

TITLE VI.

Educational Institutions.

CHAPTER 36

UNIVERSITY OF WISCONSIN

36.01	System.	36.215	Agricultural experiments and demonstrations.
36.02	Definitions.	36.216	Soil and water conservation.
36.03	Powers of board of regents; officers.	36.217	Dutch elm disease studies
36.04	Meetings	36.22	Pharmaceutical experiment station.
36.05	Regents' meetings public	36.225	Laboratory of hygiene.
36.06	Duties of regents; additional powers	36.227	Psychiatric institute
36.061	Municipal agreements.	36.23	Geological and natural history survey
36.062	Scientific investigation encouraged.	36.24	State geologist.
36.063	Experimental television transmission.	36.245	Water resources programs coordinator.
36.065	Gifts and donations	36.25	Co-operative agreements with municipalities and school boards.
36.068	Advisory housing committees.	36.27	Dissemination of material collected.
36.08	Use of income; addition of other colleges	36.28	Soil survey and map.
36.09	Reports and printing thereof	36.30	Survey of mineral lands, mines and water powers.
36.10	University accounting, receipts.	36.31	State of Wisconsin General Hospital, established; Wisconsin Orthopedic Hospital for Children.
36.11	University accounts.	36.33	Broadcasting station WHA.
36.12	President of the university	36.34	Sale and relocation of agricultural lands
36.13	University; courses; departments.	36.36	Outpatient housing; Wisconsin General Hospital.
36.14	Departments, what embraced in	36.43	Student misconduct.
36.15	University; open to both sexes; military instruction.	36.45	Authority to restrict presence of persons on campus
36.16	Nonresident tuition at university; exceptions.	36.46	Campus misconduct
36.161	Scholarships, regents to grant.	36.47	Requiring permission for presence on campus.
36.17	Summer session, educational extension, correspondence teaching.	36.49	Sound-amplifying equipment.
36.175	Adult education center	36.50	Ticket scalping; penalty.
36.18	Public policy and administration study center.	36.96	Enrollment funding
36.185	Student loans.		
36.19	Agricultural demonstration stations		
36.195	Rural electrification.		
36.20	State soils laboratory		

36.01 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 of the system shall be located at or near the seat of state government and one campus of the system shall be located at or near the seat of state government.

History: 1971 c. 100.

36.02 Definitions. In this chapter:

(1) "Board of regents" means the board of regents of the university of Wisconsin system.

(2) "University" means the university of Wisconsin.

(3) "System", unless otherwise indicated, means the university of Wisconsin system, including all schools, campuses, branches and property governed by the former board of regents of the university of Wisconsin and the for-

mer board of regents of state universities under ch. 37, 1969 stats.

History: 1971 c. 100 ss 12, 23.

36.03 Powers of board of regents; officers. (1) The board of regents and their successors in office shall constitute a body corporate by the name of "The Regents of the University of Wisconsin", and shall possess all the powers necessary or convenient to accomplish the objects and perform the duties prescribed by law, and shall have the custody of the books, records, buildings, and all other property of said university.

(2) The secretary of the board of regents shall keep a faithful record of all the transactions of the board of regents and of the executive committee thereof.

(3) The state treasurer shall have the charge of all securities for loans and all moneys belonging to the university or in any wise appropriated by law to its endowment or support; collect the interest on all securities held by him; pay out moneys only upon the warrant of the department of administration as provided by law; keep the same and the accounts thereof separate and distinct from other public funds, and particularly distinguish the accounts of every fund, according to the nature thereof, coming to his charge, whether created by law or by private bounty; and discharge these and other appropriate functions relating thereto subject to such rules as the board of regents adopts not inconsistent with his official duties. The state treasurer and his sureties shall be liable on his official bond as state treasurer for the faithful discharge of such duties.

A regent of the university of Wisconsin is not precluded by law from attending the university as a student or from receiving a degree from the university, but he must guard against and refrain from any possible conflict of interest. 58 Atty. Gen. 158.

The collective bargaining agreement between the University of Wisconsin and the Teaching Assistants Association is valid. 59 Atty. Gen. 200.

36.04 Meetings. The times for holding the regular annual meeting and such other meetings as are required, and the manner of notifying the same, shall be determined by the bylaws of the board of regents.

36.05 Regents' meetings public. The meetings of the board of regents of the university shall be open to the public and the press and all records of such meetings and of all proceedings of such board of regents shall be open to inspection by the public and the press at any reasonable hours thereafter; provided, that said board of regents may hold executive sessions, the findings of said executive sessions to be made a part of the records of the proceedings of said board of regents.

36.06 Duties of regents; additional powers. (1) The board of regents shall enact laws for the government of the university in all its branches; elect a president and the requisite number of professors, instructors, officers and employes, and fix the salaries and the term of office of each, and determine the moral and educational qualifications of applicants for admission to the various courses of instruction; but no instruction, either sectarian in religion or partisan in politics, shall ever be allowed in any department of the university; and no sectarian or partisan tests shall ever be allowed or exercised in the appointment of regents or in the election of professors, teachers or other offi-

cers of the university, or in the admission of students thereto or for any purpose whatever.

(1m) The board of regents shall appoint an executive head for each 4-year institution under its jurisdiction, for the system, for the center system and for the extension system. The board of regents shall appoint an executive head for each center. The board of regents shall designate the titles for the various executive heads within the system.

(2) The board of regents may remove the president or any professor, instructor or officer of the system when, in the judgment of the board of regents, the interests of the system require it.

(3) The board of regents may prescribe rules and regulations for the management of the libraries, cabinet, museum, laboratories and all other property of the university and of its several departments, and for the care and preservation thereof, with penalties and forfeitures by way of damages for their violation, which may be sued for and collected in the name of the board of regents before any court having jurisdiction of such action.

(4) Preference as to rooming, boarding and apartment facilities in the use of living units owned or operated by the university shall, for the following school year, be given to students who are legal residents of this state and who apply before March 15, unless a later date is set by the board of regents. Such preference shall be granted in accordance with categories of priority established by the board of regents. Leases or other agreements for occupancy of such living units shall not exceed a term of one calendar year. The board of regents may prescribe rules for the execution of this subsection.

(5) Said board of regents may acquire by condemnation proceedings such parcels of land as it deems necessary for the use of any institution under its control whenever the board of regents 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.

(6) (a) Unless the context requires otherwise, the following terms as used in this subsection shall have the following meaning:

1. The term "existing building" in relation to any conveyance, lease or sublease made under par. (b) 1, 2 and 3 means all dormitories, commons, field houses, stadia, indoor practice buildings, memorial unions, and such other buildings, structures, facilities and permanent improvements as in the judgment of the board of regents are needed or useful for university purposes, and all equipment therefor and all improvements

and additions thereto, which were erected, constructed or installed prior to the making of such conveyance, lease or sublease.

2. The term "new building" in relation to any conveyance, lease or sublease made under par. (b) 1, 2 and 3 means all dormitories, commons, field houses, stadia, indoor practice buildings, memorial unions, and such other buildings, structures, facilities and permanent improvements as in the judgment of the board of regents are needed or useful for university purposes, and all equipment therefor or for existing buildings, and all improvements and additions thereto or to existing buildings, which are erected, constructed or installed after the making of such conveyance, lease or sublease.

3. The term "nonprofit-sharing corporation" means a nonstock corporation organized under ch. 181 or corresponding prior general corporation laws.

(b) In order to provide new buildings and to enable the construction and financing thereof, to refinance indebtedness previously or hereafter created by a nonprofit corporation for the purpose of providing a building or buildings or additions or improvements thereto which are located on land owned by the board of regents or by the nonprofit corporation, or for any one or more of said purposes, but for no other purpose unless authorized by law, the board of regents shall have the following powers and duties:

1. Without limitation by reason of any other provisions of the statutes the power to sell and to convey title in fee simple to a nonprofit-sharing corporation any land and any existing buildings thereon owned by the board of regents for such consideration and upon such terms and conditions as in the judgment of the board of regents are in the public interest.

