

2011  
LRB-1187

"/PI" inserts ...ect.  
(making of)  
"/PI"

Pt. 01

ii. (A)

## EDUCATION

### HIGHER EDUCATION

, including the UW-Madison, = 2M

Currently, the UW system consists of 13 four-year institutions, and 13 two-year

colleges. The UW system is governed by the Board of Regents, which consists of the state superintendent of public instruction, the president of the technical college system,

14 citizen members, and (2) <sup>two</sup> students. The

latter 16 members are appointed by the governor

and confirmed by the senate. There is a <sup>shared,</sup> hierarchical system of governance for the UW system. The Board of Regents has primary responsibility, followed

by the UW system president, the chancellors of the institutions, the

faculty, and the academic staff and students.

(no #) There are three boards, <sup>created in or</sup> attached to

the UW system. The Environmental Education

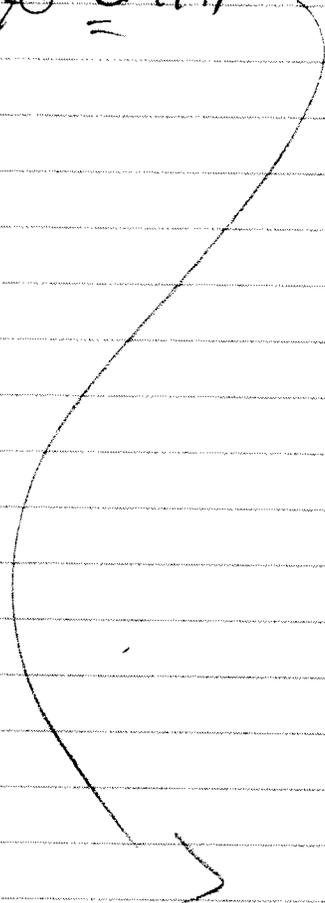
Board, the Laboratory of Hygiene Board,<sup>^</sup>  
and the Veterinary Diagnostic Laboratory.)

(9) This bill creates an authority,  
entitled the University of Wisconsin<sup>(=en)</sup> - Madison,<sup>^</sup>  
consisting of the current University of Wisconsin<sup>(=en)</sup> - Madison authority.  
The University of Wisconsin<sup>(=en)</sup> - Madison is governed  
by the Board of Trustees<sup>^</sup>, consisting of  
21 members; <sup>^</sup> 11 of whom are appointed  
by the governor<sup>^</sup>, and the chancellor<sup>^</sup>, who  
serves as a <sup>nonvoting</sup> nonvoting member. The chancellor  
is appointed by the Board of Trustees to serve  
at its pleasure and is the chief executive  
officer of the authority. The shared governance  
system is preserved.

The bill transfers all

~~the University of Wisconsin employees to the authority.~~

assets and liabilities of the UW-Madison,<sup>1</sup> including real property, and all incumbent UW-Madison employees,<sup>2</sup> to the authority Until



July 1, 2012, the authority must adhere  
 to the terms of any collective bargaining  
 agreement covering the employees, and the  
 authority is considered an agency under the  
 state employment relations laws for all  
 purposes. Beginning July 1, 2012, the  
 authority must implement its own personnel  
 system. Tenured faculty at the UW-Madison  
 retain their tenure at the authority. All contracts entered into by the Board of  
 Regents that are primarily related to the  
 operation of the UW-Madison, including  
 the contracts with the Board of Directors  
 of the UW Hospital and Clinics Authority,  
 are transferred to the Board of Trustees.  
 The Board of Trustees is not

~~authorize~~ to promulgate administrative  
 rules except for rules relating to  
 conduct on university property. The bill  
 authorizes the <sup>Board</sup> of Trustees ~~is authorized~~ to condemn property.

= INSERT ✓  
 ¶ The authority is  
 not a state agency and ~~is~~ therefore <sup>is</sup> not  
 required to deposit moneys that it  
 receives into the state treasury. It may  
~~set~~ ~~taxation~~ rates. However, it must  
 transfer <sup>daily</sup> to the state treasurer for  
 deposit into the local government <sup>pooled</sup> fund.

investment fund the collected cash balance  
 from all sources except gifts, grants, and  
 donations. The bill authorizes the Board of  
 Trustees to transfer <sup>and donations</sup> gifts, ~~and~~ grants to the  
<sup>UN</sup> University of Wisconsin Foundation.

(9) The bill abolishes the Laboratory of  
Hygiene Board and the Veterinary  
Diagnostic Laboratory Board and transfers  
 their functions to the authority.

See also STATE GOVERNMENT - STATE  
BUILDING PLAN and OTHER STATE  
GOVERNMENT



DOA:.....Boggs, BB0105 - Tuition authority; educational quality initiatives

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

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

*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**HIGHER EDUCATION**

Current law prohibits the Board of Regents of the UW System from increasing resident undergraduate tuition beyond an amount sufficient to fund certain specified costs and activities, including the amounts specified in the state budget act, the approved recommendations of the director of the Office of State Employment Relations for staff compensation and fringe benefits, and distance education.

This bill adds to the above list the cost of initiatives undertaken by the Board of Regents to improve the quality of undergraduate education.

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

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

2 SECTION 1. 36.27 (1) (am) 7. of the statutes is created to read:



(INSERT continued)

(w/ A) This bill places no limits on the amount of tuition that the authority may charge. ①

2011-2012 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-1187/P1insW  
MDK:.....

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**INSERT 7-1:**

**SECTION ~~11~~** 13.106 (title) of the statutes is amended to read:

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

**History:** 1973 c. 333; 1977 c. 418; 1983 a. 524; 1991 a. 39; 1995 a. 54.

DWS 13-8

Section #. 13.48 (13) (a) of the statutes is amended to read:

13.48 (13) (a) Except as provided in par. (b) or (c), every building, structure or facility that is constructed for the benefit of or use of the state, any state agency, board, commission or department, ~~the University of Wisconsin - Madison,~~ the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Quality Home Care Authority, or any local professional baseball park district created under subch. III of ch. 229 if the construction is undertaken by the department of administration on behalf of the district, shall be in compliance with all applicable state laws, rules, codes and regulations but the construction is not subject to the ordinances or regulations of the municipality in which the construction takes place except zoning, including without limitation because of enumeration ordinances or regulations relating to materials used, permits, supervision of construction or installation, payment of permit fees, or other restrictions.

