

## TITLE VI

## Educational, 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 9 members, not more than 2 of whom shall be residents of any one county, and the state superintendent of public instruction as ex officio member. Within 30 days after August 9, 1939, the governor shall appoint 9 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 2 years, one for a term of 3 years, one for a term of 4 years, one for a term of 5 years, one for a term of 6 years, one for a term of 7 years, one for a term of 8 years, and one for a term of 9 years and until their successors have been appointed and qualified. The terms of all members appointed thereafter shall be for 9 years beginning on May 1 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 s. 17.20 (2).

**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 bylaws of the board. The secretary shall keep a faithful record of all the transactions of the board and of the executive committee thereof. The state treasurer shall 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; collect the interest on all securities held by him; pay out moneys only upon the warrant of the department of administration as provided by law; keep the same and the accounts thereof separate and distinct from other pub-

lic 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 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.

**History:** 1967 c. 29.

**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 bylaws of the board. A majority of the board shall constitute a quorum for the transaction of business, but a less number may adjourn.

**History:** 1967 c. 29.

**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 may 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; excepting that the board of regents may set aside a small quota of accommodations, not to exceed 6%, for assignment to students who are residents of other states or are from countries and territories outside the continental limits of the United States. In case additional facilities remain after such preference, the above mentioned rooming and boarding facilities may be extended to additional 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) (a) Unless the context requires otherwise, the following terms as used in this subsection shall have the following meaning:

1. The term "existing building" in relation to any conveyance, lease or sublease made under par. (b) 1, 2 and 3 means all dormitories, commons, field houses, stadia, indoor practice buildings, memorial unions, and such other buildings, structures, facilities and permanent improvements as in the judgment of the regents are needed or useful for university purposes, and all equipment therefor and all improvements and additions thereto, which were erected, constructed or installed prior to the making of such conveyance, lease or sublease.

2. The term "new building" in relation to any conveyance, lease or sublease made under par. (b) 1, 2 and 3 means all dormitories,

commons, field houses, stadia, indoor practice buildings, memorial unions, and such other buildings, structures, facilities and permanent improvements as in the judgment of the regents are needed or useful for university purposes, and all equipment therefor or for existing buildings, and all improvements and additions thereto or to existing buildings, which are erected, constructed or installed after the making of such conveyance, lease or sublease.

3. The term "nonprofit-sharing corporation" means a nonstock corporation organized under ch. 181 or corresponding prior general corporation laws.

(b) In order to provide new buildings and to enable the construction and financing thereof, to refinance indebtedness previously or hereafter created by a nonprofit corporation for the purpose of providing a building or buildings or additions or improvements thereto which are located on land owned by the board of regents or by the nonprofit corporation, or for any one or more of said purposes, but for no other purpose unless authorized by law, the board of regents shall have the following powers and duties:

1. Without limitation by reason of any other provisions of the statutes the power to sell and to convey title in fee simple to a nonprofit-sharing corporation any land and any existing buildings thereon owned by the board of regents for such consideration and upon such terms and conditions as in the judgment of the board of regents are in the public interest.

2. The power to lease to a nonprofit-sharing corporation for terms not exceeding 50 years each any land and any existing buildings thereon owned by the board of regents upon such terms, conditions and rentals as in the judgment of the board of regents are in the public interest.

3. The power to lease or sublease from such nonprofit-sharing corporation, and to make available for public use, any lands or any such land and existing buildings conveyed or leased to such corporation under subds. 1 and 2, and any new buildings erected upon such land or upon any other land owned by such corporation, upon such terms, conditions and rentals, subject to available appropriations, as in the judgment of the board of regents are in the public interest. With respect to any property conveyed to such corporation under subd. 1, such lease from such corporation may be subject or subordinated

to one or more mortgages of such property granted by such corporation.

4. The duty to submit the plans and specifications for all such new buildings and all conveyances, leases and subleases made under this subsection to the department of administration and the governor for written approval before they are finally adopted, executed and delivered.

6. The power to pledge and assign all or any part of the revenues derived from the operation of any lands or such new buildings as security for the payment of rentals due and to become due under any lease or sublease of such new buildings made under subd. 3.

7. The power to covenant and agree in any lease or sublease of such new buildings made under subd. 3 to impose fees, rentals or other charges for the use and occupancy or other operation of such lands or new buildings in an amount calculated to produce net revenues sufficient to pay the rentals due and to become due under such lease or sublease.

