) UNIVERSITY OF WISCONSIN-MADISON. (a) *General program operations.* The amounts in the schedule for general program operations.

(c) *Energy costs; energy-related assessments.* The amounts in the schedule to pay for utilities and for fuel, heat, and air conditioning, to pay assessments levied by the department of administration under s. 16.847 (3) for costs incurred and savings generated at university facilities, and to pay costs incurred under ss. 16.858 and 16.895, including all operating costs recommended by the department of administration that result from the installation of pollution abatement equipment in state-owned or operated heating, cooling, or power plants, by or on behalf of the board of trustees, and including the cost of purchasing electricity, steam, and chilled water generated by the cogeneration facility constructed pursuant to an agreement under [2001 Wisconsin Act 109](#), section [9156](#) (2z) (g).

(d) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of university academic facilities and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

(k) *Funds transferred from other state agencies.* All moneys received from other state agencies to carry out the purposes for which received.

(kd) *Principal repayment, interest, and rebates.* From the revenues credited under par. (g), a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of self-amortizing university facilities, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing such facilities, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a). For projects authorized by the building commission before July 1, 1998, annually an amount equal to 20% of the principal and interest costs for maintenance of university intercollegiate athletic facilities shall be paid from the appropriation under this paragraph. For projects authorized by the building commission on or after July 1, 1998, but before July 1, 2001, annually an amount equal to 30% of the principal and interest costs for maintenance of university intercollegiate athletic facilities shall be paid from the appropriation under this paragraph. For projects authorized by the building commission on or after July 1, 2001, annually an amount equal to 40% of the principal and interest costs for maintenance of university intercollegiate athletic facilities shall be paid from the appropriation under this paragraph.

(ks) *Physician and health care provider loan assistance programs; repayments.* Biennially, the amounts in the schedule for loan repayments under ss. 37.60 and 37.61. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6m. shall be credited to this appropriation account. Notwithstanding s. 20.001

(3) (b), the unencumbered balance on June 30 of each odd-numbered year shall revert to the appropriation account under s. 20.505 (8) (hm).

(L) *Mellon Foundation grant; matching funds.* All moneys received from earnings on tuition to meet the matching requirement specified in the Andrew W. Mellon Foundation grant.

(qj) *Physician and health care provider loan assistance programs; critical access hospital assessment fund.* Biennially, from the critical access hospital assessment fund, the amounts in the schedule for loan repayments under ss. 37.60 and 37.61.

(qm) *Grants for forestry programs.* From the conservation fund, the amounts in the schedule for grants to forest cooperatives under s. 37.56.

(rm) *Environmental program grants.* From income and interest in the normal school fund, the amounts in the schedule for grants under s. 37.49.

(s) *Wisconsin Bioenergy Initiative.* From the recycling and renewable energy fund, the amounts in the schedule to support research under the Wisconsin Bioenergy Initiative into improved plant biomass, improved biomass processing, conversion of biomass into energy products, development of a sustainable energy economy, and development of enabling technologies for bioenergy research.

(zz) *University trust funds.* From the university trust funds, all moneys received under 2011 Wisconsin Act .... (this act), section 9152 (1) (b), for the purposes for which designated.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 145.** 20.280 (1) (zz) of the statutes, as created by 2011 Wisconsin Act .... (this act), is repealed.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 146.** 20.285 (1) (c) of the statutes is amended to read:

20.285 (1) (c) *Energy costs; energy-related assessments.* The amounts in the schedule to pay for utilities and for fuel, heat, and air conditioning, to pay assessments levied by the department of administration under s. 16.847 (3) for costs incurred and savings generated at university facilities, and to pay costs incurred under ss. 16.858 and 16.895, including all operating costs recommended by the department of administration that result from the installation of pollution abatement equipment in state-owned or operated heating, cooling, or power plants, by or on behalf of the board of regents, ~~and including the cost of purchasing electricity, steam, and chilled water generated by the cogeneration facility constructed pursuant to an agreement under 2001 Wisconsin Act 109, section 9156~~ (2z) (g).

**SECTION 147.** 20.285 (1) (fc) of the statutes is repealed.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 148.** 20.285 (1) (fd) of the statutes is renumbered 20.280 (1) (fd).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 149.** 20.285 (1) (fj) of the statutes is renumbered 20.280 (1) (fj).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 150.** 20.285 (1) (gm) of the statutes is repealed.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 151.** 20.285 (1) (gn) of the statutes is repealed.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 152.** 20.285 (1) (gr) of the statutes is repealed.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 153.** 20.285 (1) (h) of the statutes is amended to read:

20.285 (1) (h) *Auxiliary enterprises.* ~~Except as provided under subs. (5) (i) and (6) (g), all~~ All moneys received by the University of Wisconsin System for or on account of any housing facility, commons, dining halls, cafeteria, student union, athletic activities, stationery stand or bookstore, parking facilities or car fleet, or such other auxiliary enterprise activities as the board designates and including such fee revenues as allocated by the board and including such moneys received under leases entered into previously with nonprofit building corporations as the board designates to be receipts under this paragraph, but not including any moneys received from the sale of real property during the period beginning on October 27, 2007, and ending on June 30, 2009, and the period beginning on July 1, 2010, to be used for the operation, maintenance, and capital expenditures of activities specified in this paragraph, including the transfer of funds to ~~pars.~~ par. (kd) ~~and (ke)~~, and to nonprofit building corporations to be used by the corporations for the retirement of existing indebtedness and such other payments as may be required under existing loan agreements, for optional rental payments in addition to the mandatory rental payments under the leases and subleases in connection with the providing of facilities for such activities, and for grants under ss. 36.25 (14) and 36.34. A separate account shall be maintained for each campus and extension. ~~Upon the request of the extension or any campus within the system, the board of regents may transfer surplus moneys appropriated under this paragraph to the appropriation account under par. (kp).~~

\*\*\*NOTE: This is reconciled s. 20.285 (1) (h). The treatment has been deleted from LRB-0393.



**SECTION 154.** 20.285 (1) (i) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 155.** 20.285 (1) (ia) of the statutes is renumbered 20.280 (1) (ia).

\*\*\*\*NOTE: You may wish to repeal this appropriation and instead authorize DHS to pay the lab directly.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 156.** 20.285 (1) (jc) of the statutes is amended to read:

20.285 (1) (jc) *Physician and dentist ~~Dentist and health care provider dental hygienist~~ loan assistance programs.* All moneys received under ss. 36.60 and 36.61 and all moneys transferred under **2009 Wisconsin Act 28**, section **9210** (1), to be used for loan repayments under ss. 36.60 and 36.61 and costs associated with the repayments.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 157.** 20.285 (1) (je) of the statutes is renumbered 20.280 (1) (je) and amended to read:

20.280 (1) (je) *Veterinary diagnostic laboratory; fees.* All moneys received under s. ~~36.58~~ 37.58 (3), other than from state agencies, to be used for general program operations of the veterinary diagnostic laboratory and to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction of the veterinary diagnostic laboratory enumerated in **2001 Wisconsin Act 16**, section **9107** (1) (m) 1., to make payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing that facility, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 158.** 20.285 (1) (jp) of the statutes is amended to read:

20.285 (1) (jp) *License plate scholarship programs.* All moneys received under s. 341.14 (6r) (b) 4., other than moneys received for the special group specified in s. 341.14 (6r) (f) 47m., for the scholarship programs under s. 36.44.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 159.** 20.285 (1) (jq) of the statutes is renumbered 20.280 (1) (jq) and amended to read:

20.280 (1) (jq) *Steam and chilled-water plant; principal repayment, interest, and rebates; nonstate entities.* All moneys received from utility charges to the University of Wisconsin Hospitals and Clinics Authority and agencies of the federal government that are approved by the department of administration under s. ~~36.11~~ 37.11 (48) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in purchasing the Walnut Street steam and chilled-water plant enumerated under [2003 Wisconsin Act 33](#), section [9106](#) (1) (g) 2. and in renovating and adding an addition to the Charter Street heating and cooling plant enumerated under [2009 Wisconsin Act 28](#), section [9106](#) (1) (g) 3., to make payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the purchase of the plant, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 160.** 20.285 (1) (ka) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 161.** 20.285 (1) (kd) of the statutes is amended to read:

**SECTION 161**

20.285 (1) (kd) *Principal repayment, interest and rebates.* From the revenues credited under par. (h) and sub. (6) (g), a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of self-amortizing university facilities, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing such facilities, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a). ~~For projects authorized by the building commission before July 1, 1998, annually an amount equal to 20% of the principal and interest costs for maintenance of University of Wisconsin-Madison intercollegiate athletic facilities shall be paid from the appropriation under this paragraph. For projects authorized by the building commission on or after July 1, 1998, but before July 1, 2001, annually an amount equal to 30% of the principal and interest costs for maintenance of University of Wisconsin-Madison intercollegiate athletic facilities shall be paid from the appropriation under this paragraph. For projects authorized by the building commission on or after July 1, 2001, annually an amount equal to 40% of the principal and interest costs for maintenance of University of Wisconsin-Madison intercollegiate athletic facilities shall be paid from the appropriation under this paragraph.~~

**SECTION 162.** 20.285 (1) (kg) of the statutes is renumbered 20.280 (1) (kg).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 163.** 20.285 (1) (ko) of the statutes is renumbered 20.280 (1) (ko) and amended to read:

20.280 (1) (ko) *Steam and chilled-water plant; principal repayment, interest, and rebates.* All moneys received from utility charges to University of Wisconsin-Madison university campus operations that are approved by the department of administration under s. ~~36.11~~ 37.11 (48) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in purchasing the Walnut Street steam and chilled-water plant enumerated under 2003 Wisconsin Act 33, section 9106 (1) (g) 2. and in renovating and adding an addition to the Charter Street heating and cooling plant enumerated under 2009 Wisconsin Act 28, section 9106 (1) (g) 3., to make payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the purchase of the plant, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 164.** 20.285 (1) (ks) of the statutes is amended to read:

20.285 (1) (ks) *Physician and dentist Dentist and health care provider dental hygienist loan assistance programs; repayments.* Biennially, the amounts in the schedule for loan repayments under ss. 36.60 and 36.61. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6r. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (b), the unencumbered balance on June 30 of each odd-numbered year shall revert to the appropriation account under s. 20.505 (8) (hm).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 165.** 20.285 (1) (mc) of the statutes is repealed.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 166**

**SECTION 166.** 20.285 (1) (qe) of the statutes is renumbered 20.280 (1) (qe) and amended to read:

20.280 (1) (qe) *Rural physician residency assistance program.* Biennially, from the critical access hospital assessment fund, the amounts in the schedule for the department of family medicine in the University of Wisconsin School of Medicine and Public Health to establish and support physician residency positions under s. ~~36.63~~ 37.63.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 167.** 20.285 (1) (qj) of the statutes is amended to read:

20.285 (1) (qj) *Physician and dentist Dentist and health care provider dental hygienist loan assistance programs; critical access hospital assessment fund.* Biennially, from the critical access hospital assessment fund, the amounts in the schedule for loan repayments under ss. 36.60 and 36.61.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

\*\*\*\*NOTE: See comparable appropriation for the UW at s. 20.280 (1) (qj).

**SECTION 168.** 20.285 (1) (qm) of the statutes is amended to read:

20.285 (1) (qm) *Grants for forestry programs paper science program.* From the conservation fund, of the amounts in the schedule, ~~\$78,000 annually~~ for the University of Wisconsin-Stevens Point paper science program ~~and the remaining balance for grants to forest cooperatives under s. 36.56.~~

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 169.** 20.285 (1) (rm) of the statutes is amended to read:

20.285 (1) (rm) *Environmental program grants and scholarships*. From income and interest in the normal school fund, the amounts in the schedule for grants and scholarships under s. 36.49.

**SECTION 170.** 20.285 (5) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 171.** 20.285 (6) (a) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 172.** 20.285 (6) (g) of the statutes is renumbered 20.280 (1) (g) and amended to read:

20.280 (1) (g) *Services provided to authority*. All moneys received from the University of Wisconsin Hospitals and Clinics Authority under any agreements entered into under s. 233.03 (10) or 233.04 (7), (7g), (7m) or (7p) for services provided to the authority and for leases and rentals to the authority. Moneys may be transferred from this appropriation account to the appropriation account under sub-~~(1) par. (kd) or (ke)~~.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

\*\*\*\*NOTE: This is reconciled s. 20.280 (6) (g). The treatment has been deleted from LRB-0393.

**SECTION 173.** 20.395 (5) (ef) of the statutes is created to read:

20.395 (5) (ef) *Payments to the University of Wisconsin-Madison*. From the general fund, all moneys received under s. 341.14 (6r) (b) 4. for the special group specified in s. 341.14 (6r) (f) 47m. for payments to the University of Wisconsin-Madison, under s. 341.14 (10).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 174.** 20.435 (4) (xe) of the statutes is amended to read:

20.435 (4) (xe) *Critical access hospital assessment fund; hospital payments.*

From the critical access hospital assessment fund, all moneys received from the assessment under s. 50.38 (2) (b), except moneys appropriated under ~~s. 20.285 (1) (qe)~~ and ss. 20.280 (1) (qe) and (qj) and 20.285 (1) (qj), to make payments to critical access hospitals required under s. 49.45 (3) (e) 12. for services provided under the Medical Assistance Program under subch. IV of ch. 49; to make refunds under s. 50.38 (6m); and to make the transfer under s. 50.38 (10).

**SECTION 175.** 20.435 (5) (hx) of the statutes is amended to read:

20.435 (5) (hx) *Services related to drivers, receipts.* The amounts in the schedule for services related to drivers. All moneys received by the secretary of administration from the driver improvement surcharge on court fines and forfeitures authorized under s. 346.655 and all moneys transferred from the appropriation account under s. 20.395 (5) (di) shall be credited to this appropriation account. The secretary of administration shall annually transfer to the appropriation account under s. 20.395 (5) (ek) 9.75 percent of all moneys credited to this appropriation account from the driver improvement surcharge. Any unencumbered moneys in this appropriation account may be transferred to par. (hy) and ss. 20.255 (1) (hm), ~~20.285~~ 20.280 (1) (ia), 20.395 (5) (ci) and (di), and 20.455 (5) (h) by the secretary of administration, after consultation with the secretaries of health services and transportation, the superintendent of public instruction, the attorney general, and the president chancellor of the University of Wisconsin System Wisconsin-Madison.

**SECTION 176.** 20.505 (1) (kc) of the statutes is amended to read:

20.505 (1) (kc) *Capital planning and building construction services.* The amounts in the schedule to provide capital planning services under s. 13.48 (5) and



building construction services under subch. V of ch. 16 on behalf of state agencies, the University of Wisconsin-Madison, and local professional baseball park districts created under subch. III of ch. 229. The secretary of administration may credit moneys received for the provision of building construction and capital planning services on behalf of state agencies, the university, and such districts to this appropriation account. All moneys transferred from the appropriation account under par. (im) shall be credited to this appropriation account.

**SECTION 177.** 20.505 (2) (k) of the statutes is amended to read:

20.505 (2) (k) *Risk management costs.* All moneys received from agencies and the University of Wisconsin-Madison under s. 16.865 (8) and all moneys transferred from the appropriation under par. (ki) for the costs of paying claims for losses of and damage to state and University of Wisconsin-Madison property, settlements of state and university liability under ss. 165.25 (6), 775.04, 895.46 (1) and 895.47, and state and university employer costs for worker's compensation claims of state and university employees under ch. 102, for related administrative costs under par. (ki), and for the purpose of effecting any lapse required under s. 16.865 (9).

**SECTION 178.** 20.505 (2) (ki) of the statutes is amended to read:

20.505 (2) (ki) *Risk management administration.* The amounts in the schedule from moneys transferred under par. (k) for the administration of state and University of Wisconsin-Madison risk management programs for worker's compensation claims, losses of and damage to state and university property and state and university liability. Notwithstanding s. 20.001 (3) (a), the unencumbered balance of this appropriation at the end of each fiscal year shall be transferred to the appropriation under par. (k).

**SECTION 179.** 20.505 (8) (hm) 6m. of the statutes is created to read:

20.505 (8) (hm) 6m. The amount transferred to s. 20.280 (1) (ks) shall be the amount in the schedule under s. 20.280 (1) (ks).

**SECTION 180.** 20.545 (1) (km) of the statutes is amended to read:

20.545 (1) (km) *Collective bargaining grievance arbitrations.* The amounts in the schedule for the payment of the state's share of costs related to collective bargaining grievance arbitrations under s. 111.86 and related to collective bargaining grievance arbitrations under s. 111.993. All moneys received from state agencies or the University of Wisconsin-Madison for the purpose of reimbursing the state's share of the costs related to grievance arbitrations under s. 111.86 and to reimburse the state's share of costs for training related to grievance arbitrations, and all moneys received from institutions, as defined in s. 36.05 (9), for the purpose of reimbursing the state's share of the costs related to grievance arbitrations under s. 111.993 and to reimburse the state's share of costs for training related to grievance arbitrations shall be credited to this appropriation account.

\*\*\*\*NOTE: I will amend the material in subch. VI of ch. 111 if subch. VI is not repealed by Special Session Senate Bill 11.

**SECTION 181.** 20.866 (1) (u) of the statutes is amended to read:

20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b), ~~(br)~~, and (s), and ~~(tb)~~, 20.190 (1) (c), (d), (i), and (j), 20.225 (1) (c) and (i), 20.245 (1) (e) and (j), 20.250 (1) (c) and (e), 20.255 (1) (d), 20.280 (1) (je), (jq), (kd), and (ko), 20.285 (1) (d), ~~(db)~~, (im), (in), ~~(je)~~, ~~(jq)~~, (kd), and (km), ~~and (ko) and (5) (i)~~, 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag), (aq), (ar), (at), (au), (bq), (br), (cb), (cc), (cd), (cg), (cq), (cr), (cs), (ct), (ea), (eq), and (er), 20.395 (6) (af), (aq), (ar), and (au), 20.410 (1) (e), (ec), and (ko) and (3) (e), 20.435 (2) (ee), 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm),

20.505 (4) (es), (et), (ha), and (hb) and (5) (c), (g), and (kc), 20.855 (8) (a), and 20.867 (1) (a) and (b) and (3) (a), (b), (bb), (bc), (bd), (be), (bf), (bg), (bh), (bi), (bm), (bn), (bp), (bq), (br), (bu), (bv), (g), (h), (i), (kd), and (q) for the payment of principal, interest, premium due, if any, and payment due, if any, under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a) relating to any public debt contracted under subchs. I and IV of ch. 18.

\*\*\*NOTE: This is reconciled s. 20.866 (1) (u). This SECTION has been affected by drafts with the following LRB numbers: LRB-0393, LRB-1187, and LRB-1284.

**SECTION 182.** 20.866 (2) (t) of the statutes is amended to read:

20.866 (2) (t) *University of Wisconsin-Madison and University of Wisconsin System: self-amortizing facilities.* From the capital improvement fund, a sum sufficient for the ~~board of regents~~ Board of Trustees of the University of Wisconsin-Madison and the Board of Regents of the University of Wisconsin System to acquire, construct, develop, enlarge or improve university self-amortizing educational facilities and facilities to support such facilities. The state may contract public debt in an amount not to exceed \$2,185,196,800 for this purpose. Of this amount, \$4,500,000 is allocated only for the University of Wisconsin-Madison indoor practice facility for athletic programs and only at the time that ownership of the facility is transferred to the state.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 183.** 20.867 (3) (h) of the statutes is amended to read:

20.867 (3) (h) *Principal repayment, interest, and rebates.* A sum sufficient to guarantee full payment of principal and interest costs for self-amortizing or partially self-amortizing facilities enumerated under ss. 20.190 (1) (j), 20.245 (1) (j), 20.280 (1) (je), (jq), (kd), and (ko), 20.285 (1) (im), ~~(je), (jq), (kd)~~, and (km), and (ko),

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20.370 (7) (eq), 20.485 (1) (go), and 20.867 (3) (kd) if moneys available in those appropriations are insufficient to make full payment, to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m) if the appropriation under s. 20.190 (1) (j), 20.245 (1) (j), 20.285 (1) (im), ~~(je)~~, (jq), (kd), (km), or (ko), 20.485 (1) (g), or 20.867 (3) (kd) is insufficient to make full payment of those amounts, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a). All amounts advanced under the authority of this paragraph shall be repaid to the general fund whenever the balance of the appropriation for which the advance was made is sufficient to meet any portion of the amount advanced. The department of administration may take whatever action is deemed necessary including the making of transfers from program revenue appropriations and corresponding appropriations from program receipts in segregated funds and including actions to enforce contractual obligations that will result in additional program revenue for the state, to ensure recovery of the amounts advanced.

**SECTION 184.** 20.867 (3) (k) of the statutes is amended to read:

20.867 (3) (k) *Interest rebates on obligation proceeds; program revenues.* All moneys transferred from the appropriations under pars. (g) and (i) and ss. 20.190 (1) (j), 20.245 (1) (j), 20.280 (1) (kd), 20.285 (1) (kd), 20.410 (1) (ko) and 20.505 (5) (g) and (kc) to make the payments determined by the building commission under s. 13.488 (1) (m) on the proceeds of obligations specified in those paragraphs.

**SECTION 185.** 20.901 (3m) of the statutes is created to read:

20.901 (3m) UNIVERSITY OF WISCONSIN-MADISON. In subs. (1) to (3), “state agency” includes the University of Wisconsin-Madison.

**SECTION 186.** 20.901 (4) of the statutes is amended to read:

20.901 (4) EDUCATIONAL INTER-SYSTEM COOPERATION. ~~The board of regents~~ Board of Regents of the University of Wisconsin System, ~~the Board of Trustees of the University of Wisconsin-Madison,~~ and the technical college system board shall establish arrangements for joint use of facilities and joint staffing of programs operated by ~~either system~~ any of the entities, in such ways as to make their educational and public services programs as fully and economically available to the citizens of the state as possible. Such arrangements may include, but are not limited to, ~~inter-system~~ inter-entity rental agreements, contracts for services provided by one ~~system~~ entity in support of programs of ~~the other system~~ another, joint management of facilities and programs at specific locations, joint enrollment of students, and joint employment of staff.

**SECTION 187.** 20.923 (4g) (c) of the statutes is repealed.

**SECTION 188.** 20.923 (4g) (e) of the statutes is repealed.

**SECTION 189.** 20.924 (1) (d) of the statutes is amended to read:

20.924 (1) (d) Shall exercise considered judgment in supervising the implementation of the state building program, and may authorize limited changes in the project program, and in the project budget if the commission determines that unanticipated program conditions or bidding conditions require the change to effectively and economically construct the project. However, total state and University of Wisconsin-Madison funds for major projects under the authorized state building program for each agency and for the University of Wisconsin-Madison shall not be exceeded.

**SECTION 190.** 20.924 (1) (j) of the statutes is amended to read:

20.924 (1) (j) Shall not enter into any lease or other contract that provides for the construction of any building, structure, or facility, or portion thereof, for initial

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occupancy by the state or the University of Wisconsin-Madison and that contains an option for the state or the University of Wisconsin-Madison to purchase the building, structure, or facility unless the seller or lessor agrees that all equipment to be installed as a component of the building, structure, or facility that relates to any function that consumes energy meets applicable requirements for state building projects under s. 16.855 (10s) (a).

**SECTION 191.** 23.09 (3) (b) of the statutes is amended to read:

23.09 (3) (b) If the department and the ~~board of regents~~ Board of Trustees of the University of ~~Wisconsin System~~ Wisconsin-Madison enter into an agreement to create a faculty position at the University of Wisconsin-Madison for a forest landscape ecologist, the department and the University of Wisconsin-Madison shall develop an annual work plan for the ecologist. In developing the annual work plan, the department shall consult with the council on forestry.

**SECTION 192.** 24.80 of the statutes is amended to read:

**24.80 Normal school fund.** The lands and moneys described in s. 24.79, not being granted for any other specified purpose, accrue to the school fund under article X, section 2, of the constitution; and having been found unnecessary for the support and maintenance of common schools, are appropriated to the support and maintenance of state universities and suitable libraries and apparatus therefor, and to that end are set apart and denominated the "Normal School Fund". All lands, moneys, loans, investments and securities set apart to the normal school fund and all swamp lands and income and interest received on account of the capital of that fund constitute a separate and perpetual fund. Except as provided in ss. ~~20.255 (1)~~ ~~(q)~~ 20.280 (1) (rm) and 20.285 (1) (rm), all income and interest from the normal school fund shall be paid into the general fund as general purpose revenue. Normal school

fund income, interest and revenues do not include expenses deducted from gross receipts permitted under ss. 24.04 (2), 24.53 and 24.62 (1).

\*\*\*NOTE: This is reconciled s. 24.80. This SECTION has been affected by drafts with the following LRB numbers: LRB-1187 and LRB-1362.

**SECTION 193.** 25.29 (7) (intro.) of the statutes is amended to read:

25.29 (7) (intro.) All of the proceeds of the tax which is levied under s. 70.58, and all moneys paid into the state treasury as the counties' share of compensation of emergency fire wardens under s. 26.14 shall be used for acquiring, preserving and developing the forests of the state, including the acquisition of lands owned by counties by virtue of any tax deed and of other lands suitable for state forests, and for the development of lands so acquired and the conduct of forestry thereon, including the growing and planting of trees; for forest and marsh fire prevention and control; for grants to forestry cooperatives under s. ~~36.56~~ 37.56; for compensation of emergency fire wardens; for maintenance, permanent property and forestry improvements; for other forestry purposes authorized by law and for the payment of aid for forests as authorized in s. 28.11 and subchs. I and VI of ch. 77.

**SECTION 194.** 25.40 (1) (a) 4. of the statutes is amended to read:

25.40 (1) (a) 4. Moneys received under s. 341.14 (6r) (b) 4. that are deposited in the general fund and credited to the ~~appropriation~~ appropriation accounts under s. ~~ss.~~ 20.285 (1) (jp) and 20.395 (5) (ef).

**SECTION 195.** 25.50 (1) (d) of the statutes is amended to read:

25.50 (1) (d) "Local government" means any county, town, village, city, power district, sewerage district, drainage district, town sanitary district, public inland lake protection and rehabilitation district, local professional baseball park district created under subch. III of ch. 229, long-term care district under s. 46.2895, local



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professional football stadium district created under subch. IV of ch. 229, local cultural arts district created under subch. V of ch. 229, public library system, school district or technical college district in this state, any commission, committee, board or officer of any governmental subdivision of this state, any court of this state, other than the court of appeals or the supreme court, or any authority created under s. 37.02 (1), 114.61, 149.41, 231.02, 233.02 or 234.02.

**SECTION 196.** 25.50 (3m) of the statutes is created to read:

25.50 **(3m)** Notwithstanding sub. (3) (a), each day, the authority created under s. 37.02 (1) shall transfer to the state treasurer for deposit into the fund the collected net cash balance from all sources except gifts, grants, and donations.

**SECTION 197.** 26.39 (6) of the statutes is amended to read:

26.39 **(6)** FORESTRY INTERNSHIPS. The department shall use the moneys allocated under s. 28.085 to provide internships to University of Wisconsin System students and University of Wisconsin-Madison students who are enrolled in a course of study that will result in a bachelor's or higher degree in forestry. The department shall promulgate rules establishing the application process and the criteria for receipt of an internship under this subsection.

**SECTION 198.** 28.07 of the statutes is amended to read:

**28.07 Cooperation.** The department may cooperate with the University of Wisconsin System, with the University of Wisconsin-Madison, with departments and agencies of this or other states, with federal agencies and with counties, towns, corporations and individuals, to promote the best interest of the people and the state in forest surveys, research in forestry and related subjects, forest protection and in assistance to landowners to secure adoption of better forestry practice.

**SECTION 199.** 32.02 (1) of the statutes is amended to read:

32.02 (1) Any county, town, village, city, including villages and cities incorporated under general or special acts, school district, the department of health services, the department of corrections, the ~~board of regents~~ Board of Regents of the University of Wisconsin System, the Board of Trustees of the University of Wisconsin-Madison, the building commission, a commission created by contract under s. 66.0301, with the approval of the municipality in which condemnation is proposed, a commission created by contract under s. 66.0303 that is acting under s. 66.0304, if the condemnation occurs within the boundaries of a member of the commission, or any public board or commission, for any lawful purpose, but in the case of city and village boards or commissions approval of that action is required to be granted by the governing body. A mosquito control commission, created under s. 59.70 (12), and a local professional football stadium district board, created under subch. IV of ch. 229, may not acquire property by condemnation.

**SECTION 200.** 33.11 of the statutes is amended to read:

**33.11 Goals.** The primary goal of activity under this chapter shall be to improve or protect the quality of public inland lakes. In addition, compilation of basic scientific data on lakes of this state and assessment of experimental and innovative techniques of lake rehabilitation and protection shall be goals of the program. Districts may undertake protection and rehabilitation projects to achieve the purposes of such districts specified in s. 33.21. Projects may be undertaken in cooperation with the department, the University of Wisconsin System, the University of Wisconsin-Madison, and other government agencies, and public and private organizations. Projects shall be divided into study, planning and implementation phases.