**History:** ~~1971 c. 125; 1973 c. 90; 1973 c. 243 s. 82; 1973 c. 335 s. 13; 1975 c. 39, 40, 198, 199; 1977 c. 26; 1977 c. 29 ss. 7, 8r, 1654 (8) (c); 1977 c. 325; 1977 c. 418 ss. 5, 5m, 924 (18) (c); 1979 c. 34, 221, 350; 1981 c. 341; 1983 a. 27 ss. 11 to 12n, 2202 (5); 1983 a. 36 ss. 18 to 20, 96 (3); 1983 a. 207; 1985 a. 29, 120; 1987 a. 27, 186, 395, 399; 1989 a. 31, 366; 1991 a. 39, 269, 315; 1993 a. 16, 288, 414; 1995 a. 27, 216, 225, 227; 1997 a. 5, 27, 35, 237; 1999 a. 9; 1999 a. 150 s. 672; 1999 a. 197; 2001 a. 16, 103; 2003 a. 33 ss. 25 to 26i, 9160; 2003 a. 91; 2005 a. 25, 253, 391; 2007 a. 20; 2009 a. 28, 185, 361.~~

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71-9

Section #. 20.395 (5) (eg) (ef) of the statutes is created to read:

plain  
no safe

University of Wisconsin - Madison

20.395 (5) (eg) Payments to the Wisconsin Lions Education. From the general fund, all moneys received under s. 341.14 (6r) (b) (14) for payments to the Wisconsin Lions Foundation, Inc., under s. 341.14 (9) (10).

\*\*\* NOTE: but

History: 1971 c. 40 s. 93; 1971 c. 42, 107; 1971 c. 125 ss. 122 to 137, 522 (1); 1971 c. 197, 211, 215, 307; 1973 c. 90, 142, 243, 333, 336; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 200, 224, 270, 288, 340, 422; 1977 c. 29, 377, 418; 1979 c. 34 ss. 322e to 420, 574, 575; 1979 c. 221; 1981 c. 20 ss. 238 to 300, 2202 (51) (c), (e); 1981 c. 165, 234; 1981 c. 314 s. 146; 1981 c. 347 s. 80; 1981 c. 362; 1983 a. 27 ss. 270g to 315, 2202 (20); 1983 a. 243; 1985 a. 29 ss. 357 to 402, 3202 (51) (a); 1985 a. 65, 76, 341; 1987 a. 27, 137, 349, 369, 399, 403; 1989 a. 31, 56; 1991 a. 39, 104, 239, 269; 1993 a. 16, 285, 354, 437; 1995 a. 27, 113, 201, 338, 445; 1997 a. 27, 35, 135, 237, 255; 1999 a. 9, 109, 146, 167, 185; 2001 a. 16, 104, 109; 2003 a. 33, 64, 139, 220, 320; 2005 a. 25, 319, 335; 2007 a. 20, 42; 2009 a. 28, 224, 226, 276.

University of Wisconsin - Madison

4. for the special group specified in s. 341.14 (6r) (f) 47m.

INSERT 74-4:

SECTION ~~18~~ 20.866 (2) (t) of the statutes is amended to read:

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

\*\*\* NOTE: bud

**History:** 1971 c. 42; 1971 c. 100 s. 23; 1971 c. 125, 211, 215, 236, 307, 330, 336; 1973 c. 90 ss. 148 to 149m, 555m (2); 1973 c. 333; 1975 c. 26, 39, 40, 41, 200, 224, 422; 1977 c. 4, 6; 1977 c. 29 ss. 385 to 387, 1650m (4), 1656 (43); 1977 c. 418; 1979 c. 4; 1979 c. 34 ss. 675a to 677v, 2102 (6) (a), (39) (a), (52) (a); 1979 c. 107, 221; 1981 c. 1 ss. 17, 18, 47; 1981 c. 20, 108, 317, 336; 1983 a. 27; 1983 a. 36 s. 96 (4); 1983 a. 97, 192, 195, 212; 1983 a. 410 s. 2202 (2); 1985 a. 6; 1985 a. 8 ss. 4, 12; 1985 a. 29 ss. 589m to 598, 3202 (23) (c), (26) (a), (53) (a); 1985 a. 77, 120, 332; 1987 a. 27, 295, 298, 399, 403, 409; 1989 a. 31, 46, 107, 122, 219, 336, 359, 366; 1991 a. 39, 51, 269, 309, 324; 1993 a. 2, 16, 98, 115, 213, 343, 377, 413, 437, 453, 485; 1995 a. 27 ss. 1159 to 1168s, 9126 (19), 9145 (1); 1995 a. 40, 57, 60, 113; 1995 a. 216, s. 30m and 9127; 1995 a. 227, 246, 372, 388, 416, 452; 1997 a. 27, 35, 61, 164, 237, 252; 1999 a. 4, 9, 146; 1999 a. 150 s. 672; 1999 a. 184; 2001 a. 12, 16, 103, 109; 2003 a. 33, 64, 91, 129; 2005 a. 1, 22, 25, 102, 300; 2007 a. 5; 2007 a. 20 ss. 582 to 597s, 9121 (6) (a); 2007 a. 226; 2009 a. 28, 361.

126-19:1

37.17 Executive appointments. An appointment to an executive position, as determined by the board, shall be at the pleasure of the board. A person holding a tenured or academic staff appointment under s. 37.13<sup>✓</sup> or 37.15 does not lose that appointment by accepting an executive appointment.

