

TITLE VI.

Public Instruction and Cultural and Memorial
Institutions.

CHAPTER 36.

UNIVERSITY OF WISCONSIN.

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36.01 Location and style of. There is established in this state at the city of Madison an institution of learning by the name and style of "The University of Wisconsin."

36.02 Regents; appointment; term. (1) The government of the university shall be vested in a board of regents consisting of nine members, not more than two of whom shall be residents of any one county, and the state superintendent of public instruction as ex officio member. Within thirty days after the effective date of this section, the governor shall appoint nine members, by and with the advice and consent of the senate. Of the members first appointed one shall serve for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years, one for a term of six years, one for a term of seven years, one for a term of eight years, and one for a term of nine years and until their successors have been appointed and qualified. The terms of all members appointed thereafter shall be for nine years beginning on May first of the year in which the member is appointed and until their successors have been appointed and qualified.

(2) All vacancies on the board shall be filled as provided in paragraph (b) of subsection (2) of section 17.20. [1939 c. 310]

Note: President of university has right to vote on university budget at meeting of board of regents where there is tie vote, even though his salary and appointment are included in budget, and this right cannot be denied by president of board of regents.

Where president of university breaks tie and his vote is recorded in favor of motion, motion is carried even though president of board of regents denies university president's right to vote and declares motion lost. 25 Atty. Gen. 446.

36.03 Powers of board; officers. The board of regents and their successors in office shall constitute a body corporate by the name of "The Regents of the University of Wisconsin," and shall possess all the powers necessary or convenient to accomplish the objects and perform the duties prescribed by law, and shall have the custody of the books, records, buildings and all other property of said university. The board shall elect a president and a secretary, who shall perform such duties as may be prescribed by the by-laws of the board. The secretary shall keep a faithful record of all the transactions of the board and of the executive committee thereof. It shall be the duty of the state treasurer to have the charge of all securities for loans and all moneys belonging to the university or in any wise appropriated by law to its endowment or support; to collect the interest on all securities held by him; to pay out moneys only upon the warrant of the secre-

tary of state as provided by law; to keep the same and the accounts thereof separate and distinct from other public funds, and particularly distinguish the accounts of every fund, according to the nature thereof, coming to his charge, whether created by law or by private bounty; and to discharge these and other appropriate functions relating thereto subject to such regulations as the board may adopt not inconsistent with his official duties; and he and his sureties shall be liable on his official bond as state treasurer for the faithful discharge of such duties.

Note: Regents of university have authority to enter into agreement with United States department of agriculture for the maintenance of forest products laboratories in exchange for teaching and research facilities. 20 Atty. Gen. 22.

University may assess and collect fines in accordance with action of regents imposing penalties upon students violating university traffic rules. 21 Atty. Gen. 217.

Regents of university of Wisconsin have power to grant use of university buildings to

public bodies and nonprofit-making associations having educational program on charge basis and at times not interfering with other university uses. 22 Atty. Gen. 332.

Regents of university of Wisconsin may co-operate with state highway commission by leasing to it lands for construction of highway materials and testing laboratory to be used by both highway commission and students of university for laboratory and research purposes. 26 Atty. Gen. 555.

36.04 Meetings; quorum. The time for the election of the president and secretary of said board and the duration of their respective terms of office, and the times for holding the regular annual meeting and such other meetings as may be required, and the manner of notifying the same, shall be determined by the by-laws of the board. A majority of the board shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time.

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

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

(2) The board shall have power to remove the president or any professor, instructor or officer of the university when, in the judgment of the board, the interests of the university require it.

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

(4) In the use of men's and women's dormitories at the university, preference as to rooming and boarding facilities shall be given to students who are legal residents of this state; but in case additional facilities remain after such preference, the above mentioned rooming and boarding facilities may be extended to nonresident students. The board shall make suitable rules and regulations for carrying such dormitory preferences into effect. All salaries and compensations provided for in this section shall be charged against the proper appropriation for the board of regents of the university.

(5) Said board may acquire by condemnation proceedings such parcels of land as it deems necessary for the use of any institution under its control whenever the board is unable to agree with the owner upon the compensation therefor, or whenever the absence or legal incapacity of such owner, or other cause, prevents or unreasonably delays such agreement.