**SECTION 201.** 33.16 (8) of the statutes is amended to read:

33.16 (8) The department may evaluate or contract with the University of Wisconsin System or the University of Wisconsin-Madison to evaluate projects receiving financial assistance under this section.

**SECTION 202.** 36.03 of the statutes is amended to read:

**36.03 System.** There is created in this state a system of institutions of learning to be known as the University of Wisconsin System. The principal office ~~and one university~~ of the system shall be located at or near the seat of state government.

**SECTION 203.** 36.09 (1) (a) of the statutes is amended to read:

36.09 (1) (a) The primary responsibility for governance of the system shall be vested in the board which shall enact policies and promulgate rules for governing the system, plan for the future needs of the state for university education within the system, ensure the diversity of quality undergraduate programs while preserving the strength of the state's graduate training and research centers within the system, and promote the widest degree of institutional autonomy within the controlling limits of ~~system-wide~~ systemwide policies and priorities established by the board.

**SECTION 204.** 36.09 (1) (e) of the statutes is amended to read:

36.09 (1) (e) The board shall appoint a president of the system; a chancellor for each institution; a dean for each college campus; ~~the state geologist; the director of the laboratory of hygiene; the director of the psychiatric institute; the state cartographer;~~ and the requisite number of officers, other than the vice presidents, associate vice presidents, and assistant vice presidents of the system; faculty; academic staff; and other employees and fix the salaries, subject to the limitations under par. (j) and ss. 20.923 (4g) and 230.12 (3) (e), the duties and the term of office for each. The board shall fix the salaries, subject to the limitations under par. (j) and ss. 20.923 (4g) and 230.12 (3) (e), and the duties for each chancellor, vice president,

associate vice president, and assistant vice president of the system. No sectarian or partisan tests or any tests based upon race, religion, national origin, or sex shall ever be allowed or exercised in the appointment of the employees of the system.

**SECTION 205.** 36.11 (1) (b) of the statutes is amended to read:

36.11 (1) (b) Except as provided in this paragraph, the board may purchase, have custody of, hold, control, possess, lease, grant easements and enjoy any lands, buildings, books, records and all other property of any nature which may be necessary and required for the purposes, objects and uses of the system authorized by law. ~~Any lease is subject to the powers of the University of Wisconsin Hospitals and Clinics Authority under s. 233.03 (13) and the rights of the authority under any lease agreement, as defined in s. 233.01 (6).~~ The board shall not permit a facility that would be privately owned or operated to be constructed on state-owned land without obtaining prior approval of the building commission under s. 13.48 (12). The board may sell or dispose of such property as provided by law, or any part thereof when in its judgment it is for the best interests of the system and the state. All purchases and sales of real property shall be subject to the approval of the building commission. The provision of all leases of real property to be occupied by the board shall be the responsibility of the department of administration under s. 16.84 (5).

**SECTION 206.** 36.11 (10) of the statutes is renumbered 37.11 (10) and amended to read:

37.11 (10) UNIVERSITY FUND. The board may expend such portion of the income of the university fund ~~on or at the University of Wisconsin-Madison~~ as is appropriated by the legislature for the erection of buildings and the purchase of equipment or books.

**SECTION 207.** 36.11 (16) of the statutes is amended to read:

36.11 (16) COMMENCEMENT OF FALL SEMESTER. The board shall ensure that no fall semester classes at any institution, ~~except medical school classes and 4th year classes at the school of veterinary medicine,~~ commence until after September 1.

**SECTION 208.** 36.11 (28) of the statutes is renumbered 37.11 (28).

**SECTION 209.** 36.11 (28m) of the statutes is renumbered 37.11 (28m).

**SECTION 210.** 36.11 (29) of the statutes is renumbered 37.11 (29) and amended to read:

37.11 (29) OTHER AGREEMENTS WITH THE UNIVERSITY OF WISCONSIN HOSPITALS AND CLINICS AUTHORITY. The board may enter into joint purchasing contracts and other contracts, rental agreements and cooperative agreements and other necessary arrangements with the University of Wisconsin Hospitals and Clinics Authority ~~which~~ that may be necessary and convenient for the missions, objects, and uses of the University of Wisconsin Hospitals and Clinics Authority authorized by law. ~~Purchasing contracts and agreements are subject to s. 16.73 (5).~~

**SECTION 211.** 36.11 (39) of the statutes is renumbered 37.11 (39) and amended to read:

37.11 (39) GAYLORD NELSON CHAIR OF INTEGRATED ENVIRONMENTAL STUDIES. The board ~~shall~~ may establish the Gaylord Nelson chair of integrated environmental studies ~~and seek private funding for this chair.~~

**SECTION 212.** 36.11 (40) of the statutes is renumbered 37.11 (40) and amended to read:

37.11 (40) CENTER FOR COOPERATIVES. The board shall maintain a center for cooperatives at the ~~University of Wisconsin-Madison~~ university. The center shall comply with the requirements specified in s. 125.545 (5) (a).

**SECTION 213.** 36.11 (48) of the statutes is renumbered 37.11 (48) and amended to read:

**37.11 (48) REPORT ON UTILITY CHARGES; ASSESSMENT OF CERTAIN UTILITY CHARGES.**  
The board shall ensure that the University of Wisconsin-Madison reports report annually to the department of administration on utility charges in the following fiscal year to fund principal and interest costs incurred in purchasing the Walnut Street steam and chilled-water plant enumerated under [2003 Wisconsin Act 33](#), section [9106](#) (1) (g) 2., and in renovating and adding an addition to the Charter Street heating and cooling plant enumerated under [2009 Wisconsin Act 28](#), section [9106](#) (1) (g) 3., and the methodology used to calculate those charges. The board may not assess the utility charges until the charges are approved by the department of administration.

**SECTION 214.** 36.25 (3) (title) of the statutes is amended to read:

**36.25 (3) (title) AGRICULTURAL DEMONSTRATION STATIONS, EXPERIMENTS, DEMONSTRATIONS RESEARCH AND INSTRUCTIONAL PROGRAMS.**

**SECTION 215.** 36.25 (3) (a) to (c) of the statutes are renumbered 37.25 (3) (a) to (c), and 37.25 (3) (a) and (c), as renumbered, are amended to read:

**37.25 (3) (a)** The board may establish through the College of Agricultural and Life Sciences of the University of Wisconsin-Madison university demonstration stations for the purpose of aiding in agricultural development. The location of the stations shall be determined by the board which shall consider the opportunities for agricultural development in various regions of the state.

(c) The board shall, under the supervision of the dean of the College of Agricultural and Life Sciences of the University of Wisconsin-Madison university, foster research and experimentation in the control of bovine brucellosis, which is also

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known as Bang's disease, at various points within this state that the board considers advisable. To facilitate the bovine brucellosis research and experimentation, contracts may be entered into with owners of bovine animals of various classes for the supervised control of the animals and for the purchase of animals under conditions to be specified in contracts that shall be retained for control purposes. ~~Payment under the contracts shall be made out of the appropriation in s. 20.285 (1) (a).~~

**SECTION 216.** 36.25 (3) (d) of the statutes is renumbered 36.25 (3).

**SECTION 217.** 36.25 (4) of the statutes is repealed.

**SECTION 218.** 36.25 (5) (a) of the statutes is renumbered 36.25 (5) and amended to read:

36.25 (5) The board of regents, as licensee, shall manage, operate and maintain broadcasting station WHA and WHA-TV and shall enter into an affiliation agreement with the educational communications board pursuant to s. 39.14. ~~Except as provided under par. (b), the agreement shall provide that the board of regents shall grant the educational communications board the part-time use of equipment and space necessary for the operations of the state educational radio and television networks.~~ The board of regents shall maintain a separate account for each revenue source for broadcasting station WHA and for WHA-TV which permits identification of the functions or activities for which expenditures are made. The board of regents shall maintain annual records of its expenditures for programming purposes by type of programming and by source of revenue.

**SECTION 219.** 36.25 (5) (b) of the statutes is renumbered 37.25 (5) (b) and amended to read:



37.25 (5) (b) The board of regents may rent space on the Madison public broadcast transmission tower to the educational communications board and to other public and commercial broadcasters.

**SECTION 220.** 36.25 (6) (a) of the statutes is amended to read:

36.25 (6) (a) The board shall have charge of the geological and natural history survey. Under the supervision of the state geologist, appointed under s. 37.03 (1) (c), the survey shall study the geology, water, soils, plants, fish and animal life of the state and shall continue the topographic mapping of the state begun by the U.S. geological survey, but no money may be expended for topography unless an equivalent amount is expended for this purpose in the state by the U.S. government.

**SECTION 221.** 36.25 (6) (e) of the statutes is renumbered 37.25 (6) and amended to read:

37.25 (6) STATE GEOLOGIST. The state geologist shall carry out the responsibilities specified for him or her under ~~s.~~ ss. 36.25 (6) and 107.15.

**SECTION 222.** 36.25 (8) of the statutes is renumbered 37.25 (8) and amended to read:

37.25 (8) WATER RESOURCES RESEARCH. Funds made available to the various state agencies for joint water resources research and data collection programs shall be administered and coordinated by the director of the water resources center of the ~~University of Wisconsin-Madison~~ university. Such funds shall be made available, on application from the state agencies concerned, when the director, after seeking the advice of the department of natural resources, finds the proposed projects to be consistent with other state projects and the needs of the state. The director shall make biennial reports to the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2), at the convening of the legislature.

**SECTION 223.** 36.25 (9) of the statutes is amended to read:

36.25 (9) STATE SOILS LABORATORY. The board shall establish a state soils and plant analysis laboratory at the extension in connection with the College of Agricultural and Life Sciences of the University of Wisconsin-Madison and the University of Wisconsin-Extension. The laboratory shall, at the request of the owner or occupant of any lands in the state and upon the payment of such fees as are prescribed, make field examinations and analyses of the soil and plant tissue and when possible interpret the results of such investigation and make appropriate recommendations. ~~The board through the College of Agricultural and Life Sciences of the University of Wisconsin-Madison may cause an investigation to be made of methods of clearing cutover lands, perform experiments and demonstrations in conjunction therewith and provide related services to individual citizens at cost.~~

**SECTION 224.** 36.25 (10) of the statutes is repealed.

**SECTION 225.** 36.25 (11) of the statutes is renumbered 37.57, and 37.57 (1) and (5) to (7), as renumbered, are amended to read:

37.57 (1) ~~The board shall maintain the state laboratory of hygiene shall be attached to the University of Wisconsin-Madison. The laboratory of hygiene board shall meet at least quarterly and may promulgate rules under ch. 227, approve the laboratory of hygiene budget, set fees, set priorities and make final approval of laboratory resources so that the laboratory can act in response to agencies' planned objectives and program priorities.~~

(5) ~~The technical staff and other employees necessary to the operation of the laboratory shall be employed under the classified service by the director. The board, upon the recommendation of the chancellor of the University of Wisconsin-Madison, with the approval of the laboratory of hygiene board, shall appoint the director of the~~

laboratory and such other members of its professional staff as are required for the administration of the laboratory.

**(5m)** The laboratory of hygiene board shall create and maintain a roster of scientists and other persons with technical expertise who are willing to work for the laboratory of hygiene if the governor declares that an emergency related to public health exists. If the governor declares such an emergency, the laboratory of hygiene board shall hire as limited-term employees the requisite number of persons from the roster to assist the department of health services under s. 250.042.

**(6)** The laboratory of hygiene board may impose a fee for each test conducted by the laboratory. Any test conducted for a local unit of government is exempt from the fee unless the test is outside the state public health care mission or is required under [42 USC 300f to 300j](#), as determined by the laboratory of hygiene board. The laboratory may charge state agencies through contractual arrangements for the actual services rendered.

**(7)** The laboratory of hygiene board shall submit ~~biennial budget requests reflecting joint budgetary planning with agencies served,~~ and any information required by the department of administration under s. 16.43, directly to the department of administration.

**SECTION 226.** 36.25 (12) of the statutes is renumbered 37.25 (12), and 37.25 (12) (a), as renumbered, is amended to read:

**37.25 (12)** (a) The board shall house, equip and maintain the psychiatric research institute as a program of the ~~University of Wisconsin-Madison~~ Center for Health Sciences. The psychiatric research institute shall be a facility for research, development and service to the state in the field of mental health. The institute may exercise the powers granted under s. 46.044.

**SECTION 227.** 36.25 (12m) of the statutes is renumbered 37.25 (12m).

**SECTION 228.** 36.25 (13g) of the statutes is renumbered 37.25 (13g), and 37.25 (13g) (a), (b) (intro.) and (d), as renumbered, are amended to read:

37.25 (13g) (a) The board shall establish at the University—of Wisconsin—Madison university the “University of Wisconsin Hospitals and Clinics”.

(b) (intro.) The board shall maintain, control and supervise the use of the University of Wisconsin Hospitals and Clinics, for the purposes of all of the following:

(d) This subsection applies only in the event that the on-campus facilities, as defined in s. 233.01 (7), leased to the University of Wisconsin Hospitals and Clinics Authority under s. ~~36.11~~ 37.11 (28), and any improvements, modifications or other facilities specified in s. 233.04 (7) (c), are transferred to the board under s. 233.04 (3b) (b), (7g) (b) or (7p) (b).

**SECTION 229.** 36.25 (13m) of the statutes is repealed.

**SECTION 230.** 36.25 (13s) of the statutes is renumbered 37.25 (13s) and amended to read:

37.25 (13s) **MEDICAL PRACTICE IN UNDERSERVED AREAS.** Of the moneys appropriated to the board under s. ~~20.285~~ 20.280 (1) ~~(fe)~~ (a) of the statutes, the board shall, ~~beginning in fiscal year 2008–09~~, allocate \$400,000 in each fiscal year for the department of family medicine and practice in the University of Wisconsin School of Medicine and Public Health to support the Wisconsin Academy for Rural Medicine, the Academy for Center-city Medical Education, and the Wisconsin Scholars Academy programs. The board may not expend any moneys allocated under this subsection in a fiscal year unless the board receives \$400,000 in gifts and grants from private sources in that fiscal year for supporting such programs.

**SECTION 231.** 36.25 (18) of the statutes is renumbered 37.25 (18) and amended to read:

**37.25 (18) SCHOOL OF VETERINARY MEDICINE.** The board shall establish and maintain a school of veterinary medicine at the ~~University of Wisconsin–Madison~~ university. Existing facilities shall be used to the maximum possible extent for auxiliary instructional and research support of the veterinary program.

**SECTION 232.** 36.25 (19) of the statutes is renumbered 37.25 (19), and 37.25 (19) (a), as renumbered, is amended to read:

**37.25 (19) (a)** The board may establish at the ~~University of Wisconsin–Madison~~ university a model school for children with disabilities, as defined in s. 115.76 (5). The school shall utilize practical demonstration techniques to train teachers and other support personnel under s. 115.28 (7) (c).

**SECTION 233.** 36.25 (21) of the statutes is renumbered 37.25 (21), and 37.25 (21) (intro.), (a) and (b), as renumbered, are amended to read:

**37.25 (21) SCHOOL OF LAW; PART-TIME ENROLLMENT AND NIGHT COURSES.** (intro.) The board shall direct the School of Law to do all the following:

(a) Allow resident students who are admitted to law school to enroll in part-time programs;

(b) Allow resident students who are admitted to law school 6 years after first enrolling to complete requirements for a degree; ~~and~~.

**SECTION 234.** 36.25 (21m) of the statutes is renumbered 37.25 (21m) and amended to read:

**37.25 (21m) GREAT LAKES INDIAN LAW PROGRAM.** The board shall establish a Great Lakes Indian law program at the ~~University of Wisconsin–Madison Law School~~ university law school.

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**SECTION 235.** 36.25 (23) of the statutes is renumbered 37.25 (23) and amended to read:

**37.25 (23)** ROBERT M. LA FOLLETTE INSTITUTE OF PUBLIC AFFAIRS. There is established a Robert M. La Follette institute of public affairs at the ~~University of Wisconsin-Madison~~ university. The institute shall engage in research, public service and educational activities to advance the knowledge of public affairs and the application of that knowledge to the needs of this state.

**SECTION 236.** 36.25 (30m) of the statutes is renumbered 37.25 (30m) and amended to read:

**37.25 (30m)** AGRICULTURAL TECHNOLOGY AND FAMILY FARM PROGRAMS. The board may establish agricultural technology and family farm programs in the College of Agricultural and Life Sciences at the ~~University of Wisconsin-Madison~~ university.

**SECTION 237.** 36.25 (34) of the statutes is renumbered 37.25 (34) and amended to read:

**37.25 (34)** CENTER FOR URBAN LAND ECONOMICS RESEARCH. The board shall establish a center for urban land economics research in the School of Business at the ~~University of Wisconsin-Madison~~ university to conduct research and undertake educational, public outreach and grant activities related to real estate and urban land economics.

**SECTION 238.** 36.25 (35m) of the statutes is renumbered 37.25 (35m) and amended to read:

**37.25 (35m)** HERBARIUM. The board shall maintain an herbarium at the ~~University of Wisconsin-Madison~~ university to be known as the “Wisconsin State Herbarium”.

**SECTION 239.** 36.25 (37) of the statutes is renumbered 37.25 (37) and amended to read:

37.25 (37) AREA HEALTH EDUCATION CENTER. The board shall maintain at the ~~University of Wisconsin-Madison~~ university an area health education center to support community-based primary care training programs.

**SECTION 240.** 36.25 (42) of the statutes is renumbered 37.25 (42) and amended to read:

37.25 (42) DISTINGUISHED CHAIR OF MILITARY HISTORY. The board shall establish a distinguished chair of military history at the ~~University of Wisconsin-Madison~~ university.

**SECTION 241.** 36.25 (49m) of the statutes is renumbered 37.25 (49m), and 37.25 (49m) (a) 1. and (c), as renumbered, are amended to read:

37.25 (49m) (a) 1. "Center" means the Center on Education and Work at the ~~University of Wisconsin-Madison~~ university.

(c) The center shall evaluate the effectiveness of the program during the pilot period in promoting careers in math, science, agricultural education, technology education, and information technology. If, based on the results of the evaluation, the center determines that the program has been effective in promoting such careers, the center may continue the program after the pilot period and may expand the program by allowing participation by additional classrooms. The center shall prepare a report regarding the evaluation and describing whether the center has continued or expanded the program, and submit the report to the appropriate standing committees of the legislature under s. 13.172 (3), the department of public instruction, and the department of workforce development, ~~and the department of commerce.~~



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\*\*\*\*NOTE: This is reconciled s. 36.25 (49m) (c). This SECTION has been affected by drafts with the following LRB numbers: LRB-1187 and LRB-1465.

**SECTION 242.** 36.25 (53) of the statutes is amended to read:

36.25 (53) BUSINESS PLAN COMPETITION. The board shall use the moneys appropriated under s. 20.285 (1) (eb) to support a business plan competition program existing on May 25, 2010, at institutions and college campuses ~~other than the University of Wisconsin-Madison~~ that makes entrepreneurial expertise available to students and that has ties to campus-based business plan contests and national organizations that foster student entrepreneurship. The board may use the moneys only if the board receives matching funds for the same purpose from private contributions.

**SECTION 243.** 36.29 (5) (a) of the statutes is renumbered 36.29 (5) and amended to read:

36.29 (5) ~~Except as provided in par. (b), the~~ The board may not acquire or make a commitment to operate any golf course not owned by the board prior to July 2, 1983, without specific authorization by the legislature.

**SECTION 244.** 36.29 (5) (b) of the statutes is repealed.

**SECTION 245.** 36.33 of the statutes is renumbered 37.33, and 37.33 (1) and (4), as renumbered, are amended to read:

37.33 (1) LEGISLATIVE INTENT. The legislature finds and determines that, because of the problems resulting from the development of the city of Madison around certain agricultural lands of the ~~University of Wisconsin-Madison~~ university, the desirability of consolidating lands used for agricultural instruction, research and extension purposes, the desirability of disposing of agricultural lands no longer needed by the university and the need for land of better quality and of

greater quantity for the purpose of improving and expanding agricultural research, it is in the public interest for the board to sell or lease, in whole or in part, the agricultural lands and improvements thereon owned by the board and located in sections 19, 20 and 30, township 7 north, range 9 east, Dane County; sections 25 and 27, township 7 north, range 8 east, Dane County; sections 34 and 35, township 38 north, range 11 east, Oneida County; and section 22, township 22 north, range 8 east, Portage County; and to purchase other agricultural lands outside of the Madison urban area and to construct thereon the necessary buildings and improvements. The foregoing policy determination is made without reference to or intention of limiting the powers which the board may otherwise have.

(4) PROCEEDS. The net proceeds from the sale of agricultural lands and improvements authorized by this section shall be devoted to the purchase of land and construction of improvements contemplated in sub. (1) ~~but of any excess of revenue beyond the amount required for this purpose a sum not to exceed \$7,200,000 shall constitute a nonlapsible fund for the purpose of erecting facilities for research and instruction in animal husbandry, agricultural engineering and agricultural and life sciences at the University of Wisconsin-Madison, and such funds shall become available upon consent and recommendation of the board and authorization by the building commission.~~

**SECTION 246.** 36.335 of the statutes is amended to read:

**36.335 Sale of other land; buildings and structures.** Except as provided in s. 36.33, if ~~If~~ the Board of Regents of the University of Wisconsin System board sells any real property under its jurisdiction during the period beginning on October 27, 2007, and ending on June 30, 2009, and the period beginning on July 1, 2009, the board shall credit the net proceeds of the sale to the appropriation account under s.

20.285 (1) (iz) except that if there is any outstanding public debt used to finance the acquisition, construction, or improvement of any property that is sold, the board shall deposit a sufficient amount of the net proceeds from the sale of the property in the bond security and redemption fund under s. 18.09 to repay the principal and pay the interest on the debt, and any premium due upon refunding any of the debt. If the property was acquired, constructed, or improved with federal financial assistance, the board shall pay to the federal government any of the net proceeds required by federal law. If the property was acquired by gift or grant or acquired with gift or grant funds, the board shall adhere to any restriction governing use of the proceeds.

**SECTION 247.** 36.395 of the statutes is repealed.

**SECTION 248.** 36.44 (1) of the statutes is renumbered 36.44.

**SECTION 249.** 36.44 (2) of the statutes is renumbered 37.44 (2) and amended to read:

37.44 (2) Notwithstanding sub. (1), the board shall use the fees collected under s. 341.14 (6r) (b) 4. for the ~~University of Wisconsin-Madison~~ university's scholarship program to provide funds for the ~~University of Wisconsin-Madison~~ university's division of intercollegiate athletics. When the board determines that the division's deficit has been eliminated, the board shall use such fees as provided under sub. (1).

**SECTION 250.** 36.48 of the statutes is amended to read:

**36.48 Alcohol and other drug abuse prevention and intervention programs.** The board shall appoint alcohol and other drug abuse prevention and intervention program counselors for the ~~University of Wisconsin-Madison~~ and the University of Wisconsin-Milwaukee. The counselors shall develop alcohol and other drug abuse prevention and intervention programs and train faculty, academic staff

and classified staff in the prevention of and early intervention in alcohol and other drug abuse.

**SECTION 251.** 36.49 (intro.) and (2) of the statutes are consolidated, renumbered 36.49 and amended to read:

**36.49 Environmental ~~program grants and scholarships.~~** From the appropriation under s. 20.285 (1) (rm), the board shall ~~annually do the following:~~ ~~(2) Provide~~ provide annual scholarships totaling \$100,000 to students enrolled in the sustainable management degree program through the University ~~of Wisconsin-Extension~~ extension.

**SECTION 252.** 36.49 (1) of the statutes is renumbered 37.49 and amended to read:

**37.49 Environmental program grants.** ~~Make~~ From the appropriation under s. 20.280 (1) (rm), annually the board shall award need-based grants totaling \$100,000 to students who are members of underrepresented groups and who are enrolled in a program leading to a certificate or a bachelor's degree from the Nelson Institute for Environmental Studies at the ~~University of Wisconsin-Madison~~ university.

**SECTION 253.** 36.54 (2) (a) 2. of the statutes is amended to read:

36.54 (2) (a) 2. "Public agency" means a county, city, village, town, public inland lake protection and rehabilitation district, lake sanitary district ~~or~~, school district, or state agency or an agency of this state ~~or of a county, city, village, town, public inland lake protection and rehabilitation district, lake sanitary district, or school district.~~

**SECTION 254.** 36.54 (2) (a) 3. of the statutes is created to read:

36.54 (2) (a) 3. "State agency" includes the University of Wisconsin-Madison.

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\*\*\*\*NOTE: I created a definition for "state agency" because I assume the UW should be treated as a state agency under s. 36.54 (2) (e), which provides: "No more than one-third of the total amount awarded in grants under par. (b) in any fiscal year may be awarded to state agencies."

**SECTION 255.** 36.56 (title) of the statutes is renumbered 37.56 (title).

**SECTION 256.** 36.56 (1) of the statutes is renumbered 37.56 and amended to read:

**37.56** From the appropriation under s. ~~20.285~~ 20.280 (1) (qm), the center for cooperatives under s. ~~36.11~~ 37.11 (40) may award grants to persons to form forestry cooperatives under ch. 185 or 193 that consist primarily of private, nonindustrial owners of woodland. A grant recipient shall provide matching funds equal to 50% of the grant amount awarded. The match may be in the form of money or in-kind services or both, but may not include money received from the state.

**SECTION 257.** 36.56 (2) of the statutes is repealed.

**SECTION 258.** 36.58 (title) of the statutes is renumbered 37.58 (title).

**SECTION 259.** 36.58 (1) of the statutes is repealed.

**SECTION 260.** 36.58 (2) of the statutes is renumbered 37.58 (2).

**SECTION 261.** 36.58 (3) of the statutes is renumbered 37.58 (3), and 37.58 (3) (c), as renumbered, is amended to read:

**37.58 (3) (c)** The veterinary diagnostic laboratory board may identify services that are necessary to protect human health and safety for which the veterinary diagnostic laboratory may not charge fees.

**SECTION 262.** 36.58 (3m) of the statutes is renumbered 37.58 (3m) and amended to read:

**37.58 (3m) APPOINTMENT OF DIRECTOR.** ~~After consultation with the veterinary diagnostic laboratory board, the~~ The chancellor of the University of

~~Wisconsin-Madison~~ shall appoint an individual who has received the degree of doctor of veterinary medicine as the director of the veterinary diagnostic laboratory.

**SECTION 263.** 36.58 (4) and (5) of the statutes are repealed.

**SECTION 264.** 36.58 (6) of the statutes is renumbered 37.58 (6).

**SECTION 265.** 36.59 (8) of the statutes is repealed.

**SECTION 266.** 36.60 (title) of the statutes is amended to read:

**36.60** (title) ~~Physician and dentist~~ **Dentist loan assistance program.**

**SECTION 267.** 36.60 (1) (ag) of the statutes is renumbered 37.60 (1) (ag).

**SECTION 268.** 36.60 (1) (aj) of the statutes is renumbered 37.60 (1) (aj).

**SECTION 269.** 36.60 (1) (ap) of the statutes is renumbered 37.60 (1) (ap).

**SECTION 270.** 36.60 (1) (b) of the statutes is renumbered 37.60 (1) (b).

**SECTION 271.** 36.60 (1) (cm) of the statutes is renumbered 37.60 (1) (cm).

**SECTION 272.** 36.60 (1) (d) of the statutes is amended to read:

36.60 (1) (d) "Rural area" has the meaning given in s. ~~36.63~~ 37.63 (1) (c).

**SECTION 273.** 36.60 (2) (a) 1. of the statutes is renumbered 36.60 (2) (a) and amended to read:

36.60 (2) (a) ~~Except as provided in subd. 2., the~~ The board may repay, on behalf of a ~~physician or dentist~~, up to \$50,000 in educational loans obtained by the ~~physician or dentist~~ from a public or private lending institution for education in an accredited school of ~~medicine or dentistry~~ or for postgraduate ~~medical or dental~~ training.

**SECTION 274.** 36.60 (2) (a) 2. of the statutes is renumbered 37.60 (2) (a) 2.

**SECTION 275.** 36.60 (2) (b) of the statutes is amended to read:

36.60 (2) (b) A ~~physician or dentist~~ who is a participant in the national health service corps scholarship program under 42 USC 254n, or a ~~physician or dentist~~ who

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was a participant in that program and who failed to carry out his or her obligations under that program, is not eligible for loan repayment under this section.