8. The power to apply all or any part of the revenues derived from the operation of any lands or existing buildings to the payment of rentals due and to become due under any lease or sublease made under subd. 3.

9. The power to pledge and assign all or any part of the revenues derived from the operation of any lands or existing buildings to the payment of rentals due and to become due under any lease or sublease made under subd. 3.

10. The power to covenant and agree in any lease or sublease made under subd. 3 to impose fees, rentals or other charges for the use and occupancy or other operation of any lands or existing buildings in an amount calculated to produce net revenues sufficient to pay the rentals due and to become due under such lease or sublease.

11. The power and duty, upon receipt of notice of any assignment by any such corporation of any lease or sublease made under subd. 3, or of any of its rights under any such lease or sublease, to recognize and give effect to such assignment, and to pay to the assignee thereof rentals or other payments then due or which may become due under any such lease or sublease which has been so assigned by such corporation.

(c) The state shall be liable for accrued rentals and for any other default under any lease or sublease made under par. (b) 3 and may be sued therefor on contract as in other contract actions pursuant to ch. 285, except

that it shall not be necessary for the lessor under any such lease or sublease or any assignee of such lessor or any person or other legal entity proceeding on behalf of such lessor to file any claim with the legislature prior to the commencement of any such action.

(d) Nothing in this subsection empowers the board of regents to incur any state debt.

(e) All laws, conflicting with this subsection are, insofar as they conflict with this section and no further, superseded by this subsection.

(7) The regents may invest any of the surplus moneys designated in s. 20.285 (2) (n) in such securities as are legal for trust fund investments; or 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 sub. (6); 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) Insofar 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 s. 27.01 (2), (3), (4), (5) and (8) 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.

(9) (a) The regents may participate in the formation and maintenance of a nonprofit-sharing corporation sponsored by participating colleges, universities and libraries, for the purpose of providing and operating a central library depository at a location in a mid-western state for the storage of little used books and other library and research materials of participating institutions, and which corporation may also perform other functions for the benefit of participating institutions such as, but not by way of limitation by reason of enumeration, the correlating of library catalogs of the participating institutions, the co-ordinating and planning of the purchasing by each institution of costly or infrequently used books and research materials

in order to avoid unnecessary duplication, and facilitating the loaning of library books and other library and research materials between participating institutions. The regents shall possess all the powers necessary or convenient to accomplish the foregoing, including the authority to designate representatives or members of such corporation in accordance with its articles and bylaws.

(b) The regents may make use of and pay for the use of the facilities and services of such nonprofit-sharing corporation; provided that the regents shall retain title to all books and materials deposited with such corporation for storage or loaned to other participating institutions, and that the authority of the regents to expend funds for the purchase of land, the construction of buildings and additions to buildings, and the purchase of equipment for the purpose of providing such facilities, shall be limited to funds appropriated pursuant to s. 20.285 (1) (i) and (m). Except as hereinbefore provided, the appropriations to the regents under ch. 20 are to be available to the regents for the purposes of this section to the extent that such appropriations may be applicable and without reference to whether any particular appropriation is available for expenditure at the university at Madison or elsewhere.

(10) The board of regents of the university may establish extension centers in communities approved by the co-ordinating committee for higher education and not otherwise provided with degree-granting public institutions of higher learning and enter into arrangements with one or more counties or other units of government for the establishment and maintenance of the necessary physical facilities in connection therewith.

**History:** 1963 c. 6, 419; 1965 c. 433 s. 121; 1967 [13.93 (1) (d), (e), (h)]; 1967 c. 43, 291 s. 14.

The sale of 33.83 acres of agricultural lands at a price of \$6,000 cash per acre, together with other items constituting the consideration for the sale, was not an abuse of discretion by the Board of Regents as selling at an inadequate price because of the value of such lands for business purposes. *Glendale Development v. Board of Regents*, 12 W (2d) 120, 106 NW (2d) 430.

The regents do not have statutory authority to restrict admission of students, resident or non-resident, because of budgetary shortages. 52 Atty. Gen. 217.

**36.062 Scientific investigation encouraged.**

The board of regents may encourage scientific investigation and productive scholarship, and create conditions tending to that end.

**History:** 1967 [13.93 (1) (h)].

**36.063 Experimental television transmission.** The board of regents may grant the radio council the part-time use of equipment

and space for the conduct of research and experimentation in educational television.