(6) For the purpose of providing dormitories and commons and a field house for university purposes, improvements and additions to the university stadium, and completing the memorial union and buildings, improvements and additions necessary for educational purposes, and to enable the construction, financing and ultimate acquisition thereof, the regents are authorized and empowered to lease university lands to a nonprofit sharing corporation or corporations for a term not exceeding fifty years, upon condition that such corporation or corporations shall construct on such leased land or portion thereof such buildings, improvements, additions or equipment for dormitories, commons, field house, stadium, or addition to the memorial union for educational purposes, as the regents shall designate or approve, and shall lease the same to the regents upon satisfactory terms as

to the current rental, maintenance and ultimate purchase by the regents. For the purpose of equipping the memorial union, the regents are authorized and empowered to lease the lands and the memorial union buildings now under construction to a nonprofit sharing corporation or corporations for a term not exceeding fifty years, upon condition that such corporation or corporations shall completely equip and furnish such memorial union building and lease the same so equipped and furnished to the regents upon such terms as to the current rental, maintenance, and ultimate purchase by the regents, as may be in the best interests of the university in the judgment of the regents. Revenues derived from the operation by the regents of such dormitories, commons, memorial union, stadium or field house or buildings for educational purposes shall be applied to the payment of such rentals, any surplus which from time to time may accrue to be applied toward the purchase price of the building, equipment, additions or improvements, or accumulated for subsequent application upon the purchase price. The regents are authorized and empowered to enter into such leases or contracts with such corporation or corporations for the above purposes as they shall deem for the best interest of the university; provided, that nothing herein contained shall authorize the regents to incur any state debt for the construction of such buildings, equipment, additions or improvements. The plans for buildings and all contracts and leases made pursuant to this subsection shall before they are finally adopted or become effective be submitted to the state engineer and the governor and have their written approval. Such buildings, equipment and improvement so erected on university lands and devoted to university purposes, and the leasehold interest in such lands shall be exempt from taxation.

(7) The regents are authorized to invest any of the surplus moneys designated in subsection (11) of section 20.41 in such securities as are legal for trust fund investments; or to invest such funds, or any part thereof, in the senior or junior bonds or obligations which may be issued by such nonprofit sharing corporation or corporations as may be contracted with by the regents for the construction or equipment of dormitories, commons or field house as provided in subsection (6) of this section, which bonds or obligations shall be secured by a mortgage or pledge of the buildings or improvements erected or to be erected by such corporation or corporations and by a mortgage or pledge of its leasehold interest. Any interest on any of such bonds or securities shall when received be added to the revolving funds and may be used for the purposes set forth in this subsection.

(8) In so far as they can be made applicable to the lands owned by or under the control of the regents all special powers conferred on the conservation commission by subsections (2) and (3) of section 27.01 are conferred upon the regents, and all penalties set forth or referred to in said subsections apply with equal force and effect to this subsection. [1937 c. 1, 241; 1941 c. 83]

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

36.0625 [Renumbered section 36.062 under 43.08 (2)]

36.065 Gifts and donations. (1) All gifts, grants, bequests and devises for the benefit or advantage of the university or any of its departments, colleges, schools, halls, observatories or institutions, or to provide any means of instruction, illustration or knowledge in connection therewith, whether made to trustees or otherwise, shall be legal and valid and shall be executed and enforced according to the provisions of the instrument making the same, including all provisions and directions in any such instrument for accumulation of the income of any fund or rents and profits of any real estate without being subject to the limitations and restrictions provided by law in other cases; but no such accumulation shall be allowed to produce a fund more than twenty times as great as that originally given.

(2) All such gifts, grants, devises or bequests may be made to the regents of the university or to the president or any officer thereof, or to any person or persons as trustees, or may be charged upon any executor, trustee, heir, devisee or legatee, or made in any other manner indicating an intention to create a trust, and may be made as well for the benefit of the university or any of its chairs, faculty, departments, colleges, schools, halls, observatories, or institutions or to provide any means of instruction, illustration or knowledge in connection therewith, or for the benefit of any class of students at the university or in any of its departments, whether by way of scholarship, fellowship, or otherwise, or whether for the benefit of students in any course, subcourse, special course, postgraduate course, summer school or teachers' course, oratorical or debating course, laboratory, shop, lectureship, drill, gymnasium, or any other like division or department of study, experiment, research, observation, travel or mental or physical improvement in any manner connected with the university, or to provide for the voluntary retirement of any of its faculty.