**SECTION 276.** 36.60 (3) (a) of the statutes is renumbered 37.60 (3) (a).

**SECTION 277.** 36.60 (4m) of the statutes is renumbered 37.60 (4m).

**SECTION 278.** 36.60 (5) (b) 1. of the statutes is amended to read:

36.60 (5) (b) 1. ~~The degree to which there is an extremely high need for medical care in the eligible practice area, health professional shortage area, or rural area in which a physician desires to practice and the degree to which there is an extremely high need for dental care in the dental health shortage area or rural area in which a dentist desires to practice.~~

**SECTION 279.** 36.60 (5) (b) 2. of the statutes is amended to read:

36.60 (5) (b) 2. ~~The likelihood that a physician will remain in the eligible practice area, health professional shortage area, or rural area, and that a dentist will remain in the dental health shortage area or rural area, in which he or she desires to practice after the loan repayment period.~~

**SECTION 280.** 36.60 (5) (b) 3. of the statutes is amended to read:

36.60 (5) (b) 3. ~~The per capita income of the eligible practice area, health professional shortage area, or rural area in which a physician desires to practice and of the dental health shortage area or rural area in which a dentist desires to practice.~~

**SECTION 281.** 36.60 (5) (b) 4. of the statutes is amended to read:

36.60 (5) (b) 4. ~~The financial or other support for physician recruitment and retention provided by individuals, organizations, or local governments in the eligible practice area, health professional shortage area, or rural area in which a physician desires to practice and for dentist recruitment and retention provided by individuals,~~



organizations, or local governments in the dental health shortage area or rural area in which a dentist desires to practice.

**SECTION 282.** 36.60 (5) (b) 5. of the statutes is amended to read:

36.60 (5) (b) 5. The geographic distribution of the ~~physicians and dentists~~ who have entered into loan repayment agreements under this section and the geographic distribution of the ~~eligible practice areas, health professional shortage areas, dental health shortage areas,~~ and rural areas in which the eligible applicants desire to practice.

**SECTION 283.** 36.60 (5) (d) of the statutes is amended to read:

36.60 (5) (d) An agreement under sub. (3) does not create a right of action against the state on the part of the ~~physician, dentist,~~ or lending institution for failure to make the payments specified in the agreement.

**SECTION 284.** 36.60 (6m) (a) (intro.) of the statutes is amended to read:

36.60 (6m) (a) (intro.) The board shall, by rule, establish penalties to be assessed by the board against ~~physicians and dentists~~ who breach agreements entered into under sub. (3). The rules shall do all of the following:

**SECTION 285.** 36.60 (8) (b) of the statutes is amended to read:

36.60 (8) (b) Identify ~~eligible practice areas and rural areas with an extremely high need for medical care and~~ dental health shortage areas and rural areas with an extremely high need for dental care.

**SECTION 286.** 36.60 (8) (d) of the statutes is amended to read:

36.60 (8) (d) Publicize the program under this section to ~~physicians, dentists,~~ and eligible communities.

**SECTION 287.** 36.60 (8) (e) of the statutes is amended to read:

**SECTION 287**

36.60 (8) (e) Assist ~~physicians and dentists~~ who are interested in applying for the program under this section.

**SECTION 288.** 36.60 (8) (f) of the statutes is amended to read:

36.60 (8) (f) Assist communities in obtaining ~~physicians' and dentists'~~ services through the program under this section.

**SECTION 289.** 36.60 (8) (h) of the statutes is amended to read:

36.60 (8) (h) Notwithstanding subs. (3) (b) and (5) (a) and (b), ensure that moneys appropriated under s. 20.285 (1) (qj) are used under this section only to repay loans on behalf of ~~physicians and dentists~~ who agree to practice in a rural area.

**SECTION 290.** 36.60 (9) (intro.) of the statutes is amended to read:

36.60 (9) EXPANDED LOAN ASSISTANCE PROGRAM. (intro.) The board may agree to repay loans as provided under this section on behalf of a ~~physician or dentist~~ under an expanded ~~physician and dentist~~ loan assistance program that is funded through federal funds in addition to state matching funds. To be eligible for loan repayment under the expanded ~~physician and dentist~~ loan assistance program, a ~~physician or dentist~~ must fulfill all of the requirements for loan repayment under this section, as well as all of the following:

**SECTION 291.** 36.60 (9) (a) of the statutes is amended to read:

36.60 (9) (a) The ~~physician or dentist~~ must be a U.S. citizen.

**SECTION 292.** 36.60 (9) (b) of the statutes is amended to read:

36.60 (9) (b) The ~~physician or dentist~~ may not have a judgment lien against his or her property for a debt to the United States.

**SECTION 293.** 36.60 (9) (c) (intro.) of the statutes is amended to read:

36.60 (9) (c) (intro.) The ~~physician or dentist~~ must agree to do all of the following:

**SECTION 294.** 36.60 (9) (c) 2. of the statutes is amended to read:

36.60 (9) (c) 2. Use a sliding fee scale or a comparable method of determining payment arrangements for patients who are not eligible for medicare or medical assistance and who are unable to pay the customary fee for the physician's or dentist's services.

**SECTION 295.** 36.60 (9) (c) 3. of the statutes is amended to read:

36.60 (9) (c) 3. Practice at a public or private nonprofit entity in a health professional shortage area, if a physician, or in a dental health shortage area, if a dentist.

**SECTION 296.** 36.61 (title) of the statutes is amended to read:

**36.61 (title) ~~Health care provider~~ Dental hygienist loan assistance program.**

**SECTION 297.** 36.61 (1) (am) of the statutes is renumbered 37.61 (1) (am) and amended to read:

37.61 (1) (am) "Eligible practice area" means a primary care shortage area, an American Indian reservation, or trust lands of an American Indian tribe, ~~except that with respect to a dental hygienist "eligible practice area" means a dental health shortage area.~~

**SECTION 298.** 36.61 (1) (b) of the statutes is renumbered 37.61 (1) (b) and amended to read:

37.61 (1) (b) "Health care provider" means a ~~dental hygienist~~, physician assistant, nurse-midwife, or nurse practitioner.

**SECTION 299.** 36.61 (1) (bp) of the statutes is renumbered 37.61 (1) (bp) and amended to read:

**SECTION 299**

37.61 (1) (bp) “Health professional shortage area” has the meaning given in s. ~~36.60~~ 37.60 (1) (aj).

**SECTION 300.** 36.61 (1) (d) of the statutes is renumbered 37.61 (1) (d) and amended to read:

37.61 (1) (d) “Primary care shortage area” has the meaning given in s. ~~36.60~~ 37.60 (1) (cm).

**SECTION 301.** 36.61 (1) (e) of the statutes is amended to read:

36.61 (1) (e) “Rural area” has the meaning given in s. ~~36.63~~ 37.63 (1) (c).

**SECTION 302.** 36.61 (2) of the statutes is amended to read:

36.61 (2) ELIGIBILITY. The board may repay, on behalf of a ~~health care provider~~ dental hygienist, up to \$25,000 in educational loans obtained by the ~~health care provider~~ dental hygienist from a public or private lending institution for education related to the ~~health care provider’s field of practice~~ of dental hygiene, as determined by the board with the advice of the council.

**SECTION 303.** 36.61 (3) (a) of the statutes is amended to read:

36.61 (3) (a) The board shall enter into a written agreement with the ~~health care provider~~ dental hygienist. In the agreement, the ~~health care provider~~ dental hygienist shall agree to practice at least 32 clinic hours per week for 3 years in one or more ~~eligible practice~~ dental health shortage areas in this state or in a rural area, except that a ~~health care provider in the expanded loan assistance program under sub. (8) who is not a dental hygienist~~ may only agree to practice at a public or private ~~nonprofit entity in a health professional shortage area~~.

**SECTION 304.** 36.61 (5) (b) 1. of the statutes is amended to read:

36.61 (5) (b) 1. The degree to which there is an extremely high need for medical care in the ~~eligible practice area, health professional shortage area, or rural area~~ in

~~which an eligible applicant who is not a dental hygienist desires to practice and the degree to which there is an extremely high need for dental care in the dental health shortage area or rural area in which an eligible applicant who is a dental hygienist desires to practice.~~

**SECTION 305.** 36.61 (5) (b) 2. of the statutes is amended to read:

36.61 (5) (b) 2. The likelihood that an eligible applicant will remain in the ~~eligible practice~~ dental health shortage area, ~~health professional shortage area,~~ or rural area in which he or she desires to practice after the loan repayment period.

**SECTION 306.** 36.61 (5) (b) 3. of the statutes is amended to read:

36.61 (5) (b) 3. The per capita income of the ~~eligible practice~~ dental health shortage area, ~~health professional shortage area,~~ or rural area in which an eligible applicant desires to practice.

**SECTION 307.** 36.61 (5) (b) 4. of the statutes is amended to read:

36.61 (5) (b) 4. The financial or other support for ~~health care provider~~ dental hygienist recruitment and retention provided by individuals, organizations or local governments in the ~~eligible practice~~ dental health shortage area, ~~health professional shortage area,~~ or rural area in which an eligible applicant desires to practice.

**SECTION 308.** 36.61 (5) (b) 5. of the statutes is amended to read:

36.61 (5) (b) 5. The geographic distribution of the ~~health care providers~~ dental hygienists who have entered into loan repayment agreements under this section and the geographic location of the ~~eligible practice~~ dental health shortage area, ~~health professional shortage area,~~ or rural area in which an eligible applicant desires to practice.

**SECTION 309.** 36.61 (5) (c) of the statutes is amended to read:

36.61 (5) (c) An agreement under sub. (3) does not create a right of action against the state on the part of the ~~health-care provider~~ dental hygienist or the lending institution for failure to make the payments specified in the agreement.

**SECTION 310.** 36.61 (6m) (a) (intro.) of the statutes is amended to read:

36.61 (6m) (a) (intro.) The board shall, by rule, establish penalties to be assessed by the board against ~~health-care providers~~ dental hygienists who breach an agreement entered into under sub. (3) (a). The rules shall do all of the following:

**SECTION 311.** 36.61 (7) (a) of the statutes is amended to read:

36.61 (7) (a) Identify communities with an extremely high need for ~~health-care,~~ including dental health care.

**SECTION 312.** 36.61 (7) (b) of the statutes is amended to read:

36.61 (7) (b) Publicize the program under this section to ~~health-care providers~~ dental hygienists and eligible communities.

**SECTION 313.** 36.61 (7) (c) of the statutes is amended to read:

36.61 (7) (c) Assist ~~health-care providers~~ dental hygienists who are interested in applying for the program under this section.

**SECTION 314.** 36.61 (7) (d) of the statutes is amended to read:

36.61 (7) (d) Assist communities in obtaining the services of ~~health-care providers~~ dental hygienists through the program under this section.

**SECTION 315.** 36.61 (7) (e) of the statutes is amended to read:

36.61 (7) (e) Notwithstanding subs. (3) (b) and (5) (a) and (b), ensure that moneys appropriated under s. 20.285 (1) (qj) are used under this section only to repay loans on behalf of ~~health-care providers~~ dental hygienists who agree to practice in a rural area.

**SECTION 316.** 36.61 (8) (intro.) of the statutes is amended to read:

36.61 (8) EXPANDED LOAN ASSISTANCE PROGRAM. (intro.) The board may agree to repay loans as provided under this section on behalf of a health care provider dental hygienist under an expanded health care provider dental hygienist loan assistance program that is funded through federal funds in addition to state matching funds. To be eligible for loan repayment under the expanded health care provider dental hygienist loan assistance program, a health care provider dental hygienist must fulfill all of the requirements for loan repayment under this section, as well as all of the following:

**SECTION 317.** 36.61 (8) (a) of the statutes is amended to read:

36.61 (8) (a) The health care provider dental hygienist must be a U.S. citizen.

**SECTION 318.** 36.61 (8) (b) of the statutes is amended to read:

36.61 (8) (b) The health care provider dental hygienist may not have a judgment lien against his or her property for a debt to the United States.

**SECTION 319.** 36.61 (8) (c) (intro.) of the statutes is amended to read:

36.61 (8) (c) (intro.) The health care provider dental hygienist must agree to do all of the following:

**SECTION 320.** 36.61 (8) (c) 2. of the statutes is amended to read:

36.61 (8) (c) 2. Use a sliding fee scale or a comparable method of determining payment arrangements for patients who are not eligible for medicare or medical assistance and who are unable to pay the customary fee for the health care provider's dental hygienist's services.

**SECTION 321.** 36.61 (8) (c) 3. of the statutes is amended to read:

36.61 (8) (c) 3. Practice at a public or private nonprofit entity ~~in a health professional shortage area, if the health care provider is not a dental hygienist, or in a dental health shortage area, if the health care provider is a dental hygienist.~~



**SECTION 322.** 36.62 (1) of the statutes is amended to read:

36.62 (1) Advise the board on matters related to the ~~physician and dentist loan assistance program~~ under s. 36.60 and the ~~health care provider~~ dental hygienist loan assistance program under s. 36.61.

**SECTION 323.** 36.62 (2) of the statutes is amended to read:

36.62 (2) Advise the board on the amount, up to \$25,000, to be repaid on behalf of each ~~health care provider~~ dental hygienist who participates in the ~~health care provider~~ dental hygienist loan assistance program under s. 36.61.

**SECTION 324.** 36.63 of the statutes is renumbered 37.63, and 37.63 (3) and (4) (b) 1., as renumbered, are amended to read:

37.63 (3) Annually by December 1, the department shall submit a plan for increasing the number of physician residency programs that include a majority of training experience in a rural area to the Rural Wisconsin Health Cooperative, the Wisconsin Hospital Association, and the Wisconsin Medical Society. The plan shall include a detailed proposed budget for expending the moneys appropriated to the board under s. ~~20.285~~ 20.280 (1) (qe) and demonstrate that the moneys do not supplant existing funding. The department shall consider comments made by the organizations in formulating its final budget.

(4) (b) 1. The number of such physician residency positions funded in whole or in part under this section or s. 36.63, 2009 stats., in the previous fiscal year.

**SECTION 325.** Chapter 37 of the statutes is created to read:

## **CHAPTER 37**

### **UNIVERSITY OF WISCONSIN-MADISON**

**37.001 Statement of purpose and mission.** (1) The University of Wisconsin-Madison continues to be this state's comprehensive teaching and

research university, with a statewide, national, and international mission, offering programs at the undergraduate, graduate, and professional levels in a wide range of fields while engaging in extensive scholarly research, continuing adult education, and public service.

(2) The primary purpose of the university is to provide a learning environment in which faculty, staff, and students may discover, examine critically, preserve, and transmit the knowledge, wisdom, and value that will help ensure the survival of this and future generations and improve the quality of life for all. The university seeks to help students develop an understanding of and appreciation for the complex cultural and physical worlds in which they live and to realize their highest potential of intellectual, physical, and human development. It also seeks to attract and serve students from diverse social, economic, and ethnic backgrounds and to be sensitive and responsive to those groups that have been underserved by higher education.

**37.01 Definitions.** In this chapter:

(1) “Academic staff” means those university employees who, immediately prior to the effective date of this subsection .... [LRB inserts date], were designated as academic staff of the University of Wisconsin–Madison under ch. 36, 2009 stats., and those university employees hired as or designated as academic staff by the board.

(1m) “Authority” means the authority created in this chapter.

(2) “Board” means the Board of Trustees of the authority.

(3) “Board of Regents” means the Board of Regents of the system.

(4) “Campus” means the publicly owned or leased buildings and grounds that comprise all or part of the university.

(5) “Chancellor” means the chief executive of the university.

(6) “Faculty” means persons who hold the rank of professor, associate professor, assistant professor, or instructor in an academic department or its functional equivalent in the university and such other employees as may be designated by the chancellor and faculty.

(7) “Student” means any person who is registered for study in the university for the current academic period. For the purpose of administering particular programs or functions involving students, the board shall adopt rules defining continuation or termination of student status during periods between academic periods.

(8) “System” means the University of Wisconsin System.

(9) “University” means the university operated by the board under this chapter.

**37.02 University of Wisconsin–Madison: creation; organization of Board of Trustees.** (1) (a) There is created an authority, which is a public body corporate and politic, to be known as the “University of Wisconsin–Madison.” The board shall consist of the following:

1. The following members, at least 7 of whom shall be university alumni, appointed by the governor for 3–year terms:

- a. One member of the Board of Regents.
- b. One member who represents agricultural interests in this state.
- c. Nine additional members.

2. The following members appointed for 3–year terms:

- a. Two faculty members selected by the faculty.
- b. One university employee who is not a faculty member, selected by university employees who are not faculty.

c. Two university alumni selected by the Wisconsin Alumni Research Foundation board.

d. Two university alumni selected by the Wisconsin Alumni Association board.

e. Two university alumni selected by the University of Wisconsin Foundation board.

3. One student enrolled in the university, selected by students enrolled in the university, for a 2-year term.

4. The chancellor, who shall serve as a nonvoting member.

(b) Members appointed under par. (a) 1. c. and 2. c., d., and e. shall have a demonstrated commitment to the welfare of the university and shall have management experience or possess expertise in aspects of the university's mission, such as undergraduate, graduate, and professional education, research, intellectual property, support of existing industries, new business startups, and public service.

(c) Members appointed under par. (a) 1. and 2. may serve no more than 2 consecutive terms. The member appointed under par. (a) 3. may serve no more than one term.

**(2)** A vacancy on the board shall be filled in the same manner as the original appointment to the board for the remainder of the unexpired term, if any.

**(3)** A member of the board may not be compensated for his or her services but may be reimbursed for actual and necessary expenses, including travel expenses, incurred in the performance of his or her duties.

**(4)** No cause of action of any nature may arise against and no civil liability may be imposed upon a member of the board for any act or omission in the performance of his or her powers and duties under this chapter, unless the person asserting liability proves that the act or omission constitutes willful misconduct.

(5) The members of the board shall annually elect a chairperson and may elect other officers as they consider appropriate. Eleven voting members of the board constitute a quorum for the purpose of conducting the business and exercising the powers of the authority, notwithstanding the existence of any vacancy. The board may take action upon a vote of a majority of the members present, unless the bylaws of the authority require a larger number.

(6) The board shall appoint a chancellor to serve as chief executive officer of the university. The chancellor serves at the pleasure of the board. The chancellor shall receive such compensation as the board fixes.

(6m) The board shall appoint a secretary of the board, who shall keep a record of all its transactions.

(7) The state treasurer shall be the treasurer of the board for those moneys appropriated to the board under s. 20.280.

(8) (a) The board shall provide in its operating policies for access to the board by the public, faculty, students, and employees.

(b) The board meetings shall be open and all records of such meetings and of all proceedings of the board shall be open to inspection in accordance with subchs. II and V of ch. 19.

**37.03 Responsibilities.** (1) BOARD. (a) The primary responsibility for governance of the authority is vested in the board, which shall operate a university at or near the seat of government, and adopt policies for governing the university.

(b) The board shall determine the educational programs to be offered by the university and may discontinue educational programs as it deems necessary.

(c) The board shall appoint a chancellor; faculty; other employees; the state geologist; the director of the laboratory of hygiene; the director of the psychiatric

institute; and the state cartographer; and fix the salaries, the duties, and the term of office for each. No sectarian or partisan tests or any tests based upon race, color, creed, religion, national origin, sex, disability, ancestry, age, sexual orientation, pregnancy, marital status, or parental status shall ever be allowed or exercised in the appointment of the employees of the university.

(d) The board shall delegate to the chancellor the responsibility for the administration and operation of the university within the policies and guidelines established by the board.

(e) In order to provide for the evaluation of the quality and effectiveness of the university, the board shall prepare an accountability report measuring its performance in such areas as the access and affordability of the university, student achievement, the research efforts of the university, the economic impact of the university on the state, the services provided by the university to the residents of the state, and the financial accountability of the university's operations. By July 1, 2013, and biennially thereafter, the board shall submit the accountability report to the governor and shall post the report prominently on its Web site.

**(2) CHANCELLOR.** The chancellor shall be the executive head of the faculty and the university, shall be vested with the responsibility of administering board policies, and shall be accountable and report to the board on the operation and administration of the university. Subject to board policy, the chancellor, in consultation with the faculty, is responsible for designing curricula and setting degree requirements; determining academic standards and establishing grading systems; defining and administering institutional standards for faculty peer evaluation and screening candidates for appointment, promotion, and tenure; recommending individual merit increases; administering associated auxiliary services; and administering all funds,

from whatever source, allocated, generated, or intended for use of the university. The chancellor may designate a person as provost, to act as chief executive officer of the university in the chancellor's absence.

**(3) FACULTY.** The faculty, subject to the responsibilities and powers of the board and the chancellor, shall be vested with responsibility for the immediate governance of the university and shall actively participate in university policy development. As such, the faculty has the primary responsibility for academic and educational activities and faculty personnel matters. The faculty have the right to determine their own faculty organizational structure and to select representatives to participate in university governance.

**(4) ACADEMIC STAFF.** The academic staff, subject to the responsibilities and powers of the board, the chancellor, and the faculty, shall be active participants in the immediate governance of and policy development for the university. The academic staff have the primary responsibility for the formulation and review, and shall be represented in the development, of all policies and procedures concerning the academic staff, including academic staff personnel matters. The academic staff have the right to organize themselves in a manner they determine and to select their representatives to participate in university governance.

**(5) STUDENTS.** The students, subject to the responsibilities and powers of the board, the chancellor, and the faculty, shall be active participants in the immediate governance of and policy development for the university. As such, students have primary responsibility for the formulation and review of policies concerning student life, services, and interests. In consultation with the chancellor and subject to the final confirmation of the board, students have the responsibility for the disposition of those student fees that constitute substantial support for campus student



activities. The students have the right to organize themselves in a manner they determine and to select their representatives to participate in university governance.

**37.11 Powers and duties of the board. (1) GENERALLY.** The board shall have all the powers necessary or convenient to carry out the purposes and provisions of this chapter. In addition to all other powers granted the board under this chapter, the board may specifically:

(a) Adopt, amend, and repeal any bylaws, policies, and procedures for the regulation of its affairs and the conduct of its business.

(b) Have a seal and alter the seal at pleasure.

(c) Maintain an office.

(d) Accept gifts, grants, loans, or other contributions from private or public sources.

(e) Establish the university's annual budget and monitor the fiscal management of the university.

(f) Execute contracts and other instruments required for the operation of the university.

**(1g) PERSONNEL SYSTEM.** The board shall develop and implement a personnel system, effective July 1, 2012, that is separate and distinct from the system created under ch. 230. The board shall develop and implement the system with the active participation of the faculty and academic staff as provided in s. 37.03 (3) and (4). In developing the personnel system, the board shall provide for the transfer of classified civil service employees to the university personnel system as necessary upon the effective date of its implementation.

**(1m)** PROTECTION OF PEOPLE; CUSTODY AND MANAGEMENT OF PROPERTY. (a) The board may promulgate rules to protect the lives, health, and safety of persons on property under its jurisdiction and to protect such property and to prevent obstruction of the functions of the university. Any person who violates any rule promulgated under this paragraph may be fined not more than \$500 or imprisoned for not more than 90 days or both.

(b) Except as provided in this paragraph, the board may purchase, have custody of, hold, control, possess, lease, grant easements, and enjoy any lands, buildings, books, records, and all other property of any nature that may be necessary and required for the purposes, objects, and uses of the university authorized by law. Any lease is subject to the powers of the University of Wisconsin Hospitals and Clinics Authority under s. 233.03 (13) and the rights of the authority under any lease agreement, as defined in s. 233.01 (6). The board may sell or dispose of such property as provided by law, or any part thereof when in its judgment it is for the best interests of the university and the state.

(c) The board may promulgate rules for the management of all property under its jurisdiction, for the care and preservation thereof, and for the promotion and preservation of the orderly operation of the university in any or all of its authorized activities with forfeitures for their violation, which may be sued for and collected in the name of the board before any court having jurisdiction of such action. Forfeitures shall not exceed \$500.

(cm) The board shall promulgate rules prescribing the times, places, and manner in which political literature may be distributed and political campaigning may be conducted in state-owned residence halls. No such rule may authorize any activity prohibited under s. 11.36 (3) or (4).

(d) All fines imposed and collected under this subsection shall be transmitted to the county treasurer for disposition in accordance with s. 59.25 (3) (f) and (j). All forfeitures, including forfeitures of posted bail if any, imposed and collected under this subsection shall be transmitted to the county treasurer for disposition in accordance with ss. 778.13 and 778.17.

**(2) POLICE AUTHORITY.** (a) The board shall have concurrent police power, with other authorized peace officers, over all property subject to its jurisdiction. Such concurrent police authority shall not be construed to reduce or lessen the authority of the police power of the community or communities in which the university is located. All university police officers shall cooperate with and be responsive to the local police authorities as they meet and exercise their statutory responsibilities. The designated agents of the board may arrest, with or without warrant, any person on such property who they have reasonable grounds to believe has violated a state law or any rule promulgated under sub. (1m) (a), (c), or (cm) or (8) and deliver such person to any court having jurisdiction over the violation and execute a complaint charging such person with the violation. This subsection does not impair the duty of any other peace officers within their jurisdictions to arrest and take before the proper court persons found violating any state law on such property.

(b) The board may employ police for the university and a chief to head such police, or contract for police, all of whom shall be deemed peace officers under s. 939.22 (22) under the supervision and control of the chancellor or the chancellor's designee. Such police officers shall meet the minimum standards established for other police officers by the law enforcement standards board or a comparable agency. Such police shall preserve the peace on all property described under par. (a), enforce all rules promulgated under subs. (1) (a), (c), and (cm) and (8) and all other laws, and

for that purpose the chancellor or the chancellor's designee may call for aid from such other persons as is deemed necessary.

**(3) ADMISSION OF APPLICANTS.** (a) The board shall establish the policies for admission to the university and within these policies shall establish specific requirements for admission to its courses of instruction. No sectarian or partisan tests or any tests based upon race, religion, color, creed, national origin of U.S. citizens, sex, disability, ancestry, age, sexual orientation, pregnancy, marital status, or parental status shall ever be allowed in the admission of students.

(b) The board may establish policies for the appropriate transfer of credits with other educational institutions.

**(4) INJUNCTIVE RELIEF.** The board may obtain injunctive relief to enforce any rules promulgated under sub. (1m) (a), (c) or (cm) or sub. (8).

**(5) INSURANCE.** (a) The board may procure liability insurance covering the members of the board, any officer, employee, or such students whose activities may constitute an obligation or responsibility of the university.

(b) The board may procure insurance to cover injuries sustained by students as a result of their participation in intercollegiate athletics. The board may not use general purpose revenue to pay for such insurance. With respect to any of the risks to be covered by the insurance, the board may contract for the services of a claims administrator and may obtain coverage by any combination of self-insurance, excess or stop-loss insurance, or blanket insurance.

**(6) FINANCIAL AIDS.** (a) The board may:

1. Make grants to students from funds budgeted to or controlled by the university and formulate policies and adopt rules for the grants.

2. Make grants equivalent in value to the payment of incidental fees to disabled residents of the state who are recommended and supervised by the department of workforce development under s. 47.02.

(b) The board may not make a grant under par. (a) to a person whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the person provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

**(7) CONFER DEGREES.** The board may confer such degrees and grant such diplomas as are usual in universities or as it deems appropriate.

**(8) PARKING RULES.** (a) The board may make general policies and shall authorize the chancellor to promulgate rules regulating the parking of motor vehicles on property under its jurisdiction.

(b) The board shall establish fines for the violation of any rule promulgated under par. (a). The university may collect such fines together with moneys collected from the sale of parking permits and other fees established under par. (a), to be used only for the purpose of developing and operating parking or other transportation facilities at the university and for enforcing parking rules under par. (a).

**(8e) PARKING FEES.** The board shall charge a parking fee for the parking of motor vehicles by students, employees, and visitors at campus. The board may require the fee to be sufficient to recover the costs of the construction and maintenance necessary for the parking facilities. Nothing in this subsection requires the recovery of the costs of land for parking facilities. Nothing in this subsection requires that all users of the parking facilities be charged a parking fee.

**(8m)** TRANSPORTATION PLANNING. The board shall work with the regional planning commissions and the local authorities of the community in which the university is located to evaluate the transportation needs of the university population. The board shall develop a transportation plan for the university to effect energy resource conservation and efficient use of transportation resources. The plan shall include pedestrian walkways, bikeways, bike routes, bicycle storage racks, car and van pools, and, to the extent feasible, improved mass transit services. The transportation plans shall detail parking management strategies that provide incentives for the use of mass transit and high occupancy vehicles.

**(9)** CONDEMNATION. The board may acquire by condemnation proceedings under ch. 32 such parcels of land as it deems necessary for the use of the university whenever the board is unable to agree with the owner upon the compensation therefor, or whenever the absence or legal incapacity of such owner, or other cause, prevents or unreasonably delays such agreement.

**(11)** SURPLUS MONEY. The board may invest any surplus money in such securities as are legal for trust fund investments; or invest such funds or any part thereof, in the senior or junior bonds or obligations that may be issued by such nonprofit-sharing corporation as may be contracted with by the board for the construction or equipment of dormitories, commons, or field houses, which bonds or obligations shall be secured by a mortgage or pledge of the buildings or improvements erected or to be erected by such corporations and by a mortgage or pledge of its leasehold interest. Any interest on any of such bonds or securities shall when received be added to the revolving funds and may be used for the purposes set forth in this subsection.

**(12) LIBRARY DEPOSITORY.** (a) The board may participate in the formation and maintenance of a nonprofit-sharing corporation sponsored by participating colleges, universities, and libraries for the purpose of providing and operating a central library depository at a location in a midwestern state for the storage of little used books and other library and research materials of participating institutions, and which corporation may also perform other functions for the benefit of participating institutions such as, without limitation because of enumeration, the correlating of library catalogs of the participating institutions, the coordinating and planning of the purchasing by each institution of costly or infrequently used books and research materials in order to avoid unnecessary duplication, and facilitating the loaning of library books and other library and research materials between participating institutions. The board shall possess all powers necessary or convenient to accomplish the foregoing, including the authority to designate representatives or members of such corporation in accordance with its articles and bylaws.