2. The power to lease to a nonprofit-sharing corporation for terms not exceeding 50 years each any land and any existing buildings thereon owned by the board of regents upon such terms, conditions and rentals as in the judgment of the board of regents are in the public interest.

3. The power to lease or sublease from such nonprofit-sharing corporation, and to make available for public use, any lands or any such land and existing buildings conveyed or leased to such corporation under subds. 1 and 2, and any new buildings erected upon such land or upon any other land owned by such corporation, upon such terms, conditions and rentals, subject to available appropriations, as in the judgment of the board of regents are in the public interest. With respect to any property conveyed to such corporation under subd. 1, such lease from such corporation may be subject or subordinated to

one or more mortgages of such property granted by such corporation.

4. The duty to submit the plans and specifications for all such new buildings and all conveyances, leases and subleases made under this subsection to the department of administration and the governor for written approval before they are finally adopted, executed and delivered.

6. The power to pledge and assign all or any part of the revenues derived from the operation of any lands or such new buildings as security for the payment of rentals due and to become due under any lease or sublease of such new buildings made under subd. 3.

7. The power to covenant and agree in any lease or sublease of such new buildings made under subd. 3 to impose fees, rentals or other charges for the use and occupancy or other operation of such lands or new buildings in an amount calculated to produce net revenues sufficient to pay the rentals due and to become due under such lease or sublease.

8. The power to apply all or any part of the revenues derived from the operation of any lands or existing buildings to the payment of rentals due and to become due under any lease or sublease made under subd. 3.

9. The power to pledge and assign all or any part of the revenues derived from the operation of any lands or existing buildings to the payment of rentals due and to become due under any lease or sublease made under subd. 3.

10. The power to covenant and agree in any lease or sublease made under subd. 3 to impose fees, rentals or other charges for the use and occupancy or other operation of any lands or existing buildings in an amount calculated to produce net revenues sufficient to pay the rentals due and to become due under such lease or sublease.

11. The power and duty, upon receipt of notice of any assignment by any such corporation of any lease or sublease made under subd. 3, or of any of its rights under any such lease or sublease, to recognize and give effect to such assignment, and to pay to the assignee thereof rentals or other payments then due or which may become due under any such lease or sublease which has been so assigned by such corporation.

(c) The state shall be liable for accrued rentals and for any other default under any lease or sublease made under par. (b) 3 and may be sued therefor on contract as in other contract actions pursuant to ch. 285, except that it shall not be necessary for the lessor under any such lease or sublease or any assignee of such lessor or any person or other legal entity proceeding on behalf of such lessor to file any claim with the legisla-

ture prior to the commencement of any such action.

(d) Nothing in this subsection empowers the board of regents to incur any state debt.

(e) All laws, conflicting with this subsection are, insofar as they conflict with this section and no further, superseded by this subsection.

(7) The board of regents may invest any of the surplus moneys designated in s. 20.285 (1) (ga) 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 which may be issued by such nonprofit-sharing corporation or corporations as may be contracted with by the board of regents for the construction or equipment of dormitories, commons or field house as provided in sub. (6), which bonds or obligations shall be secured by a mortgage or pledge of the buildings or improvements erected or to be erected by such corporation or 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.

(8) Insofar as they can be made applicable to the lands owned by or under the control of the board of regents all special powers conferred on the department of natural resources by s. 27.01 (2), (3), (4), (5) and (8) are conferred upon the board of regents, and all penalties set forth or referred to in said subsections apply with equal force and effect to this subsection.

(9) (a) The board of regents 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, but not by way of limitation by reason 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 of regents shall possess all the 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 of regents may make use of and pay for the use of the facilities and services of such nonprofit-sharing corporation; provided that the board of regents shall retain title to all books and materials deposited with such corporation for storage or loaned to other participating institutions, and that the authority of the board of regents to expend funds for the purchase of land, the construction of buildings and additions to buildings, and the purchase of equipment for the purpose of providing such facilities, shall be limited to funds appropriated pursuant to s. 20.285 (1) (k) and (m). Except as hereinbefore provided, the appropriations to the board of regents under ch. 20 are to be available to the board of regents for the purposes of this section to the extent that such appropriations may be applicable and without reference to whether any particular appropriation is available for expenditure at the university at Madison or elsewhere.

(10) The board of regents may establish centers and branch campuses in communities not otherwise provided with degree-granting public institutions of higher learning and enter into arrangements with one or more counties or other units of government for the establishment of the necessary physical facilities in connection therewith. No campus, center or branch campus in existence at the time of establishment of the board of regents of the university of Wisconsin system shall be terminated, either directly or indirectly by such means as failure to provide adequate funding, except by act of the legislature.

(11) (a) The board of regents may obtain injunctive relief to enforce this chapter or any rules promulgated thereunder.

(b) The board of regents may adopt such rules under ch. 227 as are necessary or proper 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. The penalty for violation of any rule created under this subsection is a fine of not more than \$500 or imprisonment of not more than 90 days or both.

(c) The board of regents may prescribe rules and regulations 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 and in any or all of its branches with forfeitures for their violation, which may be sued for and collected in the name of the board of regents before any court having jurisdiction of such action. Any rule, the forfeiture for violation of

which exceeds \$25, shall be subject to ch. 227. Forfeitures shall not exceed \$500.

(d) All fines imposed and collected hereunder shall be transmitted to the county treasurer for disposition in accordance with s. 59.20 (5) and (8). All forfeitures, including forfeitures of posted bail if any, imposed and collected hereunder shall be deemed collected in favor of the state and shall be transmitted to the county treasurer for disposition in accordance with ss. 288.13 to 288.17.

History: 1971 c. 100.

Board of regents has power to make reasonable rules governing student use of automobiles on university property and can enforce them by imposing reasonable monetary penalties and withholding records. Student court can be designated by board of regents as an auxiliary enterprise. Moneys thereby collected must be paid into general fund. By regent action, they may be appropriated therefrom for operation of that activity. 59 Atty. Gen. 82.

36.061 Municipal agreements. The board of regents may enter into agreements with any municipality, town, county or corporation established under s. 66.30 (2m), for the furnishing of maintenance services, utility services including heat, and supplies at any campus in the state. Beginning July 1, 1970, such agreements, whether entered into under this section or any other provision of law, shall be wholly financed at the expense of the board of regents and shall not include any provision for furnishing, at less than reasonable cost, services or supplies by the concerned municipality, town, county or corporation established under s. 66.30 (2m).

36.062 Scientific investigation encouraged. The board of regents may encourage scientific investigation and productive scholarship, and create conditions tending to that end.

36.063 Experimental television transmission. The board of regents may grant the educational communications board the part-time use of equipment and space for the conduct of research and experimentation in educational television.

History: 1971 c. 211.

36.065 Gifts and donations. (1) All gifts, grants, bequests and devises for the benefit or advantage of the university or any of its departments, colleges, schools, halls, observatories or institutions, or to provide any means of instruction, illustration or knowledge in connection therewith, whether made to trustees or otherwise, shall be legal and valid 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 with-

out being subject to the limitations and restrictions provided by law in other cases; but no such accumulation shall be allowed to produce a fund more than 20 times as great as that originally given. When such gifts, grants, bequests or devises include common stocks or other investments which are not authorized by ch. 881, the board of regents may continue to hold such common stocks or other investments and exchange, invest or reinvest the funds in such gift, grant, bequest or devise in similar types of investments without being subject to the limitations and restrictions provided by law in other cases. Except as otherwise provided in this section, the board of regents may invest not to exceed 75% of trust funds held and administered by it in common stocks, the limitation of 50% in s. 881.01 (2) to the contrary notwithstanding.