**History:** 1967 [13.93 (1) (h)].

**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 20 times as great as that originally given. When such gifts, grants, bequests or devises include common stocks or other investments which are not authorized by ch. 320, the regents may continue to hold such common stocks or other investments and exchange, invest or reinvest the funds in such gift, grant, bequest or devise in similar types of investments without being subject to the limitations and restrictions provided by law in other cases. Except as otherwise provided in this section, the regents may invest not to exceed 75% of trust funds held and administered by them in common stocks, the limitation of 50% in s. 320.01 (2) to the contrary notwithstanding.

(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, experi-

ment, 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 intended 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.

**History:** 1961 c. 279; 1967 [13.93 (1) (h)].

Under the terms of a gift of money from anonymous donors to the university, and other facts and circumstances presented in the instant action, the board of regents' giving of a part of such money to the nonprofit corporate purchaser of the lands in question from the board, to aid the purchaser in making the purchase, was not giving public property away for a private purpose contrary to law, and was not an abuse of discretion by the board. *Glendale Development v. Board of Regents*, 12 W (2d) 120, 106 NW (2d) 430.

**36.07 University; janitors' salaries.** The board of regents shall fix the salaries of the janitors at the university so that they are equivalent and equal to the salaries paid to janitors at the state capitol, and shall conform to the salary schedule for janitors established pursuant to ch. 16. 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.

**History:** 1967 c. 26.

**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 may 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.

**History:** 1987 [13.93 (1) (h)].

**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 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 deems 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 700 copies may be printed by the state printer in separate form on good paper and with such appropriate quality of binding as the department of administration 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.

**History:** 1967 [13.93 (1) (g)].

**36.10 University accounting, receipts.** (1) **REMITTANCES TO STATE TREASURER.** Unless otherwise provided by law, all moneys collected or received by each and every person for or in behalf of the university of Wiscon-

sin, or which are required by law to be turned into the state treasury, shall be deposited in or transmitted to the state treasurer at least once a week and also when required by the governor, and shall be accompanied by a statement in such form as the state treasurer may prescribe.

(2) **PRE-AUDIT; PAYMENTS.** Unless otherwise provided by law, no bills shall be incurred in the management of the university of Wisconsin nor be paid until they have been audited by the university business office under the supervision of the department of administration. Every claim or account shall state the nature and particulars of the service rendered or material furnished, the name of each payee, the amount allowed to and due him, for what service or object, and to what appropriation and fund chargeable. Such claim or account shall be certified by the proper university officer to the department of administration except that the details of such account may be made summary to such extent as the director may prescribe by forms therefor; upon which the director shall issue his warrant for the proper amount to the person entitled thereto.

**36.11 University accounts.** (1) **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 ch. 16.

(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

may regulate the courses of instruction and prescribe the books or works to be used in the several courses, and also confer such degrees and grant such diplomas as are usual in universities or as they shall deem appropriate, and confer upon the faculty by bylaws the power to suspend or expel students for misconduct or other cause prescribed in such bylaws.

**History:** 1967 [13.93 (1) (h)].

**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 be added thereto or connected therewith. No new school or college shall be established unless authorized by the legislature.

(9) The board of regents may establish and maintain a college of commerce.

(10) The board of regents may establish and maintain a college of pharmacy.

(11) The board of regents may establish and maintain a school of fine arts.

(12) The board of regents may establish and maintain a school of architecture.

(13) The board of regents shall establish and maintain, at the Milwaukee campus, a department of religious studies offering, solely on an elective basis, appropriate academic courses on significant topics of religious thought and religious teachings throughout the world.

**History:** 1963 c. 92; 1967 c. 29, 43.

**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 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 prescribed by the board of regents, shall during his freshman and sophomore years of attendance receive instruction in military science and tactics and that such instruction in military science and tactics shall be optional to such male students when the faculty so determines and the board of regents approves.

Board of regents may approve or disapprove determinations of the faculty as to military science instruction, but cannot modify its action. 49 Atty. Gen. 98.