(b) The board may make use of and pay for the use of the facilities and services of such nonprofit-sharing corporation, but the board shall retain title to all books and materials deposited with such corporation for storage or loaned to other participating institutions. The appropriations to the board are to be available for the purposes of this subsection to the extent that such appropriations may be applicable.

**(13) AUXILIARY RESERVES.** Auxiliary enterprise reserve funds established prior to merger of this state's public institutions of higher education for the benefit or support of an institution or group of institutions shall not be utilized for any other purpose.

**(15) TAX DEFERRED ANNUITIES.** The board may continue all salary reduction agreements with its employees pursuant to section 403 (b) of the Internal Revenue



Code. The board may enter into new salary reduction agreements with its employees pursuant to section 403 (b) of the Internal Revenue Code or other applicable federal law and may purchase annuities for its employees pursuant to these agreements from such annuity providers, both public and private, as the board deems appropriate.

**(15m)** FOOTBALL COACHES PENSION PLAN. The board may deduct contributions from the salaries of football coaches employed in the university who are eligible and wish to participate in the qualified pension plan for football coaches established as the American football coaches retirement trust, and remit the deductions to the administrator of that plan, if the American football coaches retirement trust or the administrator or agent of the plan indemnifies the board and its employees against, and holds the board and its employees harmless from, all claims and demands associated with the plan.

**(17)** SABBATICAL LEAVE FOR INSTRUCTIONAL FACULTY. The board may grant sabbatical leave of up to one year to university faculty, in order to recognize and enhance teaching efforts and excellence, under rules and procedures adopted by the board, subject to the following conditions:

(a) Sabbatical leave may be granted only to those faculty members who have completed 6 or more years, or the equivalent, of full-time instructional service in the university.

(b) Only one sabbatical leave may be granted for each 6 years of full-time instructional service in the university with preference given to those who have been making significant contributions to teaching and have not had a leave of absence except under s. 103.10, regardless of source of funding, in the previous 4 years.

(c) Sabbatical leave shall be granted for the purposes of enhancing teaching, course and curriculum development, or conducting research or any other scholarly activities related to instructional programs within the field of expertise of the faculty member taking such leave.

(d) Sabbatical leave shall be approved by appropriate faculty and administrative committees.

(e) A faculty member shall receive compensation while on sabbatical leave, but such compensation, when combined with outside compensation earned while on leave, shall not exceed the full compensation normally received from the university.

(f) The faculty member taking a sabbatical leave shall agree to return to the university for at least one year after the termination of the sabbatical or return any compensation received from the university during the sabbatical.

**(21) CONTROLLED SUBSTANCES AND CONTROLLED SUBSTANCE ANALOGS; DISCIPLINE.** Any student who engages in an activity, on campus or at an event sponsored by the university, that constitutes a violation of ch. 961 is subject to nonacademic misconduct disciplinary sanctions, as provided by the board by rule. In determining the appropriate sanction, the board or its designee shall consider those penalties, including suspension and expulsion, that will contribute most effectively to maintaining a university environment that is free from controlled substances, as defined in s. 961.01 (4), and controlled substance analogs, as defined in s. 961.01 (4m).

**(22) ORIENTATION PROGRAM; INFORMATION ON SEXUAL ASSAULT AND SEXUAL HARASSMENT.** (a) The board shall do all of the following:

1. Incorporate in the orientation program for newly entering students oral and written or electronic information on sexual assault and sexual harassment, as

defined in s. 111.32 (13), including information on sexual assault by acquaintances of the victims and on all of the following:

a. The legal definitions of, and penalties for, sexual assault under ss. 940.225, 948.02, and 948.025, sexual exploitation by a therapist under s. 940.22, and harassment under s. 947.013.

b. Generally available national and state statistics, and university statistics as compiled under par. (c) and as reported under par. (d), on sexual assaults and on sexual assaults by acquaintances of the victims.

\*\*\*\*NOTE: Check to see if "campus" is used consistently.

c. The rights of victims under ch. 950 and the services available at the university and in the community to assist a student who is the victim of sexual assault or sexual harassment.

d. Protective behaviors, including methods of recognizing and avoiding sexual assault and sexual harassment and locations in the community where courses on protective behaviors are provided.

2. Annually supply to all students enrolled in the university printed or electronic material that includes all of the information under subd. 1.

(b) Annually, the board shall submit a report to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3). The report shall indicate the methods the university has used to comply with par. (a).

(c) Any person employed at the university who witnesses a sexual assault on campus or receives a report from a student enrolled in the university that the student has been sexually assaulted shall report to the dean of students. The dean of

students shall compile reports for the purpose of disseminating statistical information under par. (a) 1. b.

(d) Annually, the university shall report to the office of justice assistance in the department of administration statistics on sexual assaults and on sexual assaults by acquaintances of the victims that occurred on campus in the previous year. The office of justice assistance shall include the statistics in appropriate crime reports published by the office.

**(26) BUILDING PROGRAM PLANNING AND APPROVAL.** The board shall establish a process for submission of building projects to the building commission for approval. No building project for the university may be submitted by the board to the building commission unless the project is developed and approved by the board in conformity with this subsection. This subsection does not apply to building projects of the University of Wisconsin Hospitals and Clinics Authority.

**(27) CONDITION ON FINANCIAL ASSISTANCE.** The board may not provide any state financial assistance under this chapter to any person during the period that the person is required to register with the selective service system under 50 USC, Appendix, sections 451 to 473 if the person has not so registered.

**(47) ARMED FORCES.** If a student who is a member of a national guard or a member of a reserve unit of the U.S. armed forces withdraws from school after September 11, 2001, because he or she is called into state active duty or into active service with the U.S. armed forces for at least 30 days, the board shall reenroll the student beginning in the semester in which he or she is discharged, demobilized, or deactivated from active duty or the next succeeding semester, whichever the student prefers, shall give the student the same priority in registering for courses that the student would have had if he or she had registered for courses at the beginning of the

registration period, and, at the student's request, do one of the following for all courses from which the student had to withdraw:

(a) Reimburse the student all tuition and fees paid for all the courses and a prorated portion of room and board payments.

(b) Grant the student an incomplete in all the courses and permit the student to complete the courses, within 6 months after leaving state service or active service, without paying additional tuition or fees.

**(50) RESERVE OFFICER TRAINING CORPS.** The board may not prohibit the reserve officer training corps from operating on its campus.

**(51) AUTOMOBILE ALLOWANCE.** The board may not use general purpose revenue, tuition, or academic fees for the chancellors' automobile allowance.

**37.12 Student discrimination prohibited.** (1) No student may be denied admission to, participation in, or the benefits of, or be discriminated against in any service, program, course, or facility of, the university because of the student's race, color, creed, religion, sex, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital status, or parental status.

(2) (a) The board shall establish policies and procedures to protect students from discrimination under sub. (1). The policies and procedures shall do all of the following:

1. Provide criteria for determining whether sub. (1) has been violated.
2. Provide remedies and sanctions for violations of sub. (1).
3. Require a complainant to file a complaint with the university within 300 days of the alleged violation of sub. (1).

4. Provide periods within which the complainant and the university must act for each procedural step leading to the issuance of a final decision and for appeal of the final decision to the chancellor.

(b) The board shall establish policies and procedures for the appeal of the chancellor's decision to the board.

**37.13 Faculty tenure and probationary appointments. (1) DEFINITIONS.**

In this section:

(a) "Probationary appointment" means an appointment by the board held by a faculty member during the period that may precede a decision on a tenure appointment.

(b) "Tenure appointment" means an appointment for an unlimited period granted to a faculty member by the board.

**(2) APPOINTMENTS.** (a) Except as provided under par. (b), the board may grant a tenure appointment only upon the affirmative recommendation of the chancellor and the appropriate academic department or its functional equivalent. Neither the chancellor nor the academic department or its functional equivalent may base a tenure recommendation upon impermissible factors, as defined by the board by rule.

(b) The board may grant a tenure appointment without the affirmative recommendation of the appropriate academic department or its functional equivalent if all of the following apply:

1. The board has the affirmative recommendation of the chancellor.
2. A faculty committee authorized by the board by rule to review the negative recommendation of the academic department or its functional equivalent finds that the decision of the academic department or its functional equivalent was based upon impermissible factors, as defined by the board by rule.

3. The board has the affirmative recommendation of a committee appointed according to the policies and procedures of the university to review the individual's record with reference to criteria for tenure published by the university under procedures established by the board by rule. No person may be appointed to the committee under this subdivision unless the person is knowledgeable or experienced in the individual's academic field or in a substantially similar academic field. No member of the committee appointed under this subdivision may be a member of the academic department, or its functional equivalent, that made the negative recommendation. The committee appointed under this subdivision may not base its tenure recommendation upon impermissible factors, as defined by the board by rule.

(c) A tenure appointment may be granted to any faculty member who holds or will hold a half-time appointment or more. The proportion of time provided for in the appointment may not be diminished nor increased without the mutual consent of the faculty member and the university subject only to sub. (5) and s. 37.21.

(d) A probationary appointment shall not exceed 7 consecutive academic years in a full-time position. A leave of absence, sabbatical or a teacher improvement assignment does not constitute a break in continuous service and shall not be included in the 7-year period. The board may adopt rules specifying additional circumstances that do not constitute a break in continuous service and that shall not be included in the 7-year period.

**(3) RULES.** The board and the faculty shall adopt rules for tenure and probationary appointments, for the review of faculty performance and for the nonretention and dismissal of faculty members.

**(4) CONTINUATION OF APPOINTMENT.** (a) Any person who holds a tenure appointment under ch. 36, 1971 stats., and ch. 37, 1971 stats., and related rules on



July 9, 1974, shall continue to hold tenure as defined under those chapters and related rules. Any person who holds a tenure appointment under sub. (2) (a) or (b) and related rules on the effective date of this paragraph .... [LRB inserts date], shall continue to hold tenure under that subsection and related rules.

(b) Any person who holds a probationary appointment under sub. (2) (d) and related rules on the effective date of this paragraph .... [LRB inserts date], shall continue to enjoy the contractual rights and guarantees as defined under that paragraph and related rules.

**(5) PROCEDURAL GUARANTEES.** Any person having tenure may be dismissed only for just cause and only after due notice and hearing. Any person having a probationary appointment may be dismissed prior to the end of the person's contract term only for just cause and only after due notice and hearing. The action and decision of the board in such matters shall be final. The board and the faculty shall develop procedures for the notice and hearing that shall be adopted by rule.

**37.14 Wisconsin distinguished professorships.** (1) The board may establish distinguished professorships under this section.

(2) The board may pay under this section the salary and fringe benefit costs of the professor holding the distinguished professorship and of any graduate assistant assigned to the professor, and the equipment, supplies, and travel costs of the professor and the graduate assistants assigned to the professor.

**37.15 Academic staff appointments.** A person having an academic staff appointment for a term may be dismissed prior to the end of the appointment term only for just cause and only after due notice and hearing. A person having an academic staff appointment for an indefinite term who has attained permanent status may be dismissed only for just cause and only after due notice and hearing.

**37.17 Executive appointments.** An appointment to an executive position, as determined by the board, shall be at the pleasure of the board. A person holding a tenured or academic staff appointment under s. 37.13 or 37.15 does not lose that appointment by accepting an executive appointment.

**37.19 Other appointments.** (1) The board may make or authorize appointments for former classified service employees, student assistants, and employees in training, such as residents, interns, post-doctoral fellows, or trainees or associates.

(2) (a) Beginning July 1, 2012, all board employees in the classified service who have been achieved permanent status in class, and who became board employees before July 1, 2012, may be dismissed only for just cause and only after due notice and hearing.

(b) Except for appointments under par. (a), ss. 37.13, 37.15, and 37.17, and except for limited-term employees, project employees, student assistants, employees in training such as residents, interns, post-doctoral fellows, or trainees or associates, all appointments made on or after July 1, 2012, have the procedural guarantees included in the personnel system implemented by the board under s. 37.11 (1g).

**37.21 Lapse of appointments.** Notwithstanding ss. 37.13 (4) and (5), 37.15, and 37.19 (2), the board may, with appropriate notice, terminate any appointment when a financial emergency exists. No person may be employed at the university within 2 years to perform reasonably comparable duties to those of the person whose appointment was terminated without first offering such person a reappointment. The board, after consultation with the faculty and chancellor, shall adopt procedures to be followed in the event of termination under this section.

**37.23 Conflict of interest.** No member of the board, or other person appointed or employed in any position in the university, may at any time act as an agent for any person or organization if the act would create a conflict of interest with the terms of the person's service in the university. The board shall define conflicts of interest and adopt policies related thereto.

**37.25 Special programs. (2) WISCONSIN RESIDENTS PREFERENCE IN HOUSING.** Preference as to rooming, boarding, and apartment facilities in the use of living units operated by the university shall, for the following school year, be given to students who are residents of this state and who apply before March 15, unless a later date is set by the board. Such preference shall be granted in accordance with categories of priority established by the board. Leases or other agreements for occupancy of such living units shall not exceed a term of one calendar year. The board may establish requirements for the execution of this subsection.

**(3m) SOLID WASTE EXPERIMENT CENTERS.** (a) In this subsection, "solid waste disposal" has the meaning given in s. 289.01 (34).

(b) The board may establish one or more solid waste experiment centers for the purpose of developing, demonstrating, promoting, and assessing the costs and environmental effects of alternatives to solid waste disposal. The board shall determine the location of the solid waste experiment centers. In making the determination, the board shall consider the solid waste disposal needs of the various regions of the state. The board may establish, through cooperative agreements, solid waste experiment centers at existing publicly owned or privately owned storage, treatment, or disposal facilities.

(c) The board shall conduct research into alternatives to solid waste disposal, including the reuse and recycling of materials, composting, source separation, and

the disposal of household hazardous wastes. The board shall also conduct research into the safe disposal of solid waste that cannot be composted or recycled. Research conducted under this paragraph shall include technologies suitable for application to waste streams of less than 50 tons of solid waste per day and shall consider the environmental effects of the technologies being researched and measures that could be taken to mitigate such effects. Research conducted under this paragraph shall be designed for the benefit of all public and private entities responsible for the collection, storage, transportation, treatment, or disposal of solid waste and all persons who generate solid waste.

**(5) STATE EDUCATIONAL RADIO AND TELEVISION NETWORKS.** (a) Except as provided in par. (b), the board may grant the educational communications board the part-time use of equipment and space necessary for the operations of the state educational radio and television networks pursuant to the affiliation agreement between the educational communications board and the Board of Regents required under s. 36.25 (5).

**(9) CLEARING CUTOVER LANDS.** The board through the College of Agricultural and Life Sciences may cause an investigation to be made of methods of clearing cutover lands, perform experiments and demonstrations in conjunction therewith, and provide related services to individual citizens at cost.

**(14) GRADUATE STUDENT FINANCIAL AID.** The board shall establish a grant program for minority and disadvantaged graduate students enrolled in the university. The grants shall be awarded from the appropriation under s. 20.280 (1) (a). The board shall give preference in awarding grants under this subsection to residents of this state. The board may not make a grant under this subsection to a person whose name appears on the statewide support lien docket under s. 49.854 (2)

(b), unless the person provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

**(14m) MINORITY AND DISADVANTAGED PROGRAMS.** (a) The board shall allocate funds under s. 20.280 (4) (a) to fund programs for recruiting minority and disadvantaged students and to fund programs for minority and disadvantaged students enrolled in the university.

(b) Annually by April 15, the board shall adopt a precollege, recruitment and retention plan for minority and disadvantaged students enrolled in the university.

(c) Annually by April 15, the board shall submit a report to the governor and to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3). The report shall include all of the following:

1. The plan adopted under par. (b).
2. All financial aid distributed to students, categorized by ethnic group, class level, and dependency status. The report shall include information on financial need, percentage of need satisfied by loan, percentage of need satisfied by grant, and the percentage remaining unsatisfied.

**(15) MILITARY INSTRUCTION.** The board may provide courses in military science and tactics.

**(27) INTEGRATED AGRICULTURE PROGRAM.** The board shall establish an integrated agriculture program.

**(28) SCHOOLS OF BUSINESS.** The board shall use the funds appropriated under s. 20.280 (1) (a) to support improvements in master's level business programs. The board may spend funds in that appropriation for this purpose only if it receives matching funds for the same purpose from private contributions.

\*\*\*NOTE: Do you want to delete the second sentence?

**(46) MENINGOCOCCAL DISEASE AND HEPATITIS B.** (a) The board shall do all of the following:

1. Annually, provide detailed information on the risks associated with meningococcal disease and hepatitis B and the availability and effectiveness of vaccines against the diseases to each enrolled student, if he or she is at least 18 years old, or to the student's parent or guardian, if the student is a minor.

2. Require a student who resides in a dormitory or residence hall, or the student's parent or guardian if the student is a minor, to affirm that the student received the information under subd. 1.

3. Require a student who resides in a dormitory or residence hall to affirm whether he or she has received the vaccination against meningococcal disease and to provide the date of the vaccination, if any.

4. Require a student who resides in a dormitory or residence hall to affirm whether he or she has received the vaccination against hepatitis B and to provide the date of the vaccination, if any.

5. Maintain a confidential record of the affirmations and the dates of the vaccinations of each student under subds. 3. and 4.

(b) Nothing in this subsection requires the board to provide or pay for vaccinations against meningococcal disease or hepatitis B.

**37.27 Tuition and fees. (1) BOARD TO ESTABLISH.** (a) Subject to par. (b), the board may establish for different classes of students differing tuition and fees incidental to enrollment in educational programs or use of facilities in the university. Except as otherwise provided in this section, the board may charge any student who is not exempted by this section a nonresident tuition. The board may establish

special rates of tuition and fees for summer sessions and such other studies or courses of instruction as the board deems advisable.

(b) The board shall permit a person who is 60 years of age or older to audit a course without paying an auditor's fee if the person is a resident of this state, as determined under sub. (2) (e), space is available in the course, and the instructor approves.

**(2) NONRESIDENT TUITION EXCEPTIONS.** (a) Students qualifying under any of the following categories, while they continue to be residents of this state, are entitled to exemption from nonresident tuition but not from incidental or other fees:

1. Any adult student who has been a bona fide resident of the state for 12 months next preceding the beginning of any semester or session for which such student registers at the university.

2. Any minor student, if one or both of the student's parents have been bona fide residents of this state for at least 12 months next preceding the beginning of any semester or session for which the student registers at the university.

3. Any adult student who is a dependent of his or her parents under [26 USC 152](#) (a), if one or both of the student's parents have been bona fide residents of this state for at least 12 months next preceding the beginning of any semester or session for which the student registers at the university.

4. Any minor student who has resided substantially in this state during the years of minority and at least 12 months next preceding the beginning of any semester or session for which such student registers at the university.

5. Any minor student under guardianship in this state whose legal guardian has been a bona fide resident of this state for at least 12 months next preceding the



beginning of any semester or session for which such student registers at the university.

6. Any adult student who has been employed as a migrant worker for at least 2 months each year for 3 of the 5 years next preceding the beginning of any semester or session for which the student registers at the university, or for at least 3 months each year for 2 of the 5 years next preceding the beginning of any semester or session for which the student registers at the university, any adult student whose parent or legal guardian has been so employed while the student was a minor and any minor student whose parent or legal guardian has been so employed. In this subdivision, “migrant worker” has the meaning specified in s. 103.90 (5).

(am) Any person who is a refugee, as defined under [8 USC 1101](#) (a) (42), who moved to this state immediately upon arrival in the United States and who has resided in this state continuously since then is entitled to the exemption under par. (a) if he or she demonstrates an intent to establish and maintain a permanent home in Wisconsin according to the criteria under par. (e).

(b) 1. Nonresident members of the armed forces and persons engaged in alternative service who are stationed in this state on active duty and their spouses and children are entitled to the exemption under par. (a) during the period that such persons are stationed in this state.

2. Members of the armed forces who reside in this state and are stationed at a federal military installation located within 90 miles of the borders of this state, and their spouses and children, are entitled to the exemption under par. (a).

3. Nonresident persons who served in active duty in the U.S. armed forces for at least 10 years, who were honorably discharged from such service within 4 years before applying at the university, and who filed state income tax returns for at least

8 of the last 10 years of active duty in the U.S. armed forces, and their spouses and children are entitled to the exemption under par. (a).

4. A person who was a resident of this state at the time of entry into active duty, who is a resident of and living in this state at the time of registering at the university, and who is a veteran, as defined in s. 45.01 (12), is entitled to the exemption under par. (a).

(c) Any student who is a graduate of a Wisconsin high school and whose parents are bona fide residents of this state for 12 months next preceding the beginning of any semester or session for which the student registers at the university or whose last surviving parent was a bona fide resident of this state for the 12 months preceding death is entitled to the exemption under par. (a).

(cm) Any person continuously employed full time in this state, who was relocated to this state by his or her current employer or who moved to this state for employment purposes and accepted his or her current employment before applying for admission to the university and before moving, and the spouse and dependents of any such person, are entitled to the exemption under par. (a) if the student demonstrates an intent to establish and maintain a permanent home in Wisconsin according to the criteria under par. (e). In this paragraph, "dependents" has the meaning given in [26 USC 152 \(a\)](#).

(d) Any person who has not been a bona fide resident of the state for 12 months next preceding the beginning of any semester or session for which such person registers at the university, except as provided in this subsection, is not exempt from the payment of the nonresident tuition.

(e) In determining bona fide residence at the time of the beginning of any semester or session and for the preceding 12 months the intent of the person to

establish and maintain a permanent home in Wisconsin is determinative. In addition to representations by the student, intent may be demonstrated or disproved by factors including, but not limited to, timely filing of a Wisconsin income tax return of a type that only full-year Wisconsin residents may file, voter registration in Wisconsin, motor vehicle registration in Wisconsin, possession of a Wisconsin operator's license, place of employment, self-support, involvement in community activities in Wisconsin, physical presence in Wisconsin for at least 12 months preceding the beginning of the semester or session for which the student registers, and, if the student is not a U.S. citizen, possession of a visa that permits indefinite residence in the United States. Notwithstanding par. (a), a student who enters and remains in this state principally to obtain an education is presumed to continue to reside outside this state and such presumption continues in effect until rebutted by clear and convincing evidence of bona fide residence.

**(2m) APPEALS.** Any body designated by the board to determine nonresident tuition exemptions under sub. (2) may require a student who has been granted such an exemption to submit information from which the body may determine the student's eligibility for the exemption, the student's eligibility for a different exemption, or the student's residency status.

**(3) TUITION REMISSIONS.** (a) The board may remit nonresident tuition either in whole or in part at the university, but not other fees:

1. To a number of needy and worthy nonresident students upon the basis of merit, to be shown by suitable tests, examinations, or scholastic records and continued high standards of scholastic attainment.

2. To additional individual students who, in the judgment of the board, are deserving of relief from the assessment of nonresident tuition because of extraordinary circumstances.

(b) The board may remit nonresident tuition, in whole or in part, but no other fees, except in special circumstances as approved by the chancellor, to worthy and needy foreign students and to students who are United States citizens but whose residence is not in the United States.

(c) In addition to the remissions of nonresident tuition under this subsection, the board may, as athletic scholarships, grant full remission of fees and nonresident tuition, up to the maximum number allowed by the appropriate athletic conference as recommended by the chancellor.

(d) The board shall remit nonresident tuition and fees, in whole or part, to resident and nonresident graduate students who are fellows or who are employed within the university as faculty, instructional staff, or assistants with an appointment equal to at least 33 percent of a full-time equivalent position.

**(3m)** FEE REMISSIONS FOR SURVIVORS. (a) In this subsection:

1. "Correctional officer" has the meaning given in s. 102.475 (8) (a).

1g. "Emergency medical services technician" means an individual under s. 256.01 (5) or (9).

1m. "Fire fighter" means any person employed by this state or any political subdivision of this state as a member or officer of a fire department whose duties include fire fighting or fire fighting training or a member of a volunteer fire department whose duties include fire fighting or fire fighting training.

2. "Law enforcement officer" has the meaning given in s. 165.85 (2) (c) and includes a person appointed as a conservation warden under s. 23.10.

(b) The board shall grant full remission of fees to any resident undergraduate student who is enrolled in a bachelor's degree program and who is any of the following:

1. The child of an ambulance driver, correctional officer, fire fighter, emergency medical services technician, or law enforcement officer who was killed in the line of duty in this state or who qualified for a duty disability benefit, as defined in s. 40.65 (4), under the Wisconsin Retirement System, the Employees' Retirement System of the city of Milwaukee, or the Milwaukee County Employee's Retirement System and died as a result of the qualifying disability. The student must be the child of an ambulance driver, correctional officer, fire fighter, emergency medical services technician, or law enforcement officer who was so killed or who died as a result of the qualifying disability when the child was under the age of 21 or before the child was born.

2. The surviving spouse of an ambulance driver, correctional officer, fire fighter, emergency medical services technician, or law enforcement officer who was killed in the line of duty in this state or who qualified for a duty disability benefit, as defined in s. 40.65 (4), under the Wisconsin Retirement System, the Employees' Retirement System of the city of Milwaukee, or the Milwaukee County Employee's Retirement System and died as a result of the qualifying disability.

(c) The fee remission under par. (b) shall remain in effect until completion of a sufficient number of credits to be awarded a bachelor's degree in the student's major field of study, except that a student must be in good academic standing to receive the remission for the next semester and may not receive a remission for more than 5 consecutive years.

**(3n) FEE REMISSION FOR SPOUSE, SURVIVING SPOUSE, AND CHILDREN OF CERTAIN VETERANS.** (a) In this subsection, “eligible veteran” means a person verified by the department of veterans affairs to be either of the following:

1. A person who has served on active duty under honorable conditions in the U.S. armed forces, in forces incorporated as part of the U.S. armed forces, in the national guard, or in a reserve component of the U.S. armed forces; who was a resident of this state at the time of entry into that service; and who, while a resident of this state, died on active duty, died as the result of a service-connected disability, or died in the line of duty while on active or inactive duty for training purposes.

2. A person who was a resident of this state at the time of entry into service described in subd. 1. and who the U.S. department of veteran affairs has awarded at least a 30 percent service-connected disability rating under [38 USC 1114](#) or [1134](#).

(b) Except as provided in subds. 1. to 3. and par. (bg), the board shall grant full remission of academic fees and segregated fees for 128 credits or 8 semesters, whichever is longer, less the number of credits or semesters for which the person received remission of fees under ss. [36.27 \(3n\) \(b\)](#) and [38.24 \(7\)](#), but not less the amount of any academic fees or segregated fees paid under [38 USC 3319](#), to any resident student who is also any of the following:

\*\*\*\*NOTE: This is reconciled s. [37.27 \(3n\) \(b\) \(intro.\)](#). This SECTION has been affected by drafts with the following LRB numbers: LRB-1187/P4 and LRB-1188/1.

1. A spouse of an eligible veteran. The remission under this subdivision applies only during the first 10 years after the eligible veteran received the service-connected disability rating.

2. Except as provided in subd. 2m., an unremarried surviving spouse of an eligible veteran. The remission under this subdivision applies only during the first 10 years after the veteran died.

2m. An unremarried surviving spouse of an eligible veteran who had a child with the eligible veteran. The remission under this subdivision applies only until 10 years after the youngest child that the spouse had with the eligible veteran reaches or would have reached 18 years of age, or during the first 10 years after the veteran died, whichever is longer.

3. A child of an eligible veteran, if the child is at least 17 but not yet 26 years of age.

(bg) Before the board grants a remission of academic fees and segregated fees under par. (b), the board shall require the resident student to apply to the payment of those fees all educational assistance to which the resident student is entitled under [38 USC 3319](#). This requirement applies notwithstanding the fact that the resident student may be entitled to educational assistance under [10 USC 16132a](#), [10 USC 16163a](#), or [38 USC 3500 to 3566](#) as well as under [38 USC 3319](#), unless the resident student has 12 months or less of eligibility remaining for educational assistance under [10 USC 16132a](#), [10 USC 16163a](#), or [38 USC 3500 to 3566](#).

(bm) 1. For a resident student who is entitled to educational assistance under [10 USC 16132a](#), [10 USC 16163a](#), or [38 USC 3500 to 3566](#) and under [38 USC 3319](#), if the amount of educational assistance, not including educational assistance for tuition, to which the resident student is entitled under [10 USC 16132a](#), [10 USC 16163a](#), or [38 USC 3500 to 3566](#) is greater than the amount of educational assistance, not including educational assistance for tuition, that the resident student received under [38 USC 3319](#), as determined by the higher educational aids board, in the



academic year the higher educational aids board shall reimburse the resident student for the difference in those amounts of educational assistance, as calculated by the higher educational aids board, from the appropriation account under s. 20.235 (1) (fz). The higher educational aids board shall make that determination and calculation in consultation with the board.