(end ins)

126-22

③  
A (2) Thru NO  
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NO  
4 board may make or authorize appointments  
for staff other than faculty, academic staff,  
limited-term employees, ~~seasonal~~ <sup>seasonal</sup> employees,  
project employees, supervisors, management,  
employees or persons who are privy to  
confidential matters affecting the  
employer-employee relationship, persons identified  
in sub(1), persons whose employment is a  
necessary part of their training, student  
assistants, and student hourly help.

③  
A (3) NO  
4

175-11:J

Section #. 45.03 (13) (L) of the statutes is amended to read:

45.03 (13) (L) Provide verification to the educational institution of the information required under s. 36.27 (3p) (a) or 38.24 (8) (a).

**History:** 2005 a. 22, 25, 468; 2007 a. 20 ss. 782m, 783, 9121 (6) (a); 2007 a. 46, 200; 2009 a. 28.

, 37.27 (3p) (a);

175-11 : 2

Section #. 45.03 (13) (m) of the statutes is amended to read:

45.03 (13) (m) Provide verification to the educational institution of the information required under s. 36.27 (3n) (a) or 38.24 (7) (a).

**History:** 2005 a. 22, 25, 468; 2007 a. 20 ss. 782m, 783, 9121 (6) (a); 2007 a. 46, 200; 2009 a. 28.

37.27(3n)(a)

211-5 + 211-7

\*

211-5

1 255.054 (1) The Medical College of Wisconsin, Inc., and the University of  
 2 Wisconsin <sup>Carbone</sup> ~~Comprehensive~~ Cancer Center shall use the moneys appropriated under  
 3 ~~ss. 20.250 (2) (h) and 20.285 (1) (gm)~~ <sup>s.</sup> ~~(1) (gm)~~ for prostate cancer research projects.  
 4 These moneys may not be used to supplant funds available for prostate cancer  
 5 research from other sources.

the moneys paid under s. 71.10 (5h)(i)

\*\*\*\*NOTE: Is the appropriation change okay?

~~211-5~~

6 ~~SECTION 510.~~ 255.054 (2) of the statutes is amended to read:  
 7 255.054 (2) Annually by January 1, the Medical College of Wisconsin, Inc., and  
 8 the Board of Regents ~~Trustees~~ of the University of Wisconsin System shall each  
 9 report to the appropriate standing committees of the legislature under s. 13.172 (3)  
 10 and to the governor on the prostate cancer research projects each has conducted  
 11 under sub. (1) in the previous fiscal year.

211-17

12 ~~SECTION 511.~~ 255.055 (1) of the statutes is amended to read:  
 13 255.055 (1) The Medical College of Wisconsin, Inc., and the University of  
 14 Wisconsin <sup>Carbone</sup> ~~Comprehensive~~ Cancer Center shall use the moneys appropriated under  
 15 ~~ss. 20.250 (2) (g) and 20.285 (1) (gm)~~ <sup>s.</sup> ~~(1) (gm)~~ for breast cancer research projects.  
 16 These moneys may not be used to supplant funds available for breast cancer research  
 17 from other sources.

the moneys paid under s. 71.10 (5f)(i)

\*\*\*\*NOTE: Is the appropriation change okay?

18 ~~SECTION 512.~~ 255.055 (2) of the statutes is amended to read:  
 19 255.055 (2) Annually by January 1, the Medical College of Wisconsin, Inc., and  
 20 the Board of Regents ~~Trustees~~ of the University of Wisconsin System shall each  
 21 report to the appropriate standing committees of the legislature under s. 13.172 (3)  
 22 and to the governor on the breast cancer research projects each has conducted under  
 23 sub. (1) in the previous fiscal year.

Section #. 341.14 (9) of the statutes is created to read:

341.14 (9) (a) <sup>(10)</sup> ~~Subject to par. (c),~~ from the appropriation under s. 20.395 (5) <sup>(10)</sup> ~~(eg),~~ the department shall make payments to the ~~Wisconsin Lions Foundation, Inc.~~ <sup>(10)</sup> ~~University of Wisconsin -~~ <sup>(10)</sup> ~~Madison~~

~~(b) For each year in which the department makes payments under par. (a), the Wisconsin Lions Foundation, Inc., shall submit to the presiding officer of each house of the legislature an audited financial statement of its use of the payments under this subsection, prepared in accordance with generally accepted accounting principles.~~

Madison for the scholarship program under s. 37.44 ✓

~~(c) The department shall discontinue payments to the Wisconsin Lions Foundation, Inc., under this subsection if the Wisconsin Lions Foundation, Inc., dissolves, becomes insolvent, files a petition for bankruptcy, or is no longer exempt from taxation under section 501 (a) of the Internal Revenue Code.~~

~~(d) 1. The department may not issue any plates under sub. (6r) (f) 61m. unless the approval specified in sub. (6r) (b) 1. provides for all of the following:~~

~~a. That the approval is irrevocable with respect to all plates issued for vehicles after the plates are issued for these vehicles.~~

~~b. That, if the approval is withdrawn, the department may continue to renew the registration of vehicles previously issued plates under sub. (6r) (f) 61m., without replacing those plates, but the department shall discontinue charging the fee specified in sub. (6r) (b) 14. with respect to these renewals.~~

~~2. Notwithstanding sub. (6r) (b) 1. and (f) (intro.), if the approval specified in sub. (6r) (b) 1. is withdrawn, the department shall discontinue issuing plates under sub. (6r) (f) 61m. unless additional approval, as specified in sub. (6r) (b) 1. and this paragraph, is obtained by the department.~~

217-19

Section #. 349.13 (1j) of the statutes is amended to read:

349.13 (1j) The department, with respect to state trunk highways outside of corporate limits, and local authorities, with respect to highways under their jurisdiction including state trunk highways or connecting highways within corporate limits, may authorize persons to park their vehicles during specified hours on the near side of a highway adjacent to a schoolhouse located on property of the University of Wisconsin System when the persons are conducting business at the schoolhouse.

