



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1782//
MJL:kmg&cmh:hrn

LFB:.....Loppnow - UW tuition

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 133

D-N

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 44, line 19: after that line insert:

3 "SECTION 70m. 16.50 (5m) of the statutes is amended to read:

4 16.50 (5m) UNIVERSITY INDIRECT COST REIMBURSEMENTS. Subsections (2) to (5)
5 do not apply to expenditures authorized under s. 20.285 (2) (i) 2."

6 2. Page 308, line 18: after that line insert:

7 "SECTION 291t. 20.285 (1) (im) of the statutes is amended to read:

8 20.285 (1) (im) *Academic student fees*. Except as provided in sub. (2) (i) 1, the
9 amounts in the schedule under pars. (ip), (Lm) and (Ls), all moneys received from
10 academic student fees for degree credit instruction, other than for credit outreach

1 instruction sponsored by the University of Wisconsin-Extension. Except as provided
2 under pars. (ip), (Lm) and (Ls), all moneys received from academic student fees shall
3 be credited to this appropriation.”

4 **3.** Page 310, line 14: after that line insert:

5 “SECTION 296m. 20.285 (2) (i) (title) of the statutes is amended to read:

6 20.285 (2) (i) (title) *Expenditures from program revenue appropriations federal*
7 *indirect cost reimbursement appropriation.*

8 SECTION 296s. 20.285 (2) (i) 1. of the statutes is repealed.

9 SECTION 290t. 20.285 (2) (i) 2. of the statutes is renumbered 20.285 (2) (i).”.

10 **4.** Page 507, line 3: after that line insert:

11 “SECTION 891m. 36.27 (1) (a) of the statutes is amended to read:

12 36.27 (1) (a) Subject to ~~par. (am) and~~ (c), the board may establish for
13 different classes of students differing tuition and fees incidental to enrollment in
14 educational programs or use of facilities in the system. Except as otherwise provided
15 in this section, the board may charge any student who is not exempted by this section
16 a nonresident tuition. The board may establish special rates of tuition and fees for
17 the extension and summer sessions and such other studies or courses of instruction
18 as the board deems advisable.

19 SECTION 891r. 36.27 (1) (am) of the statutes is created to read:

20 36.27 (1) (am) The board may not increase academic fees for resident
21 undergraduate students beyond an amount sufficient to fund all of the following:

22 1. In a fiscal year beginning in an even-numbered year, the amount shown in
23 the schedule under s. 20.285 (1) (im) for that fiscal year and in a fiscal year beginning
24 in an odd-numbered year, the highest amount shown in the schedule under s. 20.285

1 (1) (im) for that fiscal year in the substitute amendment, offered by the joint
2 committee on finance, to the biennial budget bill; the engrossed biennial budget bill;
3 or the enrolled biennial budget bill.

4 2. The approved recommendations of the secretary of employment relations for
5 compensation and fringe benefits for classified staff, for unclassified employes
6 specified in s. 230.12 (1) (a) 1. b. and for unclassified employes specified in s. 230.12
7 (3) (e). If these recommendations have not been approved by the joint committee on
8 employment relations by the time the board sets academic fees, the board may raise
9 academic fees for resident undergraduate students by an amount sufficient to fund
10 the recommendations of the secretary of employment relations for compensation and
11 fringe benefits for classified staff and for unclassified employes specified in s. 230.12

12 (1) (a) 1. b. and the recommendations of the board for unclassified employes specified
13 in s. 230.12 (3) (e). ^{Ins. 3-13} If the board sets academic fees based upon ~~those~~ unapproved
14 recommendations, and the recommendations as finally approved by the joint
15 committee on employment relations call for a lower rate of compensation and fringe

16 benefits than the unapproved recommendations, the board shall lower academic
17 student fees for resident undergraduate students ^{for the next academic year} ~~in the 2nd semester~~ by an amount
18 equal to ~~twice~~ the difference between the academic fees charged ~~in the 1st semester~~
19 and an amount sufficient to fund the approved recommendations. ^{Ins 3-19}
20

21 3. The projected loss in revenue caused by a change in the number of enrolled
22 undergraduate, graduate, resident and nonresident students from the previous
23 academic year.