2. If in any fiscal year there are insufficient moneys available in the appropriation account under s. 20.235 (1) (fz) to provide full reimbursement under subd. 1. to all resident students who are eligible for that reimbursement, the higher educational aids board and the board shall reimburse those resident students as provided in s. 39.50 (4).

(c) The higher educational aids board shall reimburse the board for all academic fees and segregated fees remitted under par. (b) as provided in s. 39.50 (1) and (3m).

**(3p) FEE REMISSION FOR VETERANS.** (a) In this subsection, “veteran” means a person who is verified by the department of veterans affairs as being a resident of this state for purposes of receiving benefits under ch. 45, as being a resident at the time of his or her entry into the U.S. armed forces or forces incorporated in the U.S. armed forces, and as meeting any of the following conditions:

1. The person has served on active duty for at least one qualifying term of service under subds. 2. to 4. under honorable conditions in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces during a war period or in a crisis zone.

2. The person has served on active duty in the U.S. armed forces or in forces incorporated in the U.S. armed forces under honorable conditions, for 2 continuous

years or more or for the full period of his or her initial service obligation, whichever is less.

3. The person has served on active duty for 90 days or more under honorable conditions in the U.S. armed forces or in forces incorporated in the U.S. armed forces during a war period or for any period of service under section 1 of executive order 10957 dated August 10, 1961.

4. The term of service in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces under honorable conditions entitled the person to receive the Armed Forces Expeditionary Medal, established by executive order 10977 on December 4, 1961, the Vietnam Service Medal established by executive order 11231 on July 8, 1965, the Navy Expeditionary Medal, the Marine Corps Expeditionary Medal, or an equivalent expeditionary or service medal.

5. The person was honorably discharged from the U.S. armed forces or from forces incorporated in the U.S. armed forces for a service-connected disability, for a disability subsequently adjudicated to have been service connected, or for reasons of hardship.

6. The person was released under honorable conditions from the U.S. armed forces or from forces incorporated in the U.S. armed forces due to a reduction in the U.S. armed forces.

(b) Except as provided in par. (bg), the board shall grant full remission of nonresident tuition, academic fees, and segregated fees charged for 128 credits or 8 semesters, whichever is longer, less the number of credits or semesters for which the person received remission of fees under ss. 36.27 (3p) (b) and 38.24 (8), but not less the amount of any academic fees or segregated fees paid under [10 USC 2107](#) (c), [38 USC 3104](#) (a) (7) (A), or [38 USC 3313](#), to any student who is a veteran.

\*\*\*\*NOTE: This is reconciled s. 37.27 (3p) (b). This SECTION has been affected by drafts with the following LRB numbers: LRB-1187/P4 and LRB-1188/1.

(bg) Before the board grants a remission of nonresident tuition, academic fees, and segregated fees under par. (b), the board shall require the student to apply to the payment of that tuition and those fees all educational assistance to which the student is entitled under [38 USC 3313](#). This requirement applies notwithstanding the fact that the student may be entitled to educational assistance under [10 USC 16131 to 16137](#), [10 USC 16161 to 16166](#), or [38 USC 3001 to 3036](#) as well as under [38 USC 3313](#), unless the student has 12 months or less of eligibility remaining for educational assistance under [10 USC 16131 to 16137](#), [10 USC 16161 to 16166](#), or [38 USC 3001 to 3036](#).

(bm) 1. For a student who is entitled to educational assistance under [10 USC 16131 to 16137](#), [10 USC 16161 to 16166](#), or [38 USC 3001 to 3036](#) and under [38 USC 3313](#), if the amount of educational assistance, not including educational assistance for tuition, to which the student is entitled under [10 USC 16131 to 16137](#), [10 USC 16161 to 16166](#), or [38 USC 3001 to 3036](#) is greater than the amount of educational assistance, not including educational assistance for tuition, that the student received under [38 USC 3313](#), as determined by the higher educational aids board, in the academic year the higher educational aids board shall reimburse the student for the difference in those amounts of educational assistance, as calculated by the higher educational aids board, from the appropriation account under s. 20.235 (1) (fz). The higher educational aids board shall make that determination and calculation in consultation with the board.

2. If in any fiscal year there are insufficient moneys available in the appropriation account under s. 20.235 (1) (fz) to provide full reimbursement under

subd. 1. to all students who are eligible for that reimbursement, the higher educational aids board and the board shall reimburse those students as provided in s. 39.50 (4).

(c) The higher educational aids board shall reimburse the board for all nonresident tuition, academic fees, and segregated fees remitted under par. (b) as provided in s. 39.50 (1) and (3m).

\*\*\*\*NOTE: Please note the treatment of ss. 20.235 (1) (fz) and 39.50 (1m), (3m), and (4) associated with subs. (3n) and (3p).

**(3r) FEE REMISSIONS FOR FUNERAL ASSISTANTS.** The board shall grant a \$25 remission of nonresident tuition or academic fees to any student enrolled in the university as an undergraduate for each valid voucher issued to the student under s. 45.60 (3).

\*\*\*\*NOTE: Please see the treatment of ss. 45.60 (3) (b) and 895.515 (1) (b) associated with this section.

**(4) APPLICABILITY.** Subsections (1) (b) and (2) to (3r) do not apply beginning on the date on which the board adopts a resolution to that effect or on July 1, 2013, whichever occurs sooner.

**37.29 Gifts. (1)** All gifts, grants, and bequests for the benefit or advantage of the university or any of its departments or facilities or to provide any means of instruction, illustration, or knowledge in connection therewith, whether made to trustees or otherwise, shall be valid notwithstanding any other provision of this chapter except as otherwise provided in this subsection and shall be executed and enforced according to the provisions of the instrument making the same, including all provisions and directions in any such instrument for accumulation of the income of any fund or rents and profits of any real estate without being subject to the limitations and restrictions provided by law in other cases. No investment of the

funds of such gifts, grants, or bequests shall knowingly be made in any company, corporation, subsidiary, or affiliate that practices or condones through its actions discrimination on the basis of race, religion, color, creed, sex, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital status, or parental status. This subsection does not apply to a gift, grant, or bequest that the board declines to accept or that the board is not authorized to accept under this section.

(2) All gifts, grants, or bequests under sub. (1) may be made to the board, the chancellor, or any officer, or to any person as trustee, or may be charged upon any personal representative, trustee, heir, devisee, or legatee, or made in any other manner indicating an intention to create a trust, and may be made as well for the benefit of the university or any of its schools, colleges, departments, or facilities to provide any means of instruction, illustration, or knowledge in connection therewith, or for the benefit of any students or any class or group of students whether by way of scholarship, fellowship, or otherwise, or whether for the benefit of students or any class or group of students in any course, subcourse, special course, postgraduate course, summer school or teachers course, oratorical or debating course, laboratory, shop, lectureship, drill, gymnasium or any other like division or department of study, experiment, research, observation, travel, or mental or physical improvement in any manner connected with the university, or to provide for the voluntary retirement of any of the faculty.

(3) It shall not be necessary for a gift, grant, devise, or bequest to exactly or particularly describe the members of a class or group of students intended to be the beneficiaries, but it shall be sufficient to describe the class or group. In such case, the board shall divide, graduate, or otherwise categorize the students into such

classes or groups as are necessary to select and determine those students belonging to the class or group intended.

(4) Any grant, contract, gift, endowment, trust, or segregated funds bequeathed or assigned to the university or its component parts for any purpose whatsoever shall not be commingled or reassigned.

(5) Notwithstanding sub. (4), the board may transfer any grant, contract, gift, endowment, or trust or segregated funds bequeathed or assigned to the university to the University of Wisconsin Foundation, Inc., if the transfer is consistent with its terms.

**37.30 Sick leave.** Leave of absence with pay for university employees, owing to sickness, shall be regulated by board policy, except that unused sick leave shall accumulate from year to year.

**37.32 Student identification numbers.** The university may assign to each enrolled student a unique identification number. The university shall not assign to any student an identification number that is identical to or incorporates the student's social security number. This section does not prohibit the university from requiring a student to disclose his or her social security number, nor from using a student's social security number if such use is required by a federal or state agency or private organization in order for the university or the student to participate in a particular program.

**37.335 Sale of other land; buildings and structures.** If there is any outstanding public debt used to finance the acquisition, construction, or improvement of any real property that is sold, the board shall deposit a sufficient amount of the net proceeds from the sale of the property in the bond security and redemption fund under s. 18.09 to repay the principal and pay the interest on the

debt, and any premium due upon refunding any of the debt. If the property was acquired, constructed, or improved with federal financial assistance, the board shall pay to the federal government any of the net proceeds required by federal law. If the property was acquired by gift or grant or acquired with gift or grant funds, the board shall adhere to any restriction governing use of the proceeds.

**37.34 Minority student programs.** (1) In this subsection, “minority undergraduate” means an undergraduate student who is any of the following:

- (a) A Black American.
- (b) An American Indian.
- (c) A Hispanic, as defined in s. 560.036 (1) (d).

(d) A person who is admitted to the United States after December 31, 1975, and who either is a former citizen of Laos, Vietnam, or Cambodia or whose ancestor was or is a citizen of Laos, Vietnam, or Cambodia.

(2) The board shall establish a grant program for minority undergraduates enrolled in the university. The board shall designate all grants under this subsection as Lawton grants. The board may not make a grant under this subsection to a person whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the person provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

**37.35 Misconduct; campus security.** (1) POWER TO SUSPEND AND EXPEL. The board may delegate the power to suspend or expel students for misconduct or other cause prescribed by the board. The board shall adopt policies governing student conduct and procedures for the administration of violations.



(2) **AUTHORITY TO RESTRICT PRESENCE OF PERSONS ON CAMPUS.** The chancellor or the university's chief security officer during a period of immediate danger or disruption may designate periods of time during which the campus and designated buildings and facilities connected therewith are off limits to all persons who are not faculty, staff, employees, students, or other personnel authorized by the above named officials. Any person violating such an order shall be subject to the penalties provided by law for criminal trespass.

(3) **REQUIRING PERMISSION FOR PRESENCE ON CAMPUS.** Any person who is convicted of any crime involving danger to property or persons as a result of conduct by that person that obstructs or seriously impairs activities run or authorized by the university and who, as a result of such conduct, is in a state of suspension or expulsion from the university, and who enters university property without permission of the chancellor or the chancellor's designee within 2 years, may for each such offense be fined not more than \$500 or imprisoned for not more than 6 months or both.

**37.40 Use of animals for research purposes.** The board shall adopt criteria for researchers to follow regarding humane treatment of animals for scientific research purposes.

**37.43 Accommodation of religious beliefs.** The board shall adopt rules providing for the reasonable accommodation of a student's sincerely held religious beliefs with regard to all examinations and other academic requirements. The rules shall include all of the following:

(1) Written and timely notification of all students and instructors of the rules and complaint process.

(2) A means by which a student can conveniently and confidentially notify an instructor of potential conflicts.

(3) A means by which a student is permitted to make up an examination or academic requirement at another time or by an alternative means without any prejudicial effect.

(4) A procedure for handling and resolving complaints.

**37.44 License plate scholarship program.** (1) The board shall establish a scholarship program funded by the fees collected under s. 341.14 (6r) (b) 4. for the university. The scholarships shall be awarded by the chancellor according to criteria developed by the chancellor.

**37.48 Alcohol and other drug abuse prevention and intervention programs.** The board shall appoint alcohol and other drug abuse prevention and intervention program counselors for the university. The counselors shall develop alcohol and other drug abuse prevention and intervention programs and train faculty, academic staff, and classified staff in the prevention of and early intervention in alcohol and other drug abuse.

**37.51 Nutritional improvement for elderly.** (1) In this section, "authorized elderly person" means any resident of this state who is 60 years of age or older, and the spouse of any such person.

(2) The board may establish a system to provide the opportunity for authorized elderly persons to participate in its meal program. If the board establishes such a service, it shall develop a plan and annually notify the department of public instruction of the plan.

(3) The plan shall provide at least one meal per day for each day that school is in regular session. The board may provide additional service at other times in its

discretion, if the number of eligible persons in the area is of sufficient size, in the opinion of the board, so that unwarranted production expense is not incurred.

(4) If the board operates a food services plan for elderly persons under this section, it shall make facilities available for service to elderly persons at every facility that provides hot food service to its students unless there is reason not to do so due to concerns regarding safety, convenience, or insufficient interest in a given neighborhood.

(5) Meals may be served at schools where they are served to students or at any site more convenient to the majority of authorized elderly persons interested in the service. Food may be transported to authorized elderly persons who are unable to leave their homes or distributed to nonprofit organizations for such purposes. However, no state funds under this section may be used for food delivery to individual homes.

(6) The board may file a claim with the department of public instruction for reimbursement for reasonable expenses incurred, excluding capital equipment costs, but not to exceed 15 percent of the cost of the meal or 50 cents per meal, whichever is less. Any cost in excess of the lesser amount may be charged to participants. If the department of public instruction approves the claim, it shall certify that payment is due and the secretary of administration shall pay the claim from the appropriation under s. 20.255 (2) (cn).

(7) All meals served must meet the approval of the board, which shall establish minimum nutritional standards and reasonable expenditure limits consistent with the standards and limits established by the state superintendent of public instruction under s. 115.345 (6). The board shall give special consideration to the dietary problems of elderly persons in formulating a nutritional plan. However, the

board is not required to provide special foods for individual persons with allergies or medical disorders.

(8) Participants in a program under this section may be required to document their Wisconsin residency in a manner approved by the board. The board may issue identification cards to such persons if necessary. The board may admit nonresidents who would otherwise qualify into its program, but no state funds under this section may be used to subsidize any portion of the meals served to such persons.

(9) The board shall adopt reasonable policies necessary to implement this section.

\*\*\*NOTE: This draft does not duplicate 36.52 (as 37.52) for the UW. Sec. 20.865 (1) (c) is for supplementing the pay of employees in the unclassified service. The UW won't have classified or unclassified employees.

**37.53 Tuition gift certificates.** The board may establish a gift certificate program for the payment of nonresident tuition and academic fees. The program shall include all of the following components:

(1) The individual named in a gift certificate may use the gift certificate to pay all or a portion of his or her nonresident tuition or academic fees, or for a study-abroad program, at the university.

(2) A gift certificate is not transferable, except to a parent, child, spouse, or sibling of the named individual in sub. (1).

(3) A gift certificate does not expire.

**37.60 Physician loan assistance program. (1) DEFINITIONS.** In this section:

(ac) "Clinic hours" means hours spent working with patients in a clinic.

(d) "Rural area" has the meaning given in s. 37.63 (1) (c).

(2) ELIGIBILITY. (a) 1. Except as provided in subd. 2., the board may repay, on behalf of a physician, up to \$50,000 in educational loans obtained by the physician

from a public or private lending institution for education in an accredited school of medicine or for postgraduate medical training.

(b) A physician who is a participant in the national health service corps scholarship program under [42 USC 254n](#), or a physician who was a participant in that program and who failed to carry out his or her obligations under that program, is not eligible for loan repayment under this section.

**(3) AGREEMENT.** (b) The agreement shall specify that the responsibility of the board to make the payments under the agreement is subject to the availability of funds in the appropriations under s. 20.280 (1) (ks) and (qj) or collected as contributions under sub. (6) or as penalties under sub. (6m) (b).

**(4) LOAN REPAYMENT.** Except as provided in sub. (4m), principal and interest due on loans, exclusive of any penalties, may be repaid by the board at the following rate:

(a) Up to 40 percent of the principal of the loan or \$20,000, whichever is less, during the first year of participation in the program under this section.

(b) Up to an additional 40 percent of the principal of the loan or \$20,000, whichever is less, during the 2nd year of participation in the program under this section.

(c) Up to an additional 20 percent of the principal of the loan or \$10,000, whichever is less, during the 3rd year of participation in the program under this section.

**(5) AVAILABILITY OF FUNDS; RIGHT OF ACTION AGAINST STATE.** (a) The obligation of the board to make payments under an agreement entered into under sub. (3) (b) is subject to the availability of funds in the appropriations under s. 20.280 (1) (ks) and (qj) or collected as contributions under sub. (6) or as penalties under sub. (6m) (b).

(b) If the cost of repaying the loans of all eligible applicants, when added to the cost of loan repayments scheduled under existing agreements, exceeds the total amount in the appropriations under s. 20.280 (1) (ks) and (qj) or collected as contributions under sub. (6) or as penalties under sub. (6m) (b), the board shall establish priorities among the eligible applicants based upon the following considerations:

1. The degree to which there is an extremely high need for medical care in the eligible practice area, health professional shortage area, or rural area in which a physician desires to practice.

2. The likelihood that a physician will remain in the eligible practice area, health professional shortage area, or rural area in which he or she desires to practice after the loan repayment period.

3. The per capita income of the eligible practice area, health professional shortage area, or rural area in which a physician desires to practice.

4. The financial or other support for physician recruitment and retention provided by individuals, organizations, or local governments in the eligible practice area, health professional shortage area, or rural area in which a physician desires to practice.

5. The geographic distribution of the physicians who have entered into loan repayment agreements under this section and the geographic distribution of the eligible practice areas, health professional shortage areas, and rural areas in which the eligible applicants desire to practice.

6. Other considerations that the board may specify.

(d) An agreement under sub. (3) does not create a right of action against the state, university, or other instrumentalities of the state on the part of the physician or lending institution for failure to make the payments specified in the agreement.

**(6)** LOCAL PARTICIPATION. The board shall encourage contributions to the program under this section by counties, cities, villages, and towns.

**(6m)** PENALTIES. (a) The board shall establish requirements for penalties to be assessed by the board against physicians who breach agreements entered into under sub. (3). The requirements shall do all of the following:

1. Specify what actions constitute a breach of the agreement.
2. Provide specific penalty amounts for specific breaches.
3. Provide exceptions for certain actions, including breaches resulting from death or disability.

(b) The board shall use any penalties assessed and collected under this subsection for the program under this section.

**(8)** ADMINISTRATION. The board shall do all of the following:

(b) Identify eligible practice areas and rural areas with an extremely high need for medical care.

(d) Publicize the program under this section to physicians and eligible communities.

(e) Assist physicians who are interested in applying for the program under this section.

(f) Assist communities in obtaining physicians' services through the program under this section.

(g) Make recommendations to the governor on all of the following:



1. Ways to improve the delivery of health care to persons living in rural areas of the state that constitute shortage areas.

2. Ways to help communities evaluate and utilize the linkage between rural health facilities and economic development.

3. Coordination of state and federal programs available to assist rural health care service delivery.

4. Strengthening coordination and maintenance of rural services and the delivery system.

5. Development of mechanisms to reduce shortages of health care providers in rural areas.

(h) Notwithstanding subs. (3) (b) and (5) (a) and (b), ensure that moneys appropriated under s. 20.280 (1) (qj) are used under this section only to repay loans on behalf of physicians who agree to practice in a rural area.

**(9) EXPANDED LOAN ASSISTANCE PROGRAM.** The board may agree to repay loans as provided under this section on behalf of a physician under an expanded physician loan assistance program that is funded through federal funds in addition to state matching funds. To be eligible for loan repayment under the expanded physician loan assistance program, a physician must fulfill all of the requirements for loan repayment under this section, as well as all of the following:

\*\*\*NOTE: How does one determine what constitutes state matching funds?

(a) The physician must be a U.S. citizen.

(b) The physician may not have a judgment lien against his or her property for a debt to the United States.

(c) The physician must agree to do all of the following:

1. Accept medicare assignment as payment in full for services or articles provided.

2. Use a sliding fee scale or a comparable method of determining payment arrangements for patients who are not eligible for medicare or medical assistance and who are unable to pay the customary fee for the physician's services.

3. Practice at a public or private nonprofit entity in a health professional shortage area.

**37.61 Health care provider loan assistance program. (1) DEFINITIONS.**

In this section:

(ac) "Clinic hours" has the meaning given in s. 37.60 (1) (ac).

(ad) "Council" means the rural health development council.

(e) "Rural area" has the meaning given in s. 37.63 (1) (c).

**(2) ELIGIBILITY.** The board may repay, on behalf of a health care provider, up to \$25,000 in educational loans obtained by the health care provider from a public or private lending institution for education related to the health care provider's field of practice, as determined by the board with the advice of the council.

**(3) AGREEMENT.** (a) The board shall enter into a written agreement with the health care provider. In the agreement, the health care provider shall agree to practice at least 32 clinic hours per week for 3 years in one or more eligible practice areas in this state or in a rural area, except that a health care provider in the expanded loan assistance program under sub. (8) may only agree to practice at a public or private nonprofit entity in a health professional shortage area.

(b) The agreement shall specify that the responsibility of the board to make the payments under the agreement is subject to the availability of funds in the

appropriations under s. 20.280 (1) (ks) and (qj) or collected as contributions under sub. (6) or as penalties under sub. (6m) (b).

**(4) LOAN REPAYMENT.** Principal and interest due on loans, exclusive of any penalties, may be repaid by the board at the following rate:

(a) Up to 40 percent of the principal of the loan or \$10,000, whichever is less, during the first year of participation in the program under this section.

(b) Up to an additional 40 percent of the principal of the loan or \$10,000, whichever is less, during the 2nd year of participation in the program under this section.

(c) Up to an additional 20 percent of the principal of the loan or \$5,000, whichever is less, during the 3rd year of participation in the program under this section.

**(5) AVAILABILITY OF FUNDS; RIGHT OF ACTION AGAINST STATE.** (a) The obligation of the board to make payments under an agreement entered into under sub. (3) is subject to the availability of funds in the appropriations under s. 20.280 (1) (ks) and (qj) or collected as contributions under sub. (6) or as penalties under sub. (6m) (b).

(b) If the cost of repaying the loans of all eligible applicants, when added to the cost of loan repayments scheduled under existing agreements, exceeds the total amount in the appropriations under s. 20.280 (1) (ks) and (qj) or collected as contributions under sub. (6) or as penalties under sub. (6m) (b), the board shall establish priorities among the eligible applicants based upon the following considerations:

1. The degree to which there is an extremely high need for medical care in the eligible practice area, health professional shortage area, or rural area in which an eligible applicant desires to practice.

2. The likelihood that an eligible applicant will remain in the eligible practice area, health professional shortage area, or rural area in which he or she desires to practice after the loan repayment period.

3. The per capita income of the eligible practice area, health professional shortage area, or rural area in which an eligible applicant desires to practice.

4. The financial or other support for health care provider recruitment and retention provided by individuals, organizations, or local governments in the eligible practice area, health professional shortage area, or rural area in which an eligible applicant desires to practice.

5. The geographic distribution of the health care providers who have entered into loan repayment agreements under this section and the geographic location of the eligible practice area, health professional shortage area, or rural area in which an eligible applicant desires to practice.

6. Other considerations that the board may specify.

(c) An agreement under sub. (3) does not create a right of action against the state, the university, or other instrumentalities of the state on the part of the health care provider or the lending institution for failure to make the payments specified in the agreement.

**(6)** LOCAL PARTICIPATION. The board shall encourage contributions to the program under this section by counties, cities, villages, and towns.

**(6m)** PENALTIES. (a) The board shall establish requirements for penalties to be assessed by the board against health care providers who breach an agreement entered into under sub. (3) (a). The requirements shall do all of the following:

1. Specify what actions constitute a breach of the agreement.
2. Provide specific penalty amounts for specific breaches.

3. Provide exceptions for certain actions, including breaches resulting from death or disability.

(b) The board shall use any penalties assessed and collected under this subsection for the program under this section.

**(7) ADMINISTRATION.** The board shall do all of the following:

(a) Identify communities with an extremely high need for health care.

(b) Publicize the program under this section to health care providers and eligible communities.

(c) Assist health care providers who are interested in applying for the program under this section.

(d) Assist communities in obtaining the services of health care providers through the program under this section.

(e) Notwithstanding subs. (3) (b) and (5) (a) and (b), ensure that moneys appropriated under s. 20.280 (1) (qj) are used under this section only to repay loans on behalf of health care providers who agree to practice in a rural area.

**(8) EXPANDED LOAN ASSISTANCE PROGRAM.** The board may agree to repay loans as provided under this section on behalf of a health care provider under an expanded health care provider loan assistance program that is funded through federal funds in addition to state matching funds. To be eligible for loan repayment under the expanded health care provider loan assistance program, a health care provider must fulfill all of the requirements for loan repayment under this section, as well as all of the following:

(a) The health care provider must be a U.S. citizen.

(b) The health care provider may not have a judgment lien against his or her property for a debt to the United States.

(c) The health care provider must agree to do all of the following:

1. Accept medicare assignment as payment in full for services or articles provided.

2. Use a sliding fee scale or a comparable method of determining payment arrangements for patients who are not eligible for medicare or medical assistance and who are unable to pay the customary fee for the health care provider's services.

3. Practice at a public or private nonprofit entity in a health professional shortage area.

**37.62 Rural health development council.** The rural health development council created under s. 15.917 (1) shall do all of the following:

(1) Advise the board on matters related to the physician loan assistance program under s. 37.60 and the health care provider loan assistance program under s. 37.61.

(2) Advise the board on the amount, up to \$25,000, to be repaid on behalf of each health care provider who participates in the health care provider loan assistance program under s. 37.61.

**SECTION 326.** 38.23 (4) of the statutes is amended to read:

38.23 (4) Nothing in this section or s. 36.12 or 37.12 prevents institutions from segregating students in dormitories based on sex.

**SECTION 327.** 38.28 (1m) (a) 2. of the statutes is amended to read:

38.28 (1m) (a) 2. "District aidable cost" for any district that does not have an institution ~~or~~, college campus, or university located in the district does not include costs associated with the collegiate transfer program at the district school. In this subdivision, "institution" and "college campus" have the meanings specified under s. 36.05 and "university" has the meaning given in s. 37.01 (9).

**SECTION 328.** 38.28 (4) of the statutes is amended to read:

38.28 (4) From the appropriation under s. 20.292 (1) (dm), the board shall annually pay to any district that does not have an institution ~~or~~, college campus, or university located within the district an amount equal to that portion of the instructional costs of the district's collegiate transfer program not supported by fees and tuition that is equal to the state support of similar programs in the University of Wisconsin System, as determined by the board. In this subsection, "institution" and "college campus" have the meanings specified under s. 36.05 and "university" has the meaning given in s. 37.01 (9).

**SECTION 329.** 39.16 (1) of the statutes is amended to read:

39.16 (1) There is created a medical education review committee consisting of 9 members as follows. Seven members shall be appointed by the governor for staggered 5-year terms, and shall be selected from citizens with broad knowledge of medical education who are currently not associated with either of the medical schools of this state. The remaining members of the committee shall be the ~~president~~ chancellor of the University of Wisconsin System ~~Wisconsin-Madison~~ or a designee, and the president of the Medical College of Wisconsin, Inc. or a designee.

**SECTION 330.** 39.16 (2) (a) of the statutes is amended to read:

39.16 (2) (a) Stimulate the development of cooperative programs by the Medical College of Wisconsin, Inc. and the University of ~~Wisconsin-Madison~~ Wisconsin School of Medicine and Public Health, and advise the governor and legislature on the viability of such cooperative arrangements.

**SECTION 331.** 39.30 (1) (e) of the statutes is amended to read:

39.30 (1) (e) "Resident student" shall be determined under s. 36.27 or 37.27, so far as applicable.



**SECTION 332**

**SECTION 332.** 39.30 (3) (a) of the statutes is amended to read:

39.30 (3) (a) From the total tuition charged the student by the institution, subtract the amount of the resident academic fee charged at ~~the Madison campus of the University of Wisconsin System~~ Wisconsin-Madison.

**SECTION 333.** 39.32 (1) (b) of the statutes is amended to read:

39.32 (1) (b) "Resident student" shall be determined under s. 36.27 or 37.27, so far as applicable.

**SECTION 334.** 39.325 (1) of the statutes is amended to read:

39.325 (1) There is established, to be administered by the board, a Wisconsin health education loan program under P.L. 94-484, on July 29, 1979, in order to provide financial aid to medical and dentistry students enrolled in the University of Wisconsin ~~Medical School~~ of Medicine and Public Health, the Medical College of Wisconsin, ~~or the Marquette University School of Dentistry.~~

**SECTION 335.** 39.40 (2) (a) of the statutes is amended to read:

39.40 (2) (a) Are registered as juniors or seniors, or hold a bachelor's degree and are registered as special students, in the University of Wisconsin-Madison, in the University of Wisconsin System, or in an accredited, private institution of higher education located in this state.

**SECTION 336.** 39.41 (2) (a) of the statutes is amended to read:

39.41 (2) (a) If a designated scholar under sub. (1m) is admitted to and enrolls, on a full-time basis, by September 30 of the academic year immediately following the school year in which the senior was designated a scholar, in the University of Wisconsin-Madison, in an institution within the University of Wisconsin System, or in a technical college district school that is participating in the program under this section, the scholar shall receive a higher education scholarship that exempts the

scholar from all tuition and fees, including segregated fees, at the that university, institution, or district school for one year, except that the maximum scholarship for a scholar who receives an original scholarship for the 1996-97 academic year or for any academic year thereafter may not exceed \$2,250 per academic year.