**History:** 1973 c. 248; 1975 c. 299; 1977 c. 29 ss. 1654 (3), (8) (a), 1656 (43); 1977 c. 116, 272, 418; 1979 c. 34, 59, 231, 276, 325; 1981 c. 227; 1981 c. 255 ss. 10, 11, 13; 1983 a. 77 s. 15; 1983 a. 213; 1985 a. 29; 1985 a. 87 s. 5; 1989 a. 304; 1991 a. 269, 316; 1993 a. 246; 1995 a. 448; 1997 a. 27, 159, 258; 1999 a. 85; 2003 a. 142; 2005 a. 326; 2009 a. 246.

or property of the University of Wisconsin <sup>(sen)</sup>  
Madison

159-16:1

Section #. 38.24 (7) (b) (intro.) of the statutes is amended to read:

38.24 (7) (b) (intro.) Except as provided in subds. 1. to 3. and par. (bg), the district board shall grant full remission of fees under sub. (1m) (a) to (c) for 128 credits or 8 semesters, whichever is longer, less the number of credits or semesters for which the person received remission of fees from any other district board under this subsection ~~and~~<sup>^</sup> from the Board of Regents under s. 36.27 (3n) (b) and less the amount of any fees paid under 38 USC 3319, to any resident student who is also any of the following:

**History:** 1971 c. 154, 211, 228; 1975 c. 39, 224; 1977 c. 29, 418; 1981 c. 20; 1983 a. 27; 1985 a. 29; 1987 a. 27; 1989 a. 31, 107, 336; 1991 a. 39 ss. 1103 to 1108m, 1117; 1993 a. 16, 223, 491; 1995 a. 27 s. 9126 (19); 1995 a. 77, 228; 1997 a. 27, 163, 292; 1999 a. 32 s. 97; 1999 a. 130, 154; 2003 a. 42; 2005 a. 22, 25, 253, 320, 468; 2007 a. 20 ss. 738mr to 741, 9121 (6) (a); 2007 a. 130; 2009 a. 28, 276.

^ and from the Board  
of Trustees under  
s. 37.27 (3n) (b) ^

159-16:2

Section #. 38.24 (8) (b) of the statutes is amended to read:

38.24 (8) (b) Except as provided in par. (bg), the district board shall grant full remission of the fees charged under sub. (1m) (a) to (c) for 128 credits or 8 semesters, whichever is longer, less the number of credits or semesters for which the person received remission of fees from any other district board under this subsection and from the Board of Regents under s. 36.27 (3p) and less the amount of any fees paid under 10 USC 2107 (c), 38 USC 3104 (a) (7) (A), or 38 USC 3313, to any student who is a veteran.

**History:** 1971 c. 154, 211, 228; 1975 c. 39, 224; 1977 c. 29, 418; 1981 c. 20; 1983 a. 27; 1985 a. 29; 1987 a. 27; 1989 a. 31, 107, 336; 1991 a. 39 ss. 1103 to 1108m, 1117; 1993 a. 16, 223, 491; 1995 a. 27 s. 9126 (19); 1995 a. 77, 228; 1997 a. 27, 163, 292; 1999 a. 32 s. 97; 1999 a. 130, 154; 2003 a. 42; 2005 a. 22, 25, 253, 320, 468; 2007 a. 20 ss. 738mr to 741, 9121 (6) (a); 2007 a. 130; 2009 a. 28, 276.

^ and from the Board  
of Trustees under  
s. 37.27 (3p);



Section #. 71.10 (5f) (i) of the statutes is amended to read:

I and payment

71.10 (5f) (i) Appropriations From the moneys received from designations for the breast cancer research program, an amount equal to the sum of administrative expenses, including data processing costs, certified under par. (h) 1. shall be deposited in the general fund and credited to the appropriation account under s. 20.566 (1) (hp), and, of the net amount remaining that is certified under par. (h) 3., an amount equal to 50 percent shall be credited to the appropriation account under s. 20.250 (2) (g) and an amount equal to 50 percent shall be ~~credited to the appropriation account under s. 20.285 (1) (gm).~~

History: 1987 a. 312; 1987 a. 411 ss. 94, 97, 176 to 179; 1987 a. 422 s. 4; 1989 a. 31, 56, 359; 1991 a. 39; 1993 a. 16, 184; 1995 a. 27, 209, 418, 453; 1997 a. 27, 63, 237, 248; 1999 a. 9, 167; 2001 a. 16, 109; 2003 a. 33, 99, 135, 176, 255, 321; 2005 a. 25, 49, 71, 74, 177, 178, 323, 361, 460, 479, 483; 2007 a. 1, 20, 96, 97; 2009 a. 2, 28, 89, 265, 269, 295, 332; s. 13.92 (1) (bm) 2., (2) (i).

paid to the University of Wisconsin - Madison for breast cancer research conducted by the University of Wisconsin <sup>Carbone</sup> Cancer Center =en

185-12 '2



Section #. 71.10 (5h) (i) of the statutes is amended to read:

I and payment

71.10 (5h) (i) ~~Appropriations, disbursement of funds to the fund~~ From the moneys received from designations for the prostate cancer research program, an amount equal to the sum of administrative expenses, including data processing costs, certified under par. (h) 1. shall be deposited in the general fund and credited to the appropriation account under s. 20.566 (1) (hp), and <sup>of</sup> the net amount remaining that is certified under par. (h) 3. ~~shall be credited to the appropriation accounts under ss. 20.250 (2) (h) and 20.285 (1) (gn)~~ <sup>an amount equal to 50 percent</sup> ~~of~~ <sup>↓ s.</sup> ~~of~~ <sup>account</sup> ~~of~~ for the use specified under s. 255.054 (1).