(2) All such gifts, grants, devises or bequests may be made to the board of regents of the university or to the president or any officer thereof, or to any person or persons as trustees, or may be charged upon any executor, 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 chairs, faculty, departments, colleges, schools, halls, observatories, or institutions or to provide any means of instruction, illustration or knowledge in connection therewith, or for the benefit of any class of students at the university or in any of its departments, whether by way of scholarship, fellowship, or otherwise, or whether for the benefit 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 its faculty.

(3) It shall not be necessary in case of any such gift, grant, devise or bequest to exactly or particularly describe the members of the class, group or nationality of students intended to be the beneficiaries, but it shall be sufficient to describe the class or group; and in case of any such gift, grant, devise or bequest the board of regents shall divide and graduate the students at the university into such classes or divisions as may be necessary to select and determine those belonging to the class intended by such gift, grant, devise or bequest, and shall determine what particular persons are within or intended by the same. It shall be sufficient in any such gift, grant, devise or bequest to describe the beneficiaries as

belonging to a certain course, subcourse, department or division of the university, or as those pursuing certain studies, speaking or writing a certain language or languages, belonging to any nationality or nationalities, or to one of the sexes or by any other description, and in such case the board of regents shall determine the persons so described as hereinbefore provided.

History: 1971 c. 41 s. 12.

36.068 Advisory housing committees. On each university campus, an advisory committee is created to consider and advise on all phases of student housing, including without limitation because of enumeration recommendations and policies of the board of regents, leases, contracts, building plans, grievances and standards of operation. The committee shall consist of 3 representatives each of the administration, the student body and the faculty, to be appointed for 3-year terms by the president of the university or the executive head of each branch campus, or his designated representative. Three members of the committee, representing the governing body of the municipality or political subdivision which includes the site of the university or branch campus and 3 members representing the owners of private housing shall be appointed for 3-year terms by the head of the local governing body. The committee shall prepare and submit an annual report to the president or executive head and to the governing body of the municipality at the beginning of each fall semester and may make additional reports at any time.

36.08 Use of income; addition of other colleges. For the erection of suitable buildings and the purchase of apparatus, a library, cabinets and additions thereto, the board of regents may expend such portion of the income of the university fund as is appropriated by the legislature for such purposes; and if they deem it expedient may receive in connection with the university any college in this state upon application of its board of trustees; and such college so received shall become a branch of the university and be subject to the visitation of the regents.

36.09 Reports and printing thereof. (1) In its annual report under s. 15.04 (4), the board of regents shall report on the progress, condition and wants of each of the colleges embraced in the university, the course of study in each, the number of instructors and students, the amount of receipts and disbursements, together with the nature, cost and results of all important investigations and experiments. One copy shall be transmitted free by the secretary of state to all

colleges endowed under the act of congress entitled, "An act donating land to the several states and territories which provide colleges for the benefit of agriculture and the mechanic arts", approved July 2, 1862, and to the secretary of the interior as provided in said act.

(2) The board of regents shall also report to the governor as often as may seem desirable the important results of investigations conducted by the director of Washburn observatory and by other investigators connected with the university, and also the results of such experiments therein relating to agriculture or the mechanic arts as the board of regents deems to be of special value to the agricultural and mechanical interests of the state. With the approval of the governor such number of copies as he shall direct, and of the Washburn observatory reports not more than 700 copies may be printed by the state printer in separate form on good paper and with such appropriate quality of binding as the department of administration shall order. Eight hundred copies of each of said reports, when so directed by the governor, except those of the Washburn observatory, shall be delivered to the legislature and the remainder be used in exchange for the publications of other institutions and for such other public purposes as the board of regents orders.

36.10 University accounting, receipts. (1) **REMITTANCES TO STATE TREASURER.** Unless otherwise provided by law, all moneys collected or received by each and every person for or in behalf of the university of Wisconsin, or which are required by law to be turned into the state treasury, shall be deposited in or transmitted to the state treasurer at least once a week and also when required by the governor, and shall be accompanied by a statement in such form as the state treasurer may prescribe.

(2) **PREAUDIT; PAYMENTS.** Unless otherwise provided by law, no bills shall be incurred in the management of the university of Wisconsin nor be paid until they have been audited by the university business office under the supervision of the department of administration. Every claim or account shall state the nature and particulars of the service rendered or material furnished, the name of each payee, the amount allowed to and due him, for what service or object, and to what appropriation and fund chargeable. Such claim or account shall be certified by the proper university officer to the department of administration except that the details of such account may be made summary to such extent as the director may prescribe by forms therefor; upon which the director shall issue his warrant for the proper amount to the person entitled thereto.

36.11 University accounts. (1) **EXAMINATION.** The board of regents of the university of Wisconsin system shall cause all of the financial transactions and accounts of or relating to the university of Wisconsin in any of its departments at the close of each fiscal year to be fully and thoroughly examined subject to ch. 16.

(2) **WHEN MADE.** Such examination shall be commenced immediately after the close of the fiscal year and be completed as soon as practicable.

(3) **REPORT.** Upon the completion of such examination a full and detailed report thereof shall be made by such auditor to the governor. The expense of such audit shall be charged against the proper appropriation for the board of regents of the university.

History: 1971 c. 100 s. 23.

36.12 President of the university. The president of the university shall be president of the several faculties and the executive head of the instructional force in all its departments; as such he shall have authority, subject to the board of regents, to give general direction to the instruction and scientific investigations of the several colleges, and so long as the interests of the institution require it he shall be charged with the duties of one of the professorships. The immediate government of the several colleges shall be intrusted to their respective faculties; but the board of regents may regulate the courses of instruction and prescribe the books or works to be used in the several courses, and also confer such degrees and grant such diplomas as are usual in universities or as it shall deem appropriate, and confer upon the faculty by bylaws the power to suspend or expel students for misconduct or other cause prescribed in such bylaws.

36.13 University; courses; departments. The object of the university of Wisconsin shall be to provide the means of acquiring a thorough knowledge of the various branches of learning connected with literary, scientific, industrial and professional pursuits, and to this end it shall consist of the following colleges or departments, to wit:

- (1) The college of letters and science.
- (2) The college of engineering.
- (3) The college of agriculture.
- (4) The law school.
- (5) The medical school.
- (6) The school of education.
- (7) The school of library science.

(8) Such other colleges, schools or departments as are now or may be added thereto or connected therewith. No new school or college shall be established unless authorized by the legislature.

(9) The board of regents may establish and maintain a college of commerce.

(10) The board of regents may establish and maintain a college of pharmacy.

(11) The board of regents may establish and maintain a school of fine arts.

(12) The board of regents may establish and maintain a school of architecture.

(13) The board of regents shall establish and maintain, at the Milwaukee campus, a department of religious studies offering, solely on an elective basis, appropriate academic courses on significant topics of religious thought and religious teachings throughout the world.

(14) The board of regents may establish and maintain a college of environmental sciences, a college of community sciences, a college of human biology, a college of creative communication and a school of professional studies at the university of Wisconsin—Green Bay.

(15) The board of regents may establish and maintain a college of science and society and a school of modern industry at the university of Wisconsin—Parkside.

36.14 Departments, what embraced in.

The college of letters and science shall embrace liberal courses of instruction in language, literature, philosophy and science, and may embrace such other branches as the board of regents of the university shall prescribe. The college of engineering shall embrace practical and theoretical instruction in the various branches of mechanical and engineering science and art, and may embrace such additional branches as the board of regents may determine. The college of agriculture shall embrace instruction and experimentation in the science of agriculture, and in those sciences which are tributary thereto, and may embrace such additional branches as the board of regents shall determine. The college of law shall consist of courses of instruction in the principles and practices of law, and may include such other branches as the board of regents may determine. The medical school shall consist of courses of instruction in the medical sciences customarily given in medical schools, and may include such additional branches as the board of regents may determine.

36.15 University; open to both sexes; military instruction. All schools and colleges of the university shall, in their respective depart-

ments and class exercises, be open without distinction to students of both sexes; and every able-bodied male student therein, except those granted exemption under rules prescribed by the board of regents, shall during his freshman and sophomore years of attendance receive instruction in military science and tactics and that such instruction in military science and tactics shall be optional to such male students when the faculty so determines and the board of regents approves.