24 4. State-imposed costs not covered by general purpose revenue, as determined
25 by the board. Beginning on December 15, 2000, and annually thereafter, the board
shall report costs under this subdivision to the secretary of administration.

- 1 5. Distance education and intersession courses.
- 2 6. Differential tuition that is approved by the board and that is not included
- 3 in the amount shown in the schedule under s. 20.285 (1) (im).

4 SECTION 891s. 36.27 (1) (b) of the statutes is created to read:

5 36.27 (1) (b) Beginning on December 15, 2000, and annually thereafter, the
 6 board shall submit a report to the legislature under s. 13.172 (2) containing the
 7 amount by which expenditures from s. 20.285 (1) (im) in the previous fiscal year
 8 exceeded the amount shown in the schedule for that appropriation in the previous
 9 fiscal year, the purposes for which the additional revenues were spent and the
 10 amount spent for each purpose."

11

(END)

~~Insert #~~

→ ~~Insert #~~ #. Page 1558, line 23: after that line

insert:
4E

nonstat.

4E (4E) (CS) TUITION. Notwithstanding section
 36.27 (1) (a) of the statutes and
 section 36.27 (1) (b) of the statutes, as
 created by this act, the board of
 regents of the University of Wisconsin
 System may not charge more in ~~raise~~ academic
 student fees for resident undergraduate
 students than it charged in the 1999-2000
 academic year."

in the 2000-01
 (4E) academic
 year

Insert 3-13 ✓

If the secretary of employment relations has not made approved recommendations by the time the board sets academic fees, the board may raise academic fees for resident undergraduate students by an amount ~~not~~ sufficient to fund the approved recommendations of the secretary of employment relations for compensation and fringe benefits for classified staff and for unclassified employees specified in s. 230.12 (1)(a) 1, b. in the previous fiscal year and the recommendations of the board for unclassified employees specified in s. 230.12(3)(e).

Insert 3-19 ✓

If the board sets academic fees based upon unapproved recommendations, and the recommendations as finally approved by the joint committee on employment relations call for a higher rate of compensation and fringe benefits than the unapproved recommendations, the board may raise academic student fees for resident undergraduate students for the next academic year by an amount equal to the difference between the academic fees charged and an amount sufficient to fund the approved recommendations.

1500

D 1872/5
King:

5/11/11

Dave Loppnow:

Under current law,
(The board of regents does make
recommendations ~~about~~ about compensation
and fringe benefits for classified staff and
unclassified employees specified in S. 230.12

(i) (a) 1. b., so this draft provides that ¹
if the secretary of employment relations
has not ^{made} ~~approved~~ recommendations by the
time tuition is set, the board must use
the secretary's approved recommendations from
the previous fiscal year. ^{The alternative} ~~Jeff King~~ ^{is} ~~this~~

~~recommended this year~~

- is to have the board submit its own
recommendations in lieu of the secretary's,

which would necessitate a statutory change

in ~~chapter~~ ^{ch.} 230 and ~~would~~ which might be

administratively burdensome because the

board's rate would probably ~~be~~ ^{be} ~~higher~~
higher than the secretary's approved ^{ra} rate,
and the board would be forced to lower
tuition in the second year. I

understand that the conferees do
not ^{yet} have a position ~~draft~~ on this issue.
If this ^{draft} is unacceptable, I will redraft
according to your instructions.