History: 1987 a. 312; 1987 a. 411 ss. 94, 97, 176 to 179; 1987 a. 422 s. 4; 1989 a. 31, 56, 359; 1991 a. 39; 1993 a. 16, 184; 1995 a. 27, 209, 418, 453; 1997 a. 27, 63, 237, 248; 1999 a. 9, 167; 2001 a. 16, 109; 2003 a. 33, 99, 135, 176, 255, 321; 2005 a. 25, 49, 71, 74, 177, 178, 323, 361, 460, 479, 483; 2007 a. 1, 20, 96, 97; 2009 a. 2, 28, 89, 265, 269, 295, 332; s. 13.92 (1) (bm) 2., (2) (i).

and an amount equal to 50 percent shall be paid to the University of Wisconsin - Madison

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**INSERT 28-4:**

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

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

**INSERT 227-1:**

(1) DUAL EMPLOYMENT. The repeal and recreation of section 16.417 (1) (a) of the statutes takes effect on January 1, 2012.

218-19

SEC. # CR. 452.12 (5) (d)

(B) ↓

452.12 (5) (d) Annually, the departmentshall pay to the University of Wisconsin -Madison \$10 of each renewal fee

received under this subsection for

support of the Center for Urban LandEconomics in the School of Businessat the University of Wisconsin - Madison

under s. 37.25 (34) ↓

2011-2012 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

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**INSERT 67-22:**

**SECTION ~~20~~** 20.285 (1) (jq) of the statutes is renumbered 20.280 (1) (jq) and amended to read:

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

*XXXXX*  
**History:** 1971 c. 40 s. 93; 1971 c. 100 s. 23; 1971 c. 125, 215, 236; 1971 c. 323 s. 27; 1973 c. 90, 301, 333, 340; 1975 c. 39; 1975 c. 41 s. 52; 1975 c. 198 s. 63; 1975 c. 224; 1977 c. 29; 1977 c. 418 ss. 91 to 92, 924 (50), 929 (55); 1977 c. 422; 1977 c. 447 s. 206; 1979 c. 34, 221; 1981 c. 20; 1983 a. 27 ss. 213 to 215m, 2202 (20); 1983 a. 237; 1983 a. 333 s. 6; 1985 a. 29, 120, 339; 1987 a. 27, 399; 1989 a. 31; 1989 a. 56 s. 259; 1989 a. 269, 335, 353; 1991 a. 39, 167, 269; 1993 a. 16, 455; 1995 a. 27 ss. 600m to 615m, 1080b, 1085b, 1086b; 1995 a. 227, 228; 1997 a. 27 s. 257m, 263m, 271 to 281; 1997 a. 237, 252; 1999 a. 9, 32, 107; 1999 a. 150 s. 672; 2001 a. 16, 103, 109; 2003 a. 33, 176, 321; 2005 a. 25, 460; 2007 a. 20 ss. 248m to 262, 9121 (6) (a); 2009 a. 28 ss. 211, 215, 253m to 262m; 2009 a. 190, 265.

**INSERT 78-2:**

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**SECTION ~~25~~** 25.29 (7) (intro.) of the statutes is amended to read:

25.29 (7) (intro.) All of the proceeds of the tax which is levied under s. 70.58, and all moneys paid into the state treasury as the counties' share of compensation of emergency fire wardens under s. 26.14 shall be used for acquiring, preserving and developing the forests of the state, including the acquisition of lands owned by

1 counties by virtue of any tax deed and of other lands suitable for state forests, and  
 2 for the development of lands so acquired and the conduct of forestry thereon,  
 3 including the growing and planting of trees; for forest and marsh fire prevention and  
 4 control; for grants to forestry cooperatives under s. ~~36.56~~ 37.56; for compensation of  
 5 emergency fire wardens; for maintenance, permanent property and forestry  
 6 improvements; for other forestry purposes authorized by law and for the payment of  
 7 aid for forests as authorized in s. 28.11 and subchs. I and VI of ch. 77.

History: 1971 c. 125; 1973 c. 90; 1977 c. 29; 1977 c. 418 ss. 244, 245, 929 (37); 1979 c. 34 ss. 707v, 2102 (39) (a); 1979 c. 221; 1979 c. 361 s. 113; 1983 a. 27 ss. 636m, 637, 2202 (38); 1985 a. 29 ss. 638g, 3202 (39); 1985 a. 135; 1987 a. 27; 1987 a. 312 s. 17; 1989 a. 31; 1991 a. 39, 269; 1995 a. 27; 1995 a. 257 s. 3; 1997 a. 1, 27, 248; 1999 a. 9; 2001 a. 16, 56, 105; 2003 a. 166; 2007 a. 204; 2009 a. 28.

**INSERT 93-17:**

SECTION ~~#~~ 36.56 of the statutes is repealed.

**INSERT 159-17:**

SECTION ~~#~~ 38.23 (4) of the statutes is amended to read:

38.23 (4) Nothing in this section or s. 36.12 or 37.12 prevents institutions from  
 segregating students in dormitories based on sex.

History: 1989 a. 186.

**INSERT 184-9:**

SECTION ~~#~~ 70.58 (1) of the statutes is amended to read:

70.58 (1) Except as provided in sub. (2), there is levied an annual tax of  
 two-tenths of one mill for each dollar of the assessed valuation of the property of the  
 state as determined by the department of revenue under s. 70.57, for the purpose of  
 acquiring, preserving and developing the forests of the state and for the purpose of  
 forest crop law and county forest law administration and aid payments, for grants  
 to forestry cooperatives under s. ~~36.56~~ 37.56, and for the acquisition, purchase and  
 development of forests described under s. 25.29 (7) (a) and (b), the proceeds of the tax  
 to be paid into the conservation fund. The tax shall not be levied in any year in which

1 general funds are appropriated for the purposes specified in this section, equal to or  
2 in excess of the amount which the tax would produce.

3 **History:** 1975 c. 39 s. 734; 1977 c. 29, 418; 1979 c. 34; 1983 a. 27; 1989 a. 359; 1999 a. 9; 2005 a. 25.