36.16 Nonresident tuition at university; exceptions.

(1) (a) Any adult student who has been a bona fide resident of the state for one year next preceding the beginning of any semester for which such student registers at the university, or any minor student whose parents have been bona fide residents of the state for one year next preceding the beginning of any semester for which such student registers at the university, or any minor student whose natural parents are divorced or legally separated who has resided substantially in this state during his years of minority and at least one year next preceding the beginning of any semester for which such student registers at the university or whose mother or father has been a bona fide resident for one year next preceding the beginning of any semester for which such student registers at the university, or any minor student who is an orphan and who has resided substantially in this state during his years of minority and at least one year next preceding the beginning of any semester for which such student registers at the university or whose legal guardian has been a bona fide resident for one year next preceding the beginning of any semester for which such student registers at the university, or any minor student under guardianship in this state pursuant to ch. 48 or 880 who has resided substantially in this state during his years of minority and at least one year next preceding the beginning of any semester for which such student registers at the university or whose legal guardian if a person has been a bona fide resident of the state for one year next preceding the beginning of any semester for which such student registers at the university, shall while he continues a resident of the state be entitled to exemption from nonresident tuition, but not from incidental or other fees and tuition in the university.

(ab) Nonresident members of the armed forces who are stationed in this state and their wives and children shall be entitled to the exemptions provided in par. (a) during the period that such member of the armed forces is stationed in this state.

(ac) Any female student who attended the university as a minor student exempt from the fees for nonresident tuition, and, who would continue to be entitled to the exemptions provided in par. (a) except for having married a nonresident, shall continue to be entitled to such exemptions.

(ae) Any female who marries a bona fide resident shall be entitled to the exemptions provided in par. (a) effective the semester following her marriage and while continuing to reside in this state.

(ak) Any student who is a graduate of a Wisconsin high school and whose parents are bona fide residents of this state for one year next preceding the beginning of any semester for which the student registers at the university or whose last surviving parent was a bona fide resident of this state for the year preceding his death is entitled to the exemptions provided in par. (a).

(b) Any student who has not been a resident of the state for one year next preceding the beginning of any semester for which such student registers at the university, except as above provided, shall not be exempt from the payment of the nonresident tuition fees.

(c) Except as otherwise provided in this section, the board of regents shall charge a nonresident tuition fee at the rate of not less than \$200 per school year for any student who shall not have been exempted by this section, and may prescribe special rates of tuition for professional and graduate courses and for teaching extra studies, and for students in the university extension, and summer session divisions. The board of regents may fix the nonresident tuition fee of any resident of another state maintaining a university at a sum less than \$200 per school year but not below the sum fixed in such other state for attendance by residents of Wisconsin at the university maintained by such other state.

(d) The board of regents of the university may remit nonresident tuition either in whole or in part, but not other fees, to a number of needy and worthy nonresident students, not exceeding 8% of the number of nonresident students registered in the preceding year, upon the basis of merit, to be shown by suitable tests, examinations or scholastic records and continued high standards of scholastic attainment. The board of regents may remit nonresident tuition in whole or in part, but no other fees, to additional individual students at the university not exceeding 2% of the number of nonresident students registered in the preceding year who, in the judgment of the board of regents, are deserving of relief from the assessment of nonresident tuition because of extraordinary circumstances.

(2) In addition to the number of remissions of nonresident tuition authorized under sub. (1), each state senator and each representative to the assembly may recommend for attendance at the university a nonresident whose scholastic qualifications entitle him to attend the university and whose nonresident tuition for the school year for which recommended shall be remitted by the board of regents. Not more than one such remission shall be made for any one member and each nonresident whose tuition shall have been remitted under this subsection shall be entitled to continue in attendance at the university for the period for which recommended if such nonresident continues to meet the university's general standards for continuance therein as a student. Such recommendations shall be submitted annually to the board of regents in such manner as the board of regents may designate not later than the end of the first week of instruction of the semester in which the remission of tuition is to be effective, provided that a state senator or representative to the assembly who assumes office during a school year may make a recommendation for the 2nd semester of that year only when a recommendation of his predecessor is not effective for that term and provided further that should any nonresident student so recommended for any year fail to matriculate for any semester a successor for such semester may be recommended by such state senator or representative to the assembly.

(3) In determining bona fide residence, filing of state income tax returns in Wisconsin, eligibility for voting in this state, motor vehicle registration in Wisconsin, and employment in Wisconsin shall be considered. Notwithstanding par. (1) (a), a student from another state who is in this state principally to obtain an education will not be considered to have established a residence in Wisconsin by virtue of attendance at educational institutions.

(4) In addition to the remission of resident and nonresident tuition under sub. (1), the university shall as athletic scholarships grant full remission of fees, and resident and nonresident tuition, up to the maximum number of students enrolled on the Madison campus for whom such remission is permitted under Big Ten rules, as recommended by the Madison campus athletic director.

(5) The aggregate amount of nonresident remissions of tuition and fees for any fiscal year shall not exceed the aggregate amount so remitted in the 1970-71 fiscal year. This limitation shall not restrict the granting of remissions when required under the terms of a contract or gift.

History: 1971 c. 41 s. 12; 1971 c. 90, 125

Note: Chap. 125, laws of 1971, which repealed 36.16 (1) (e), also provided:

(3) **TUITION STATUS CHANGE.** The treatment of ss. 36.16 (1) (e) and 37.11 (8) (am) of the statutes by this act, relating to repeal of the statutory provision providing residency status to persons covered by income tax reciprocity, shall not apply to persons enrolled at university of Wisconsin or state university campuses for the first semester of the 1971-72 academic year. Such persons, if they are freshmen, shall be entitled to 8 semesters of resident status; if they are sophomores, 6 semesters; if they are juniors, 4 semesters; and if they are seniors, 2 semesters. If they are master's degree candidates or the equivalent, they shall be entitled to a maximum of 4 semesters of residency status, beginning with the first semester of the 1971-72 academic year. Eligibility shall terminate upon granting the master's degree or its equivalent. If the students are doctoral candidates or the equivalent, they shall be entitled to 8 semesters of eligibility, beginning with the first semester of the 1971-72 academic year. Eligibility shall terminate upon granting the doctoral degree or its equivalent.

36.161 Scholarships, regents to grant.

The board of regents of the university of Wisconsin system may grant scholarships to bona fide residents of the state who, during their high school or college courses, were good students, are in financial need, and possess qualifications for leadership. The monetary value of scholarships granted shall vary with the recipient's financial need. A scholarship granted an individual by the board of regents under this section shall not exceed an amount equal to 67% of the financial need of the individual student as determined by the institution in conformance with procedures established by the higher educational aids board.

History: 1971 c. 100 s. 23.

36.17 Summer session, educational extension, correspondence teaching.

The board of regents may maintain a summer session and shall carry on educational extension and correspondence teaching and shall carry on university extension classwork in such communities as have 30 or more students and where the vocational, technical and adult education district board or other educational board cooperates by payment of the regular extension fees. When similar courses of instruction are given at the university and at any other place of instruction in any city other than Madison, the rates of tuition per course charged to students at any such other place of instruction or for correspondence study shall be no higher than the rates of tuition charged for such courses at Madison.

History: 1971 c. 154.

36.175 Adult education center. (1) The adult education center council shall advise the university on the administration of the center, on setting policies and fees for the use of the center and on use of income derived from the

center. During the period of the center's initial establishment, the council shall likewise advise on all matters pertaining to the remodeling of a facility on the Madison campus into a facility suitable for use as an adult education center.

(2) The board of regents shall determine what facility on the Madison campus is to be converted to use as an adult education center and shall declare such facility not essential for its present use.

History: 1971 c. 236.

