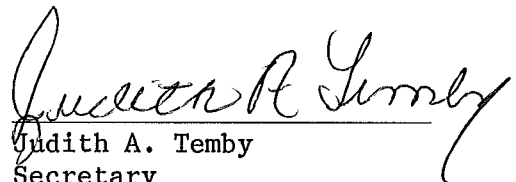


STATE OF WISCONSIN )  
BOARD OF REGENTS OF )  
THE UNIVERSITY OF )  
WISCONSIN SYSTEM )

I, Judith A. Temby, Secretary of the Board of Regents of the University of Wisconsin System and custodian of the official records, certify that the annexed rules, relating to conduct on university lands, were duly approved and adopted by the Board on July 12, 1991. I further certify that this copy has been compared by me with the original on file with the Board and that it is a true copy of the original, and of the whole of the original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Board of Regents of the University of Wisconsin System at 1860 Van Hise Hall, 1220 Linden Drive, in the city of Madison, this 30<sup>th</sup> day of September, 1991.

  
Judith A. Temby  
Secretary  
Board of Regents of the  
University of Wisconsin  
System

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OCT 1 1991  
10:30am  
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OCT - 1 1997

ORDER OF THE BOARD OF REGENTS OF  
THE UNIVERSITY OF WISCONSIN SYSTEM  
ADOPTING AND AMENDING RULESRevisor of Statutes  
Bureau

Agency contact persons: Patricia B. Hodulik (262-6497); Judith A. Temby  
(262-2324)

## [INTRODUCTORY CLAUSE]

The Board of Regents of the University of Wisconsin System proposes an order to amend and create rules in Chapter UWS 18, Wisconsin Administrative Code, relating to conduct on university lands.

## [PLAIN LANGUAGE ANALYSIS PREPARED BY THE UW SYSTEM]

Pursuant to s. 36.11(1)(a) and (c), Wis. Stats., the Board of Regents of the University of Wisconsin System ("Board") is authorized to promulgate rules regulating conduct on university lands, and to establish penalties for violations. Rules on this subject are set forth in Chapter UWS 18, Wis. Adm. Code. Violations of these rules are currently treated as criminal matters, subject to maximum penalties of a fine of not more than \$500 and/or imprisonment for not more than 90 days, and enforcement through the criminal justice system. Recent legislative amendments to s. 778.25, Wis. Stats., permit the use of a citation procedure to enforce violations of the rules promulgated by the Board in Chapter UWS 18. The legislative change allows violations of Chapter UWS 18 to be treated as civil matters, with a maximum penalty of a forfeiture of not more than \$500, and enforcement under the civil forfeiture provisions of Chapter 778, Stats.

This order amends s. UWS 18.07 to change the penalties for violating Chapter UWS 18 from fines and/or imprisonment to forfeitures. Other amendments make a variety of corrections or clarifications in existing rules to ensure consistency with current statutory provisions, and proper citation of references. In addition, new sections prohibiting certain defined conduct are created. These, too, would be handled through the citation procedure and civil forfeiture provisions of Chapter 778, Stats. The new provisions include prohibitions on skateboards, disorderly conduct, various types of minor theft and fraud, improper use of university identification cards, improper use of telephones, false fire alarms, possession of marijuana, and possession of fireworks.

## [TEXT OF RULE]

SECTION 1. UWS 18.03(2) is amended to read:

UWS 18.03(2) ~~Peace~~ Uniformed peace officers shall be identified by an appropriate shield or badge bearing the word "Police" and a number or name plate, which shall be conspicuously worn when enforcing ~~§§//UWS/~~

~~18/04/and/18/03~~ this chapter. Peace officers assigned to non-uniformed duties shall identify themselves with an appropriate badge or police identification card when enforcing this chapter.

SECTION 2. UWS 18.05(6) is amended to read:

UWS 18.05(6) Any person who violates any of the provisions of ~~§//UWS~~ ~~18/03~~ this section may be fined up to ~~\$25~~ 200. Each institution shall establish a schedule of fines, which may include penalties for late payment.