M JL

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb1782/5dn
MJL:kmg:km

October 3, 1999

Dave Loppnow:

Under current law, the board of regents does make recommendations about compensation and fringe benefits for classified staff and unclassified employees specified in s. 230.12 (1) (a) 1. b., so this draft provides that, if the secretary of employment relations has not made recommendations by the time tuition is set, the board must use the secretary's approved recommendations from the previous fiscal year. The alternative is to have the board submit its own recommendations in lieu of the secretary's, which would necessitate a statutory change in ch. 230 and which might be administratively burdensome because the board's rate would probably be higher than the secretary's approved rate, and the board would be forced to lower tuition in the second year. I understand that the conferees do not yet have a position on this issue. If this draft is unacceptable, I will redraft according to your instructions.

Madelon J. Lief
Legislative Attorney
Phone: (608) 267-7380

Smith, Irma

From: Smith, Irma

Sent: Sunday, October 03, 1999 10:31 AM

To: Burnett, Douglas

Subject: Doug, per your telephone request. Have a nice day. Thanks, Irma



99b1782/5



99b1782/5dn



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1782/5
MJL:kmg&cmh:krm

LFB:.....Loppnow - UW tuition

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 133

Rm - run

Now

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 44, line 19: after that line insert:
- 3 **"SECTION 70m.** 16.50 (5m) of the statutes is amended to read:
- 4 16.50 (**5m**) UNIVERSITY INDIRECT COST REIMBURSEMENTS. Subsections (2) to (5)
- 5 do not apply to expenditures authorized under s. 20.285 (2) (i) 2."
- 6 **2.** Page 308, line 18: after that line insert:
- 7 **"SECTION 291t.** 20.285 (1) (im) of the statutes is amended to read:
- 8 20.285 (1) (im) *Academic student fees*. Except as provided in sub. (2) (i) 1., the
- 9 amounts in the schedule under pars. (ip), (Lm) and (Ls), all moneys received from
- 10 academic student fees for degree credit instruction, other than for credit outreach

1 instruction sponsored by the University of Wisconsin–Extension. ~~Except as provided~~
2 ~~under pars. (ip), (Lm) and (Ls), all moneys received from academic student fees shall~~
3 ~~be credited to this appropriation.”.~~

4 **3.** Page 310, line 14: after that line insert:

5 “SECTION 296m. 20.285 (2) (i) (title) of the statutes is amended to read:
6 20.285 (2) (i) (title) *Expenditures from program revenue appropriations federal*
7 *indirect cost reimbursement appropriation.*

8 SECTION 296s. 20.285 (2) (i) 1. of the statutes is repealed.

9 SECTION 290t. 20.285 (2) (i) 2. of the statutes is renumbered 20.285 (2) (i).”.

10 **4.** Page 507, line 3: after that line insert:

11 “SECTION 891m. 36.27 (1) (a) of the statutes is amended to read:

12 36.27 (1) (a) Subject to ~~par.~~ pars. (am) and (c), the board may establish for
13 different classes of students differing tuition and fees incidental to enrollment in
14 educational programs or use of facilities in the system. Except as otherwise provided
15 in this section, the board may charge any student who is not exempted by this section
16 a nonresident tuition. The board may establish special rates of tuition and fees for
17 the extension and summer sessions and such other studies or courses of instruction
18 as the board deems advisable.

19 SECTION 891r. 36.27 (1) (am) of the statutes is created to read:

20 36.27 (1) (am) The board may not increase academic fees for resident
21 undergraduate students beyond an amount sufficient to fund all of the following:

22 1. In a fiscal year beginning in an even-numbered year, the amount shown in
23 the schedule under s. 20.285 (1) (im) for that fiscal year and in a fiscal year beginning
24 in an odd-numbered year, the highest amount shown in the schedule under s. 20.285

1 (1) (im) for that fiscal year in the substitute amendment, offered by the joint
2 committee on finance, to the biennial budget bill; the engrossed biennial budget bill;
3 or the enrolled biennial budget bill.