**36.16 Nonresident tuition at university; exceptions.**

(1) (a) Any adult student who has been a bona fide resident of the state for one year next preceding the beginning of any semester for which such student registers at 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 registers at the university, or any minor student whose natural parents are divorced or legally separated who has resided substantially in this state during his years of minority and at least one year next preceding the beginning of any semester for which such student registers at the university or whose mother or father has been a bona fide resident for one year next preceding the beginning of any semester for which such student registers at the university, or any minor student who is an orphan and who has resided substantially in this state during his years of minority and at least one year next preceding the beginning of any semester for which such student registers at the university or whose legal guardian has been a bona fide resident

for one year next preceding the beginning of any semester for which such student registers at the university, or any minor student under guardianship in this state pursuant to ch. 48 or 319 who has resided substantially in this state during his years of minority and at least one year next preceding the beginning of any semester for which such student registers at the university or whose legal guardian if a person has been a bona fide resident of the state for one year next preceding the beginning of any semester for which such student registers at the university, shall while he continues a resident of the state be entitled to exemption from nonresident tuition, but not from incidental or other fees and tuition in the university.

(ab) Nonresident members of the armed forces who are stationed in this state and their wives and children shall be entitled to the exemptions provided in par. (a) during the period that such member of the armed forces is stationed in this state.

(ac) Any female student who attended the university as a minor student exempt from the fees for nonresident tuition, and, who would continue to be entitled to the exemptions provided in par. (a) except for having married a nonresident, shall continue to be entitled to such exemptions.

(ae) Any female who marries a bona fide resident shall be entitled to the exemptions provided in par. (a) effective the semester following her marriage and while continuing to reside in this state.

(b) Any student who has not been a resident of the state for one year next preceding the beginning of any semester for which such student registers at the university, except as above provided, shall not be exempt from the payment of the nonresident tuition fees.

(c) Except as otherwise provided in this section, the regents shall charge a nonresident tuition fee at the rate of not less than \$200 per school year for any student who shall not have been exempted by 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 may fix the nonresident tuition fee of any resident of another state maintaining a university at a sum less than \$200 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 8% 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 attainment. The board may remit nonresident tuition in whole or in part, but no other fees, to additional individual students at the university not exceeding 2% of the number of nonresident students registered in the preceding year who, in the judgment of the board, are deserving of relief from the assessment of nonresident tuition because of extraordinary circumstances.

(e) Notwithstanding par. (b), any minor or totally dependent person who resides outside the state but whose parent, upon whom he is dependent, is employed full time in Wisconsin shall be admitted to the university as a resident student provided that the state of residence provides for reciprocity in the levying of any taxes on income imposed by such state.

(2) In addition to the number of remissions of nonresident tuition authorized under sub. (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 member and each nonresident whose tuition shall have been remitted under 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 in such manner as the regents may designate not later than the end of the first week of instruction of the semester in which the remission of tuition is to be effective, provided that a state senator or assemblyman who assumes office during a school year may make a recommendation for the 2nd semester of that year only when a recommendation of his predecessor is not effective for that term and provided further that should any nonresident student so recommended for any year fail to matriculate for any semester a successor for such semester

may be recommended by such state senator or assemblyman.

(3) In determining bona fide residence, filing of state income tax returns in Wisconsin, eligibility for voting in this state, motor vehicle registration in Wisconsin, and employment in Wisconsin shall be considered. Notwithstanding par. (1) (a), a student from another state who is in this state principally to obtain an education will not be considered to have established a residence in Wisconsin by virtue of attendance at educational institutions.

**History:** 1963 c. 224, 459, 475; 1965 c. 163; 1967 [13.93 (1) (e), (h), (i)].

See note to 37.11, citing 54 Atty. Gen. 27. Discussion of residence status of student whose parents remove from the state, and armed forces on active duty within state. 54 Atty. Gen. 68.

#### **36.161 Scholarships, regents to grant.**

(1) The board of regents of the university of Wisconsin may grant scholarships to bona fide residents of the state who, during their high school or college courses, were good students, are in financial need, and possess qualifications for leadership. The monetary value of scholarships granted shall vary with the recipient's financial need. A scholarship granted an individual by the board of regents under this section shall not exceed an amount equal to 67% of the financial need of the individual student as determined by the institution in conformance with procedures established by the state commission for higher educational aids.