36.18 Public policy and administration study center. (1) The board of regents shall establish and maintain a center for the study of public policy and administration. Such center shall be a professional school and shall be devoted to practical instruction for the administrative service of this state or of any county or municipality therein, national or international agencies or civic organizations.

(2) Persons who have satisfactorily completed the work required in the center for the study of public policy and administration shall, upon graduation, receive a university degree. The center may allow students to earn up to one-third of the total credits required for advanced degrees by enrolling in supervised internships sponsored by governmental agencies. Such internships shall require the students to fulfill such academic requirements as the center specifies in consultation with the participating government agency.

(4) Such center may, in cooperation with the university extension division, provide supplementary instruction for persons now in county, municipal or state service.

History: 1971 c. 100 s. 23; 1971 c. 125.

36.185 Student loans. (1) The board of regents may grant to qualified students of exceptional merit who have commenced or are about to commence the last academic year of study required for a degree in any school or college of the university a loan, of not more than \$400 to any recipient, to be advanced in monthly instalments during such year.

(2) In each year in which such loans are to be granted the board of regents shall first obtain from the director of personnel a list of positions in the state service which are expected to be available for the holders of such loans during the ensuing year, and in the case of medical students during the year following their internship.

(3) Except as provided in sub. (5) (d), such loans shall bear interest at the rate of 4% per annum, commencing on the first day of the fiscal year following the close of said last academic year of study, or in the case of graduates of the

medical school, following the close of their internship.

(4) The recipients of loans shall be selected as the board of regents may determine, subject to approval by the director of personnel.

(5) Each recipient of a loan shall enter into a written agreement with the board of regents before any advances are made to him, providing substantially as follows, with such additions or modifications as the board of regents deems necessary to carry out the intent of this section:

(a) He will, upon completing his last academic year of study or his year of internship, as the case may be, serve the state for a period not exceeding 2 years, in a grade and class of positions for which his training and experience shall fit him, under such conditions and at such salary as may be determined by the director of personnel in accordance with ch. 16. The rules governing this type of employment shall be fixed by the director of personnel in consultation with the board of regents.

(b) He may at any time be released from his obligation upon payment in full of the loan, with interest.

(c) There shall be deducted from his salary by the secretary of state, and paid to the board of regents, in monthly instalments, an amount sufficient to satisfy the loan with interest. If his apprenticeship is served with a local unit of government, the board of regents shall make similar arrangements for deduction and payment with the appropriate fiscal authority.

(d) Upon his withdrawal from the university before completion of said last academic year, or from his internship before its completion, or upon the termination of his state service before the expiration of the designated period, or his refusal to enter the state service, the board of regents may declare the loan due and payable at that time or at some future date and may from time to time extend the due date.

(e) If no position in the state service is made available for him as provided hereunder, all interest on the loan will be waived, and the board of regents will, if he desires, appoint him as a research fellow or assistant for the ensuing academic year at the prevailing stipend for such positions, and will make reasonable provision for repayment of the loan without financial hardship.

(f) Section 48.985 shall apply to any loan contracted under this section.

(6) The board of regents shall file copies of such loan agreements with the director of personnel and the secretary of state.

(7) The eligibility of each recipient of a loan shall cease upon completion of his designated period of service unless he shall have qualified as required by ch. 16; and prior to such completion his services may be terminated by the director of personnel.

(8) The terms "public service," "state service," and "serve the state" as used in this section shall include service as administrative or research apprentice in the offices of the governor and of any administrative departments of the state, the committees of the legislature, the justices of the supreme court, the judges of the circuit and county courts, and the district attorneys, and shall include, under arrangements made with the department of administration, county, city or other local government employments.

36.19 Agricultural demonstration stations. For the purpose of aiding in the agricultural development of the respective counties of the state, the agricultural college of the university of Wisconsin may establish 3 demonstration stations, on which trials and demonstrations shall be conducted to show the methods of agricultural practice best adapted to the development of these respective localities. These stations are to be established under the following conditions; provided, however, that not more than one such station shall be located in any county:

(1) The location of the station shall be determined by the board of regents of the university of Wisconsin system, who, in making such selection, shall take into consideration the relative opportunities for agricultural development in the respective regions.

(2) The location of such stations shall be contingent upon the county leasing to the board of regents of the university, a suitable tract of cleared land, free of cost, for such period as may be mutually agreed upon, and appropriating for the partial maintenance of such demonstration station a sum not less than \$500, which sum shall be paid annually for period of lease to the secretary of the board of regents of the university.

History: 1971 c. 100 s. 23.

36.195 Rural electrification. For the purpose of aiding in the agricultural development of the respective counties of the state and in a postwar program for the development of rural electrification on an area coverage basis the college of agriculture of the university of Wisconsin shall maintain a rural electrification division. The duties and functions of the division

shall be to (1) gather, digest and disseminate all available information on rural electrification and economical and safe uses of electricity on farms; (2) to co-operate with the federal government and its agencies in the development of rural electrification on an area coverage basis and particularly with any postwar program designed to bring central station electric service to the presently unelectrified farms of the state; (3) to co-operate with and aid rural electric co-operative associations organized under ch. 185 in the development of their rural electrification projects on an area coverage service at cost basis; and (4) to gather and disseminate information and data to aid in co-ordinating the efforts of rural electric co-operative associations and private and municipal companies in their respective rural electrification programs, to the end that electricity at reasonable rates shall be made available to all Wisconsin farmers desiring central station electric service and not now receiving such service.

36.20 State soils laboratory. (1) The board of regents of the university of Wisconsin system shall establish a state soils laboratory in connection with the college of agriculture.

(2) So far as possible the state soils laboratory shall make use of the rooms, apparatus and supplies of the department of soils of the college of agriculture and of the services of the instructional, laboratory and field staff of the department. When necessary to the proper carrying out of this section, to secure the use of accommodations, apparatus and supplies other than those available in the department of soils or to secure the services of university or other state employes not employed in the department of soils, the board of regents shall cause to be made such arrangements as may be necessary to provide the accommodations, apparatus, supplies or services required.

(3) The state soils laboratory shall make field examinations and laboratory analyses of the soil of any land in this state, and certify to the results of such examinations and analyses upon the request of the owner or the occupant of the land, and the payment by him of the fee or fees fixed for such service by the board of regents of the university.

(5) The state soils laboratory shall make an annual report of its work to the dean of the college of agriculture, and the dean of the college of agriculture shall include these reports verbatim or in summarized form in his biennial report to the board of regents of the university in such manner as to show:

(a) The number of requests made for the services of the laboratory;

(b) The number of requests complied with;

(c) The fees received by the laboratory;

(d) The expense of conducting the laboratory; and

(e) Such other facts as may be necessary in judging of the value of the work done by the laboratory

(6) The board of regents of the university of Wisconsin system may through the college of agriculture: (a) Investigate methods of clearing cutover lands in order to determine the most efficient and economical methods therefor; (b) experiment with mechanical devices and with explosives to determine the easiest, quickest, cheapest and safest methods, under varying conditions in this state, of clearing cutover lands, and build and create, for such experimental purposes, land clearing devices; (c) demonstrate the methods found to be most efficient and economical; (d) co-operate generally with any person who may make suitable offer to aid or assist in such investigational and demonstrational work; (e) charge and collect a sum not to exceed actual cost for any such investigational or demonstrational work done on any parcel or tract of land; and (f) do any or all things necessary for the furtherance of the purposes of this section.

History: 1971 c. 100 s. 23

36.215 Agricultural experiments and demonstrations.

(1) The board of regents may do or cause to be done experimental work in agriculture at such points within the state as it deems advisable. Under the supervision of the dean of the college of agriculture, the board of regents may carry on demonstrations and such other extension work as it deems advisable for the improvement of agricultural knowledge, conduct extension schools and courses and provide for the compensation and traveling expenses of instructors whose functions shall be to assist in the improvement of agricultural education and the dissemination of agricultural knowledge.