4 2. The approved recommendations of the secretary of employment relations for
5 compensation and fringe benefits for classified staff, for unclassified employees
6 specified in s. 230.12 (1) (a) 1. b. and for unclassified employees specified in s. 230.12
7 (3) (e). If these recommendations have not been approved by the joint committee on
8 employment relations by the time the board sets academic fees, the board may raise
9 academic fees for resident undergraduate students by an amount sufficient to fund
10 the recommendations of the secretary of employment relations for compensation and
11 fringe benefits for classified staff and for unclassified employees specified in s. 230.12
12 (1) (a) 1. b. and the ~~recommendations of the board~~ ^{board's recommendations} for unclassified employees specified
13 in s. 230.12 (3) (e). If the secretary of employment relations has not made
14 recommendations by the time the board sets academic fees, the board may raise
15 academic fees for resident undergraduate students by an amount sufficient to fund
16 ~~the approved recommendations of the secretary of employment relations for~~ ^{the board's estimate of}
17 compensation and fringe benefits for classified staff and for unclassified employees
18 specified in s. 230.12 (1) (a) 1. b. ~~in the previous fiscal year~~ ^{board's} and the recommendations
19 ~~of the board~~ for unclassified employees specified in s. 230.12 (3) (e). If the board sets
20 academic fees based upon ~~unapproved recommendations~~ ^{the board's estimate and the board's}, and the recommendations
21 as finally approved by the joint committee on employment relations call for a lower
22 rate of compensation and fringe benefits than the ~~unapproved recommendations~~ ^{board's estimate and}, the
23 board shall lower academic student fees for resident undergraduate students for the
24 next academic year by an amount equal to the difference between the academic fees
25 charged and an amount sufficient to fund the approved recommendations. If the

the board and the secretary of
employment relations

1

board sets academic fees based upon ^{of the board and the secretary of employment relations} unapproved recommendations, and the
 2 recommendations, as finally approved by the joint committee on employment
 3 relations call for a higher rate of compensation and fringe benefits than the
 4 board's estimate and unapproved recommendations, the board may raise academic student fees for
 5 resident undergraduate students for the next academic year by an amount equal to
 6 the difference between the academic fees charged and an amount sufficient to fund
 7 the approved recommendations.

8 3. The projected loss in revenue caused by a change in the number of enrolled
 9 undergraduate, graduate, resident and nonresident students from the previous
 10 academic year.

11 4. State-imposed costs not covered by general purpose revenue, as determined
 12 by the board. Beginning on December 15, 2000, and annually thereafter, the board
 13 shall report costs under this subdivision to the secretary of administration.

14 5. Distance education and intersession courses.

15 6. Differential tuition that is approved by the board and that is not included
 16 in the amount shown in the schedule under s. 20.285 (1) (im).

17 **SECTION 891s.** 36.27 (1) (b) of the statutes is created to read:

18 36.27 (1) (b) Beginning on December 15, 2000, and annually thereafter, the
 19 board shall submit a report to the legislature under s. 13.172 (2) containing the
 20 amount by which expenditures from s. 20.285 (1) (im) in the previous fiscal year
 21 exceeded the amount shown in the schedule for that appropriation in the previous
 22 fiscal year, the purposes for which the additional revenues were spent and the
 23 amount spent for each purpose.”.

24 5. Page 1558, line 23: after that line insert:

1
2
3
4
5
6
7

am
5. Page 1558, line 23: after that line insert:

“(4t) TUITION. Notwithstanding section 36.27 (1) (a) of the statutes and section 36.27 (1) (b) of the statutes, as created by this act, the board of regents of the University of Wisconsin System may not charge more in academic student fees for resident undergraduate students in the 2000-01 academic year than it charged in the 1999-2000 academic year.”

(END)

Lief, Madelon

From: Lief, Madelon
Sent: Monday, October 04, 1999 11:18 AM
To: Burnett, Douglas; Healy, Brett
Cc: Loppnow, Dave
Subject: LRBb1782/ UW tuition

Importance: High

Brett and Doug:

I wanted you to be aware that the nonstatutory provision in LRBb1782/6 is ambiguous and may produce an unanticipated result.