(3) It shall not be necessary in case of any such gift, grant, devise or bequest to exactly or particularly describe the members of the class, group or nationality of students in-

tended to be the beneficiaries, but it shall be sufficient to describe the class or group; and in case of any such gift, grant, devise or bequest the regents shall divide and graduate the students at the university into such classes or divisions as may be necessary to select and determine those belonging to the class intended by such gift, grant, devise or bequest, and shall determine what particular persons are within or intended by the same. It shall be sufficient in any such gift, grant, devise or bequest to describe the beneficiaries as belonging to a certain course, subcourse, department or division of the university, or as those pursuing certain studies, speaking or writing a certain language or languages, belonging to any nationality or nationalities, or to one of the sexes or by any other description, and in such case the regents shall determine the persons so described as hereinbefore provided. [1931 c. 4 s. 1, 3; 1931 c. 67 s. 84]

Note: After board of regents of university reconsider its action and reject bequest. 26 has accepted bequest it may not thereafter Atty. Gen. 626.

36.07 University; janitors' salaries. The board of regents are empowered and directed to fix and establish the salaries of the janitors at the university so that the same shall be equivalent and equal to the salaries paid to janitors at the state capitol, and shall conform to the salary schedule for janitors established by the civil service commission. This section shall apply to employes doing janitor work in the Wisconsin general hospital and all other departments and divisions of the university regardless of the designation given to their positions.

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

36.09 Reports and printing thereof. At the close of each biennial fiscal term the regents through their president shall make a report in detail to the governor and the legislature exhibiting the progress, condition and wants of each of the colleges embraced in the university, the course of study in each, the number of instructors and students, the amount of receipts and disbursements, together with the nature, cost and results of all important investigations and experiments and such other information as they may deem important, one copy of which shall be transmitted free by the secretary of state to all colleges endowed under the provisions of the act of congress entitled, "An act donating land to the several states and territories which provide colleges for the benefit of agriculture and the mechanic arts," approved July 2, 1862, and also one copy to the secretary of the interior as provided in said act. The board shall also report to the governor as often as may seem desirable the important results of investigations conducted by the director of Washburn observatory and by other investigators connected with the university, and also the results of such experiments therein relating to agriculture or the mechanic arts as said board may deem to be of special value to the agricultural and mechanical interests of the state. With the approval of the governor such number of copies as he shall direct, and of the Washburn observatory reports not more than seven hundred copies, may be printed by the state printer in separate form on good paper and with such appropriate quality of binding as the director of purchases shall order. Eight hundred copies of each of said reports, when so directed by the governor, except those of the Washburn observatory, shall be delivered to the legislature and the remainder be used in exchange for the publications of other institutions and for such other public purposes as the regents may order. [1931 c. 45 s. 1]

36.10 Receipts and disbursements; accounts; secretary's bond. All moneys which shall be derived to the university from gifts or other bounties, from fees of students in any form less any rebates allowed under authority of the board, from sales of farm products or any articles of personal property of whatever kind, from publications or advertisements in publications of the university, from fees for services rendered in any manner, from sales or rents of real property, or from any source whatever other than in cases by law required to be paid to the state treasurer, may be paid to the secretary of the board in all cases where the board shall authorize him to receive the same; and such secretary shall at least as often as once a week pay into the state treasury the entire amount of such receipts by him, and shall on or before the tenth day of each calendar month deliver to the state treasurer an itemized account of such receipts during the preceding calendar month, showing the amount of each sum so received by him, the date thereof, the person from whom received, for what received, and the particular fund or account to which the same belongs; save that the details of small receipts may be omitted and the account made summary in such cases and to such extent as the secretary of state shall prescribe by forms therefor; and shall verify the correctness thereof by his affi-