SECTION 3. UWS 18.06(5), (10)(a) and (c), (22)(b) and (d), (27), and (28)(a) are amended to read:

UWS 18.06(5) ANIMALS. The ~~present~~ presence of dogs, cats, and other pets is prohibited in all university buildings and in arboretums at all times except as authorized by the chief administrative officer.

~~Seeing-eye/dogs/wearing/harnesses/and/under/the/control/of/their/owners~~  
Dogs specially trained or being specially trained to lead blind or deaf persons or to provide support for mobility-impaired persons, and wearing harnesses or leashes and special capes, shall be exempt from these provisions. The presence of dogs, cats and other pets shall be prohibited on all other university lands unless they are on ~~leasé~~ leash under the control of and accompanied by a person. Any dog, cat or other pet found in violation of this subsection may be impounded and its owner subject to the penalty provisions in s. UWS 18.07.

UWS 18.06(10) ~~FIREARMS/~~ DANGEROUS WEAPONS. (a) No person may carry, possess or use ~~firearms~~ any dangerous weapon on university lands or in

university buildings or facilities, except as required for educational programs for which the use of firearms has been approved by the chief administrative officer, or (b) for use in rifle or pistol ranges established and supervised by the university with the approval of the chief administrative officer, or (c) for law enforcement purposes, with the written approval of the chief administrative officer or for law enforcement purposes.

(c) Firearms Dangerous weapons in violation of this regulation subsection may be confiscated and removed from university lands by police. and disposed of as authorized by law

UWS 18.06(22) PERSONS PROHIBITED FROM ENTERING CAMPUS.

(b) No person who is convicted of any crime involving danger to property or persons as a result of conduct by him or her on university lands may enter any university lands within ~~one year~~ two years of the effective date of his or her conviction without the written consent of the chief administrative officer.

(d) For the purposes of s. 36.35(3), Stats., ~~1973~~ and par. (b), "crime involving danger to property or persons" shall mean any crime defined in ch. 940, Stats. ~~1973~~ (crimes against life and bodily security); s. 941.12, Stats., (interfering with fire fighting); s. 941.13, Stats. (false alarms and interfering with fire fighting); s. 941.20, Stats. (reckless use of weapons) (endangering safety by use of dangerous weapon); s. 941.21, Stats. (disarming a peace officer); ~~s. 941.22 (possession of pistol by minor)~~; s. 941.23, Stats. (carrying concealed weapon); s. 941.235, Stats. (carrying firearm in public building); s. 941.24, Stats. (possession of switchblade knife); s. 941.26, Stats.

(machine guns and other weapons); s. 941.28, Stats. (possession of short-barreled shotgun or short-barreled rifle); s. 941.29, Stats. (possession of firearm); s. 941.295, Stats. (possession of electric weapon); s. 941.30, Stats. (~~Endangering safety by conduct regardless of life~~) (recklessly endangering safety); s. 941.32, Stats. (administering dangerous or stupefying drug); s. 942.37, Stats. (obstructing emergency or rescue personnel); s. 943.01, Stats. (criminal damage to property); s. 943.02, Stats. (arson of buildings; damage of property by explosives); s. 943.03, Stats. (arson of property other than building); s. 943.05, Stats. (placing of combustible materials an attempt); s. 943.06, Stats. (Molotov cocktails); s. 943.10, Stats. (burglary); s. 943.11, Stats. (entry into locked vehicle); s. 943.14, Stats. (criminal trespass to dwellings); s. 943.32, Stats. (robbery); ~~s. 944.01 (Rape)~~ s. 944.20, Stats. (lewd and lascivious behavior); s. 946.41, Stats. (resisting or obstructing officer); s. 947.015, Stats. (bomb scares); s. 167.10, Stats. (fireworks regulated); or attempts to commit any of the above crimes as defined in s. 939.32, Stats. (1973)

UWS 18.06(27) THROWING HARD OBJECTS. No person may, in a manner likely to cause physical harm or property damage, throw, ~~or~~ drop, kick, hit or otherwise project any hard object, bottle, can, container, snowball or other item of a similar nature ~~within or from within the confines of spectator facility~~ on university lands or within or from within university buildings or facilities.