In an earlier draft, I had delayed the draft's effective date until July 2000. At the request of the conferees, as relayed by Dave Loppnow, I deleted that provision. Under the /6 version of the draft, one of two scenarios is possible:

(1) Because the draft takes effect immediately, the board of regents could raise tuition in the second semester (or impose a surcharge) such that the amount of tuition for the 1999-2000 academic year equals what the board would have charged in the absence of the nonstat that imposes a freeze in 2000-01. In other words, the freeze would effectively be circumvented.

(2) The other possibility is that the board would interpret the draft to mean that s. 36.27 (1) (am) does not apply until 2001-02 because the nonstat language "notwithstanding (1) (am) and because the nonstat refers only to freezing tuition in 2000-02.

I think the second possibility is remote, but not the first.

Dave told me that the language in /6 was consistent with your intent, so I will not redraft it, except to change an incorrect cross-reference unless I hear from you.

Madelon J. Lief
Legislative Attorney
State of Wisconsin
Legislative Reference Bureau

madelon.lief@legis.state.wi.us
608-267-7380

Smith, Irma

From: Smith, Irma

Sent: Monday, October 04, 1999 9:45 AM

To: Burnett, Douglas

Subject: This is being sent per the drafters request. Thank you, Irma



99b1782/6



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1782/7
MJL:kmg&cmh:jf

LFB:.....Loppnow - UW tuition

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 133

D-N

Now

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 44, line 19: after that line insert:
- 3 "SECTION 70m. 16.50 (5m) of the statutes is amended to read:
- 4 16.50 (5m) UNIVERSITY INDIRECT COST REIMBURSEMENTS. Subsections (2) to (5)
- 5 do not apply to expenditures authorized under s. 20.285 (2) (i) 2."
- 6 **2.** Page 308, line 18: after that line insert:
- 7 "SECTION 291t. 20.285 (1) (im) of the statutes is amended to read:
- 8 20.285 (1) (im) *Academic student fees*. Except as provided in sub. (2) (i) 1., the
- 9 amounts in the schedule under pars. (ip), (Lm) and (Ls), all moneys received from
- 10 academic student fees for degree credit instruction, other than for credit outreach

1 instruction sponsored by the University of Wisconsin–Extension. ~~Except as provided~~
2 ~~under pars. (ip), (Lm) and (Ls), all moneys received from academic student fees shall~~
3 ~~be credited to this appropriation.”.~~

4 **3.** Page 310, line 14: after that line insert:

5 “SECTION 296m. 20.285 (2) (i) (title) of the statutes is amended to read:

6 20.285 (2) (i) (title) *Expenditures from program revenue appropriations federal*
7 *indirect cost reimbursement appropriation.*

8 SECTION 296s. 20.285 (2) (i) 1. of the statutes is repealed.

9 SECTION 290t. 20.285 (2) (i) 2. of the statutes is renumbered 20.285 (2) (i).”.

10 **4.** Page 507, line 3: after that line insert:

11 “SECTION 891m. 36.27 (1) (a) of the statutes is amended to read:

12 36.27 (1) (a) Subject to ~~par.~~ pars. (am) and (c), the board may establish for
13 different classes of students differing tuition and fees incidental to enrollment in
14 educational programs or use of facilities in the system. Except as otherwise provided
15 in this section, the board may charge any student who is not exempted by this section
16 a nonresident tuition. The board may establish special rates of tuition and fees for
17 the extension and summer sessions and such other studies or courses of instruction
18 as the board deems advisable.

19 SECTION 891r. 36.27 (1) (am) of the statutes is created to read:

20 36.27 (1) (am) The board may not increase academic fees for resident
21 undergraduate students beyond an amount sufficient to fund all of the following:

22 1. In a fiscal year beginning in an even–numbered year, the amount shown in
23 the schedule under s. 20.285 (1) (im) for that fiscal year and in a fiscal year beginning
24 in an odd–numbered year, the highest amount shown in the schedule under s. 20.285

1 (1) (im) for that fiscal year in the substitute amendment, offered by the joint
2 committee on finance, to the biennial budget bill; the engrossed biennial budget bill;
3 or the enrolled biennial budget bill.