davit thereto appended; and a duplicate thereof he shall at the same time file with the secretary of state. Such account shall be made upon forms to be prepared and furnished by the secretary of state. The regents may require of their secretary such bond, in such sum and with such sureties as they shall think fit and its renewal when deemed desirable; and may prescribe regulations for the discharge of all such duties not inconsistent with law. The secretary of state shall audit and give his warrant on the state treasurer for all accounts certified to him by the board or its executive committee, in the manner herein provided. All salaries for instructional or administrative service, and also allowances to fellows and scholars, which have been fixed by the board, shall be certified at periodical intervals according to the laws of the board upon rolls showing the name of the person entitled to receive the same, the amount of his fixed annual salary or allowance and that the sum so certified is then due him according to the method of periodical payment established by the board; upon which certified roll the secretary of state shall issue his warrant to each person therein named for the amount so certified to be due to him. Payments to janitors, laborers and all other employes and also to all persons from whom milk and products for the dairy are purchased shall be made upon rolls showing the name of the party entitled, for what service or object, to what fund chargeable, and the amounts respectively due each; which shall be likewise certified to the secretary of state to be correct and due and he shall issue thereon his warrant for the amount due each person upon such roll to each such person. Every other claim or account shall state the nature and particulars of the service rendered or material furnished and be verified by the affidavit of the claimant or his agent and filed with the secretary of the regents, and a roll, showing the name of each such person, for what service or object, to what fund chargeable, and the amount allowed to and due him, shall be certified as aforesaid to the secretary of state; upon which he shall issue his warrant for the proper amount of the person entitled thereto. The board may enact laws to govern all such business not inconsistent with law; and all forms shall be prepared and furnished by the secretary of state. All warrants issued pursuant to this section shall be labeled "University Warrant" and numbered in consecutive order. All gifts, bounties and moneys paid in and appropriations made by law for the university, its endowment, aid or support, when received by the state treasurer shall be at once credited to the proper fund, and if received as part of the general fund shall be forthwith transferred by warrant to the proper university account, and shall all thenceforth be held solely for the respective uses to which the same is by law appropriated, and shall never be employed, diverted to, or paid out for any other use or purpose.

36.11 University accounts. (1) **BIENNIAL EXAMINATION.** The board of regents of the state university shall cause all of the financial transactions and accounts of or relating to the state university in any of its departments at the close of each fiscal year to be fully and thoroughly examined subject to the provisions of chapter 15 of the statutes.

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

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

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

Note: President of university, by accepting office of federal draft administrator, vacated his office as president if that position was office. This question is not determined, however, since in any event he continued to act as president and was at least officer de facto and was entitled to pay as such. If position was not office, he is entitled to pay as employe. 30 Atty. Gen. 92.

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

- (1) The college of letters and science.
- (2) The college of engineering.
- (3) The college of agriculture.

- (4) The law school.
- (5) The medical school.
- (6) The school of education.
- (7) The school of library science.
- (8) Such other colleges, schools or departments as are now or may from time to time be added thereto or connected therewith. No new school or college shall be established unless authorized by the legislature. [1939 c. 142]

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

36.15 University; open to both sexes; military instruction. All schools and colleges of the university shall, in their respective departments and class exercises, be open without distinction to students of both sexes; and every able-bodied male student therein, except those granted exemption under rules and regulations prescribed by the board of regents, shall during his freshman and sophomore years of attendance receive instruction in military science and tactics. [1941 c. 66]

36.16 Nonresident tuition at university. (1) (a) Any adult student who shall have been a resident of the state for one year next preceding his first admission to the university, or any minor student whose parents have been bona fide residents of the state for one year next preceding the beginning of any semester for which such student enters the university, shall, while he continues a resident of the state, be entitled to exemption from fees for nonresident tuition, but not from tuition, incidental or other fees in the university.

(b) Any student who shall not have been a resident of the state for one year next preceding his first admission to the university, except as above provided, shall not be exempt from the payment of the nonresident tuition fees until he shall have attended the university for four academic years; but if he shall have attended the university and thereafter shall continuously have been a resident of this state for a period of combined attendance at the university and subsequent residence in the state of not less than four years, he shall, while he continues a resident of the state, be entitled to exemption from payment of the nonresident tuition fees upon re-entering the university.

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

(d) The regents of the university may remit nonresident tuition either in whole or in part but not other fees, to a number of needy and worthy nonresident students, not exceeding eight per cent of the number of nonresident students registered in the preceding year, upon the basis of merit, to be shown by suitable tests, examinations or scholastic records and continued high standards of scholastic attainments.

