

**2013 Assembly Bill 729 (LRB -4166)**

An Act to create 19.36 (14), 36.11 (55m) and 36.45 (4) of the statutes; relating to: classified research at University of Wisconsin System institutions and exemption from open records requirements.

**2014**

02-04.	A.	Introduced by Representatives <b>Kuglitsch, Strachota, Kahl, Knodl, Ripp, August, Craig, Pridemore</b> and <b>Wright</b> ; cosponsored by Senators <b>Farrow</b> and <b>Cowles</b> .....	578
02-04.	A.	Read first time and referred to Committee on Colleges and Universities .....	578
02-10.	A.	Public hearing held	
02-12.	A.	Representative Ballweg added as a coauthor .....	617
02-12.	A.	Assembly Amendment 1 offered by Representatives Kuglitsch and Nass ( <b>LRB a1677</b> ) .....	617
02-18.	A.	Executive action taken	
02-18.	A.	Report Assembly Amendment 1 adoption recommended by Committee on Colleges and Universities, Ayes 13, Noes 0 .....	648
02-18.	A.	Report passage as amended recommended by Committee on Colleges and Universities, Ayes 13, Noes 0 .....	648
02-18.	A.	Referred to Committee on Rules .....	648
02-18.	A.	Placed on calendar 2-20-2014 by Committee on Rules	
02-20.	A.	Representative Barca added as a coauthor .....	692
02-20.	A.	Read a second time .....	692
02-20.	A.	<b>Assembly Amendment 1 adopted</b> .....	692
02-20.	A.	Ordered to a third reading .....	692
02-20.	A.	Rules suspended .....	692
02-20.	A.	Read a third time and <b>passed</b> .....	692
02-20.	A.	Ordered immediately messaged .....	692
02-21.	S.	Received from Assembly .....	706
02-24.	S.	Read first time and referred to committee on Universities and Technical Colleges .....	711
03-05.	S.	Public hearing held	
03-27.	S.	Executive action taken	
03-28.	S.	Report concurrence recommended by Committee on Universities and Technical Colleges, Ayes 5, Noes 0 .....	820
03-28.	S.	Available for scheduling	
03-31.	S.	Placed on calendar 4-1-2014 pursuant to Senate Rule 18(1) .....	822
04-01.	S.	Read a second time	
04-01.	S.	Ordered to a third reading	
04-01.	S.	Rules suspended	
04-01.	S.	Read a third time and <b>concurred in</b>	
04-01.	S.	Ordered immediately messaged	
04-02.	A.	Received from Senate concurred in .....	818

**2013**  
**ENROLLED BILL**

13en A B-729

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**ADOPTED DOCUMENTS:**

**Orig**     **Engr**         **SubAmdt**     

13-416612

**Amendments to above (if none, write "NONE"):** AA1 - a 1677/1

**Corrections - show date (if none, write "NONE"):** None

**Topic** Rel as amended

4-3-14

**Date**

JRM

**Enrolling Drafter**



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LRB-4166/2  
MDK:kjf:jm

## 2013 ASSEMBLY BILL 729

February 4, 2014 - Introduced by Representatives KUGLITSCH, STRACHOTA, KAHL, KNODL, RIPP, AUGUST, CRAIG, PRIDEMORE and WRIGHT, cosponsored by Senators FARROW and COWLES. Referred to Committee on Colleges and Universities.

1 AN ACT to create 19.36 (14), 36.11 (55m) and 36.45 (4) of the statutes; relating  
2 to: classified research at University of Wisconsin System institutions and  
3 exemption from open records requirements.

INS  
AAI-1

### *Analysis by the Legislative Reference Bureau*

Under this bill, if certain requirements are satisfied, the Board of Regents of the University of Wisconsin (UW) System may accept research contracts involving government security classifications or similar restrictions on participation in the research or access to, or dissemination of, research results. The requirements that must be satisfied are as follows. First, the research must further national security interests. Second, the educational interests of all participating students must be adequately protected. Third, appropriate facilities, infrastructure, and administrative resources must be available for the research, either on campus or at off-campus locations. Fourth, the sponsors of the research must cover all additional costs associated with the security requirements of the research. Finally, the conditions for accepting the contracts and conducting the research must be established pursuant to processes approved by the chancellors of the UW institutions at which the research is to be conducted. The bill requires the chancellors to consult with faculty in approving those processes.

The bill also provides that certain information of public higher education institutions is exempt from inspection or copying under the open records law. The information subject to the exemption is information, data, or records produced or collected by or for faculty or staff of such institutions as a result of study or research

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on commercial, scientific, or technical subjects. The exemption applies whether or not the study or research is sponsored by the institution alone or in conjunction with a governmental body or private concern. The exemption expires when the information is publicly released, published, or patented.

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

1       **SECTION 1.** 19.36 (14) of the statutes is created to read:

2           19.36 (14) HIGHER EDUCATION INTELLECTUAL PROPERTY RECORDS. An authority  
3       may withhold access to information, data, or records produced or collected by or for  
4       faculty or staff of public institutions of higher education in the conduct of or as a  
5       result of study or research on commercial, scientific, or technical subjects, whether  
6       sponsored by the institution alone or in conjunction with a governmental body or  
7       private concern, until such information, data, or records have been publicly released,  
8       published, or patented.

9       **SECTION 2.** 36.11 (55m) of the statutes is created to read:

10       36.11 (55m) CLASSIFIED RESEARCH. The board may accept research contracts  
11       involving government security classifications or other similar restrictions on  
12       participation in research or access to or dissemination of research results, if all of the  
13       following are satisfied:

14           (a) The research furthers national security interests.

15           (b) The educational interests of all participating students are adequately  
16       protected.

17           (c) Appropriate facilities, infrastructure, and administrative resources are  
18       available for the research, either on campus or at off-campus locations.

19           (d) The sponsors of the research cover all additional costs associated with the  
20       security requirements of the research.





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MDK:kjf:jm

ASSEMBLY AMENDMENT 1,  
TO ASSEMBLY BILL 729

February 12, 2014 – Offered by Representatives KUGLITSCH and NASS.

1 At the locations indicated, amend the bill as follows:

2 1. Page 1, line 2: delete “institutions and” and substitute “institutions”.

3 2. Page 1, line 3: delete that line.

4 3. Page 2, line 1: delete lines 1 to 8.

5 (END)

AA 1-1