4 2. The approved recommendations of the secretary of employment relations for
5 compensation and fringe benefits for classified staff, for unclassified employes
6 specified in s. 230.12 (1) (a) 1. b. and for unclassified employes specified in s. 230.12
7 (3) (e). If these recommendations have not been approved by the joint committee on
8 employment relations by the time the board sets academic fees, the board may raise
9 academic fees for resident undergraduate students by an amount sufficient to fund
10 the recommendations of the secretary of employment relations for compensation and
11 fringe benefits for classified staff and for unclassified employes specified in s. 230.12
12 (1) (a) 1. b. and the board's recommendations for unclassified employes specified in
13 s. 230.12 (3) (e). If the secretary of employment relations has not made
14 recommendations by the time the board sets academic fees, the board may raise
15 academic fees for resident undergraduate students by an amount sufficient to fund
16 the board's estimate of compensation and fringe benefits for classified staff and for
17 unclassified employes specified in s. 230.12 (1) (a) 1. b. and the board's
18 recommendations for unclassified employes specified in s. 230.12 (3) (e). If the board
19 sets academic fees based upon the board's estimate and the board's unapproved
20 recommendations, and the recommendations of the board and the secretary of
21 employment relations as finally approved by the joint committee on employment
22 relations call for a lower rate of compensation and fringe benefits than the board's
23 estimate and unapproved recommendations, the board shall lower academic student
24 fees for resident undergraduate students for the next academic year by an amount
25 equal to the difference between the academic fees charged and an amount sufficient

1 to fund the approved recommendations. If the board sets academic fees based upon
2 the board's estimate and unapproved recommendations, and the recommendations
3 of the board and the secretary of employment relations as finally approved by the
4 joint committee on employment relations call for a higher rate of compensation and
5 fringe benefits than the board's estimate and unapproved recommendations, the
6 board may raise academic student fees for resident undergraduate students for the
7 next academic year by an amount equal to the difference between the academic fees
8 charged and an amount sufficient to fund the approved recommendations.

9 3. The projected loss in revenue caused by a change in the number of enrolled
10 undergraduate, graduate, resident and nonresident students from the previous
11 academic year.

12 4. State-imposed costs not covered by general purpose revenue, as determined
13 by the board. Beginning on December 15, 2000, and annually thereafter, the board
14 shall report costs under this subdivision to the secretary of administration.

15 5. Distance education ^{nontraditional courses and} intersession courses.
comma

16 6. Differential tuition that is approved by the board and that is not included
17 in the amount shown in the schedule under s. 20.285 (1) (im).

18 **SECTION 891s.** 36.27 (1) (b) of the statutes is created to read:

19 36.27 (1) (b) Beginning on December 15, 2000, and annually thereafter, the
20 board shall submit a report to the legislature under s. 13.172 (2) containing the
21 amount by which expenditures from s. 20.285 (1) (im) in the previous fiscal year
22 exceeded the amount shown in the schedule for that appropriation in the previous
23 fiscal year, the purposes for which the additional revenues were spent and the
24 amount spent for each purpose.”

1 “(4t) TUITION. Notwithstanding section 36.27 (1) (a) of the statutes and section
2 36.27 (1) (b) of the statutes, as created by this act, the board of regents of the
3 University of Wisconsin System may not charge more in academic student fees for
4 resident undergraduate students in the 2000–01 academic year than it charged in
5 the 1999–2000 academic year.”