(2) The board of regents shall cause to be done, under the supervision of the dean of the college of agriculture, research and experimentation in the control of bovine Brucellosis (Bang's disease), at such points within this state as may in its judgment be advisable. Such research shall include studies of the relative value of methods controlling such disease, particularly "test and slaughter", calfhood vaccination, adult animal vaccination, and proper sanitary herd management, or various combinations of such procedures. Such research shall also in-

clude studies in cooperation with the department of health and social services and the university school of medicine to determine if undulant fever is transmissible to humans through milk from bovine animals which have been vaccinated with Strain 19 Brucella vaccine. To facilitate such work contracts may be entered into with the owners of not more than 100 herds of bovine animals of various classes for the supervised control of the animals therein and for the purchase of animals under conditions to be specified in such contracts which shall be retained for control purposes. Payment for such animals shall be made out of the appropriation in s. 20.285 (1) (a).

(3) The board of regents of the university may establish a branch experimental station in Door county for the purpose of carrying on horticultural and agricultural investigations and demonstrations on problems that are designed to aid in the development of the fruit and farm interests of that portion of the state.

(4) The department of natural resources may enter into mutual agreement with the board of regents of the university for the use of the necessary farm equipment and such necessary land within the Peninsular State Park in said county as may be available for such experimental work.

(5) The board of regents of the university may do all things necessary to carry out the purposes of s. 59.87, relating to the university extension program.

(6) The board of regents through the college of agriculture shall cause studies, research and experiments to be carried on to determine why Wisconsin dairy cattle are reacting in sharply increased numbers to tests for bovine tuberculosis, with special emphasis on experiments to determine the efficacy of present testing methods.

History: 1971 c. 154

36.216 Soil and water conservation.

The board of regents may provide for the educational and administrative functions of s. 92.04. The board of regents shall make available by separate budget to the board of soil and water conservation districts such staff services, funds for operation, office space and administrative services as are necessary for the administration and coordination of its functions.

History: 1971 c. 323

36.217 Dutch elm disease studies.

The board of regents through the college of agriculture, under the direction, so far as practicable, of the departments of plant entomology and plant pathology, with the assistance of recognized leaders in this field of research at the university, shall conduct or cause to be conducted

laboratory and field studies, research and experiments to determine the cause and control of Dutch Elm disease. The various departments of the state, including the department of health and social services, department of agriculture and the department of natural resources shall cooperate with the university in this program.

History: 1971 c. 40.

36.22 Pharmaceutical experiment station. The board of regents of the university of Wisconsin system may establish, equip and maintain in the department of pharmacy of the university of Wisconsin a pharmaceutical experiment station. Said station shall:

(1) Cooperate with the department of agriculture in the maintenance of the northern station for the cultivation of medicinal plants and disseminate such information as may lead to the proper cultivation of medicinal plants and the production of high grade vegetable drugs in this state; and

(2) Serve the public at large by cooperation with both pharmacists and physicians in securing for the sick the best medicines that pharmaceutical science and art can provide, and further by cooperation with the pharmacy examining board, the department of health and social services, and the department of agriculture to bring about these results.

History: 1971 c. 100 s. 23; 1971 c. 164.

36.225 Laboratory of hygiene. (1) The laboratory of hygiene shall impose a \$1 handling fee for each test conducted by it, except tests conducted for other state agencies or local units of government. No other charge shall be imposed, except that where the laboratory of hygiene board determines that laboratory workload warrants such action, it may set a charge for specified types of tests.

(2) The laboratory of hygiene shall undertake the examination of water supplies for domestic purposes; the examination of materials of various contagious and infectious diseases or materials from suspected cases of contagious and infectious diseases of men and animals when public health is concerned; the examination of the nature and cause of disease outbreaks throughout the state; the study of conditions relating to diseases and their dissemination; and any other problems which bear directly or indirectly upon the public health.

(3) The examination of water supplies shall include the establishment of a water survey of the state and shall comprehend not only the examination from a public health standpoint but may also include the examination of water to ascertain its suitability for manufacturing and

commercial purposes as determined by the rules and regulations provided for by the department of natural resources.

(4) The laboratory shall undertake the preparation of vaccines, antitoxins, and the production of other biological agents which may be serviceable in the treatment, control and prevention of disease, and to make Wassermann tests and such other chemical examinations as may be deemed necessary.

(5) Examination of the following specimens shall be done when submitted in proper containers by licensed physicians, veterinarians, health officers and health commissioners: Material collected from patients afflicted with tuberculosis or from persons suspected of being afflicted with tuberculosis; blood from suspected typhoid fever cases and other enteric infections; swabs from persons suspected of having diphtheria, septic sore throat or other communicable diseases involving the upper respiratory tract and for the release from quarantine of persons who have been afflicted with these diseases; material from men or animals suspected of suffering from rabies, anthrax and glanders; examinations pertaining to industrial health hazards and such other examinations as may be necessary for the control and prevention of those diseases which cause a public health problem.

(6) The laboratory of hygiene shall be operated to furnish a complete laboratory service to the department of health and social services and the department of natural resources and to make available to the university of Wisconsin, the department of health and social services and the department of natural resources such facilities for teaching in the fields of public health and water quality as may be derived from such a laboratory.

(7) The board of regents, upon the recommendation of the dean of the medical school with the laboratory of hygiene board approving, shall appoint the director of the laboratory and such other members of its professional staff as are required for the administration of the duties of the laboratory. The technical staff and other employees necessary to the operation of the laboratory shall be employed by the director from the eligibility rolls of the department of administration.

History: 1971 c. 125, 164.

36.227 Psychiatric institute. (1) PART OF UNIVERSITY; EXCEPTION. The psychiatric institute established under s. 51.235 (excepting the Wisconsin memorial hospital) shall be maintained as a department of the university of Wisconsin.

(2) **PROPERTY.** All property used by the psychiatric institute (except real property used by said institute, and except the property of the Wisconsin memorial hospital) is transferred to the university of Wisconsin and the board of regents shall hold such property for the use of the institute.

(3) **OPERATION; DUTIES.** The board of regents shall house, equip and maintain as part of the university, the psychiatric institute. The institute shall:

(a) Investigate medical and social conditions which directly or indirectly result in state care; develop and promote measures to relieve and prevent the need of state care; undertake special education and training, and generally seek by research and investigation to prevent conditions which result in state care.

(b) Render a specialized service to the state institutions under the jurisdiction of the department of health and social services and the department of public instruction, such service to be available at all times to said departments and to the institutions under their jurisdiction. Such state institutions are open to the institute for research investigation.

(d) Exercise the powers granted under s. 51.235 provided that the transfer of any insane person from the psychiatric institute to any hospital or asylum for the insane, or from any other state or county institution under the jurisdiction of the department of health and social services to the psychiatric institute, shall be made only by approval of said department and the director of the psychiatric institute.

(5) **DIRECTOR.** The board of regents shall appoint the director of the psychiatric institute and such assistants as are necessary to accomplish the purposes of the institute, and shall fix the compensation of such director and assistants.

History: 1971 c. 164.

36.23 Geological and natural history survey. The board of regents of the university shall have charge of the geological and natural history survey which shall have for its object:

(1) The completion of the geological survey of the state, and especially the examination of the rocks, with reference to the occurrence of iron ores, building stones, and other valuable mineral products, and in reference to their value as material for road construction.

(2) A study of the soils and waters of the state.

(3) A study of the plants of the state, and especially of the forests, with reference to their cultivation and preservation.

(4) A study of the animal life of the state, and especially the occurrence, distribution and production of fish in the lakes and streams of the state, and a study of foods and enemies of fish.

(5) The preparation of an account of the physical geography and natural history of the state, in such form as to serve as manuals for the public schools, and of special reports on subjects of economic importance, in such form as to be of direct service to the people.

(6) The completion of the topographic map of the state begun by the U. S. geological survey; but no money shall be expended for topography unless an equivalent amount be expended for this purpose in the state by the U. S. government.