(2) In addition to the number of remissions of nonresident tuition authorized under subsection (1), each state senator and each assemblyman may recommend for attendance at the university a nonresident whose scholastic qualifications entitle him to attend the university and whose nonresident tuition for the school year for which recommended shall be remitted by the regents. Not more than one such remission shall be made for any one school year pursuant to the recommendation of any one member and each nonresident whose tuition shall have been remitted under the provisions of this subsection shall be entitled to continue in attendance at the university for the period for which recommended if such nonresident continues to meet the university's general standards for continuance therein as a student. Such recommendations shall be submitted annually to the regents not later than August first preceding the beginning of the school year in such manner as the regents may designate, except that for nonresidents entering the university at the be-

gining of the second semester, such recommendations shall be submitted not later than December first preceding the beginning of such second semester. [1935 c. 543; 1937 c. 181 s. 3; 1937 c. 383; 1939 c. 513 s. 8]

Note: Requirement in (2) as to time of submitting recommendations for remission of nonresident tuition is mandatory. Newly elected legislator can make no valid appointment under (2) for any semester prior to next ensuing fall semester. 28 Atty. Gen. 156.

36.161 Scholarships, board of regents to grant. (1) The board of regents of the state university shall have the authority to grant scholarships equivalent in value to the payment of all incidental fees to freshmen who, during their high school course, ranked first in scholarship in Wisconsin public high schools and Wisconsin private secondary schools enrolling less than two hundred fifty students; to those ranking first and second in scholarships in Wisconsin public high schools and Wisconsin private secondary schools enrolling two hundred fifty to seven hundred fifty students; and to those ranking first, second, and third in scholarship in Wisconsin public high schools and Wisconsin private secondary schools enrolling seven hundred fifty or more students. In case the person or persons eligible for scholarships under the provisions of this subsection do not elect to enroll at the University of Wisconsin, then the regents shall have the authority to grant the scholarships to the freshmen who were next highest in scholastic rank in the Wisconsin public high schools and Wisconsin private secondary schools.

(2) The board of regents of the state university shall have the authority to grant scholarships to bona fide residents of the state equivalent in value to the payment of all incidental fees to freshmen who, during their high school course were good students, are in financial need, and possess qualifications for leadership. [1935 c. 535]

36.17 Summer session, educational extension, correspondence teaching. The board of regents may maintain a summer session and is directed to carry on educational extension and correspondence teaching and shall carry on university correspondence class work in such communities as have thirty or more students and where the vocational or other educational board shall co-operate by payment of the regular extension fees. [1935 c. 535]

36.175 Extension courses for those in military service. (1) Any Wisconsin citizen serving in the army, navy or marine corps of the United States, upon proof of his military status, may take without cost correspondence courses from the extension division of the university of Wisconsin, but not more than one course may be taken at any one time. The necessary text books for such courses shall be provided by the student.

(2) All tuition or instruction fees paid by any such citizens who have enlisted or been inducted since October 14, 1940 shall have such tuition or instruction fees refunded. [1941 c. 29]

36.18 Training for public service. (1) The board of regents of the state university is hereby authorized to establish and to maintain, when sufficient funds are available, a training school for public service. Such school shall be a professional school and shall be devoted to practical training for the administrative service of the state of Wisconsin or of any county or municipality therein, or of civic organizations.

(2) Persons who have satisfactorily completed the work required in the training school for public service shall, upon graduation, receive a proper university degree and a diploma in public administration stating the particular character of their training. No person shall receive such diploma unless at least one-third of his total credits in such school shall be for actual work in municipal, county, or state departments or in quasi public work and unless he shall have submitted a thesis dealing with an actual problem of municipal, county or state service based on actual service in or contact with such service and approved by the head of the department of such municipality, county or state with which such problem is principally concerned.

(3) Any member of the faculty of the University of Wisconsin may be required, under rules prescribed by the regents, to give instruction in such school.

(4) Such school shall provide adequate supplementary training for persons now in county, municipal or state service.

36.181 [Repealed by 1939 c. 142]

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

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

(3) Except as provided in paragraph (d) of subsection (5), such loans shall bear interest at the rate of four per centum per annum, commencing on the first day of the fiscal

year following the close of said last academic year of study, or in the case of graduates of the medical school, following the close of their internship.

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

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

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

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

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

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

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

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

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

(8) The terms "public service," "state service," and "serve the state" as used in this section shall include service as administrative or research apprentice in the offices of the governor and of any administrative departments of the state, the committees of the legislature, the justices of the supreme court, the judges of the circuit and county courts, and the district attorneys, and shall include, under arrangements made with the director of personnel, county, city or other local government employments. [1937 c. 181 s. 5; 1939 c. 142; 1939 c. 513 s. 9]

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

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

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

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

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

of soils, the regents shall cause to be made such arrangements as may be necessary to provide the accommodations, apparatus, supplies or services required.