**INSERT 210-20:**

4 **SECTION ~~4~~ 254.61 (5) (f)** of the statutes is amended to read:

5 254.61 (5) (f) Any college campus, as defined in s. 36.05 (6m), institution as  
6 defined in s. 36.51 (1) (b), university, as defined in s. 37.01 (9), or technical college that  
7 serves meals only to the students enrolled in the college campus, institution,  
8 university, or school or to authorized elderly persons under s. 36.51, 37.51, or 38.36.

**History:** 1973 c. 190; 1975 c. 189; 1975 c. 413 s. 13; Stats. 1975 s. 50.50; 1983 a. 163, 189, 203, 538; 1985 a. 135; 1987 a. 27, 307; 1989 a. 269, 354, 359; 1993 a. 27 s. 65; Stats. 1993 s. 254.61; 1993 a. 399; 1997 a. 27, 237; 1999 a. 135; 2005 a. 348; 2007 a. 67, 97.

**INSERT 220-14:**

9 **SECTION ~~4~~ 778.25 (1) (a) 5.** of the statutes is amended to read:

10 778.25 (1) (a) 5. Under administrative rules promulgated by the ~~board of~~  
11 ~~regents~~ Board of Regents of the University of Wisconsin System under s. 36.11 (1) (c)  
12 or the Board of Trustees of the University of Wisconsin-Madison under s. 37.11 (1m)  
13 (c) brought against an adult in circuit court or against a minor in the court assigned  
14 to exercise jurisdiction under chs. 48 and 938.  
15

**History:** 1979 c. 331, 359; 1981 c. 79 s. 18; 1981 c. 317; 1983 a. 74 ss. 30, 32; 1983 a. 336; 1985 a. 254; 1987 a. 27, 336, 399; 1989 a. 31, 121, 179; 1991 a. 134, 194; 1995 a. 77, 174, 352, 448; 1997 a. 27, 288, 290; 1999 a. 9; 2001 a. 75; 2003 a. 139, 193; 2005 a. 116, 306; 2009 a. 90.

1 Insert 197-20

2 ~~SECTION #~~ 111.81 (7) (h) of the statutes is created to read:

3 111.81 (7) (h) Staff appointed by the Board of Trustees of the University of  
4 Wisconsin-Madison under s. 37.19 (2), except limited term employees, sessional  
5 employees, project employees, supervisors, management employees, and individuals  
6 who are privy to confidential matters affecting the employer-employee relationship.

7 ~~SECTION #~~ 111.81 (8) of the statutes is amended to read:

8 111.81 (8) “Employer” means the state of Wisconsin, or, with respect to the  
9 employees under sub. (7) (h), the University of Wisconsin-Madison.

History: 1971 c. 270; 1975 c. 238; 1977 c. 196; 1981 c. 112; 1983 a. 160, 189, 538; 1985 a. 29, 42; 1989 a. 31; 1993 a. 492; 1995 a. 27, 324; 1997 a. 35; 2001 a. 16; 2003 a. 33 ss. 1987m, 1988m, 9160; 2009 a. 28.

10 ~~SECTION #~~ 111.81 (15m) of the statutes is amended to read:

11 111.81 (15m) “Program assistant” or “project assistant” means a graduate  
12 student enrolled in the University of Wisconsin System or at the University of  
13 Wisconsin-Madison who is assigned to conduct research, training, administrative  
14 responsibilities or other academic or academic support projects or programs, except  
15 regular preparation of instructional materials for courses or manual or clerical  
16 assignments, under the supervision of a member of the faculty or academic staff, as  
17 defined in s. 36.05 (1) or (8) or 37.01 (5), primarily for the benefit of the university,  
18 faculty or academic staff supervisor or a granting agency. “Project assistant” or  
19 “program assistant” does not include a graduate student who does work which is  
20 primarily for the benefit of the student’s own learning and research and which is  
21 independent or self-directed.

History: 1971 c. 270; 1975 c. 238; 1977 c. 196; 1981 c. 112; 1983 a. 160, 189, 538; 1985 a. 29, 42; 1989 a. 31; 1993 a. 492; 1995 a. 27, 324; 1997 a. 35; 2001 a. 16; 2003 a. 33 ss. 1987m, 1988m, 9160; 2009 a. 28.

22 ~~SECTION #~~ 111.81 (17m) of the statutes is amended to read:

1           111.81 (17m) "Research assistant" means a graduate student enrolled in the  
 2   University of Wisconsin System or at the University of Wisconsin-Madison who is  
 3   receiving a stipend to conduct research that is primarily for the benefit of the  
 4   student's own learning and research and which is independent or self-directed, but  
 5   does not include students provided fellowships, scholarships, or traineeships which  
 6   are distributed through other titles such as advanced opportunity fellow, fellow,  
 7   scholar, or trainee, and does not include students with either an F-1 or a J-1 visa  
 8   issued by the federal department of state.

History: 1971 c. 270; 1975 c. 238; 1977 c. 196; 1981 c. 112; 1983 a. 160, 189, 538; 1985 a. 29, 42; 1989 a. 31; 1993 a. 492; 1995 a. 27, 324; 1997 a. 35; 2001 a. 16; 2003 a. 33 ss. 1987m, 1988m, 9160; 2009 a. 28.

9           ~~SECTION 111.81~~ 111.81 (19m) of the statutes is amended to read:

10           111.81 (19m) "Teaching assistant" means a graduate student enrolled in the  
 11   University of Wisconsin System or at the University of Wisconsin-Madison who is  
 12   regularly assigned teaching and related responsibilities, other than manual or  
 13   clerical responsibilities, under the supervision of a member of the faculty as defined  
 14   in s. 36.05 (8) or 37.01 (5).

History: 1971 c. 270; 1975 c. 238; 1977 c. 196; 1981 c. 112; 1983 a. 160, 189, 538; 1985 a. 29, 42; 1989 a. 31; 1993 a. 492; 1995 a. 27, 324; 1997 a. 35; 2001 a. 16; 2003 a. 33 ss. 1987m, 1988m, 9160; 2009 a. 28.