**SECTION 337.** 39.41 (2) (b) of the statutes is amended to read:

39.41 (2) (b) For each year that a scholar who receives a scholarship under par. (a) is enrolled full time, maintains at least a 3.000 grade point average, or the equivalent as determined by the university, institution, or district school, and makes satisfactory progress toward an associate degree, a bachelor's degree, or a vocational diploma, the student shall be exempt from all tuition and fees, including segregated fees, in the subsequent year or, if the scholar does not enroll in a participating institution of higher education in the subsequent year, in the 2nd year following the year in which the scholar received the scholarship, except that the maximum scholarship for a scholar who receives an original scholarship for the 1996-97 academic year or for any academic year thereafter may not exceed \$2,250 per academic year. No scholar is eligible for an exemption for more than 4 years in the University of Wisconsin-Madison or the University of Wisconsin System or more than 3 years at a district school.

**SECTION 338.** 39.41 (2) (c) of the statutes is amended to read:

39.41 (2) (c) Subject to sub. (4), for each year the student is exempt from tuition and fees under par. (a) or (b), the board shall pay the university, institution, or district school, on behalf of the student, an amount equal to 50% of the student's tuition and fees, except that the maximum payment for a student who receives an original scholarship for the 1996-97 academic year or for any academic year thereafter may not exceed \$1,125 per academic year.

**SECTION 339**

**SECTION 339.** 39.41 (4) (a) of the statutes is amended to read:

39.41 (4) (a) The board shall make the payments under subs. (2) (c) and (3) only if the university, institution, district school, or private institution matches the amount of the payment from institutional funds, gifts, or grants. Beginning in the 1992-93 school year, the matching requirement under this paragraph for the institutions within the University of Wisconsin System shall be satisfied by payments of an amount equal to the total payments from the institutions made under this paragraph in the 1991-92 school year and, if such payments are insufficient to satisfy the matching requirement, by the waiver of academic fees established under s. 36.27. Beginning in the 2011-12 school year, the matching requirement under this paragraph for the University of Wisconsin-Madison shall be satisfied by payments of an amount equal to the total payments from the University of Wisconsin-Madison made under this paragraph in the 1991-92 school year and, if such payments are insufficient to satisfy the matching requirement, by the waiver of academic fees established under s. 37.27.

**SECTION 340.** 39.41 (5) (a) 1. of the statutes is amended to read:

39.41 (5) (a) 1. Each institution within the University of Wisconsin System, technical college district school and private institution of higher education that wishes to participate in the scholarship program under this section in academic year 1999-2000 and thereafter shall notify the board by October 1, 1998, that the institution wishes to participate. Notification as required under this subdivision provided by the University of Wisconsin-Madison prior to the effective date of this subdivision .... [LRB inserts date], shall be considered notification that the University of Wisconsin-Madison wishes to participate in the scholarship program under this section.

**SECTION 341.** 39.435 (7) (b) 1. of the statutes is amended to read:

39.435 (7) (b) 1. The board shall determine the percentage by which the undergraduate academic fees that will be charged for the next academic year at the University of Wisconsin-Madison and at each institution within the University of Wisconsin System, as estimated by the board, will increase or decrease from the undergraduate academic fees charged for the current academic year.

**SECTION 342.** 39.435 (7) (b) 1m. of the statutes is amended to read:

39.435 (7) (b) 1m. The board shall determine the percentage by which the undergraduate academic fees that will be charged for the academic year after the next academic year at the University of Wisconsin-Madison and at each institution within the University of Wisconsin System, as estimated by the board, will increase or decrease from the estimated undergraduate academic fees that will be charged for the next academic year.

**SECTION 343.** 39.435 (8) of the statutes is amended to read:

39.435 (8) The board shall award grants under this section to University of Wisconsin-Madison and University of Wisconsin System students from the appropriation under s. 20.235 (1) (fe).

**SECTION 344.** 39.50 (1m) of the statutes is created to read:

39.50 (1m) UNIVERSITY OF WISCONSIN-MADISON. At the end of each semester, the Board of Trustees of the University of Wisconsin-Madison shall certify to the board the number of students enrolled in the University of Wisconsin-Madison to whom any fees or nonresident tuition has been remitted under s. 37.27 (3n) or (3p), the number of credits for which those fees or that nonresident tuition has been remitted, and the amount of fees and nonresident tuition remitted. Subject to sub. (3m), if the board approves the information certified under this subsection, the

board, from the appropriation account under s. 20.235 (1) (fz), shall reimburse the board of trustees for the full amount of fees and nonresident tuition remitted.

**SECTION 345.** 39.50 (3m) of the statutes is amended to read:

**39.50 (3m) REMISSION OF FEES; PRORATED REIMBURSEMENT.** In June of each fiscal year, the board shall determine the total amount of fees and nonresident tuition remitted by the ~~board of regents~~ Board of Regents and the Board of Trustees that are eligible for reimbursement under ~~sub.~~ subs. (1) and (1m) and fees remitted by the district boards that are eligible for reimbursement under sub. (2). If the moneys appropriated under s. 20.235 (1) (fz) are not sufficient to reimburse the ~~board of regents~~ Board of Regents and the Board of Trustees for the full amount of those fees and that nonresident tuition and each district board for the full amount of those fees, the board shall prorate the reimbursement paid under subs. (1), (1m), and (2) in the proportion that the moneys available bears to the total amount eligible for reimbursement under subs. (1), (1m), and (2).

**SECTION 346.** 39.50 (4) of the statutes is amended to read:

**39.50 (4) REIMBURSEMENT OF VETERANS AND DEPENDENTS; PRORATED REIMBURSEMENT.** In each fiscal year, the higher educational aids board shall determine the total amount of reimbursement due to students under ss. 36.27 (3n) (bm) 1. and (3p) (bm) 1., 37.27 (3n) (bm) 1. and (3p) (bm) 1., and 38.24 (7) (bm) 1. and (8) (bm) 1. If the moneys appropriated under s. 20.235 (1) (fz) are not sufficient to provide full reimbursement to those students, the higher educational aids board shall prorate the reimbursement paid to those students under ss. 36.27 (3n) (bm) 1. and (3p) (bm) 1., 37.27 (3n) (bm) 1. and (3p) (bm) 1., and 38.24 (7) (bm) 1. and (8) (bm) 1. in the proportion that the moneys available bears to the total amount eligible for reimbursement under ss. 36.27 (3n) (bm) 1. and (3p) (bm) 1., 37.27 (3n) (bm) 1. and

(3p) (bm) 1., and 38.24 (7) (bm) 1. and (8) (bm) 1. If the higher educational aids board prorates reimbursement under this subsection, the Board of Regents shall reimburse a student who is eligible for reimbursement under s. 36.27 (3n) (bm) 1. or (3p) (bm) 1., the Board of Trustees shall reimburse a student who is eligible for reimbursement under s. 37.27 (3n) (bm) 1. or (3p) (bm) 1., and the appropriate technical college district board shall reimburse a student who is eligible for reimbursement under s. 38.24 (7) (bm) 1. or (8) (bm) 1., in an amount that is equal to the difference between the amount of reimbursement for which the student is eligible and the amount of reimbursement paid by the higher educational aids board.

**SECTION 347.** 40.02 (22) (em) of the statutes is amended to read:

40.02 **(22)** (em) For Wisconsin retirement system purposes only, for a member of the a faculty, as defined in s. 36.05 (8) or 37.01 (6), of a university who is on sabbatical leave under s. 36.11 (17) or 37.11 (17), means the compensation that would have been payable to the participant, at the participant's rate of pay immediately prior to beginning the sabbatical leave, for service that would have been rendered at the university during the period of the sabbatical leave if the participant had continued to render services for the participant's employer during that period. Contributions and premiums on earnings considered to be received under this paragraph shall be paid as required under s. 40.05.

**SECTION 348.** 40.02 (25) (b) 2. of the statutes is amended to read:

40.02 **(25)** (b) 2. Any person employed as a graduate assistant and other employees-in-training as are designated by the ~~board of regents~~ Board of Regents or Board of Trustees of the university, who are employed on at least a one-third full-time basis.

**SECTION 349.** 40.02 (54) (hm) of the statutes is created to read:

40.02 (54) (hm) The University of Wisconsin-Madison.

**SECTION 350.** 40.02 (57) of the statutes is amended to read:

40.02 (57) "University" means the University of Wisconsin System under ch. 36 or the University of Wisconsin-Madison under ch. 37.

**SECTION 351.** 40.05 (4) (bp) 1. of the statutes is amended to read:

40.05 (4) (bp) 1. Except as provided in subds. 2. and 3., for sick leave which accumulates beginning on August 1, 1987, conversion under par. (b) or (bm) of accumulated unused sick leave under s. 36.30 or 37.30 to credits for payment of health insurance premiums shall be limited to the annual amounts of sick leave specified in this subdivision. For faculty and academic staff personnel who are appointed to work 52 weeks per year, conversion is limited to 8.5 days of sick leave per year. For faculty and academic staff personnel who are appointed to work 39 weeks per year, conversion is limited to 6.4 days of sick leave per year. For faculty and academic staff personnel not otherwise specified, conversion is limited to a number of days of sick leave per year to be determined by the secretary by rule, in proportion to the number of weeks per year appointed to work.

**SECTION 352.** 40.05 (4) (bp) 2. of the statutes is amended to read:

40.05 (4) (bp) 2. The limits on conversion of accumulated unused sick leave which are specified under subd. 1. may be waived for nonteaching faculty who are appointed to work 52 weeks per year and nonteaching academic staff personnel if the secretary of administration determines that a sick leave accounting system comparable to the system used by the state for employees in the classified service is in effect at the University of Wisconsin-Madison or the institution, as defined in s. 36.05 (9), and if the University of Wisconsin-Madison or the institution regularly reports on the operation of its sick leave accounting system to the ~~board of regents~~



Board of Regents of the University of Wisconsin System or the Board of Trustees of the University of Wisconsin-Madison.

**SECTION 353.** 40.05 (4) (bp) 3. of the statutes is amended to read:

40.05 (4) (bp) 3. The limits on conversion of accumulated unused sick leave which are specified under subd. 1. may be waived for teaching faculty or teaching academic staff at the University of Wisconsin-Madison or any institution, as defined in s. 36.05 (9), if the secretary of administration determines all of the following:

a. That administrative procedures for the crediting and use of earned sick leave for teaching faculty and teaching academic staff on a standard comparable to a scheduled 40-hour work week are in operation at the University of Wisconsin-Madison or institution.

b. That a sick leave accounting system for teaching faculty and teaching academic staff comparable to the system used by state employees in the classified service is in effect at the University of Wisconsin-Madison or institution.

c. That the University of Wisconsin-Madison or institution regularly reports on the operation of its sick leave accounting system to the ~~board of regents~~ Board of Regents of the University of Wisconsin System or the Board of Trustees of the University of Wisconsin-Madison.

**SECTION 354.** 40.05 (5) (a) of the statutes is amended to read:

40.05 (5) (a) For teachers in the unclassified service of the state employed by the ~~board of regents of the university~~ Board of Regents of the University of Wisconsin System or for teachers employed by the Board of Trustees of the University of Wisconsin-Madison, no contribution if the teacher has less than one year of state creditable service and an amount equal to the gross premium for coverage subject to

a 130-day waiting period if the teacher has one year or more of state creditable service.

**SECTION 355.** 40.22 (2) (g) of the statutes is amended to read:

40.22 (2) (g) The employee is appointed by the ~~university~~ Board of Regents of the University of Wisconsin System under s. 36.19, ~~by the Board of Trustees of the University of Wisconsin-Madison~~ under s. 37.19 (1), or by the University of Wisconsin Hospitals and Clinics Authority, as a student assistant or employee in training or is appointed by a school or other education system in which the person is regularly enrolled as a student and is attending classes to perform services incidental to the person's course of study at that school or education system.

\*\*\*\*NOTE: We changed the cross-reference from s. 37.19 to s. 37.19 (1). Is that okay?

**SECTION 356.** 40.22 (2) (h) of the statutes is amended to read:

40.22 (2) (h) The employee is teaching while on leave from an educational institution not a part of the University of Wisconsin-Madison or University of Wisconsin System, if the person is a visiting professor, visiting associate professor, visiting assistant professor or visiting lecturer at the university and if the employment at the university is all within 12 consecutive calendar months. If the employment at the university is continued beyond the 12-month period the person shall, at the start of the 13th consecutive calendar month of employment, come under the system for future service.

**SECTION 357.** 40.52 (3) of the statutes is amended to read:

40.52 (3) The group insurance board, after consulting with the ~~board of regents~~ Board of Trustees of the University of Wisconsin-Madison and the Board of Regents of the University of Wisconsin System, shall establish the terms of a health insurance plan for graduate assistants, and for employees-in-training designated by the ~~board~~

of regents Board of Trustees or Board of Regents, who are employed on at least a one-third full-time basis and for teachers who are employed on at least a one-third full-time basis by the University of Wisconsin-Madison or University of Wisconsin System with an expected duration of employment of at least 6 months but less than one year.

**SECTION 358.** 44.02 (5g) (a) of the statutes is amended to read:

44.02 (5g) (a) Not charge a fee for use of the main library by any member of the historical society, any member of the faculty or academic staff of the University of Wisconsin-Madison or University of Wisconsin System, any student enrolled in the University of Wisconsin-Madison or University of Wisconsin System or any other person exempted by rule of the historical society. The historical society may not charge a fee for use of the main library by any other person unless the historical society submits a fee schedule to the joint committee on finance that includes the specific fee to be charged to different categories of persons and an identification of any persons exempted by rule of the historical society. The fee schedule of the historical society shall be implemented if the committee approves the report, or does not schedule a meeting for the purpose of reviewing the report within 14 working days after receipt of the report.

**SECTION 359.** 44.14 (1) of the statutes is amended to read:

44.14 (1) It is the purpose of this section to establish a more economical system of handling federal documents in this state in such a way as to effect savings of staff and space to the participating libraries, both state and local; to make such documents more available to more of the people, colleges and libraries of the state, in accordance with the purposes of the federal depository act of 1895 and the needs of the citizens of the state; and to make possible substantial economies in the publication costs of

such documents at the federal level as well. To this end the state documents depository established by s. 44.06 may acquire and establish a central state depository and loan collection of federal documents for the benefit of the University of Wisconsin-Madison and the University of Wisconsin System, the state law library, the depository libraries and such other college and public libraries in this state as may desire to share in the benefits of this loan collection.

**SECTION 360.** 44.14 (2) of the statutes is amended to read:

44.14 (2) The University of Wisconsin-Madison, the University of Wisconsin System, and the public and other participating libraries, federal regulations permitting, may transfer outright or may loan indefinitely to this central depository any or all federal documents now in their possession which in their opinion are so little used for ready reference purposes as to make their retention unnecessary if copies are available on loan from the central depository loan collection.

**SECTION 361.** 45.03 (13) (L) of the statutes is amended to read:

45.03 (13) (L) Provide verification to the educational institution of the information required under s. 36.27 (3p) (a), 37.27 (3p) (a), or 38.24 (8) (a).

**SECTION 362.** 45.03 (13) (m) of the statutes is amended to read:

45.03 (13) (m) Provide verification to the educational institution of the information required under s. 36.27 (3n) (a), 37.27 (3n) (a), or 38.24 (7) (a).

**SECTION 363.** 45.60 (3) (b) of the statutes is amended to read:

45.60 (3) (b) A funeral director may issue a tuition voucher in the amount of \$25 to an individual who sounds “Taps” on a bugle, trumpet, or cornet during each funeral for which military honors are held in this state for a person described in sub. (1) and who is a student in grades 6 to 12 or at an institution of higher education, as defined under s. 895.515 (1) (b). The tuition voucher may be used at any time for the

payment of tuition and required program activity fees at a University of Wisconsin System institution as provided under s. 36.27 (3r), the University of Wisconsin-Madison under s. 37.27 (3r), or a technical college as provided under s. 38.24 (6). The department shall encourage private institutions of higher education to accept the vouchers. The vouchers are not transferable.

**SECTION 364.** 46.042 of the statutes is amended to read:

**46.042 Treatment program for emotionally disturbed children.** The department shall establish a program for the intensive treatment of emotionally disturbed children. The program shall be operated by the Mendota Mental Health Institute and be subject to all federal and state laws, rules, and regulations that apply to the institute. Operational planning shall provide close interrelationship between the department and the University of Wisconsin ~~Medical School~~ of Medicine and Public Health for conduct of educational and research programs.

**SECTION 365.** 46.21 (2) (b) of the statutes is amended to read:

46.21 (2) (b) May make such arrangements with the University of Wisconsin-Madison ~~Medical~~ Wisconsin School of Medicine and Public Health or the Medical College of Wisconsin, or any other duly accredited medical colleges and medical societies for teaching and research in such institutions as in its judgment will best promote the purpose of hospitals and sanatoriums under sub. (4m).

**SECTION 366.** 48.84 (1) of the statutes is amended to read:

48.84 (1) Before a child may be placed under s. 48.833 for adoption by a proposed adoptive parent who has not previously adopted a child, before a proposed adoptive parent who has not previously adopted a child may petition for placement of a child for adoption under s. 48.837, and before a proposed adoptive parent who has not previously adopted a child may bring a child into this state for adoption under

**SECTION 366**

s. 48.839, the proposed adoptive parent shall complete the preadoption preparation required under this section. The preparation shall be provided by a licensed child welfare agency, a licensed private adoption agency, the state adoption information exchange under s. 48.55, the state adoption center under s. 48.55, a state-funded foster care and adoption resource center, a state-funded postadoption resource center, a technical college district school, the University of Wisconsin-Madison, or an institution or college campus within the University of Wisconsin System. If the proposed adoptive parent does not reside in this state, he or she may meet this requirement by obtaining equivalent preparation in his or her state of residence.

**SECTION 367.** 49.45 (8r) of the statutes is amended to read:

49.45 **(8r)** PAYMENT FOR CERTAIN OBSTETRIC AND GYNECOLOGICAL CARE. The rate of payment for obstetric and gynecological care provided in primary care shortage areas, as defined in s. ~~36.60~~ 37.60 (1) (cm), or provided to recipients of medical assistance who reside in primary care shortage areas, that is equal to 125% of the rates paid under this section to primary care physicians in primary care shortage areas, shall be paid to all certified primary care providers who provide obstetric or gynecological care to those recipients.

**SECTION 368.** 50.38 (10) of the statutes is amended to read:

50.38 **(10)** In each state fiscal year, the secretary of administration shall transfer from the critical access hospital assessment fund to the Medical Assistance trust fund an amount equal to the amount collected under sub. (2) (b) minus the state share of the amount required to be expended under s. 49.45 (3) (e) 12., minus the amounts appropriated under ~~s. ss. 20.280 (1) (qe) and (qj) and 20.285 (1) (qe) and (qj)~~, and minus any refunds paid to critical access hospitals from the critical access hospital assessment fund under sub. (6m) (a) in that fiscal year.

**SECTION 369.** 59.56 (3) (a) of the statutes is amended to read:

59.56 (3) (a) *Creation.* A board may establish and maintain an educational program in cooperation with the University of Wisconsin System, referred to in this subsection as “University Extension Program”.

**SECTION 370.** 59.56 (3) (c) 2. of the statutes is amended to read:

59.56 (3) (c) 2. The committee on agriculture and extension education may enter into joint employment agreements with the university extension or with other counties and the university extension if the county funds that are committed in the agreements have been appropriated by the board. Persons so employed under cooperative agreements and approved by the board of regents shall be considered employees of both the county and the University of Wisconsin System.

**SECTION 371.** 59.56 (3) (f) 1. (intro.) of the statutes is amended to read:

59.56 (3) (f) 1. (intro.) A university extension program is authorized, under the direction and supervision of the county committee on agriculture and extension education, cooperating with the university extension of the University of Wisconsin System, and within the limits of funds provided by the board and cooperating state and federal agencies, to make available the necessary facilities and conduct programs in the following areas:

**SECTION 372.** 59.56 (3) (g) of the statutes is amended to read:

59.56 (3) (g) *Department of government.* For the purposes of s. 59.22 (2) (d) the university extension program shall be a department of county government and the committee on agriculture and extension education shall be the committee which is delegated the authority to direct and supervise the department. In cooperation with the university extension of the University of Wisconsin System, the committee on agriculture and extension education shall have the responsibility to formulate and



execute the university extension program. The university extension shall annually report to the board its activities and accomplishments.

**SECTION 373.** 59.56 (4) of the statutes is amended to read:

59.56 (4) UNIVERSITY COLLEGE CAMPUSES. The board may appropriate money for the construction, remodeling, expansion, acquisition or equipping of land, buildings and facilities for a University of Wisconsin System college campus, as defined in s. 36.05 (6m), if the operation of it has been approved by the board of regents.

**SECTION 374.** 66.0301 (1) (a) of the statutes is amended to read:

66.0301 (1) (a) Except as provided in pars. (b) and (c), in this section “municipality” means the state or any department or agency thereof, the University of Wisconsin–Madison, or any city, village, town, county, school district, public library system, public inland lake protection and rehabilitation district, sanitary district, farm drainage district, metropolitan sewerage district, sewer utility district, solid waste management system created under s. 59.70 (2), local exposition district created under subch. II of ch. 229, local professional baseball park district created under subch. III of ch. 229, local professional football stadium district created under subch. IV of ch. 229, local cultural arts district created under subch. V of ch. 229, transit authority created under s. 66.1039, long-term care district under s. 46.2895, water utility district, mosquito control district, municipal electric company, county or city transit commission, commission created by contract under this section, taxation district, regional planning commission, housing authority created under s. 66.1201, redevelopment authority created under s. 66.1333, community development authority created under s. 66.1335, or city–county health department.

**SECTION 375.** 66.0703 (6) of the statutes is amended to read:

66.0703 (6) A copy of the report when completed shall be filed with the municipal clerk for public inspection. If property of the state or the University of Wisconsin-Madison may be subject to assessment under s. 66.0705, the municipal clerk shall file a copy of the report with the state agency which manages the property or if the property is university property, with the University of Wisconsin-Madison. If the assessment to the property of the state or the University of Wisconsin-Madison for a project, as defined under s. 66.0705 (2), is \$50,000 or more, the state agency or the University of Wisconsin-Madison shall submit a request for approval of the assessment, with its recommendation, to the building commission. The building commission shall review the assessment and shall determine within 90 days of the date on which the commission receives the report if the assessment is just and legal and if the proposed improvement is compatible with state or university plans for the facility which is the subject of the proposed improvement. If the building commission so determines, it shall approve the assessment. No project in which the property of the state or the University of Wisconsin-Madison is assessed at \$50,000 or more may be commenced and no contract on the project may be let without approval of the assessment by the building commission under this subsection. The building commission shall submit a copy of its determination under this subsection to the state agency that manages the property which is the subject of the determination or if the property is university property, to the University of Wisconsin-Madison.

\*\*\*\*NOTE: This treatment maintains the existing requirement for the Building Commission to approve special assessments by local governments against state and university property. The power could be given to the UW for assessments levied on UW property, but that would empower the UW to approve its own assessments and would preclude consistent standards from being applied statewide.

**SECTION 376.** 66.0705 of the statutes is amended to read:

**66.0705 Property of public and private entities subject to special assessments.** (1) (a) The property of this state and the University of Wisconsin-Madison, except that held for highway right-of-way purposes or acquired and held for purposes under s. 85.09, and the property of every county, city, village, town, school district, sewerage district or commission, sanitary or water district or commission, or any public board or commission within this state, and of every corporation, company or individual operating any railroad, telegraph, telecommunications, electric light or power system, or doing any of the business mentioned in ch. 76, and of every other corporation or company is in all respects subject to all special assessments for local improvements.

(b) Certificates and improvement bonds for special assessments may be issued and the lien of the special assessments enforced against property described in par. (a), except property of the state and the University of Wisconsin-Madison, in the same manner and to the same extent as the property of individuals. Special assessments on property described in par. (a) may not extend to the right, easement or franchise to operate or maintain railroads, telegraph, telecommunications or electric light or power systems in streets, alleys, parks or highways. The amount represented by any certificate or improvement bond issued under this paragraph is a debt due personally from the corporation, company or individual, payable in the case of a certificate when the taxes for the year of its issue are payable, and in the case of a bond according to the terms of the bond.

(2) In this subsection, “assessment” means a special assessment on property of this state and the University of Wisconsin-Madison and “project” means any continuous improvement within overall project limits regardless of whether small exterior segments are left unimproved. If the assessment of a project is less than

\$50,000, or if the assessment of a project is \$50,000 or more and the building commission approves the assessment under s. 66.0703 (6), the state agency which manages the property or the University of Wisconsin-Madison, if the university manages the property, shall pay the assessment from the revenue source which supports the general operating costs of the agency or program against which the assessment is made or, in the case of the University of Wisconsin-Madison, from any available revenue source.

**SECTION 377.** 70.11 (3) (d) of the statutes is created to read:

70.11 (3) (d) Notwithstanding the provisions of s. 70.11 (intro.) that relate to leased property or that impose other limitations, all property owned or leased by the University of Wisconsin-Madison, provided that use of the property is primarily related to the purposes of the University of Wisconsin-Madison.

\*\*\*\*NOTE: We don't think we can create a provision comparable to s. 70.11 (3) (c), as s. 70.11 (3) (c) refers to "[a]ll buildings, equipment and leasehold interests in lands described in s. 36.06, 1971 stats., and s. 37.02 (3), 1971 stats.," and, unless we are wrong, no current law provisions are comparable to the cited provisions under the 1971 stats. Does the above accomplish your intent? Note that the above is similar to the property tax exemption for the Wisconsin Aerospace Authority under s. 70.11 (38m).

**SECTION 378.** 70.119 (3) (e) of the statutes is amended to read:

70.119 (3) (e) "State facilities" means all property owned and operated by the state for the purpose of carrying out usual state functions, including the campus of the University of Wisconsin-Madison and the branch campuses of the university University of Wisconsin system but not including land held for highway right-of-way purposes.

**SECTION 379.** 70.119 (4) of the statutes is amended to read:

70.119 (4) The department shall be responsible for negotiating with municipalities on payments for municipal services and may delegate certain responsibilities of negotiation to other state agencies or to the University of

Wisconsin-Madison or the University of Wisconsin Hospitals and Clinics Authority. Prior to negotiating with municipalities the department shall submit guidelines for negotiation to the committee for approval.

**SECTION 380.** 70.58 (1) of the statutes is amended to read:

70.58 (1) Except as provided in sub. (2), there is levied an annual tax of two-tenths of one mill for each dollar of the assessed valuation of the property of the state as determined by the department of revenue under s. 70.57, for the purpose of acquiring, preserving and developing the forests of the state and for the purpose of forest crop law and county forest law administration and aid payments, for grants to forestry cooperatives under s. ~~36.56~~ 37.56, and for the acquisition, purchase and development of forests described under s. 25.29 (7) (a) and (b), the proceeds of the tax to be paid into the conservation fund. The tax shall not be levied in any year in which general funds are appropriated for the purposes specified in this section, equal to or in excess of the amount which the tax would produce.

**SECTION 381.** 71.07 (5r) (a) 6. a. of the statutes is amended to read:

71.07 (5r) (a) 6. a. A University of Wisconsin System institution, the University of Wisconsin-Madison, a technical college system institution, or a regionally accredited 4-year nonprofit college or university having its regional headquarters and principal place of business in this state.

**SECTION 382.** 71.10 (5f) (i) of the statutes is amended to read:

71.10 (5f) (i) *Appropriations and payment.* From the moneys received from designations for the breast cancer research program, an amount equal to the sum of administrative expenses, including data processing costs, certified under par. (h) 1. shall be deposited in the general fund and credited to the appropriation account under s. 20.566 (1) (hp), and, of the net amount remaining that is certified under par.

(h) 3., an amount equal to 50 percent shall be credited to the appropriation account under s. 20.250 (2) (g) and an amount equal to 50 percent shall be credited to the appropriation account under s. 20.285 (1) (gm) paid to the University of Wisconsin-Madison for breast cancer research conducted by the University of Wisconsin Carbone Cancer Center.

**SECTION 383.** 71.10 (5h) (i) of the statutes is amended to read:

71.10 (5h) (i) *Appropriations, disbursement of funds to the fund and payment.* From the moneys received from designations for the prostate cancer research program, an amount equal to the sum of administrative expenses, including data processing costs, certified under par. (h) 1. shall be deposited in the general fund and credited to the appropriation account under s. 20.566 (1) (hp), and of the net amount remaining that is certified under par. (h) 3. an amount equal to 50 percent shall be credited to the appropriation accounts account under ss. s. 20.250 (2) (h) and 20.285 (1) (gm) and amount equal to 50 percent shall be paid to the University of Wisconsin-Madison, for the use specified under s. 255.054 (1).

**SECTION 384.** 71.26 (1) (be) of the statutes, as affected by [2011 Wisconsin Act 7](#), is amended to read:

71.26 (1) (be) *Certain authorities.* Income of the University of Wisconsin Hospitals and Clinics Authority, of the University of Wisconsin-Madison, of the Health Insurance Risk-Sharing Plan Authority, of the Wisconsin Quality Home Care Authority, of the Fox River Navigational System Authority, of the Wisconsin Economic Development Corporation, and of the Wisconsin Aerospace Authority.