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

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

- (a) The number of requests made for the services of the laboratory;
- (b) The number of requests complied with;
- (c) The fees received by the laboratory;
- (d) The expense of conducting the laboratory; and
- (e) Such other facts as may be necessary in judging of the value of the work done by the laboratory.

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

36.21 Hog cholera serums. (1) The regents of the University of Wisconsin shall cause to be prepared by the agriculture college and the department of veterinary science thereof, serums or vaccines which will produce immunity in hogs against the disease known as cholera, and for such purposes shall cause the agricultural college to obtain such additional assistance and install such additional equipment, materials, appliances and apparatus as may be necessary.

(2) The regents shall, through the agricultural college, furnish to any bona fide resident of this state, who is engaged in the raising of hogs, and who makes request therefor, such serums and vaccines as may be necessary to immunize his hogs against cholera, and shall charge and collect therefor at actual cost.

(4) Any person who shall sell, give away, maliciously waste or otherwise misuse or misapply any serums or vaccines furnished to him under the provisions of this section, and any person who shall wilfully misrepresent himself or who shall in any wise misrepresent or falsify for the purpose of obtaining any serums or vaccines from the agricultural college under this section, or any person who shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten dollars nor more than five hundred dollars or by imprisonment in the county jail for not less than ten nor more than ninety days, or by both such fine and imprisonment. [1935 c. 550 s. 132]

36.215 Agricultural experiments and demonstrations. (1) The board of regents is authorized to do or cause to be done experimental work in agriculture at such points within the state as may in its judgment be advisable, and to carry on, under the supervision of the dean of the college of agriculture, demonstrations and such other extension work as they may deem advisable for the improvement of agricultural knowledge, and to conduct extension schools and courses which may be held in conjunction with the county schools of agriculture and domestic economy, and to provide for the compensation and traveling expenses of instructors whose functions shall be to assist in the improvement of agricultural education and the dissemination of agricultural knowledge.

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

(4) The state conservation commission is authorized to enter into mutual agreement with the regents of the university for the use of the necessary farm equipment and such necessary land within the Peninsular State Park in said county as may be available for such experimental work. [1933 c. 140 s. 2]

36.22 [Repealed by 1933 c. 140 s. 2]

36.22 Pharmaceutical experiment station. The board of regents of the state uni-

versity are authorized to establish, equip and maintain in the department of pharmacy of the state university a pharmaceutical experiment station. The duties of the said station shall be:

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

(2) To serve the public at large by co-operation with both pharmacists and physicians in securing for the sick the best medicines that pharmaceutical science and art can provide, and further by co-operation with the state board of pharmacy, the state board of health, and the department of agriculture and markets to bring about these results. [1937 c. 181 s. 5]

36.225 State laboratory of hygiene. (1) The state hygienic laboratory heretofore established in connection with the university is continued and shall be known as the "State Laboratory of Hygiene."

(2) The director of this laboratory shall, whenever feasible, be the professor in charge of the department of bacteriology and hygiene of the state university. A bacteriologist, a chemist and such other assistants as is found necessary to satisfactorily carry on the work of the laboratory, shall be provided by the board of regents of the state university. The director and his assistants when making investigations affecting the public health, shall have the same right of inspection in regard to all matters affecting the public health as has been and may be conferred upon the state board of health.

(3) The use of this laboratory by the state board of health shall be determined by rules and regulations adopted by the director of the state laboratory of hygiene, the president of the state university, and the executive committee consisting of two members, of the state board of health.

(4) The purpose of this laboratory shall be to undertake the examination of water supplies for domestic purposes, the examination of material from the various contagious and infectious diseases, or material from suspected cases of contagious and infectious diseases of men and animals when public health is concerned; to examine into the nature and cause of disease outbreaks throughout the state; to study conditions relating to diseases and their dissemination, or any other problems that bear directly or indirectly upon the public health. The examination of water supplies shall include the establishment of a water survey of the state and shall comprehend not only the examination from a public health standpoint, but may also include the examination of water to ascertain its suitability for manufacturing and commercial purposes, as determined by the rules and regulations herein provided for.