UWS 18.06(28) TICKET SCALPING. (a) 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 system, or an institution or center of the university of Wisconsin system shall be considered a revocable license to the person to whom the ticket has been issued and shall be transferable only on the terms and conditions prescribed.

SECTION 4. UWS 18.07 is amended to read:

UWS 18.07 PENALTIES. Unless otherwise specified, the penalty for violating any of the rules in s. UWS 18.06 shall be a fine forfeiture of not more than \$500, ~~of imprisonment of not more than 90 days, or both~~, as provided in s. 36.11(1)(a)(c), Stats. ~~1973~~

Note: Violations of the rules in s. UWS 18.06 will be processed in accordance with the citation procedure established in s. 778.25, Stats.

SECTION 5. UWS 18.10(1) is amended to read:

UWS 18.10 ADDITIONAL STATUTORY PROVISIONS REGULATING CONDUCT ON UNIVERSITY LANDS. (1) CONTROLLED SUBSTANCES. The use or possession of controlled substances as defined in ~~ch. 161~~ s. 161.01(4), Stats., ~~1973~~ is prohibited on all university property with the specific exemptions set forth in ch. 161, Stats., ~~1973~~ and as permitted under s. 46.60, Stats. The penalty provisions of ch. 161, Stats., ~~1973~~, and ch. UWS 17, and ch. UWS 18 shall may apply to violations occurring on university lands.

SECTION 6. UWS 18.06(10)(b) and (d) are created to read:

UWS 18.06(10)(b) No person may display or portray as real any object that resembles a dangerous weapon on university lands or in university buildings or facilities, except with the written approval of the chief administrative officer.

(d) In this subsection, the term "dangerous weapon" has the meaning specified in s. 939.22(10), Stats.

SECTION 7. UWS 18.06(12)(d) is created to read:

(d) No person shall replace without permission, damage, tamper with or vandalize any university lock or security device.

SECTION 8. UWS 18.06(29) to (41) are created to read:

UWS 18.06(29) SKATEBOARDS, ROLLER SKATES AND ROLLER BLADES. No person may skateboard, roller skate, or use roller blades or any other similar wheeled devices in or on university buildings, or on sidewalks, roadways or parking areas on university lands, except in areas designated for this purpose by the chief administrative officer.

Note: This section is initially applicable at the time the chief administrative officer first exercises the authority to designate areas for skateboarding, roller skating, roller blading or similar activities.

(30) DISORDERLY CONDUCT. No person may engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance, in university buildings or on university lands.

(31) RETAIL THEFT. (a) No person may intentionally alter indicia of price or value of merchandise or take and carry away, transfer, conceal or retain possession of merchandise held for resale by a merchant, or property of the merchant, without his or her consent and with intent to deprive the merchant permanently of possession, or the full purchase price of the merchandise.

(b) In this subsection, "merchant" includes any "merchant" as defined in s. 402.104(3), Stats., and any vendor or bookstore authorized to sell in university buildings or on university lands.

(32) IMPROPER USE OF UNIVERSITY IDENTIFICATION CARDS. (a) No person may falsify, alter or duplicate, or request the unauthorized falsification, alteration or duplication, of a university identification card.

(b) No person may knowingly present a false, altered or duplicate university identification card with the intent that such card be relied upon by university employes or agents in connection with obtaining university services, privileges or goods.

(c) No person may knowingly use or permit another person to use a university identification card for the purpose of making a false statement with respect to the identity of the user, and with the intent that such statement be relied upon by university employes or agents in connection with obtaining university services, privileges or goods.

(d) University officials may confiscate false, altered or duplicate university identification cards, or university identification cards used in violation of par. (c).

(33) IMPROPER USE OF TELEPHONES. (a) No person may make or cause the telephone of another repeatedly to ring with intent to harass any person at the called number.