6

(END)

Barman, Mike

From: Barman, Mike
Sent: Monday, October 04, 1999 12:03 PM
To: Burnett, Douglas
Cc: Lief, Madelon
Subject: 99b1782/7 (by request of MJL)



99b1782/7



99b1782/7dn

Mike Barman

Mike Barman - Program Asst. (PH. 608-266-3561)
(E-Mail: mike.barman@legis.state.wi.us) (FAX: 608-264-6948)

State of Wisconsin
Legislative Reference Bureau - Legal Section - Front Office
100 N. Hamilton Street - 5th Floor
Madison, WI 53703

Dave:

1. This draft adds language about nontraditional courses and changes a cross-reference.

2. As we discussed, the absence of an initial applicability provision or delayed effective date in conjunction with the nonstatutory tuition freeze makes this draft ambiguous.

~~I do not~~

~~The board could interpret the d.~~

Under this draft, the board could raise tuition in the second semester of this year to an amount equal to what the board would have charged next year in the absence of a tuition freeze. The second

possibility ~~is~~ is that the board would interpret the restriction under S. 36.27(1)(am) as applying ^{academic year} in 2001-02 because of the language notwithstanding S. 36.27(1)(am) and the language freezing tuition in

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb1782/7dn
MJL:cmh:hmh

October 4, 1999

Dave:

1. This draft adds language about nontraditional courses and changes a cross-reference.

2. As we discussed, the absence of an initial applicability provision or delayed effective date in conjunction with the nonstatutory tuition freeze makes this draft ambiguous.

Under this draft, the board could raise tuition in the second semester of this year to an amount equal to what the board would have charged next year in the absence of a tuition freeze. The second possibility is that the board would interpret the restriction under s. 36.27 (1) (am) as applying in academic year 2001-02 because of the language notwithstanding s. 36.27 (1) (am) and the language freezing tuition in 2000-01.

Madelon J. Lief
Legislative Attorney
Phone: (608) 267-7380



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1782/7
MJL:kmg&cmh:hmh

LFB:.....Loppnow - UW tuition

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 44, line 19: after that line insert:

3 “SECTION 70m. 16.50 (5m) of the statutes is amended to read:

4 16.50 (5m) UNIVERSITY INDIRECT COST REIMBURSEMENTS. Subsections (2) to (5)

5 do not apply to expenditures authorized under s. 20.285 (2) (i) 2.”

6 **2.** Page 308, line 18: after that line insert:

7 “SECTION 291t. 20.285 (1) (im) of the statutes is amended to read:

8 20.285 (1) (im) *Academic student fees*. Except as provided in ~~sub. (2) (i) 1.~~, the

9 ~~amounts in the schedule under pars. (ip), (Lm) and (Ls), all moneys received from~~

10 academic student fees for degree credit instruction, other than for credit outreach

1 instruction sponsored by the University of Wisconsin–Extension. ~~Except as provided~~
2 ~~under pars. (ip), (Lm) and (Ls), all moneys received from academic student fees shall~~
3 ~~be credited to this appropriation.”.~~

4 **3.** Page 310, line 14: after that line insert:

5 “SECTION 296m. 20.285 (2) (i) (title) of the statutes is amended to read:

6 20.285 (2) (i) (title) *Expenditures from program revenue appropriations federal*
7 *indirect cost reimbursement appropriation.*

8 SECTION 296s. 20.285 (2) (i) 1. of the statutes is repealed.

9 SECTION 290t. 20.285 (2) (i) 2. of the statutes is renumbered 20.285 (2) (i).”.

10 **4.** Page 507, line 3: after that line insert:

11 “SECTION 891m. 36.27 (1) (a) of the statutes is amended to read:

12 36.27 (1) (a) Subject to ~~par.~~ pars. (am) and (c), the board may establish for
13 different classes of students differing tuition and fees incidental to enrollment in
14 educational programs or use of facilities in the system. Except as otherwise provided
15 in this section, the board may charge any student who is not exempted by this section
16 a nonresident tuition. The board may establish special rates of tuition and fees for
17 the extension and summer sessions and such other studies or courses of instruction
18 as the board deems advisable.