\*\*\*NOTE: You instructed us to include the corporate tax exemption in s. 71.26 (1) (b) (political units). However, because the UW is created as an authority, the above exemption is appropriate.

**SECTION 385.** 71.28 (5r) (a) 6. a. of the statutes is amended to read:

71.28 (5r) (a) 6. a. A University of Wisconsin System institution, the University of Wisconsin-Madison, a technical college system institution, or a regionally accredited 4-year nonprofit college or university having its regional headquarters and principal place of business in this state.

**SECTION 386.** 71.47 (5r) (a) 6. a. of the statutes is amended to read:

71.47 (5r) (a) 6. a. A University of Wisconsin System institution, the University of Wisconsin-Madison, a technical college system institution, or a regionally accredited 4-year nonprofit college or university having its regional headquarters and principal place of business in this state.

**SECTION 387.** 73.12 (1) (b) of the statutes is amended to read:

73.12 (1) (b) "Vendor" means a person providing goods or services to this state or the University of Wisconsin-Madison under subch. IV or V of ch. 16 or under ch. 84.

**SECTION 388.** 73.12 (2) of the statutes is amended to read:

73.12 (2) REQUEST FOR SETOFF. The department of revenue may request the department of administration to proceed under sub. (3) against any vendor who owes a tax. A request under this subsection consists of identification of the vendor and of the vendor's contracts with this state or the University of Wisconsin-Madison and notice to the vendor of the request for a setoff.

**SECTION 389.** 73.12 (3) of the statutes is amended to read:

73.12 (3) SETOFF. Upon receipt of a request under sub. (2), the department of administration shall begin to set off against amounts owed by this state or the University of Wisconsin-Madison to a vendor taxes owed to this state by that vendor until those taxes are paid in full. If the secretary of administration determines, within 30 days after receipt of a request for setoff, that the vendor against whom



setoff is requested is either an essential supplier of critical commodities or the only vendor from whom a necessary good or service can be obtained and notifies the secretary of revenue of that determination, the department of administration shall waive the right of setoff and the department of administration shall pay to the vendor the amounts set off. The department of administration or the University of Wisconsin-Madison shall, within 30 days after the end of each calendar quarter, transfer to the department of revenue the taxes set off during the previous calendar quarter for deposit in the general fund, or in the transportation fund in respect to taxes owed under ch. 78, and shall notify the department of revenue of the amounts set off against each vendor.

**SECTION 390.** 73.12 (5) of the statutes is amended to read:

73.12 (5) LIABILITY PRECLUDED. Exchange of information required to administer this section does not result in liability under s. 71.78, 72.06, 77.61 (5), 78.80 (3) or 139.38 (6). The department of administration or the University of Wisconsin-Madison is not liable to any vendor because of setoffs under this section.

**SECTION 391.** 73.12 (7) of the statutes is amended to read:

73.12 (7) TAX IDENTIFICATION INFORMATION. The department of administration and the University of Wisconsin-Madison may collect from vendors and provide to the department of revenue any tax identification information that the department of revenue requires to administer the program under this section.

**SECTION 392.** 77.54 (9a) (a) of the statutes, as affected by [2011 Wisconsin Act 7](#), is amended to read:

77.54 (9a) (a) This state or any agency thereof, the University of Wisconsin Hospitals and Clinics Authority, the University of Wisconsin-Madison, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority,

the Wisconsin Quality Home Care Authority, the Wisconsin Economic Development Corporation, and the Fox River Navigational System Authority.

\*\*\*\*NOTE: The above exempts the UW from paying state and local sales and use taxes.

**SECTION 393.** 84.27 of the statutes is amended to read:

**84.27 Institution roads.** The department may administer a program to improve highways forming convenient connections between the University of Wisconsin System, the University of Wisconsin–Madison, and state charitable or penal institutions, and the state trunk highway system, or to construct roadways under or over state trunk highways that pass through the grounds thereof, or to construct and maintain all drives and roadways on such grounds or the grounds of the state capitol. Within the limitations and for the purposes of this section, work may be performed by or under the supervision or authority of the department, upon the request for such work filed by the ~~board of regents~~ Board of Regents of the University of Wisconsin System, the Board of Trustees of the University of Wisconsin–Madison, or the state boards, commissions, departments or officers, respectively, as to such work in connection with the institution controlled by them. The cost of any work under this section shall be the responsibility of the ~~board of regents~~ Board of Regents of the University of Wisconsin System, the Board of Trustees of the University of Wisconsin–Madison, or the state boards, commissions, departments or officers involved.

**SECTION 394.** 92.025 (4) of the statutes is amended to read:

92.025 (4) INTERIM GOAL; STATE-RUN FARMS. The soil erosion rate on individual cropland fields of farms owned by the University of Wisconsin System, the University

of Wisconsin–Madison, or any other department or agency of state government does not exceed the tolerable soil erosion level on or after July 1, 1990.

**SECTION 395.** 92.04 (2) (g) of the statutes is amended to read:

92.04 (2) (g) *Advise the University of Wisconsin System and University of Wisconsin–Madison*. The board shall advise the University of Wisconsin System and University of Wisconsin–Madison annually on needed research and educational programs relating to soil and water conservation.

**SECTION 396.** 92.05 (3) (d) of the statutes is amended to read:

92.05 (3) (d) *Advise University of Wisconsin System and University of Wisconsin–Madison*. The department shall advise the University of Wisconsin System and University of Wisconsin–Madison annually on developing research and educational programs relating to soil and water conservation.

**SECTION 397.** 92.07 (5) of the statutes is amended to read:

92.07 (5) EDUCATIONAL AND OTHER PROGRAMS. Each land conservation committee may encourage research and educational, informational and public service programs, advise the University of Wisconsin–Madison and University of Wisconsin System on educational needs and assist the University of Wisconsin–Madison and University of Wisconsin System and the department in implementing educational programs under ss. ~~36.25~~ 37.25 (7), 59.56 (3) and 92.05.

\*\*\*NOTE: Given that s. 36.25 (7) is transferred to s. 37.25 (7), is it okay to refer to both the UW and the UW System in the above?

**SECTION 398.** 101.123 (2) (d) 4. of the statutes is amended to read:

101.123 (2) (d) 4. A location that is 25 feet or less from a residence hall or dormitory that is owned or operated by the Board of Regents of the University of Wisconsin System or Board of Trustees of the University of Wisconsin–Madison.

**SECTION 399**

**SECTION 399.** 101.14 (4) (b) 3. a. of the statutes is amended to read:

101.14 (4) (b) 3. a. Every residence hall and dormitory over 60 feet in height, the initial construction of which was begun before April 26, 2000, that is owned or operated by the ~~board of regents~~ Board of Regents of the University of Wisconsin System ~~or the Board of Trustees of the University of Wisconsin-Madison~~ to contain an automatic fire sprinkler system on each floor by January 1, 2006, except that those rules shall not apply to Ogg Residence Hall at the University of Wisconsin-Madison until January 1, 2008.

**SECTION 400.** 101.14 (4) (b) 3. b. of the statutes is amended to read:

101.14 (4) (b) 3. b. Every residence hall and dormitory, the initial construction of which is begun on or after April 26, 2000, that is owned or operated by the ~~board of regents~~ Board of Regents of the University of Wisconsin System ~~or the Board of Trustees of the University of Wisconsin-Madison~~ to have an automatic fire sprinkler system installed on each floor at the time the residence hall or dormitory is constructed.

**SECTION 401.** 101.14 (4) (b) 3. c. of the statutes is amended to read:

101.14 (4) (b) 3. c. Every residence hall and dormitory over 60 feet in height, the initial construction of which was begun before January 7, 2006, that is owned or operated by an institution of higher education, other than a residence hall or dormitory that is owned or operated by the Board of Regents of the University of Wisconsin System ~~or the Board of Trustees of the University of Wisconsin-Madison~~, to contain an automatic fire sprinkler system on each floor by January 1, 2014.

**SECTION 402.** 101.14 (4) (b) 3. d. of the statutes is amended to read:

101.14 (4) (b) 3. d. Every residence hall and dormitory, the initial construction of which is begun on or after January 7, 2006, that is owned or operated by an

institution of higher education, other than a residence hall or dormitory that is owned or operated by the Board of Regents of the University of Wisconsin System or the Board of Trustees of the University of Wisconsin–Madison, to have an automatic fire sprinkler system installed on each floor at the time the residence hall or dormitory is constructed.

**SECTION 403.** 111.81 (7) (h) of the statutes is created to read:

111.81 (7) (h) Staff appointed by the Board of Trustees of the University of Wisconsin–Madison except faculty, academic staff, limited term employees, sessional employees, project employees, supervisors, management, persons who are privy to confidential matters affecting the employer–employee relationship, persons whose employment is a necessary part of their training, student assistants, and student hourly help.

**SECTION 404.** 111.81 (8) of the statutes is amended to read:

111.81 (8) “Employer” means the state of Wisconsin, or, with respect to the employees under sub. (7) (h), the University of Wisconsin–Madison.

**SECTION 405.** 111.81 (15m) of the statutes is amended to read:

111.81 (15m) “Program assistant” or “project assistant” means a graduate student enrolled in the University of Wisconsin System or at the University of Wisconsin–Madison who is assigned to conduct research, training, administrative responsibilities or other academic or academic support projects or programs, except regular preparation of instructional materials for courses or manual or clerical assignments, under the supervision of a member of the faculty or academic staff, as defined in s. 36.05 (1) or (8) or 37.01 (5), primarily for the benefit of the university, faculty or academic staff supervisor or a granting agency. “Project assistant” or “program assistant” does not include a graduate student who does work which is

primarily for the benefit of the student's own learning and research and which is independent or self-directed.

**SECTION 406.** 111.81 (17m) of the statutes is amended to read:

111.81 (17m) "Research assistant" means a graduate student enrolled in the University of Wisconsin System or at the University of Wisconsin-Madison who is receiving a stipend to conduct research that is primarily for the benefit of the student's own learning and research and which is independent or self-directed, but does not include students provided fellowships, scholarships, or traineeships which are distributed through other titles such as advanced opportunity fellow, fellow, scholar, or trainee, and does not include students with either an F-1 or a J-1 visa issued by the federal department of state.

**SECTION 407.** 111.81 (19m) of the statutes is amended to read:

111.81 (19m) "Teaching assistant" means a graduate student enrolled in the University of Wisconsin System or at the University of Wisconsin-Madison who is regularly assigned teaching and related responsibilities, other than manual or clerical responsibilities, under the supervision of a member of the faculty as defined in s. 36.05 (8) or 37.01 (5).

**SECTION 408.** 111.815 (1) of the statutes is amended to read:

111.815 (1) In the furtherance of this subchapter, the state shall be considered as a single employer and employment relations policies and practices throughout the state service shall be as consistent as practicable. The office shall negotiate and administer collective bargaining agreements except that the department of health services, subject to the approval of the federal centers for medicare and medicaid services to use collective bargaining as the method of setting rates for reimbursement of home care providers, shall negotiate and administer collective

bargaining agreements entered into with the collective bargaining unit specified in s. 111.825 (2g). To coordinate the employer position in the negotiation of agreements, the office, or the department of health services with regard to collective bargaining agreements entered into with the collective bargaining unit specified in s. 111.825 (2g), shall maintain close liaison with the legislature relative to the negotiation of agreements and the fiscal ramifications of those agreements. Except with respect to the collective bargaining units specified in s. 111.825 (1g), (1m), (2) (f), and (2g), the office is responsible for the employer functions of the executive branch under this subchapter, and shall coordinate its collective bargaining activities with operating state agencies on matters of agency concern. The legislative branch shall act upon those portions of tentative agreements negotiated by the office that require legislative action. With respect to the collective bargaining units specified in s. 111.825 (1g), the University of Wisconsin-Madison is responsible for the employer functions under this subchapter. With respect to the collective bargaining units specified in s. 111.825 (1m), the University of Wisconsin Hospitals and Clinics Board is responsible for the employer functions under this subchapter. With respect to the collective bargaining unit specified in s. 111.825 (2) (f), the governing board of the charter school established by contract under s. 118.40 (2r) ~~(em)~~ (b) 1. e. is responsible for the employer functions under this subchapter. With respect to the collective bargaining unit specified in s. 111.825 (2g), the department of health services is responsible for the employer functions of the executive branch under this subchapter.

\*\*\*\*NOTE: This is reconciled s. 111.815 (1). This SECTION has been affected by drafts with the following LRB numbers: LRB-1187 and LRB-0851.

**SECTION 409.** 111.815 (2) of the statutes is amended to read:



**SECTION 409**

111.815 (2) In the furtherance of the policy under s. 111.80 (4), the director of the office shall, together with the appointing authorities or their representatives, represent the state in its responsibility as an employer under this subchapter except with respect to negotiations in the collective bargaining units specified in s. 111.825 (1g), (1m), (2) (f), and (2g). The director of the office shall establish and maintain, wherever practicable, consistent employment relations policies and practices throughout the state service.

**SECTION 410.** 111.825 (1g) of the statutes is created to read:

111.825 (1g) Collective bargaining units at the University of Wisconsin-Madison are structured with one or more collective bargaining units for each of the following groups:

(a) Program assistants; project assistants; and teaching assistants of the University of Wisconsin-Madison.

(b) Research assistants of the University of Wisconsin-Madison.

(c) Employees under s. 111.81 (7) (h) who are not included under par. (a) or (b).

**SECTION 411.** 111.825 (2) (a) of the statutes is amended to read:

111.825 (2) (a) The program, project and teaching assistants of the University of Wisconsin-Madison and the University of Wisconsin-Extension.

**SECTION 412.** 111.825 (2) (g) of the statutes is amended to read:

111.825 (2) (g) Research assistants of the University of Wisconsin-Madison and University of Wisconsin-Extension.

**SECTION 413.** 111.825 (3) of the statutes is amended to read:

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

**SECTION 414.** 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), ~~(1g)~~, (1m), (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.

**SECTION 415.** 111.84 (2) (c) of the statutes is amended to read:

111.84 (2) (c) To refuse to bargain collectively on matters set forth in s. 111.91 (1) with the duly authorized officer or agent of the employer which is the recognized or certified exclusive collective bargaining representative of employees specified in s. 111.81 (7) (a) in an appropriate collective bargaining unit or with the certified exclusive collective bargaining representative of employees specified in s. 111.81 (7) (b) to ~~(g)~~ (h) in an appropriate collective bargaining unit. Such refusal to bargain shall include, but not be limited to, the refusal to execute a collective bargaining agreement previously orally agreed upon.

**SECTION 416.** 111.915 of the statutes is amended to read:

**111.915 Labor proposals.** The Except with respect to a collective bargaining unit specified in s. 111.825 (1g), the director of the office shall notify and consult with the joint committee on employment relations, in such form and detail as the committee requests, regarding substantial changes in wages, employee benefits, personnel management, and program policy contract provisions to be included in any contract proposal to be offered to any labor organization by the state or to be agreed to by the state before such proposal is actually offered or accepted.

**SECTION 417**

**SECTION 417.** 111.92 (1) (am) of the statutes is created to read:

111.92 (1) (am) Any tentative agreement reached between the University of Wisconsin-Madison, acting for the state, and any labor organization representing a collective bargaining unit specified in s. 111.825 (1g) shall, after official ratification by the labor organization, be executed by the parties.

**SECTION 418.** 111.93 (2) of the statutes is amended to read:

111.93 (2) All civil service and other applicable statutes concerning wages, fringe benefits, hours and conditions of employment apply to employees specified in s. 111.81 (7) (a) who are not included in collective bargaining units for which a representative is recognized or certified and to employees specified in s. 111.81 (7) (b) to (f) and (h) who are not included in a collective bargaining unit for which a representative is certified.

**SECTION 419.** 111.93 (3) of the statutes is amended to read:

111.93 (3) Except as provided in ss. 7.33 (4), 40.05, 40.80 (3), 111.91 (1) (cm), 230.35 (2d) and (3) (e) 6., and 230.88 (2) (b), if a collective bargaining agreement exists between the employer and a labor organization representing employees in a collective bargaining unit, the provisions of that agreement shall supersede the provisions of civil service and other applicable statutes, as well as rules and policies of the ~~board of regents~~ Board of Regents of the University of Wisconsin System and rules and policies of the Board of Trustees of the University of Wisconsin-Madison, related to wages, fringe benefits, hours, and conditions of employment whether or not the matters contained in those statutes, rules, and policies are set forth in the collective bargaining agreement.

**SECTION 420.** 111.935 (2) of the statutes is amended to read:

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

\*\*\*\*NOTE: This subch. V of chapter 111 is substantially affected by the Special Session Budget Repair Bill. It will need to be reconciled with the Act; I have not included those treatments because it may be amended as it travels through the legislative process. Subchapter VI is being repealed by that bill. If any part is not repealed, we will amend those sections in this bill after the budget repair bill passes both houses.

**SECTION 421.** 115.297 (1) (a) of the statutes is amended to read:

115.297 (1) (a) “Agencies” means the department, the ~~board of regents~~ Board of Regents of the University of Wisconsin System, the Board of Trustees of the University of Wisconsin–Madison, the technical college system board, and the Wisconsin Association of Independent Colleges and Universities.

**SECTION 422.** 115.43 (2) (b) of the statutes is amended to read:

115.43 (2) (b) From the appropriation under s. 20.255 (3) (fz), award precollege scholarships, on a competitive basis, to economically disadvantaged pupils who enroll in a technical college or in college or university classes or programs designed to improve academic skills that are essential for success in postsecondary school education. The state superintendent shall give preference to economically disadvantaged pupils who are inadequately represented in the technical college and University of Wisconsin Systems and the University of Wisconsin–Madison.

**SECTION 423.** 116.01 of the statutes is amended to read:

**116.01 Purpose.** The organization of school districts in Wisconsin is such that the legislature recognizes the need for a service unit between the school district and the state superintendent. The cooperative educational service agencies are designed to serve educational needs in all areas of Wisconsin by serving as a link both between school districts and between school districts and the state. Cooperative educational service agencies may provide leadership, coordination, and education services to school districts, University of Wisconsin System institutions, the University of Wisconsin–Madison, and technical colleges. Cooperative educational service agencies may facilitate communication and cooperation among all public, private, and tribal schools, and all public and private agencies and organizations, that provide services to pupils.

**SECTION 424.** 116.032 (1) of the statutes is amended to read:

116.032 (1) Subject to subs. (2) to (5), for the purpose of providing services to pupils, a board of control may contract with school districts, University of Wisconsin System institutions, the University of Wisconsin–Madison, technical college district boards, private schools, tribal schools, and agencies or organizations that provide services to pupils. A board of control may also contract with one or more school boards to operate a charter school under s. 118.40 (3) (c).

**SECTION 425.** 118.40 (2r) (b) 1. g. of the statutes is created to read:

118.40 (2r) (b) 1. g. The chancellor of the University of Wisconsin–Madison.

**SECTION 426.** 118.55 (1) of the statutes is amended to read:

118.55 (1) DEFINITION. In this section, “institution of higher education” means an institution within the University of Wisconsin System, the University of Wisconsin–Madison, a tribally controlled college or a private, nonprofit institution of higher education located in this state.

**SECTION 427.** 118.55 (5) (a) of the statutes is amended to read:

118.55 (5) (a) If the pupil is attending an institution within the University of Wisconsin System or the University of Wisconsin–Madison, the actual cost of tuition, fees, books and other necessary materials directly related to the course.

**SECTION 428.** 125.02 (3m) of the statutes is amended to read:

125.02 (3m) “Campus” has the meaning given under s. 36.05 (3) and s. 37.01 (4).

**SECTION 429.** 146.59 (2) (b) of the statutes is amended to read:

146.59 (2) (b) If a contractual services agreement is terminated under s. 233.04 (4m) (b), the University of Wisconsin Hospitals and Clinics Board may negotiate and enter into a contractual services agreement with the University of Wisconsin Hospitals and Clinics Authority or the ~~board of regents~~ Board of Trustees of the University of ~~Wisconsin System~~ Wisconsin–Madison under s. 233.04 (4m) (b).

**SECTION 430.** 160.50 (1m) of the statutes is amended to read:

160.50 (1m) FUNDING FOR GROUNDWATER RESEARCH. The groundwater coordinating council shall advise the secretary of administration on the allocation of funds appropriated to the ~~board of regents~~ Board of Regents of the University of Wisconsin System under s. 20.285 (1) (a) and the Board of Trustees of the University of Wisconsin–Madison under s. 20.280 (1) (a) for groundwater research.

**SECTION 431.** 165.25 (8r) of the statutes is created to read:

165.25 (8r) BOARD OF TRUSTEES OF THE UNIVERSITY OF WISCONSIN. In subs. (1), (1m), (6) and (6m), treat the Board of Trustees of the University of Wisconsin–Madison as a department of state government and any official, employee, or agent of the Board of Trustees as a state official, employee or agent.

**SECTION 432.** 174.13 (2) of the statutes is amended to read:

**SECTION 432**

174.13 (2) Any officer or pound which has custody of an unclaimed dog may release the dog to the University of Wisconsin System, the University of Wisconsin–Madison, the Medical College of Wisconsin, Inc., or to any other educational institution of higher learning chartered under the laws of the state and accredited to the University of Wisconsin System or University of Wisconsin–Madison, upon requisition by the institution. The requisition shall be in writing, shall bear the signature of an authorized agent, and shall state that the dog is requisitioned for scientific or educational purposes. If a requisition is made for a greater number of dogs than is available at a given time, the officer or pound may supply those immediately available and may withhold from other disposition all unclaimed dogs coming into the officer’s or pound’s custody until the requisition is fully discharged, excluding impounded dogs as to which ownership is established within a reasonable period. A dog left by its owner for disposition is not considered an unclaimed dog under this section. If operated by a county, city, village or town, the officer or pound is entitled to the payment of \$1 for each dog requisitioned. An institution making a requisition shall provide for the transportation of the dog.

**SECTION 433.** 227.01 (1) of the statutes is amended to read:

227.01 (1) “Agency” means a board, commission, committee, department or officer in the state government, except the governor, a district attorney, or a military or judicial officer, and in subch. II includes the Board of Trustees of the University of Wisconsin–Madison with respect to rules promulgated under s. 37.11 (1m) (a), (c), and (cm) and (8).

**SECTION 434.** 230.03 (3) of the statutes, as affected by [2011 Wisconsin Act 7](#), is amended to read:



230.03 (3) “Agency” means any board, commission, committee, council, or department in state government or a unit thereof created by the constitution or statutes if such board, commission, committee, council, department, unit, or the head thereof, is authorized to appoint subordinate staff by the constitution or statute, except a legislative or judicial board, commission, committee, council, department, or unit thereof or an authority created under subch. II of ch. 114 or subch. III of ch. 149 or under ch. 37, 52, 231, 232, 233, 234, 235, 237, 238, or 279. “Agency” does not mean any local unit of government or body within one or more local units of government that is created by law or by action of one or more local units of government.

**SECTION 435.** 233.01 (3) of the statutes is repealed.

**SECTION 436.** 233.01 (3m) of the statutes is created to read:

233.01 (3m) “Board of Trustees” means the Board of Trustees of the University of Wisconsin–Madison.

**SECTION 437.** 233.01 (6) of the statutes is amended to read:

233.01 (6) “Lease agreement” means the lease agreement that is required to be entered into between the board of directors and the ~~board of regents~~ Board of Trustees under s. 233.04 (7) or a lease agreement that is entered into between the board of directors and the ~~board of regents~~ Board of Trustees under s. 233.04 (7g).

**SECTION 438.** 233.01 (7) of the statutes is amended to read:

233.01 (7) “On-campus facilities” means facilities that are located on land owned by the state or the University of Wisconsin–Madison, that are under the control of the ~~board of regents~~ the Board of Trustees, and that are primarily related to the operation of the University of Wisconsin Hospitals and Clinics and its related services.

**SECTION 438**

\*\*\*\*NOTE: This treatment, together with s. 13.48 (28), stats., maintains existing law that requires the Building Commission to avoid contracting state debt for facilities intended for use by UWHCA that would be located on existing campus property.

**SECTION 439.** 233.02 (1) (b) of the statutes is amended to read:

233.02 (1) (b) Three members of the ~~board of regents~~ Board of Trustees appointed by the ~~president~~ chairperson of the ~~board of regents~~ Board of Trustees.

**SECTION 440.** 233.02 (1) (d) of the statutes is amended to read:

233.02 (1) (d) The dean of the University of ~~Wisconsin-Madison Medical~~ Wisconsin School of Medicine and Public Health.

**SECTION 441.** 233.02 (1) (e) of the statutes is amended to read:

233.02 (1) (e) A chairperson of a department at the University of ~~Wisconsin-Madison Medical~~ Wisconsin School of Medicine and Public Health, appointed by the chancellor of the University of Wisconsin-Madison.

**SECTION 442.** 233.02 (1) (f) of the statutes is amended to read:

233.02 (1) (f) A faculty member of a ~~health professions school of the~~ University of Wisconsin-Madison ~~health professions school~~, other than the University of ~~Wisconsin-Madison Medical~~ Wisconsin School of Medicine and Public Health, appointed by the chancellor of the University of Wisconsin-Madison.

**SECTION 443.** 233.03 (2) of the statutes is amended to read:

233.03 (2) Sue and be sued; have a seal and alter the seal at pleasure; have perpetual existence; maintain an office; negotiate and enter into leases; accept gifts or grants, but not including research grants in which the grant investigator is an employee of the ~~board of regents~~ Board of Trustees; accept bequests or loans; accept and comply with any lawful conditions attached to federal financial assistance; and make and execute other instruments necessary or convenient to the exercise of the powers of the authority.

**SECTION 444.** 233.03 (10) of the statutes is amended to read:

233.03 (10) Enter into procurement contracts with the board of regents Board of Trustees or joint contracts with the board of regents Board of Trustees for procurements from 3rd parties and may enter into other contracts, rental agreements and cooperative agreements and other necessary arrangements with the board of regents Board of Trustees which may be necessary and convenient for the missions, purposes, objects and uses of the authority authorized by law.

**SECTION 445.** 233.04 (1) of the statutes is amended to read:

233.04 (1) By October 1, 1997, and annually thereafter, submit to the chief clerk of each house of the legislature under s. 13.172 (2), the president chairperson of the board of regents Board of Trustees, the secretary of administration and the governor a report on the patient care, education, research and community service activities and accomplishments of the authority and an audited financial statement, certified by an independent auditor, of the authority's operations.

**SECTION 446.** 233.04 (3b) (b) of the statutes is amended to read:

233.04 (3b) (b) Paragraph (a) does not apply unless a lease agreement under sub. (7) or (7g) and an affiliation agreement under sub. (7m) or (7p) are in effect that comply with all applicable requirements of those provisions. In the event either of these agreements are not in effect, the on-campus facilities and any improvements, modifications or other facilities specified in sub. (7) (c) shall transfer to the board of regents Board of Trustees.

**SECTION 447.** 233.04 (4m) (b) of the statutes is amended to read:

233.04 (4m) (b) If a lease agreement under sub. (7) or (7g) or an affiliation agreement under sub. (7m) or (7p) is not in effect, the contractual services agreement is terminated and the University of Wisconsin Hospitals and Clinics Board may

negotiate and enter into a contractual services agreement with the board of directors that meets the requirements under sub. (4) (a) and (b) or with the ~~board of regents~~ Board of Trustees that meets the requirements under s. ~~36.25~~ 37.25 (13g) (c).

**SECTION 448.** 233.04 (7) (intro.) of the statutes is amended to read:

233.04 (7) (intro.) Subject to s. 233.05 (1) and 1995 Wisconsin Act 27, section 9159 (2) (k), negotiate and enter into a lease agreement with the ~~board of regents~~ Board of Trustees to lease the on-campus facilities beginning on June 29, 1996, for an initial period of not more than 30 years. The lease agreement shall include all of the following:

**SECTION 449.** 233.04 (7) (e) of the statutes is amended to read:

233.04 (7) (e) Any provision necessary to ensure that the general management and operation of the on-campus facilities are consistent with the mission and responsibilities of the University of ~~Wisconsin System~~ Wisconsin-Madison specified in ss. ~~36.01~~ 37.001 and ~~36.09~~ 37.03.

**SECTION 450.** 233.04 (7) (g) of the statutes is amended to read:

233.04 (7) (g) A provision that protects the ~~board of regents~~ Board of Trustees from all liability associated with the management, operation, use or maintenance of the on-campus facilities. No such provision shall make the authority liable for the acts or omissions of any officer, employee or agent of the ~~board of regents~~ Board of Trustees, including any student who is enrolled at the University of Wisconsin-Madison or an institution within the University of Wisconsin System, unless the officer, employee or agent acts at the direction of the authority.

**SECTION 451.** 233.04 (7g) (a) of the statutes is amended to read:

233.04 (7g) (a) Submit any modification, extension or renewal of the lease agreement under sub. (7) to the joint committee on finance. No extension or renewal

of the lease agreement may be for a period of more than 30 years. Modification, extension or renewal of the agreement may be made as proposed by the authority and the ~~board of regents~~ Board of Trustees only upon approval of the committee.