(5) There may be established and operated in connection with the state laboratory of hygiene, an institute for the preparation of vaccine for administering the Pasteur treatment for the prevention of hydrophobia.

(6) The state laboratory of hygiene shall examine free of charge the following specimens when submitted in proper containers by licensed physicians, veterinarians, health officers and health commissioners: The sputum of all persons afflicted with tuberculosis, or suspected of being afflicted with tuberculosis, when sent in proper containers; blood from suspected typhoid fever cases (widal test), swabs from patients suspected of diphtheria for diagnosis and for the release of quarantine; rabies in man or animals, anthrax, glanders and such other examinations as may be provided for in the rules and regulations governing the use of the laboratory. The laboratory shall be used to make such studies in sanitation and hygiene as will assist in the enforcement of the health laws of the state, or aid in improving the general sanitary condition of the state.

36.226 [Repealed by 1933 c. 140 s. 2]

36.227 Psychiatric institute. (1) **TRANSFER TO UNIVERSITY; EXCEPTION.** On July 1, 1925, the Wisconsin psychiatric institute, heretofore established under section 51.235 of the statutes, excepting therefrom the Wisconsin memorial hospital, shall be transferred to and thereafter shall be maintained as a department of the University of Wisconsin.

(2) **DELIVERY, TIME, EXPENSE.** On July 1, 1925, or as soon thereafter as it is possible to house the Wisconsin psychiatric institute, all of the equipment, apparatus, instruments, appliances, chemicals, books, periodicals, pamphlets, records, supplies and other property, except real property and buildings used by said psychiatric institute, and except such supplies and equipment the property of the Wisconsin memorial hospital, used by said Wisconsin psychiatric institute, shall be transferred to the University of Wisconsin. The state board of control shall transfer and deliver to the board of university regents all such property, and said board of regents shall hold all such property as the property of, and for the use of, the Wisconsin psychiatric institute. The expense of making such transfer shall be borne by the Wisconsin psychiatric institute.

(3) **OPERATION OF INSTITUTE, DUTIES.** The board of regents of the state university is authorized and directed to house, equip and maintain as part of the university, the Wisconsin psychiatric institute, the duties of which institute shall be:

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

(b) To render a specialized service to the state institutions under the jurisdiction of the state board of control, such service to be available at all times, to the state board of control, and to the institutions under its jurisdiction. Such state institutions shall at all times be open to the Wisconsin psychiatric institute for the prosecution of research investigation.

(c) To make the Wasserman tests and other chemical examinations provided for under section 46.13 and section 143.07 of the statutes.

(d) To exercise the powers granted under section 51.235 of the statutes, provided that the transfer of any insane person from the psychiatric institute to any hospital or asylum for the insane, or from any other state or county institution under the jurisdiction of the board of control to the psychiatric institute, shall be made only by approval of the state board of control.

(4) **USE OF FUNDS, ACCOUNTING.** All amounts heretofore appropriated or hereafter appropriated for the operation of the Wisconsin psychiatric institute shall, on and after July 1, 1925, be administered by the board of university regents, such funds to be administered and accounted for separately from other appropriations made to the University of Wisconsin, and thereafter the board of university regents shall state separately from other items of the biennial budget, of the university, the biennial requests for appropriations to meet the requirements for operation, capital, and repairs and maintenance of the Wisconsin psychiatric institute.

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

(6) **ADVISORY COUNCIL.** There is hereby created an advisory council to govern the relations of the psychiatric institute to the institutions under the jurisdiction of the state board of control and of these institutions to the psychiatric institute. Such council shall be made up of the president of the University of Wisconsin, the dean of the medical school of the state university, the director of the psychiatric institute, and three members of the state board of control. Such council, by majority vote, shall prescribe rules and regulations whenever, in its judgment, these are necessary to govern the relations of these institutions. Such council shall not have power to prescribe any rule or regulation the effect of which would be to restrict the services of said psychiatric institute to the state institutions as provided for in this section.

Note: Doctors in service of psychiatric institute are not entitled to per diem when called by state department of mental hygiene to testify as experts in lunacy or sterilization proceedings if such services are within terms of employment. They are entitled to per diem if such services are not within terms of employment. 27 Atty. Gen. 661.