**History:** 1965 c. 463.

#### **36.17 Summer session, educational extension, correspondence teaching.**

The board of regents may maintain a summer session and shall carry on educational extension and correspondence teaching and shall carry on university extension classwork in such communities as have 30 or more students and where the vocational or other educational board shall co-operate by payment of the regular extension fees. When similar courses of instruction are given at the university and at any other place of instruction in any city other than Madison, the rates of tuition per course charged to students at any such other place of instruction or for correspondence study shall be no higher than the rates of tuition charged for such courses at Madison. Resident and nonresident tuition for full-time students at extension centers shall be the same as tuition as the state colleges.

**History:** 1965 c. 163.

**36.18 Training for public service.** (1) The board of regents of the state university

may establish and 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 this state 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.

**History:** 1967 [13.93 (1) (h), (i)].

**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 \$400 to any recipient, to be advanced in monthly instalments 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 sub. (5) (d), such loans shall bear interest at the rate of 4% 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 ap-

proval 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 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 2 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 be determined by the director of personnel in accordance with ch. 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 instalments, 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 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.

(f) Section 48.985 shall apply to any loan contracted under this section.

(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 ch. 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 department of administration, county, city or other local government employments.

**History:** 1963 c. 401; 1967 [13.93 (1) (g)]; 1967 c. 29.

#### **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 may establish 3 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 \$500, which sum shall be paid annually for period of lease to the secretary of the board of regents of the university.

**36.195 Rural electrification.** For the purpose of aiding in the agricultural development of the respective counties of the state and in a postwar program for the development of rural electrification on an area coverage basis the college of agriculture of the university of Wisconsin shall maintain a rural electrification division. The duties and functions of the division shall be to (1) gather, digest and disseminate all available information on rural electrification and economical and safe uses of electricity on farms; (2) to co-operate with the federal government and

its agencies in the development of rural electrification on an area coverage basis and particularly with any postwar program designed to bring central station electric service to the presently unelectrified farms of the state; (3) to co-operate with and aid rural electric co-operative associations organized under ch. 185 in the development of their rural electrification projects on an area coverage service at cost basis; and (4) to gather and disseminate information and data to aid in co-ordinating the efforts of rural electric co-operative associations and private and municipal companies in their respective rural electrification programs, to the end that electricity at reasonable rates shall be made available to all Wisconsin farmers desiring central station electric service and not now receiving such service.

**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 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) The state soils laboratory shall make field examinations and laboratory analyses of the soil of any land in this state, and 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 may through the college of agriculture:

(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 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) do any or all things necessary for the furtherance of the purposes of this section.

**History:** 1967 [13.93 (1) (e), (h)]; 1967 c. 29.

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

(2) The board of regents shall cause to be done, under the supervision of the dean of the college of agriculture, research and experimentation in the control of bovine Brucellosis (Bang's disease), at such points within this state as may in its judgment be advisable. Such research shall include studies of the relative value of methods controlling such disease, particularly "test and slaughter", calf-hood vaccination, adult animal vaccination, and proper sanitary herd management, or various combinations of such procedures. Such research shall also include studies in co-operation with the state board of health and the

university school of medicine to determine if undulant fever is transmissible to humans through milk from bovine animals which have been vaccinated with Strain 19 Brucella vaccine. To facilitate such work contracts may be entered into with the owners of not more than 100 herds of bovine animals of various classes for the supervised control of the animals therein and for the purchase of animals under conditions to be specified in such contracts which shall be retained for control purposes. Payment for such animals shall be made out of the appropriation in s. 20.285 (1) (a).

(3) The regents of the university may 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 may 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.

(5) The regents of the university, through the college of agriculture, may do all things necessary to carry out the purposes of s. 59.87, relating to county co-operative extension service in agriculture and home economics.

(6) The board of regents through the college of agriculture shall cause studies, research and experiments to be carried on to determine why Wisconsin dairy cattle are reacting in sharply increased numbers to tests for bovine tuberculosis, with special emphasis on experiments to determine the efficacy of present testing methods.

**History:** 1965 c. 433 s. 121; 1967 [13.93 (1) (g), (h)]; 1967 c. 291 s. 14.

**36.216 Soil and water conservation.** The board of regents of the university may carry out the educational and administrative functions of s. 92.04, with the advice of the state soil and water conservation committee. The regents shall make available to the committee such staff services as may be necessary for the administration and co-ordination of its functions.