15           ~~SECTION 111.815~~ 111.815 (1) of the statutes is amended to read:

16           111.815 (1) In the furtherance of this subchapter, the state shall be considered  
 17   as a single employer and employment relations policies and practices throughout the  
 18   state service shall be as consistent as practicable. The office shall negotiate and  
 19   administer collective bargaining agreements except that the department of health  
 20   services, subject to the approval of the federal centers for medicare and medicaid  
 21   services to use collective bargaining as the method of setting rates for  
 22   reimbursement of home care providers, shall negotiate and administer collective  
 23   bargaining agreements entered into with the collective bargaining unit specified in

1 s. 111.825 (2g). To coordinate the employer position in the negotiation of agreements,  
 2 the office, or the department of health services with regard to collective bargaining  
 3 agreements entered into with the collective bargaining unit specified in s. 111.825  
 4 (2g), shall maintain close liaison with the legislature relative to the negotiation of  
 5 agreements and the fiscal ramifications of those agreements. Except with respect  
 6 to the collective bargaining units specified in s. 111.825 (1g), (1m), (2) (f), and (2g),  
 7 the office is responsible for the employer functions of the executive branch under this  
 8 subchapter, and shall coordinate its collective bargaining activities with operating  
 9 state agencies on matters of agency concern. The legislative branch shall act upon  
 10 those portions of tentative agreements negotiated by the office that require  
 11 legislative action. With respect to the collective bargaining units specified in s.  
 12 111.825 (1g), the University of Wisconsin-Madison is responsible for the employer  
 13 functions under this subchapter. With respect to the collective bargaining units  
 14 specified in s. 111.825 (1m), the University of Wisconsin Hospitals and Clinics Board  
 15 is responsible for the employer functions under this subchapter. With respect to the  
 16 collective bargaining unit specified in s. 111.825 (2) (f), the governing board of the  
 17 charter school established by contract under s. 118.40 (2r) (cm) is responsible for the  
 18 employer functions under this subchapter. With respect to the collective bargaining  
 19 unit specified in s. 111.825 (2g), the department of health services is responsible for  
 20 the employer functions of the executive branch under this subchapter.

History: 1977 c. 196; 1983 a. 27 s. 2200 (15); 1985 a. 42; 1989 a. 31; 1995 a. 27; 2001 a. 16, 104; 2003 a. 33; 2009 a. 28.

21 ~~SECTION 111.815~~ SECTION 111.815 (2) of the statutes is amended to read:

22 111.815 (2) In the furtherance of the policy under s. 111.80 (4), the director of  
 23 the office shall, together with the appointing authorities or their representatives,  
 24 represent the state in its responsibility as an employer under this subchapter except

1 with respect to negotiations in the collective bargaining units specified in s. 111.825  
2 (1g), (1m), (2) (f), and (2g). The director of the office shall establish and maintain,  
3 wherever practicable, consistent employment relations policies and practices  
4 throughout the state service.

History: 1977 c. 196; 1983 a. 27; 1985 a. 2200 (15); 1985 a. 42; 1989 a. 31; 1995 a. 27; 2001 a. 16, 104; 2003 a. 33; 2009 a. 28.

5 ~~SECTION 111.825~~ 111.825 (1g) of the statutes is created to read:

6 111.825 (1g) Collective bargaining units at the University of  
7 Wisconsin-Madison are structured with one or more collective bargaining units for  
8 each of the following groups:

9 (a) Program assistants; project assistants; and teaching assistants of the  
10 University of Wisconsin-Madison.

11 (b) Research assistants of the University of Wisconsin-Madison.

12 (c) Employees under s. 111.81 (7) (h) who are not included under par. (a) or (b).

13 ~~SECTION 111.825~~ 111.825 (2) (a) of the statutes is amended to read:

14 111.825 (2) (a) The program, project and teaching assistants of the University  
15 of Wisconsin-Madison and the University of Wisconsin-Extension.

History: 1985 a. 29; 1985 a. 42 ss. 4 to 6, 8, 18; 1985 a. 332; 1987 a. 331; 1989 a. 31; 1995 a. 27, 251, 324; 1997 a. 24; 2001 a. 16; 2005 a. 253; 2009 a. 28.

16 ~~SECTION 111.825~~ 111.825 (2) (g) of the statutes is amended to read:

17 111.825 (2) (g) Research assistants of the University of Wisconsin-Madison  
18 and University of Wisconsin-Extension.

History: 1985 a. 29; 1985 a. 42 ss. 4 to 6, 8, 18; 1985 a. 332; 1987 a. 331; 1989 a. 31; 1995 a. 27, 251, 324; 1997 a. 24; 2001 a. 16; 2005 a. 253; 2009 a. 28.

19 ~~SECTION 111.825~~ 111.825 (3) of the statutes is amended to read:

20 111.825 (3) The commission shall assign employees to the appropriate  
21 collective bargaining units set forth in subs. (1), (1g), (1m), (2), and (2g).

History: 1985 a. 29; 1985 a. 42 ss. 4 to 6, 8, 18; 1985 a. 332; 1987 a. 331; 1989 a. 31; 1995 a. 27, 251, 324; 1997 a. 24; 2001 a. 16; 2005 a. 253; 2009 a. 28.

22 ~~SECTION 111.825~~ 111.825 (4) of the statutes is amended to read:

1           111.825 (4) Any labor organization may petition for recognition as the exclusive  
 2 representative of a collective bargaining unit specified in sub. (1), ~~(1g)~~, (1m), (2), or  
 3 (2g) in accordance with the election procedures set forth in s. 111.83, provided the  
 4 petition is accompanied by a 30% showing of interest in the form of signed  
 5 authorization cards. Each additional labor organization seeking to appear on the  
 6 ballot shall file petitions within 60 days of the date of filing of the original petition  
 7 and prove, through signed authorization cards, that at least 10% of the employees  
 8 in the collective bargaining unit want it to be their representative.