History: 1971 c. 125.

36.24 State geologist. The board of regents shall appoint and employ on the same basis as members of the university faculty are employed a state geologist who shall perform such functions as may be specifically provided by law and shall have charge of such portions of the geological and natural history survey and perform such other duties as the regents may deem advisable.

36.245 Water resources programs coordinator. Moneys made available to the department of natural resources and the geological and natural history survey of the university of Wisconsin for a joint accelerated water resources research and data collection program shall be administered and coordinated by the director of the water resources center of the university of Wisconsin. No such funds shall be made available to any of the agencies specified until, on application from the state agency concerned, such director finds that such funds will be used for water resource investigations needed for the solution of existing or emerging water resource problems and that these investigations will wherever practical be coordinated with such investigations by other state or federal agencies and with research in progress or proposed under the sponsorship of the water resources center of the university of Wisconsin. The director shall make biennial reports thereon to the legislature at the convening thereof. In connection with his review of applications hereunder, the director of the water resources center shall seek the advice of the water subcommittee of the natural resources council of state agencies.

36.25 Co-operative agreements with municipalities and school boards. The board of regents may enter into agreements with any

municipality or corporation established under s. 66.30 (2m) for special work undertaken at the request of or in co-operation with such municipality or corporation at its expense, in whole or in part, for any purpose specified in ss. 36.23 to 36.30 and 66.30, and all moneys received under such agreements shall be used as therein specified.

36.27 Dissemination of material collected. After material collected shall have served the purposes of the survey, it shall be distributed to the university of Wisconsin, the colleges of the state, the state universities and the free high schools of the state, under the approval of the board of regents, in such a manner as to be of the greatest advantage to education in the state.

36.28 Soil survey and map. The geological and natural history survey of this state is directed to cause a soil survey and a soil map of the state to be made for the purpose of ascertaining the character and fertility of the developed and undeveloped soils of the state, the extent and practicability of drainage of the swamp and wetlands of the state, and the means for properly conserving and increasing the fertility of the soil of the state, such work to be carried on in co-operation with the college of agriculture of the university of Wisconsin.

36.30 Survey of mineral lands, mines and water powers. (1) The geological and natural history survey is directed to examine the lands of the northern part of the state and classify them in accordance with their mineral content and geological and other evidences of the presence of mineral. The classification shall be made in a manner to be agreed upon by the department of revenue and said survey, and as rapidly as the classification of each separate township is completed, the detailed report of such township shall be furnished to the department of revenue.

(2) The said geological and natural history survey may enter upon any and all lands for the purpose of making a geological examination thereof by persons competent to make such examination, and require the owner or lessor of such lands to open to their inspection for the purposes of this section all records relating to the presence of minerals and furnish for inspection copies of such maps or plats as may be in his possession.

(3) Said geological and natural history survey is directed to examine the mines and explored mineral lands of the state by persons competent to make such examinations and make an accu-

rate determination of the amount of ore therein, the expense of mining, the probable life of the mine, and such other factors as may be necessary, in the judgment of the department of revenue and the geological and natural history survey, for a proper valuation thereof. For the purpose of this investigation all books, inventories, waybills, maps, plats, correspondence, and memoranda relating to or used in the transaction of the business of any person owning or operating any such mine or explored mineral land, shall on demand by the geological and natural history survey, or its authorized representative, be open to its or his inspection or examination. Any such person owning or operating any mine or explored mineral lands shall furnish for inspection to the geological and natural history survey, upon request, copies of all maps and plats that relate to the workings of his or its mine or mines and to his or its explored mineral lands.

(4) Said geological and natural history survey is further directed to investigate the water powers of the state by carefully gauging the flow of the streams, by making surveys of the profiles of the streams, by a study of the effect of the drainage of lands upon the flow of streams, and by such other investigations as may prove necessary and expedient.

(5) Any officer, agent, clerk or employe of said survey or said department of revenue who shall divulge or make known to any person except the officers of said survey or said department of revenue, in any manner, directly or indirectly, any information whatsoever given to him in the discharge of his duties under subs. (2) and (3), which information shall have been given him with the request that it be not divulged, shall be fined not less than \$50 nor more than \$500, or imprisoned in the county jail not less than one month nor more than 6 months, or imprisoned in the state prison not more than 2 years; provided, that nothing herein contained shall prevent the use for assessment purposes of any information obtained under this section.

History: 1971 c. 164 s. 92.

36.31 State of Wisconsin General Hospital, established; Wisconsin Orthopedic Hospital for Children. There shall be established in connection with the medical school of the university of Wisconsin at Madison a state hospital to be known as the "State of Wisconsin General Hospital".

(1) Said hospital shall be under the control and supervision of the board of regents of the university.

(2) The university infirmary and the Bradley memorial hospital heretofore established shall be a part of said hospital.

(3) Said hospital shall be utilized for such instruction of medical students, physicians and nurses and for such scientific research as will promote the welfare of the patients committed to its care, and assist the application of science to the alleviation of human suffering.

(4) Said hospital shall be more particularly designed for the care of persons afflicted with a malady, deformity, or ailment of a nature which can probably be remedied by hospital service and treatment and who would be unable otherwise to secure such care.

(5) Said regents shall erect at an appropriate place in said hospital a suitable tablet stating the source of the fund from which the hospital was erected and such other statements as they may deem appropriate.

(6) The Wisconsin Orthopedic Hospital for children shall be a part of the Wisconsin General Hospital under the control and supervision of the board of regents. The purpose of the orthopedic hospital for children shall be to provide medical, surgical and therapeutic treatment for crippled children under 21 years of age whose parents or guardians are unable to provide adequate treatment, or who would be unable otherwise to secure such treatment; these children to remain in said hospital only as long as they can be benefited by such treatment. Admissions to the hospital shall be governed by ch. 142 and the provisions of ch. 142 shall apply to this subsection.

History: 1971 c. 213 s. 5; 1971 c. 336.

36.33 Broadcasting station WHA. The board of regents shall manage, operate and maintain broadcasting station WHA.

36.34 Sale and relocation of agricultural lands. (1) The legislature hereby finds and determines that, because of (a) the problems resulting from the development of the city of Madison around certain agricultural lands of the state university; (b) the desirability of consolidating lands used for agricultural instruction, research and extension purposes; (c) the desirability of disposing of agricultural lands no longer needed by the university; and (d) 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 of regents of the university to sell or lease, in whole or in part, the agricultural lands and improvements thereon owned by said board of regents and located in sections 19 and 20, township 7 north, range 9 east, Dane county; section 27, township 7 north, range 8 east, Dane 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 of regents may otherwise have.

(1a) The legislature hereby restates its findings, determinations and policy as stated in sub. (1) (c) and (d), and that it is in the public interest for the board of regents to sell, in whole or in part, the agricultural lands and improvements thereon owned by the board of regents located in the E1/2 of NE1/4 of Sec. 34 and the W1/2 of NW1/4 of Sec. 35, T. 16 N., R. 7W., La Crosse county and to use the proceeds of such sale, together with funds appropriated by s. 20.285 (1) (kc), for the purchase of land and construction of improvements thereon for a new experiment station; and the university administration and the college of agriculture may develop plans to accomplish this purpose.

(2) The board of regents, in selling or leasing any part of the agricultural lands and improvements thereon, mentioned in subs. (1) and (1a), shall sell or lease on the basis of either (a) public bids, with the board of regents reserving the right to reject any or all bids in the best interest of the state, or (b) negotiated prices. Notwithstanding any provisions of law to the contrary, the lands in Dane county mentioned in sub. (1) shall be subject to special assessments for public improvements by the city of Madison, in the same manner and to the same extent as privately owned lands, provided that such public improvements are of direct and substantial benefit to such portions as have been platted for sale.

(3) The sale, lease and purchase of agricultural lands of the university of Wisconsin, mentioned in subs. (1) and (1a), shall be subject to the approval of the state building commission.