**History:** 1965 c. 163; 1967 [13.93 (1) (h)].

**36.217 Dutch elm disease studies.** The board of regents through the college of agriculture, under the direction, so far as practi-

cable, of the departments of plant entomology and plant pathology, with the assistance of recognized leaders in this field of research at the university, shall conduct or cause to be conducted laboratory and field studies, research and experiments to determine the cause and control of Dutch Elm disease. The various departments of the state, including the board of health, department of agriculture and markets and the conservation commission shall co-operate with the university in this program.

**History:** 1965 c. 376.

**36.22 Pharmaceutical experiment station.**

The board of regents of the state university may establish, equip and maintain in the department of pharmacy of the state university a pharmaceutical experiment station. Said station shall:

(1) 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 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) 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 state department of agriculture to bring about these results.

**History:** 1967 [13.93 (1) (h)]; 1967 c. 29.

**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 state laboratory of hygiene shall undertake the examination of water supplies for domestic purposes; the examination of materials of various contagious and infectious diseases or materials from suspected cases of contagious and infectious diseases of men and animals when public health is concerned; the examination of the nature and cause of disease outbreaks throughout the state; the study of conditions relating to diseases and their dissemination; and any other problems which bear directly or indirectly upon the public health.

(3) 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 provided for by the state board of health.

(4) The laboratory shall undertake the preparation of vaccines, antitoxins, and the production of other biological agents which may be serviceable in the treatment, control and prevention of disease, and to make Wassermann tests and such other chemical examinations as may be deemed necessary.

(5) Examination of the following specimens shall be done without charge when submitted in proper containers by licensed physicians, veterinarians, health officers and health commissioners: Material collected from patients afflicted with tuberculosis or from persons suspected of being afflicted with tuberculosis; blood from suspected typhoid fever cases and other enteric infections; swabs from persons suspected of having diphtheria, septic sore throat or other communicable diseases involving the upper respiratory tract and for the release from quarantine of persons who have been afflicted with these diseases; material from men or animals suspected of suffering from rabies, anthrax and glanders; examinations pertaining to industrial health hazards and such other examinations as may be necessary for the control and prevention of those diseases which cause a public health problem.

(6) The state laboratory of hygiene shall be operated to furnish a complete laboratory service to the state board of health and the department of resource development and to make available to the university of Wisconsin, the state board of health and the department of resource development such facilities for teaching in the fields of public health and water quality as may be derived from such a laboratory.

(7) For the purpose of co-ordination between the state board of health, the department of resource development and the university board of regents and for the purpose of determining policies, an administrative committee for the state laboratory of hygiene is created to be composed of the president of the university, the dean of the medical school, the director of resource development, the president of the state board of health, the secretary of the state board of health and the director of the laboratory or their representatives. The regents, upon the recommendation of the dean of the medical school with

the administrative committee approving, shall appoint the director of the laboratory and such other members of its professional staff as are required for the administration of the duties of the laboratory. The technical staff and other employes necessary to the administration of the laboratory shall be employed by the director from the eligibility rolls of the department of administration.

**History:** 1965 c. 614; 1967 c. 29.

Specimens described in (5) when properly submitted by licensed personnel must be examined without charge by laboratory of hygiene. Laboratory cannot deny service to physicians in one area of the state while granting service to physicians elsewhere in Wisconsin. 52 Atty. Gen. 24.

**36.227 Psychiatric Institute.** (1) PART OF UNIVERSITY; EXCEPTION. The Wisconsin psychiatric institute established under s. 51.235 (excepting the Wisconsin memorial hospital) shall be maintained as a department of the university of Wisconsin.

(2) PROPERTY. All property used by the Wisconsin psychiatric institute (except real property used by said institute, and except the property of the Wisconsin memorial hospital) is transferred to the university of Wisconsin and the board of regents shall hold such property for the use of the institute.

(3) OPERATION; DUTIES. The board of regents shall house, equip and maintain as part of the university, the Wisconsin psychiatric institute. The institute shall:

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

(b) Render a specialized service to the state institutions under the jurisdiction of the state department of public welfare, the superintendent of public instruction, and the state board of health, such service to be available at all times to said department, officer or board, and to the institutions under their jurisdiction. Such state institutions are open to the institute for research investigation.

(d) Exercise the powers granted under s. 51.235 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 state department of public welfare to the psychiatric institute, shall be made only by approval of said department and the director of the psychiatric institute.

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

(6) **ADVISORY COUNCIL.** (a) An advisory council is created to advise on the relations of the Wisconsin psychiatric institute to other state institutions and mental health programs, and other groups, public and private, engaged in mental health research.