19 SECTION 891r. 36.27 (1) (am) of the statutes is created to read:

20 36.27 (1) (am) The board may not increase academic fees for resident
21 undergraduate students beyond an amount sufficient to fund all of the following:

22 1. In a fiscal year beginning in an even-numbered year, the amount shown in
23 the schedule under s. 20.285 (1) (im) for that fiscal year and in a fiscal year beginning
24 in an odd-numbered year, the highest amount shown in the schedule under s. 20.285

1 (1) (im) for that fiscal year in the substitute amendment, offered by the joint
2 committee on finance, to the biennial budget bill; the engrossed biennial budget bill;
3 or the enrolled biennial budget bill.

4 2. The approved recommendations of the secretary of employment relations for
5 compensation and fringe benefits for classified staff, for unclassified employes
6 specified in s. 230.12 (1) (a) 1. b. and for unclassified employes specified in s. 230.12
7 (3) (e). If these recommendations have not been approved by the joint committee on
8 employment relations by the time the board sets academic fees, the board may raise
9 academic fees for resident undergraduate students by an amount sufficient to fund
10 the recommendations of the secretary of employment relations for compensation and
11 fringe benefits for classified staff and for unclassified employes specified in s. 230.12
12 (1) (a) 1. b. and the board's recommendations for unclassified employes specified in
13 s. 230.12 (3) (e). If the secretary of employment relations has not made
14 recommendations by the time the board sets academic fees, the board may raise
15 academic fees for resident undergraduate students by an amount sufficient to fund
16 the board's estimate of compensation and fringe benefits for classified staff and for
17 unclassified employes specified in s. 230.12 (1) (a) 1. b. and the board's
18 recommendations for unclassified employes specified in s. 230.12 (3) (e). If the board
19 sets academic fees based upon the board's estimate and the board's unapproved
20 recommendations, and the recommendations of the board and the secretary of
21 employment relations as finally approved by the joint committee on employment
22 relations call for a lower rate of compensation and fringe benefits than the board's
23 estimate and unapproved recommendations, the board shall lower academic student
24 fees for resident undergraduate students for the next academic year by an amount
25 equal to the difference between the academic fees charged and an amount sufficient

1 to fund the approved recommendations. If the board sets academic fees based upon
2 the board's estimate and unapproved recommendations, and the recommendations
3 of the board and the secretary of employment relations as finally approved by the
4 joint committee on employment relations call for a higher rate of compensation and
5 fringe benefits than the board's estimate and unapproved recommendations, the
6 board may raise academic student fees for resident undergraduate students for the
7 next academic year by an amount equal to the difference between the academic fees
8 charged and an amount sufficient to fund the approved recommendations.

9 3. The projected loss in revenue caused by a change in the number of enrolled
10 undergraduate, graduate, resident and nonresident students from the previous
11 academic year.

12 4. State-imposed costs not covered by general purpose revenue, as determined
13 by the board. Beginning on December 15, 2000, and annually thereafter, the board
14 shall report costs under this subdivision to the secretary of administration.

15 5. Distance education, nontraditional courses and intersession courses.

16 6. Differential tuition that is approved by the board and that is not included
17 in the amount shown in the schedule under s. 20.285 (1) (im).

18 **SECTION 891s.** 36.27 (1) (b) of the statutes is created to read:

19 36.27 (1) (b) Beginning on December 15, 2000, and annually thereafter, the
20 board shall submit a report to the legislature under s. 13.172 (2) containing the
21 amount by which expenditures from s. 20.285 (1) (im) in the previous fiscal year
22 exceeded the amount shown in the schedule for that appropriation in the previous
23 fiscal year, the purposes for which the additional revenues were spent and the
24 amount spent for each purpose.”.

1 **5.** Page 1558, line 23: after that line insert:

2 “(4t) TUITION. Notwithstanding section 36.27 (1) (a) of the statutes and section
3 36.27 (1) (am) of the statutes, as created by this act, the board of regents of the
4 University of Wisconsin System may not charge more in academic student fees for
5 resident undergraduate students in the 2000–01 academic year than it charged in
6 the 1999–2000 academic year.”

7 **(END)**