**SECTION 452.** 233.04 (7g) (b) of the statutes is amended to read:

233.04 **(7g)** (b) If the committee does not approve an extension or renewal of the agreement, the on-campus facilities and any improvements, modifications or other facilities specified in sub. (7) (c) shall transfer to the ~~board of regents~~ Board of Regents.

**SECTION 453.** 233.04 (7m) (intro.) of the statutes is amended to read:

233.04 **(7m)** (intro.) Subject to [1995 Wisconsin Act 27](#), section [9159](#) (2) (k), negotiate and enter into an affiliation agreement with the ~~board of regents~~ Board of Trustees. The affiliation agreement shall take effect on June 29, 1996. The initial period of the affiliation agreement shall run concurrently with the initial period of the lease agreement under sub. (7), and the affiliation agreement shall include all of the following:

**SECTION 454.** 233.04 (7m) (c) of the statutes is amended to read:

233.04 **(7m)** (c) A provision that requires the development of standards relating to the selection and financing by the authority of any corporation or partnership that provides health-related services. The standards shall be consistent with the missions of the authority and the ~~board of regents~~ Board of Trustees.

**SECTION 455.** 233.04 (7m) (d) of the statutes is amended to read:

233.04 **(7m)** (d) A provision that requires the ~~board of regents~~ Board of Trustees to make reasonable charges for any services provided by the ~~board of regents~~ Board of Trustees to the authority.

**SECTION 456.** 233.04 (7p) (a) of the statutes is amended to read:

233.04 (7p) (a) Submit any modification, extension or renewal of the affiliation agreement under sub. (7m) to the joint committee on finance. No extension or renewal of the affiliation agreement may be for a period of more than 30 years. Modification, extension or renewal of the agreement may be made as proposed by the authority and the ~~board of regents~~ Board of Trustees only upon approval of the committee.

**SECTION 457.** 233.04 (7p) (b) of the statutes is amended to read:

233.04 (7p) (b) If the committee does not approve an extension or renewal of the agreement, the on-campus facilities and any improvements, modifications or other facilities specified in sub. (7) (c) shall transfer to the ~~board of regents~~ Board of Trustees.

**SECTION 458.** 233.05 (1) (a) 1. of the statutes is amended to read:

233.05 (1) (a) 1. The board of directors or the ~~board of regents~~ Board of Trustees adopts a resolution opposing the automatic extensions or the joint committee on finance takes action opposing the automatic extensions.

**SECTION 459.** 233.05 (2) (a) 1. of the statutes is amended to read:

233.05 (2) (a) 1. The board of directors or the ~~board of regents~~ Board of Trustees adopts a resolution opposing the automatic extension or the joint committee on finance takes action opposing the automatic extension.

**SECTION 460.** 233.10 (3r) (b) 3. of the statutes is amended to read:

233.10 (3r) (b) 3. Grant to the carry-over employee, except when he or she is on an unpaid leave of absence, a paid holiday on each of the days specified as a holiday in policies and procedures established by the ~~board of regents~~ Board of Regents under s. 36.15 (2) as of the last day of the employee's employment as a state

employee and any holiday compensatory time off that may be specified in policies and procedures established by the ~~board of regents~~ Board of Regents of the University of Wisconsin System under s. 36.15 (2) as of the last day of the employee's employment in the academic staff appointment.

**SECTION 461.** 233.10 (3r) (b) 5. of the statutes is amended to read:

233.10 **(3r)** (b) 5. Grant to the carry-over employee military leave, treatment of military leave, jury service leave and voting leave in accordance with policies and procedures established by the ~~board of regents~~ Board of Regents of the University of Wisconsin System under s. 36.15 (2) and, as of the last day of the employee's employment in the academic staff appointment.

**SECTION 462.** 233.10 (3r) (b) 6. of the statutes is amended to read:

233.10 **(3r)** (b) 6. Grant to the carry-over employee the same opportunity for any employee training that may be provided under policies and procedures established by the ~~board of regents~~ Board of Regents of the University of Wisconsin System under s. 36.15 (2) as of the last day of his or her employment in the academic staff appointment.

**SECTION 463.** 233.17 (2) (a) of the statutes is amended to read:

233.17 **(2)** (a) No officer, employee or agent of the ~~board of regents~~ Board of Regents or Board of Trustees, including any student who is enrolled at the University of Wisconsin-Madison or an institution within the University of Wisconsin System, is an agent of the authority unless the officer, employee or agent acts at the express written direction of the authority.

**SECTION 464.** 233.17 (2) (b) of the statutes is amended to read:

233.17 **(2)** (b) Notwithstanding par. (a), no member of the faculty or academic staff of the University of ~~Wisconsin System~~ Wisconsin-Madison, acting within the



scope of his or her employment, may be considered, for liability purposes, as an agent of the authority.

**SECTION 465.** 250.20 (2) (d) of the statutes is amended to read:

250.20 (2) (d) Work closely with all state agencies, including the ~~board of regents~~ Board of Regents of the University of Wisconsin System and the technical college system board, with the Board of Trustees of the University of Wisconsin-Madison, with the University of Wisconsin Hospitals and Clinics Authority, with the private sector and with groups concerned with issues of the health of economically disadvantaged minority group members to develop long-term solutions to health problems of minority group members.

**SECTION 466.** 250.20 (2) (f) of the statutes is amended to read:

250.20 (2) (f) Encourage economically disadvantaged minority group members who are students to enter career health care professions, by developing materials that are culturally sensitive and appropriate and that promote health care professions as careers, for use by the University of Wisconsin System, the University of Wisconsin-Madison, the technical college system and the Medical College of Wisconsin in recruiting the students.

**SECTION 467.** 253.13 (1m) of the statutes is amended to read:

253.13 (1m) URINE TESTS. The department may establish a urine test program to test infants for causes of congenital disorders. The state laboratory of hygiene ~~board~~ may establish the methods of obtaining urine specimens and testing such specimens, and may develop materials for use in the tests. No person may be required to participate in programs developed under this subsection.

**SECTION 468.** 253.13 (4) of the statutes is amended to read:

253.13 (4) CONFIDENTIALITY OF TESTS AND RELATED INFORMATION. The state laboratory of hygiene shall provide the test results to the physician, who shall advise the parents or legal guardian of the results. No information obtained under this section from the parents or guardian or from specimens from the infant may be disclosed except for use in statistical data compiled by the department without reference to the identity of any individual and except as provided in s. 146.82 (2). The state laboratory of hygiene board shall provide to the department the names and addresses of parents of infants who have positive test results.

**SECTION 469.** 254.19 of the statutes is amended to read:

**254.19 Asbestos testing fees.** Notwithstanding s. ~~36.25 (11) (f)~~ 37.57 (6), the state laboratory of hygiene board shall impose a fee sufficient to pay for any asbestos testing services which it provides.

**SECTION 470.** 254.61 (5) (f) of the statutes is amended to read:

254.61 (5) (f) Any college campus, as defined in s. 36.05 (6m), institution as defined in s. 36.51 (1) (b), university, as defined in s. 37.01 (9), or technical college that serves meals only to the students enrolled in the college campus, institution, university, or school or to authorized elderly persons under s. 36.51, 37.51, or 38.36.

**SECTION 471.** 255.05 (1) (d) of the statutes is amended to read:

255.05 (1) (d) "Public agency" means a county, city, village, town or school district, the University of Wisconsin-Madison, or an agency of this state or of a county, city, village, town or school district.

**SECTION 472.** 255.054 (1) of the statutes is amended to read:

255.054 (1) The Medical College of Wisconsin, Inc., and the University of Wisconsin Comprehensive Carbone Cancer Center shall use the moneys appropriated under ~~ss. s. 20.250 (2) (h) and 20.285 (1) (gn)~~ the moneys paid under

s. 71.10 (5h) (i) for prostate cancer research projects. These moneys may not be used to supplant funds available for prostate cancer research from other sources.

**SECTION 473.** 255.054 (2) of the statutes is amended to read:

255.054 (2) Annually by January 1, the Medical College of Wisconsin, Inc., and the Board of Regents Trustees of the University of Wisconsin—System Wisconsin—Madison shall each report to the appropriate standing committees of the legislature under s. 13.172 (3) and to the governor on the prostate cancer research projects each has conducted under sub. (1) in the previous fiscal year.

\*\*\*\*NOTE: Is the appropriation change okay?

**SECTION 474.** 255.055 (1) of the statutes is amended to read:

255.055 (1) The Medical College of Wisconsin, Inc., and the University of Wisconsin Comprehensive Carbone Cancer Center shall use the moneys appropriated under ~~ss. s.~~ s. 20.250 (2) (g) and 20.285 (1) (gm) the moneys paid under s. 71.10 (5f) (i) for breast cancer research projects. These moneys may not be used to supplant funds available for breast cancer research from other sources.

**SECTION 475.** 255.055 (2) of the statutes is amended to read:

255.055 (2) Annually by January 1, the Medical College of Wisconsin, Inc., and the Board of ~~Regents~~ Trustees of the University of Wisconsin—System Wisconsin—Madison shall each report to the appropriate standing committees of the legislature under s. 13.172 (3) and to the governor on the breast cancer research projects each has conducted under sub. (1) in the previous fiscal year.

**SECTION 476.** 281.66 (6) of the statutes is amended to read:

281.66 (6) GRANTS FOR CAMPUSES. Notwithstanding subs. (3) and (4), the department may distribute a grant to the ~~board of regents~~ Board of Trustees of the University of Wisconsin—Madison or Board of Regents of the University of Wisconsin

System for practices, techniques or measures to control storm water discharges on the University of Wisconsin–Madison campus or a University of Wisconsin System campus that is located in a municipality that is required to obtain a permit under s. 283.33 and that is located in a priority watershed, as defined in s. 281.65 (2) (c), a priority lake area, as defined in s. 281.65 (2) (bs), or an area that is identified as an area of concern by the International Joint Commission, as defined in s. 281.35 (1) (h), under the Great Lakes Water Quality Agreement.

**SECTION 477.** 281.75 (4) (b) 3. of the statutes, as affected by [2011 Wisconsin Act 7](#), is amended to read:

281.75 (4) (b) 3. An authority created under subch. II of ch. 114 or ch. 37, 52, 231, 233, 234, 237, or 238.

\*\*\*\*NOTE: The above prohibits the UW from submitting a compensation claim to DNR for well contamination and abandonment. Note that an institution of higher education is also prohibited from submitting a claim. See s. 281.75 (4) (b) 2.

**SECTION 478.** 285.59 (1) (b) of the statutes, as affected by [2011 Wisconsin Act 7](#), is amended to read:

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

\*\*\*NOTE: The above requires the UW to comply with ozone-depleting refrigerant recovery requirements that apply to other state agencies.

**SECTION 479.** 287.03 (1) (c) of the statutes is amended to read:

287.03 (1) (c) Coordinate research, technical assistance and education programs under this chapter with related activities of the University of Wisconsin-Madison or University of Wisconsin System.

**SECTION 480.** 321.40 (1) (c) 1m. of the statutes is created to read:

321.40 (1) (c) 1m. The University of Wisconsin-Madison.

**SECTION 481.** 321.65 (1) (a) 2. of the statutes is amended to read:

321.65 (1) (a) 2. Active service with the state laboratory of hygiene under s. ~~36.25 (11) (em)~~ 37.57 (5m) for the purpose of assisting the department of health services under s. 250.042 during a state of emergency relating to public health declared by the governor under s. 323.10.

**SECTION 482.** 341.14 (6r) (b) 4. of the statutes is amended to read:

341.14 (6r) (b) 4. An additional fee of \$20 that is in addition to the fee under subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual basis for a special group specified under par. (f) 35. to 47. 47m. An additional fee of \$40 that is in addition to the fee under subd. 2. shall be charged for the issuance or renewal of a plate issued on a biennial basis for a special group specified under par. (f) 35. to 47. 47m, if the plate is issued or renewed during the first year of the biennial registration period or \$20 for the issuance or renewal if the plate is issued or renewed during the 2nd year of the biennial registration period. The fee under this subdivision is deductible as a charitable contribution for purposes of the taxes under ch. 71.

**SECTION 483.** 341.14 (6r) (c) of the statutes is amended to read:

341.14 (6r) (c) Special group plates shall display the word “Wisconsin”, the name of the applicable authorized special group, a symbol representing the special group, not exceeding one position, and identifying letters or numbers or both, not exceeding 6 positions and not less than one position. The department shall specify the design for special group plates, but the department shall consult the president of the University of Wisconsin System before specifying the word or symbol used to identify the special groups under par. (f) 35. to 47., the chancellor of the University of Wisconsin–Madison before specifying the word or symbol used to identify the special group under par. (f) 47m., the secretary of natural resources before specifying the word or symbol used to identify the special groups under par. (f) 50. and 59., the chief executive officer of the professional football team and an authorized representative of the league of professional football teams described in s. 229.823 to which that team belongs before specifying the design for the applicable special group plate under par. (f) 55., the chief trademark officer of Harley–Davidson Michigan, LLC before specifying the design for the applicable special group plate under par. (f) 61r., the department of veterans affairs before specifying the design for the special group plates under par. (f) 49d., 49h., and 49s., and the department of tourism and chief executive officer of the organization specified in par. (f) 55m. before specifying the design and word or symbol used to identify the special group name for special group plates under par. (f) 55m. Special group plates under par. (f) 50. shall be as similar as possible to regular registration plates in color and design. The department shall make available 2 designs for the special group plates under par. (f) 60. The department may not specify any design for the special group plates under par. (f) 60. unless the design is approved by the executive vice president of the Milwaukee Brewers Baseball Club LP. The word or symbol used to identify the special group

under par. (f) 59. shall be different from the word or symbol used to identify the special group under par. (f) 50. and the design shall cover the entire plate. Special group plates under par. (f) 61m. shall display a logo or image of the lion associated with the Lions Clubs International. Special group plates under par. (f) 61r. shall display a bar and shield logo associated with Harley-Davidson, Inc., on the left portion of the plates and the words "share the road" on the bottom portion of the plates.

**SECTION 484.** 341.14 (6r) (e) of the statutes is amended to read:

341.14 **(6r)** (e) The department shall specify one combination of colors for special group plates for groups or organizations which are not military in nature and not special group plates under par. (f) 35. to 47. 47m., 50., and 59., for each professional football team under par. (f) 55., and for each professional baseball team under par. (f) 60. The department shall specify one combination of colors for special group plates under par. (f) 35. to 47 47m. Subject to par. (c), the department shall specify the word or words comprising the special group name and the symbol to be displayed upon special group plates for a group or organization which is not military in nature after consultation with the chief executive officer in this state of the group or organization. The department shall require that the word or words and symbol for a university specified under par. (f) 35. to 47. be a registration decal or tag and affixed to the special group plate and be of the colors for a university specified under par. (f) 35. to 47. that the president of the University of Wisconsin System specifies. The department shall require that the word or words and symbol for the university specified under par. (f) 47m. be a registration decal or tag affixed to the special group plate and be of the colors for the university specified under par. (f) 47m. that the chancellor of the University of Wisconsin-Madison specifies. The department shall



consult the chief trademark officer of Harley-Davidson Michigan, LLC before specifying the colors for the special group plate under par. (f) 61r.

**SECTION 485.** 341.14 (6r) (f) 38. of the statutes is renumbered 341.14 (6r) (f) 47m.

**SECTION 486.** 341.14 (10) of the statutes is created to read:

341.14 (10) From the appropriation under s. 20.395 (5) (ef), the department shall make payments to the University of Wisconsin-Madison for the scholarship program under s. 37.44.

**SECTION 487.** 341.16 (1) (b) of the statutes is amended to read:

341.16 (1) (b) Upon satisfactory proof of the loss or destruction of a special plate issued under s. 341.14 (6m) (a), (6r) (b), or (6w) or a special personalized plate issued under s. 341.145 (1) (b), (c), or (f) and upon payment of a fee of \$5 for each plate or, if the plate is for a special group specified under s. 341.14 (6r) (f) 35. to ~~47.~~ 47m. or 53., \$6 for each plate, the department shall issue a replacement.

**SECTION 488.** 345.28 (1) (a) of the statutes is amended to read:

345.28 (1) (a) "Authority" means a local authority, a state agency, the University of Wisconsin-Madison, any campus of the University of Wisconsin System, or any technical college district.

**SECTION 489.** 345.28 (1) (b) of the statutes is amended to read:

345.28 (1) (b) "Forfeiture" includes a fine established under s. 36.11 (8), 37.11 (8), or 38.14 (13).

**SECTION 490.** 345.28 (1) (c) of the statutes is amended to read:

345.28 (1) (c) "Nonmoving traffic violation" is any parking of a vehicle in violation of a statute, an ordinance, a rule under s. 36.11 (8) or 37.11 (8) or a resolution under s. 38.14 (13).

**SECTION 491**

**SECTION 491.** 349.13 (1j) of the statutes is amended to read:

349.13 (1j) The department, with respect to state trunk highways outside of corporate limits, and local authorities, with respect to highways under their jurisdiction including state trunk highways or connecting highways within corporate limits, may authorize persons to park their vehicles during specified hours on the near side of a highway adjacent to a schoolhouse located on property of the University of Wisconsin System or property of the University of Wisconsin-Madison when the persons are conducting business at the schoolhouse.

**SECTION 492.** 349.137 (2) of the statutes is amended to read:

349.137 (2) No person may use an immobilization device to immobilize a motor vehicle to enforce restrictions against unauthorized parking except in conformity with a municipal ordinance enacted under this section or a rule adopted under s. 36.11 (8) or 37.11 (8).

**SECTION 493.** 349.137 (3) (intro.) of the statutes is amended to read:

349.137 (3) (intro.) The governing body of any municipality may by ordinance, ~~or~~ the chancellor of a campus of the University of Wisconsin System may by rule under s. 36.11 (8), or the chancellor of the University of Wisconsin-Madison may be rule under s. 37.11 (8), provide for the use of immobilization devices to enforce restrictions against unauthorized parking. Any ordinance under this subsection or rule under s. 36.11 (8) or 37.11 (8) shall do all of the following:

**SECTION 494.** 349.137 (4) (b) of the statutes is amended to read:

349.137 (4) (b) A chancellor of a campus of the University of Wisconsin System or the chancellor of the University of Wisconsin-Madison may adopt or enforce any rule under s. 36.11 (8) or 37.11 (8) regulating the use of immobilization devices to enforce parking restrictions that is not contrary to or inconsistent with this section.

**SECTION 495.** 448.20 (2) of the statutes is amended to read:

448.20 (2) ~~ADVISE BOARD OF REGENTS~~ BOARD OF TRUSTEES AND BOARD OF REGENTS.

The council shall advise and cooperate with the ~~board of regents~~ Board of Trustees of the University of Wisconsin–Madison and the Board of Regents of the University of Wisconsin System in establishing an educational program for physician assistants on the undergraduate level. The council shall suggest criteria for admission requirements, program goals and objectives, curriculum requirements, and criteria for credit for past educational experience or training in health fields.

**SECTION 496.** 452.12 (5) (d) of the statutes is created to read:

452.12 (5) (d) Annually, the department shall pay to the University of Wisconsin–Madison \$10 of each renewal fee received under this subsection for support of the center for urban land economics in the School of Business at the University of Wisconsin–Madison under s. 37.25 (34).

**SECTION 497.** 778.25 (1) (a) 5. of the statutes is amended to read:

778.25 (1) (a) 5. Under administrative rules promulgated by the ~~board of regents~~ Board of Regents of the University of Wisconsin System under s. 36.11 (1) (c) or the Board of Trustees of the University of Wisconsin–Madison under s. 37.11 (1m) (c) brought against an adult in circuit court or against a minor in the court assigned to exercise jurisdiction under chs. 48 and 938.

**SECTION 498.** 887.23 (1) of the statutes is amended to read:

887.23 (1) WHO MAY REQUIRE. The department of health services, the department of corrections, the state superintendent of public instruction, the Board of Trustees of the University of Wisconsin–Madison, or the ~~board of regents~~ Board of Regents of the University of Wisconsin System may order the deposition of any witness to be taken concerning any institution under his, her or its government or

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superintendence, or concerning the conduct of any officer or agent thereof, or concerning any matter relating to the interests thereof. Upon presentation of a certified copy of such order to any municipal judge, notary public or court commissioner, the officer shall take the desired deposition in the manner provided for taking depositions to be used in actions. When any officer or agent of any institution is concerned and will be affected by the testimony, 2 days' written notice of the time and place of taking the deposition shall be given him or her. Any party interested may appear in person or by counsel and examine the witness touching the matters mentioned in the order. The deposition, duly certified, shall be delivered to the authority which ordered it.

**SECTION 499.** 893.82 (2) (d) 4. of the statutes is created to read:

893.82 (2) (d) 4. An officer, director, employee, or agent of the Board of Trustees of the University of Wisconsin–Madison.

**SECTION 500.** 895.46 (11) of the statutes is created to read:

895.46 (11) An officer, director, employee, or agent of the Board of Trustees of the University of Wisconsin–Madison is a state officer, employee, or agent for the purposes of this section.

**SECTION 501.** 895.515 (1) (b) of the statutes is amended to read:

895.515 (1) (b) “Institution of higher education” means an institution within the University of Wisconsin System, the University of Wisconsin–Madison, a technical college, or a private, nonprofit institution of higher education located in this state.

**SECTION 502.** 946.13 (12) (b) (intro.) of the statutes is amended to read:

946.13 (12) (b) (intro.) Subsection (1) does not apply to a contract between a research company and the University of Wisconsin System or any institution or

college campus within the system for purchase of goods or services, including research, if all of the following apply:

**SECTION 503.** 946.13 (13) of the statutes is created to read:

946.13 (13) (a) In this subsection, “research company” means an entity engaged in commercial activity that is related to research conducted by an employee or officer of the University of Wisconsin–Madison or to a product of such research.

(b) Subsection (1) does not apply to a contract between a research company and the University of Wisconsin–Madison for purchase of goods or services, including research, if all of the following apply:

1. The contract is approved by a University of Wisconsin–Madison employee or officer responsible for evaluating and managing potential conflicts of interest.

2. Either of the following apply:

a. The contract together with all other contracts between the same parties require less than \$250,000 in payments over a 24-month period.

b. The University of Wisconsin–Madison submits the contract to the Board of Trustees of the University of Wisconsin–Madison and, within 45 days, the Board of Trustees determines that the contract benefits the state and any conflicts of interest are appropriately managed by the University of Wisconsin–Madison.

(c) Paragraphs (a) and (b) apply regardless of the date on which a contract was entered into.

**SECTION 9152. Nonstatutory provisions; University of Wisconsin System.**

(1) TRANSFER OF UNIVERSITY OF WISCONSIN–MADISON.

(a) *Definitions.* In this subsection:

1. "Authority" means the University of Wisconsin–Madison authority, as created by this act.

2. "Board of Trustees" means the Board of Trustees of the authority.

3. "Board of Regents" means the Board of Regents of the system.

4. "Secretary" means the secretary of administration.

5. "System" means the University of Wisconsin System.

(b) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the system, including real property and moneys in the university trust funds, that relate to the operation of the University of Wisconsin–Madison, as determined by the secretary, shall become the assets and liabilities of the authority.

(c) *Tangible personal property; records.* On the effective date of this paragraph, all tangible personal property, including records, of the system that relates to the operation of the University of Wisconsin–Madison, as determined by the secretary, is transferred to the authority.

(d) *Employees.* All incumbent employees holding positions in the system and assigned to the University of Wisconsin–Madison are transferred on the effective date of this paragraph to the authority. Until July 1, 2012, the authority shall adhere to the terms of any collective bargaining agreement covering the employees that is in force on the effective date of this paragraph, including terms relating to employer payment of any employee required contributions under the Wisconsin Retirement System and employer payment of any health insurance premiums on behalf of employees. Beginning July 1, 2012, the authority shall establish the compensation and benefits of the employees under the terms of the personnel system established by the board of trustees under section 37.11 (1g) of the statutes, as created by this act.

(e) *Contracts and agreements.* 1. All contracts entered into by the Board of Regents in effect on the effective date of this paragraph that are primarily related to the operation of the University of Wisconsin–Madison, as determined by the secretary, remain in effect and are transferred to the Board of Trustees.

2. All agreements entered into between the Board of Regents and the Board of Directors of the University of Wisconsin Hospitals and Clinics Authority under section 233.04 (7) and (7m) of the statutes in effect on the effective date of this paragraph remain in effect and are transferred to the Board of Trustees.

3. The Board of Trustees shall carry out any obligations under such contracts and agreements until the contract or agreement is modified or rescinded by the Board of Trustees to the extent allowed under the contract or agreement.

(em) *Cooperative agreements.* Notwithstanding paragraph (e), any academic, research, or outreach program or activity that was being conducted by the University of Wisconsin–Madison by means of a cooperative agreement or memorandum of understanding with an institution within the system, the University of Wisconsin–Extension, or the University of Wisconsin Colleges immediately before the effective date of this paragraph continues regardless of any changes in the structure or mechanism of funding the program or activity until the Board of Trustees and the other institution mutually agree to modify the agreement or memorandum of understanding or funds are no longer appropriated for the program or activity.

(f) *Rules.* The Board of Trustees shall enforce the rules promulgated by the Board of Regents under section 36.11 (1) (a), (c), and (cm) of the statutes, as affected by this act, that are in effect on the effective date of this paragraph on university property as if the Board of Trustees had promulgated them. The rules shall continue



to apply until the Board of Trustees promulgates rules under section 37.11 (1m) (a), (c), and (cm) of the statutes, as affected by this act.

(g) *Policies and procedures.* All policies and procedures of the system that are in effect on the effective date of this paragraph, and that relate to the operation of the University of Wisconsin–Madison, and all policies and procedures of the University of Wisconsin–Madison that are in effect on the effective date of this paragraph, become policies and procedures of the authority and remain in effect until their specified expiration date or until modified or rescinded by the Board of Trustees.

(h) *Pending matters.* Any matter pending with the Board of Regents on the effective date of this paragraph that is primarily related to the operation of the University of Wisconsin–Madison, as determined by the secretary, is transferred to the Board of Trustees and all materials submitted to or actions taken by the Board of Regents with respect to the pending matters are considered as having been submitted to or taken by the Board of Trustees.

(i) *Board of Regents duties.* Notwithstanding paragraphs (b) to (h), until the Board of Trustees notifies the Board of Regents that the transfers under this subsection have been completed, the Board of Regents shall provide the authority with the usual and customary services that the Board of Regents provided to the University of Wisconsin–Madison prior to the effective date of this paragraph and with any other services or resources necessary to complete the transfers under this subsection.

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

(1) UNIVERSITY OF WISCONSIN–MADISON EMPLOYEES. Notwithstanding section 230.03 (3) of the statutes, the University of Wisconsin–Madison authority shall be

considered an agency, as defined in section 230.03 of the statutes, until July 1, 2012, for all purposes under chapter 230 of the statutes and all employees of the University of Wisconsin–Madison authority who were in the classified service of the state civil service and who were transferred to the authority under SECTION 9152 (1) (d) shall have all the rights and privileges offered classified employees until July 1, 2012. The department of employee trust funds shall continue to administer the program defined in section 230.12 (9) of the statutes on behalf of the employees of the University of Wisconsin–Madison under sections 37.13, 37.15, and 37.17 of the statutes, as created by this act, until June 30, 2012.

(2) UNIVERSITY OF WISCONSIN–MADISON BOARD OF TRUSTEES; INITIAL APPOINTMENTS. Notwithstanding the lengths of the terms specified in section 37.02 (1) (a) of the statutes, as created by this act, the initial members of the Board of Trustees of the University of Wisconsin–Madison shall be initially appointed for the following terms:

(a) The member appointed under section 37.02 (1) (a) 1. a. of the statutes, as created by this act, the member appointed under section 37.02 (1) (a) 1. b. of the statutes, as created by this act, 2 members appointed under section 37.02 (1) (a) 1. c. of the statutes, as created by this act, a member appointed under section 37.02 (1) (a) 2. a. of the statutes, as created by this act, the member appointed under section 37.02 (1) (a) 2. b. of the statutes, as created by this act, and 2 members appointed under section 37.02 (1) (a) 2. c. of the statutes, as created by this act, for terms expiring on May 1, 2014.

(b) Four members appointed under section 37.02 (1) (a) 1. c. of the statutes, as created by this act, 2 members appointed under section 37.02 (1) (a) 2. d. of the

statutes, as created by this act, and the member appointed under section 37.02 (1)

(a) 3. of the statutes, as created by this act, for terms expiring on May 1, 2013.

(c) Three members appointed under section 37.02 (1) (a) 1. c. of the statutes, as created by this act, a member appointed under section 37.02 (1) (a) 2. a. of the statutes, as created by this act, and 2 members appointed under section 37.02 (1) (a) 2. e. of the statutes, as created by this act, for terms expiring on May 1, 2012.

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

(1) DUAL EMPLOYMENT. The repeal and recreation of section 16.417 (1) (a) of the statutes takes effect on January 1, 2012.

(2) UNIVERSITY TRUST FUNDS. The repeal of section 20.280 (1) (zz) of the statutes takes effect on July 1, 2013.

(END)