**History:** 1985 a. 29; 1985 a. 42 ss. 4 to 6, 8, 18; 1985 a. 332; 1987 a. 331; 1989 a. 31; 1995 a. 27, 251, 324; 1997 a. 24; 2001 a. 16; 2005 a. 253; 2009 a. 28.

9           ~~SECTION 111.84~~ 111.84 (2) (c) of the statutes is amended to read:

10           111.84 (2) (c) To refuse to bargain collectively on matters set forth in s. 111.91  
 11 (1) with the duly authorized officer or agent of the employer which is the recognized  
 12 or certified exclusive collective bargaining representative of employees specified in  
 13 s. 111.81 (7) (a) in an appropriate collective bargaining unit or with the certified  
 14 exclusive collective bargaining representative of employees specified in s. 111.81 (7)  
 15 (b) to ~~(g)~~ (h) in an appropriate collective bargaining unit. Such refusal to bargain  
 16 shall include, but not be limited to, the refusal to execute a collective bargaining  
 17 agreement previously orally agreed upon.

**History:** 1971 c. 270; 1973 c. 212; 1983 a. 160; 1985 a. 42; 1989 a. 13, 31; 1991 a. 289; 1993 a. 492; 1995 a. 27; 2001 a. 16; 2009 a. 28, 289.

18           ~~SECTION 111.915~~ 111.915 of the statutes is amended to read:

19           **111.915 Labor proposals.** The Except with respect to a collective bargaining  
 20 unit specified in s. 111.825 (1g), the director of the office shall notify and consult with  
 21 the joint committee on employment relations, in such form and detail as the  
 22 committee requests, regarding substantial changes in wages, employee benefits,  
 23 personnel management, and program policy contract provisions to be included in any

1 contract proposal to be offered to any labor organization by the state or to be agreed  
2 to by the state before such proposal is actually offered or accepted.

History: 1977 c. 196; 2003 a. 33.

3 ~~SECTION 111.92~~ 111.92 (1) (am) of the statutes is created to read:

4 111.92 (1) (am) Any tentative agreement reached between the University of  
5 Wisconsin-Madison, acting for the state, and any labor organization representing a  
6 collective bargaining unit specified in s. 111.825 (1g) shall, after official ratification  
7 by the labor organization, be executed by the parties.

8 ~~SECTION 111.93~~ 111.93 (2) of the statutes is amended to read:

9 111.93 (2) All civil service and other applicable statutes concerning wages,  
10 fringe benefits, hours and conditions of employment apply to employees specified in  
11 s. 111.81 (7) (a) who are not included in collective bargaining units for which a  
12 representative is recognized or certified and to employees specified in s. 111.81 (7)  
13 (b) to (f) and (h) who are not included in a collective bargaining unit for which a  
14 representative is certified.

History: 1971 c. 270, 336; 1977 c. 196 s. 131; 1981 c. 187; 1983 a. 46, 409; 1985 a. 42; 1989 a. 13, 31; 1999 a. 101, 125; 2001 a. 16, 38.

15 ~~SECTION 111.93~~ 111.93 (3) of the statutes is amended to read:

16 111.93 (3) Except as provided in ss. 7.33 (4), 40.05, 40.80 (3), 111.91 (1) (cm),  
17 230.35 (2d) and (3) (e) 6., and 230.88 (2) (b), if a collective bargaining agreement  
18 exists between the employer and a labor organization representing employees in a  
19 collective bargaining unit, the provisions of that agreement shall supersede the  
20 provisions of civil service and other applicable statutes, as well as rules and policies  
21 of the board of regents of the University of Wisconsin System and rules and policies  
22 of the Board of Trustees of the University of Wisconsin-Madison, related to wages,  
23 fringe benefits, hours, and conditions of employment whether or not the matters

1 contained in those statutes, rules, and policies are set forth in the collective  
2 bargaining agreement.

3 **History:** 1971 c. 270, 336; 1977 c. 106 s. 131; 1981 c. 187; 1983 a. 46, 409; 1985 a. 42; 1989 a. 13, 31; 1999 a. 101, 125; 2001 a. 16, 38.

3 **SECTION ~~13~~ 111.935 (2)** of the statutes is amended to read:

4 111.935 (2) Notwithstanding s. 111.83 (2), the commission shall establish a  
5 procedure whereby research assistants may determine whether to form themselves  
6 into collective bargaining units under s. 111.825 (1g) (b) or (2) (g), (h), or (i) by  
7 authorization cards in lieu of secret ballot. The procedure shall provide that once a  
8 majority of research assistants have indicated their preference on the authorization  
9 cards to form themselves into a collective bargaining unit, the collective bargaining  
10 unit is established.

**History:** 2009 a. 28.

91  
\*\*\*\*NOTE: This subch. IV of chapter 111 is substantially affected by the Special Session Budget Repair Bill. It will need to be reconciled with the Act; I have not included those treatments because it may be amended as it travels through the legislative process. Subchapter VI is being repealed by that bill. If any part is not repealed, we will amend those sections in this bill after the budget repair bill passes both houses.



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-1187/P1  
MDK&PG:wj&jld:all

DOA:.....Boggs, BB0258 - Create authority for UW-Madison

FOR 2011-13 BUDGET - NOT READY FOR INTRODUCTION

PP 1, 2, 20, 26, 28,  
45, 50, 55, 70, 82,  
86, 98, 102,  
103, 106, 109,  
119, 166, 188,  
190, 196, 204,  
208, 210

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

Analysis by the Legislative Reference Bureau

EDUCATION

HIGHER EDUCATION

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

shared

6.1e

This bill creates an authority entitled the University of Wisconsin-Madison, consisting of the current UW-Madison. The authority is governed by the Board of Trustees, consisting of 21 members. 11 of whom are appointed by the governor, and the chancellor, who serves as a nonvoting member. The chancellor is appointed by the Board of Trustees to serve at its pleasure and is the chief executive officer of the authority. The shared governance system is preserved.

a

The bill transfers all assets and liabilities of the UW-Madison, including real property, and all incumbent UW-Madison employees, to the authority. Until July