(4) To the extent that it is necessary to protect the public interests, actions, proceedings and authorizations by the state building commission, or the board of regents of the university, in carrying out s. 13.48 (2) (d) and this section, may be taken in executive session and made matters of public record after the sale, lease or purchase transactions are completed.

(5) 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 subs. (1) and (1a), but of any excess of revenue beyond the amount required for this purpose a sum not to exceed \$3,500,000 shall constitute a nonlapsable fund for the purpose of erecting facilities for research and instruction in

animal husbandry, agricultural engineering and agriculture and life sciences on the campus of the university of Wisconsin, and such funds shall become available upon consent and recommendation of the board of regents and authorization by the building commission.

(7) The lands mentioned in sub. (1) which are located in the city of Madison shall be subject to all general property taxes levied by the city of Madison in the event that they are used for commercial purposes. The term "commercial purposes" as used herein shall not be deemed to include official use by the state or any of its agencies.

History: 1971 c. 125.

36.36 Outpatient housing; Wisconsin General Hospital. The board of regents may establish and maintain outpatient housing facilities for public patients being treated at the Wisconsin General Hospital and apportion the cost of maintaining such patients therein as provided by s. 142.08 (4). The board of regents may also authorize the parents or guardians of children admitted to the Wisconsin General Hospital to use such housing facilities and to charge them a fee not less than the actual cost of maintenance therein.

36.43 Student misconduct. (1) If a state or private institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, or employed by, such institution, that such individual has been convicted by any court of record of a crime, or of violation of a municipal ordinance based on a crime, which was committed after November 23, 1969, and which involved the use of, or assistance to others in the use of, force, disruption, or the seizure of property under control of any state or private institution of higher education to prevent officials or students in such institution from engaging in their duties or pursuing their studies, and that such crime or offense was of a serious nature and contributed to a substantial disruption of the administration of the institution with respect to which such crime or offense was committed, then such individual shall be ineligible for a period of from one semester to 2 years for any direct state support for educational purposes, including loans, grants, partial or total exemption from tuition, scholarships, fellowships or aid, without restriction because of enumeration. Such period shall be measured from date of conviction or date of upholding of such conviction on appeal, whichever is later.

(2) If an institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, or employed by, such institution, that such individual has willfully refused to obey a lawful regulation or order of such institution after November 23, 1969, and that such refusal was of a serious nature and contributed to a substantial disruption of the administration of such institution, then such institution shall deny for a period of from one semester to 2 years, measured from the date of the determination by the institution, any direct state support for educational purposes, including loans, grants, partial or total exemption from tuition, scholarships, fellowships or aid, without restriction because of enumeration.

36.45 Authority to restrict presence of persons on campus. The chancellor of each university of Wisconsin campus or the chief security officer thereof and the president of each state university campus or the chief security officer thereof during a period of immediate danger or disruption may designate periods of time during which the university campus and designated buildings and facilities connected therewith are off-limits to all persons who are not faculty members, staff personnel, students or any other personnel authorized by the above-named officials. Any persons violating such order shall be subject to the penalties provided by law for criminal trespass.

36.46 Campus misconduct. (1) **DEFINITIONS:** For the purposes of this section:

(a) "Campus misconduct" means a crime or offense involving the use of or assistance to others in the use of force, disruption, or the seizure of property under control of any state or private institution of higher education with intent to prevent students or employes at the institution from engaging in their duties or pursuing their studies, where such offense was of a serious nature and contributed to a substantial disruption of the administration of the institution. This includes, without restriction because of enumeration, the use of force with intent to cause disruption of class attendance or normal pedestrian or vehicular traffic to and from university buildings, classrooms, administrative or professional offices or athletic facilities.

(b) "Direct state support" means direct state support for educational purposes, including loans, grants, partial or total exemption from tuition, scholarships, fellowships or aids, without restriction because of enumeration.

(c) "State institution of higher education" means an institution of higher education under this chapter or ch. 37.

(2) **INELIGIBILITY FOR ATTENDANCE, EMPLOYMENT OR DIRECT STATE SUPPORT.** No person shall be eligible for attendance or employment at any state institution of higher education for a period of not less than one semester nor more than 2 years, nor for direct state support at a state or private institution of higher education for such a period, if that institution, having afforded that person notice and opportunity to attend a hearing, determines at the hearing that:

(a) The person has been convicted of a crime or of violation of a municipal ordinance based on a crime, which was committed after January 8, 1970, and which involved misconduct under sub. (1) (a); or

(b) The person has wilfully refused to obey a lawful regulation or order of the institution and that such refusal involved misconduct under sub. (1) (a).

(3) **PERIOD OF INELIGIBILITY FOR ATTENDANCE, EMPLOYMENT OR DIRECT STATE SUPPORT.** The period of ineligibility for attendance, employment or direct state support shall be measured from the date of determination of ineligibility by the institution.

(4) **READMISSION.** Any person determined to be ineligible for direct state support, attendance or employment at any state institution of higher education may petition for readmission, reemployment or reinstatement of direct state support after ineligibility is determined, but shall not be reeligible until one full semester has elapsed after the date of that determination. The petition shall be approved or disapproved by a committee consisting of the administrative head of his campus or his designated representative, the dean of students or the equivalent administrative officer on that campus and a member of the board of regents of that institution. The decision of this committee may be appealed to the board of regents.

36.47 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 him which obstructs or seriously impairs activities run or authorized by a state institution of higher education under this chapter or ch. 37, and who, as a result of such conduct, is in a state of suspension or expulsion from the institution, and who enters property of that institution without permission of the administrative head of the institution or his designee within 2 years, may for each such offense be fined not more than \$500 or imprisoned not more than 6 months, or both.

36.49 Sound-amplifying equipment. (1) Any person who utilizes sound-amplifying equipment in an educational or administrative building owned or controlled by a state institution of higher education under this chapter or ch. 37, or upon the grounds of such an institution without the permission of the administrative head of the institution or his designee, may be fined not more than \$100 or imprisoned not more than 30 days, or both.

(2) In this section "sound-amplifying equipment" means any device or machine which is capable of amplifying sound and capable of delivering an electrical input of one or more watts to the loudspeaker.

See note to Art. I, sec. 3, citing Wis. Student Ass'n. v. Regents, 318 F Supp 591.

36.50 Ticket scalping; penalty. (1) Every ticket or other evidence of the right of entry to any amusement, game, contest, exhibition or performance given by or under the auspices of the university of Wisconsin shall be considered a revocable license to the person to whom such ticket may be issued and shall be transferable only on such terms and conditions as the board of regents of the university may prescribe.

(2) No such ticket or other evidence of the right of entry may be sold for more than the price printed upon the face of the ticket; and any person reselling or buying any such ticket for more than said price shall be fined not less than \$10 nor more than \$100 or imprisoned not more than 60 days.

36.96 Enrollment funding. (1) On November 1 of each year the department of administration shall determine the total degree credit enrollment and the number of student credit hours being offered on all campuses by level and instructional division. The department shall then compare these student credit hours by level and instructional division with the number of student credit hours projected for that year and used in the budget determination. The difference between the student credit hours offered and the projected student credit hours shall be the basis of an enrollment funding adjustment computed on the basis of one-half of the 1970-71 student credit hour cost as adjusted by legislative action for the appropriate level and instructional division. Seventy-five per cent of any increase shall be made in the appropriation made by the enrollment increase funding sum sufficient and 75% of any decrease shall lapse to the general fund from the general operations appropriation; no adjustment shall exceed \$1,000,000 in general purpose revenues in a single year. Twenty-five per cent of any ad-

justment shall be made in the academic student fees appropriation.

(2) All moneys appropriated for the purpose of funding additional student credit hours shall be allocated to the campuses where the enrollment growth was projected to occur at the time

the enrollment projections were made; except that the board of regents may reallocate moneys in accordance with the actual enrollment pattern and as required for the effective operation of the instructional program.

History: 1971 c. 125.