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

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

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

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

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

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

(6) The completion of the topographic map of the state begun by the United States geological survey; but no money shall be expended for topography unless an equivalent amount be expended for this purpose in the state by the United States government. [1931 c. 67 s. 159]

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

portions of the geological and natural history survey and perform such other duties as the regents may deem advisable. [1931 c. 67 s. 160]

36.25 Co-operative agreements with municipalities. The board of regents may enter into agreements with any municipality for special work undertaken at the request of or in co-operation with such municipality at its expense, in whole or in part, for any purpose specified in sections 36.23 to 36.30, and all moneys received under such agreements shall be used as therein specified. [1931 c. 67 s. 161]

36.26 Reports and their distribution. (1) The board of regents are authorized to publish as independent reports, as bulletins of the university, or as transactions of the Wisconsin academy of sciences, arts and letters, reports upon investigations and studies made under the authority of sections 36.23 to 36.30, which report shall contain such illustrations and maps as may be necessary and useful.

(2) Five copies of each such report shall be delivered to each state officer and each member of the legislature applying therefor, and the same number of copies as of other public documents to the state historical society, the library of the university, and other state institutions. The remainder shall be distributed, used in exchange, or sold as the interest of the state and of science demand. [1931 c. 45; 1931 c. 67 s. 162]

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

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

36.29 Investigations; mapping; surveys; reports. (1) The geological and natural history survey is directed to investigate the geological resources of the state with regard to quantity, quality and present and future economic value, paying particular attention first to iron ore, fluxing limestones, and road materials.

(2) Said geological and natural history survey is further directed to carry on as rapidly as practicable the topographic mapping of the state. This work may be done in co-operation with national, state or private organizations, according to arrangements deemed advantageous to the state.

(3) Said geological and natural history survey is further directed to extend the survey of the lead and zinc region beginning with districts which are at present of greatest economic importance.

(4) Said geological and natural history survey is further directed to continue the survey of the water powers of the state. This last survey may be made in conjunction with the United States geological survey.

(5) Upon completion of the work named, full reports shall be made to the governor for the use of the legislature.

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

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

(3) Said geological and natural history survey is directed to examine the mines and explored mineral lands of the state by persons competent to make such examinations and make an accurate determination of the amount of ore therein, the expense of mining, the probable life of the mine, and such other factors as may be necessary, in the judgment of the state tax commission and the geological and natural history survey, for a proper valuation thereof. For the purpose of this investigation all books, inventories, way-

bills, maps, plats, correspondence, and memoranda relating to or used in the transaction of the business of any person, copartnership or corporation owning or operating any such mine or explored mineral land, shall on demand by the geological and natural history survey, or its authorized representative, be open to its or his inspection or examination. Any such person, copartnership or corporation owning or operating any mine or explored mineral lands shall furnish for inspection to the geological and natural history survey, upon request, copies of all maps and plats that relate to the workings of his or its mine or mines and to his or its explored mineral lands.

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

(5) Any officer, agent, clerk or employe of said survey or said tax commission who shall divulge or make known to any person except the officers of said survey or said tax commission, in any manner, directly or indirectly, any information whatsoever given to him in the discharge of his duties under subsections (2) and (3) of this section, which information shall have been given him with the request that it be not divulged, upon conviction thereof, shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars, or by imprisonment in the county jail for not less than one month nor more than six months, or by imprisonment in the state prison for not more than two years in the discretion of the court; provided, that nothing herein contained shall prevent the use for assessment purposes of any information obtained under the provisions of this act.

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

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

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

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

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

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

36.32 Wisconsin Orthopedic Hospital for Children. (1) There shall be established at the University of Wisconsin at Madison the "Wisconsin Orthopedic Hospital for Children."

(2) Said hospital shall be under the control and supervision of the board of regents of the university which board shall appoint a superintendent experienced in care of crippled children.

(3) The purpose of said hospital shall be to provide medical, surgical and therapeutic treatment for crippled children under twenty-one years of age whose parents or guardians are unable to provide adequate treatment, or who would be unable otherwise to secure such treatment, these children to remain in said hospital only as long as they can be benefited by this treatment.

(4) Admission of patients to such hospital shall be had as provided in chapter 142 and the provisions of said chapter shall apply to this section.

(5) The per diem cost, half of which is to be charged back to the counties, shall be based on the cost of maintaining the said Wisconsin Orthopedic Hospital for Children.

36.33 Broadcasting station WHA. The board of regents shall manage, operate and maintain broadcasting station WHA. [1941 c. 34]