(b) The council shall be composed of the director of public welfare, the superintendent of public instruction, the state health officer, the director of the state board of vocational, technical and adult education, or their designated representatives, and 2 public members who shall not be state employes. The 2 public members shall be appointed by the ex-officio members for indefinite terms. The public members may be reimbursed for actual and necessary expenses from the appropriation made by s. 20.285 (1) (a). The advisory council shall meet as often as it determines and shall also select its own officers.

(c) The advisory committee shall make a biennial report to the regents of the university, the governor, and the legislature with any recommendations it may have to improve the program of the institute.

**History:** 1961 c. 464; 1965 c. 292 s. 11 (3); 1965 c. 433 s. 121; 1967 c. 291 s. 14.

**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 U.S. geological survey; but no money shall be expended for topography unless an equivalent amount be expended for this purpose in the state by the U.S. government.

**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.

**36.245 Water resources programs co-ordinator.** Moneys made available to the conservation commission, department of resource development and geological and natural history survey of the university of Wisconsin, respectively, by ss. 20.285 (1) and 20.370 (1) (a) and (5) (b) for a joint accelerated water resources research and data collection program shall be administered and co-ordinated by the director of the water resources center of the university of Wisconsin. No such funds shall be made available to any of the agencies specified until, on application from the state agency concerned, such director finds that such funds will be used for water resource investigations needed for the solution of existing or emerging water resource problems and that these investigations will wherever practical be co-ordinated with such investigations by other state or federal agencies and with research in progress or proposed under the sponsorship of the water resources center of the university of Wisconsin. The director shall make biennial reports thereon to the legislature at the convening thereof. In connection with his review of applications hereunder, the director of the water resources center shall seek the advice of the water subcommittee of the natural resources committee of state agencies.

**History:** 1965 c. 502, 614; 1967 c. 110, 291 s. 14.

**36.25 Co-operative agreements with municipalities and school boards.** The board of regents may enter into agreements with any municipality or corporation established under s. 66.30 (2m) for special work undertaken at the request of or in co-operation with such municipality or corporation at its expense, in whole or in part, for any purpose specified in ss. 36.23 to 36.30 and 66.30, and

all moneys received under such agreements shall be used as therein specified.

**History:** 1965 c. 517.

**36.26 Reports and their distribution.** (1) The board of regents may 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 ss. 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.

**History:** 1967 [13.93 (1) (h)].

**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 colleges and the free high schools of the state, under the approval of the board of regents of the university, 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 this state 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 wetlands 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.

**History:** 1967 [13.93 (1) (l)].

**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 map-

ping 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 U.S. 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 department of taxation 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 department of taxation.

(2) The said geological and natural history survey may enter upon any and all lands for the purpose of making a geological examination thereof by persons competent to make such examination, and require the owner or lessor of such lands to open to their inspection for the purposes of this section 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 department of taxation 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 owning or operating any such mine or explored mineral land, shall on demand by the geological and natural history survey, or its authorized rep-

representative, be open to its or his inspection or examination. Any such person 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 of said department of taxation who shall divulge or make known to any person except the officers of said survey or said department of taxation, in any manner, directly or indirectly, any information whatsoever given to him in the discharge of his duties under subs. (2) and (3), which information shall have been given him with the request that it be not divulged, shall be fined not less than \$50 nor more than \$500, or imprisoned in the county jail not less than one month nor more than 6 months, or imprisoned in the state prison not more than 2 years; provided, that nothing herein contained shall prevent the use for assessment purposes of any information obtained under this section.

**History:** 1967 [13.93 (1) (d), (e), (h), (1)]; 1967 c. 29.

**36.31 State of Wisconsin General Hospital, established; Wisconsin Orthopedic Hospital for Children.** 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.

(6) The Wisconsin Orthopedic Hospital for children shall be a part of the Wisconsin General Hospital under the control and supervision of the board of regents. The purpose of the orthopedic hospital for children shall be to provide medical, surgical and therapeutic treatment for crippled children under 21 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 such treatment. Admissions to the hospital shall be governed by ch. 142 and the provisions of ch. 142 shall apply to this subsection.