(b) No person may make repeated telephone calls, whether or not conversation ensues, with intent to harass any person at the called number.



(c) No person may intentionally use an emergency telephone in a university building or on university lands when the person knows or reasonably should know that no emergency exists.

(34) PROVIDING FALSE INFORMATION. No person may knowingly give false information to a university peace officer with the intent to mislead him or her in the performance of his or her duty.

(35) FALSE FIRE ALARMS. No person may intentionally give a false fire alarm, whether by means of a fire alarm system or otherwise.

(36) POSSESSION OF MARIJUANA. (a) No person may intentionally use or possess marijuana on university lands, except when such use or possession is authorized under ch. 161, Stats. or is permitted under s. 46.60, Stats. (b) In this subsection, the term "marijuana" has the meaning specified in s. 161.01(14), Stats.

(37) ISSUING WORTHLESS CHECK UNDER \$500. (a) No person may issue any check or other order for the payment of money less than \$500 which, at the time of issuance, he or she intends shall not be paid. (b) In this subsection, prima facie evidence that the person, at the time he or she issued the check or other order for the payment of money, intended it should not be paid, has the meaning and includes the items of proof set forth in s. 943.23, Stats. (c) This subsection does not apply to a postdated check or to a check given for a past consideration, except a payroll check.

(38) FRAUD IN UNIVERSITY ACCOMMODATIONS OR EATING PLACES. (a) No person may, after having received any food, lodging or other service or accommodation at any university housing facility or eating place, intentionally abscond without paying for it.

(b) No person may, while in any university housing or lodging facility or eating place, intentionally defraud the university or its employees or agents in charge of the facility or eating place, in any transaction arising out of the relationship as a user of the housing or lodging facility or eating place.

(39) USE OF CHEATING TOKENS. No person may obtain the property or services of another by depositing anything which he or she knows is not lawful money or is an unauthorized token in any receptacle used for the deposit of coins or tokens.

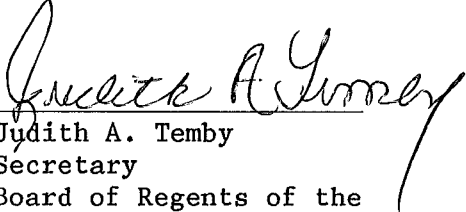
(40) POSSESSION OF FIREWORKS. (a) No person may possess or use fireworks on university lands without authorization from the chief administrative officer.

(b) In this subsection, the term "fireworks" has the meaning specified in s. 167.10(1), Stats.

(41) PETTY THEFT UNDER \$100. No person may intentionally take and carry away, use, transfer, conceal, or retain possession of movable property of another with a value of under \$100, without consent and with intent to deprive the owner permanently of such property.

This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, as provided in s. 227.22(2)(intro.), Stats., except that proposed s. UWS 18.06(29) shall first apply at the time the chief administrative officers exercise the designation authority granted therein.

Dated: September 30, 1991

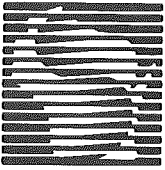


Judith A. Temby  
Secretary  
Board of Regents of the  
University of Wisconsin  
System

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# Board of Regents of The University of Wisconsin System

Office of the Secretary  
1860 Van Hise Hall, 1220 Linden Drive  
Madison, Wisconsin  
(608) 262-2324

September 30, 1991

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OCT 1 1991

Revisor of Statutes  
Bureau

Gary Poulson  
Revisor of the Statutes  
119 Martin Luther King Boulevard  
2nd Floor  
Madison, WI 53703

Dear Mr. Poulson:

Enclosed for filing with your office are one certified copy and one uncertified copy of administrative rules concerning conduct on university lands. These rules were approved by the Board of Regents on July 12, 1991. The legislative review period expired September 18, 1991, and publication is now appropriate.

Thank you for your assistance.

Sincerely,

*Judith A. Temby*  
Judith A. Temby  
Secretary

Enclosures

cc: Regents  
Acting President Lyall  
Vice Presidents  
Patricia Hodulik