**36.33 Broadcasting station WHA.** The board of regents shall manage, operate and maintain broadcasting station WHA.

**36.34 Sale and relocation of agricultural lands.** (1) The legislature hereby finds and determines that, because of (a) the problems resulting from the development of the city of Madison around certain agricultural lands of the state university; (b) the desirability of consolidating lands used for agricultural instruction, research and extension purposes; (c) the desirability of disposing of agricultural lands no longer needed by the university; and (d) the need for land of better quality and of greater quantity for the purpose of improving and expanding agricultural research, it is in the public interest for the regents of the university to sell or lease, in whole or in part, the agricultural lands and improvements thereon owned by said regents and located in sections 19 and 20, township 7 north, range 9 east, Dane county; section 27, township 7 north, range 8 east, Dane county; and section 22, township 22 north, range 8 east, Portage county; and to purchase other agricultural lands outside of the Madison urban area and to construct thereon the necessary buildings and improvements. The foregoing policy determination is made without reference to or intention of limiting the powers which the regents may otherwise have.

(1a) The legislature hereby restates its findings, determinations and policy as stated in sub. (1) (c) and (d), and that it is in the public interest for the regents to sell, in

whole or in part, the agricultural lands and improvements thereon owned by the regents located in the E $\frac{1}{2}$  of NE $\frac{1}{4}$  of Sec. 34 and the W $\frac{1}{2}$  of NW $\frac{1}{4}$  of Sec. 35, T. 16 N., R. 7W., La Crosse county and to use the proceeds of such sale, together with funds appropriated by s. 20.285 (1) (j), for the purchase of land and construction of improvements thereon for a new experiment station; and the university administration and the college of agriculture may develop plans to accomplish this purpose.

(2) The regents, in selling or leasing any part of the agricultural lands and improvements thereon, mentioned in subs. (1) and (1a), shall sell or lease on the basis of either (a) public bids, with the regents reserving the right to reject any or all bids in the best interest of the state, or (b) negotiated prices. Notwithstanding any provisions of law to the contrary, the lands in Dane county mentioned in sub. (1) shall be subject to special assessments for public improvements by the city of Madison, in the same manner and to the same extent as privately owned lands, provided that such public improvements are of direct and substantial benefit to such portions as have been platted for sale.

(3) The sale, lease and purchase of agricultural lands of the state university, mentioned in subs. (1) and (1a), shall be subject to the approval of the state building commission.

(4) To the extent that it is necessary to protect the public interests, actions, proceedings and authorizations by the state building commission, or the regents of the university, in carrying out s. 13.48 (2) (d) and this section, may be taken in executive session and made matters of public record after the sale, lease or purchase transactions are completed.

(5) The net proceeds from the sale of agricultural lands and improvements authorized by this section shall be devoted to the purchase of land and construction of improvements contemplated in subs. (1) and (1a), but of any excess of revenue beyond the amount required for this purpose a sum not to exceed \$1,000,000 shall constitute a

nonlapsible fund for the purpose of erecting facilities for research and instruction in animal husbandry and agricultural engineering on the campus of the university of Wisconsin, and such funds shall become available upon consent and recommendation of the board of regents and authorization by the state building commission.

(7) The lands mentioned in sub. (1) which are located in the city of Madison shall be subject to all general property taxes levied by the city of Madison in the event that they are used for commercial purposes. The term "commercial purposes" as used herein shall not be deemed to include official use by the state or any of its agencies.

**History:** 1961 c. 610; 1965 c. 433 s. 121; 1967 [13.93 (1) (e), (h)]; 1967 c. 26, 29, 291 s. 14.

**36.36 Outpatient housing; Wisconsin General Hospital.** The board of regents may establish and maintain outpatient housing facilities for public patients being treated at the Wisconsin General Hospital and apportion the cost of maintaining such patients therein as provided by s. 142.08 (4). The board may also authorize the parents or guardians of children admitted to the Wisconsin General Hospital to use such housing facilities and to charge them a fee not less than the actual cost of maintenance therein.

**36.50 Ticket scalping; penalty.** (1) 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 shall be considered a revocable license to the person to whom such ticket may be issued and shall be transferable only on such terms and conditions as the board of regents of the university may prescribe.

(2) No such ticket or other evidence of the right of entry may be sold for more than the price printed upon the face of the ticket; and any person reselling or buying any such ticket for more than said price shall be fined not less than \$10 nor more than \$100 or imprisoned not more than 60 days.

**History:** 1967 [13.93 (1) (1)].