

**2003 DRAFTING REQUEST**

**Assembly Substitute Amendment (ASA-AB344)**

Received: **06/23/2003**

Received By: **mlief**

Wanted: **As time permits**

Identical to LRB:

For: **Rob Kreibich (608) 266-0660**

By/Representing: **tom fanfara**

This file may be shown to any legislator: **NO**

Drafter: **mlief**

May Contact:

Addl. Drafters:

Subject: **Higher Education - UW System  
Higher Education - miscellaneous  
Health - miscellaneous**

Extra Copies: **RLR, GMM**

Submit via email: **YES**

Requester's email: **Rep.Kreibich@legis.state.wi.us** ✓

Carbon copy (CC:) to: **tf2@quarles.com ?**

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**Pre Topic:**

No specific pre topic given

---

**Topic:**

Requiring colleges to provide information about meningococcal disease

---

**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mlief 06/23/2003	kgilfoy 06/23/2003		_____			
/1	mlief 06/23/2003		pgreensl 06/23/2003 pgreensl	_____	amentkow 06/23/2003	amentkow 06/23/2003	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
			06/23/2003	_____			
/2	mliel 06/24/2003	jdye 06/24/2003	chaugen 06/24/2003	_____	mbarman 06/24/2003	mbarman 06/24/2003	

FE Sent For:

<END>

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/?	mlief 06/23/2003	kgilfoy 06/23/2003		_____			
/1	mlief 06/23/2003	12/24/03 jld	pgreensl 06/23/2003 pgreensl	_____	amentkow 06/23/2003	amentkow 06/23/2003	

↓                      ↓

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

FE Sent For:

06/23/2003 Ch  
Ch+PG  
6-24      Jonnie  
6-24

<END>

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KMG

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1?	mlief	1-6/23 KMG	6/23 PS	6/23 PS/R			

FE Sent For:

<END>

## Lief, Madelon

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**From:** Fonfara, Tom J. [TF2@quarles.com]  
**Sent:** Monday, June 23, 2003 8:36 AM  
**To:** MADelon.lief@legis.state.wi.us  
**Subject:** FW: The Alternative (DRAFT 1)

- > 1.) Annually, require the University of Wisconsin System, and the Private Colleges and Universities in Wisconsin to provide detailed information to all students on the risks associated with meningococcal disease and the availability and effectiveness of vaccines against the disease.  
>
- > 2.) Students residing in residence halls or dormitories would be required to affirm (either by signature, or electronically) that they have received information from the university on the risks associated with meningococcal disease and the availability and effectiveness of vaccines against the disease. If a student has received the meningococcal vaccine, that information shall be provided to the university in the format requested by the university.  
>
- > 3.) Each University of Wisconsin System campus, and each private college or university shall maintain records on the meningococcal vaccination status of every student residing in on-campus housing, including the affirmations and immunization records executed pursuant to paragraph 2.  
>
- > 4.) Nothing in this section shall be construed as requiring any institution of higher education in Wisconsin to provide or pay for vaccinations against meningococcal disease.  
>
- > 5.) Effective date: 6 months after publication, or on January 1, 2004, which ever is earlier.  
>  
>

Tc

## Lief, Madelon

---

**From:** Fonfara, Tom J. [TF2@quarles.com]  
**Sent:** Monday, June 23, 2003 10:25 AM  
**To:** MADelon.lief@legis.state.wi.us

- > Thanks Tom. This looks good and I could tell Pocan that we support
- > it. In point #3, it seems unclear how often the school would have to
- > update the records. What about...
- >
- > 3.) Each University of Wisconsin System campus, and each private
- > college or university shall maintain a record of the affirmations and
- > meningococcal immunization records executed pursuant to paragraph 2
- > for every student residing in on-campus housing.
- >

---

## Nonsubmittal Form

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**LPSes: DO NOT FORWARD THIS DRAFT FOR SUBMITTAL, UNLESS INSTRUCTED TO DO SO BY THE DRAFTING ATTORNEY.**

**| 1 | Return everything to the primary drafting attorney.**

After you have completed typing this draft, return the camera-ready copy to the primary drafting attorney, along with the drafting file. Also, forward the electronic file to the primary drafting attorney for the task of drafting.

**or**

**| 2 | Return only the camera-ready copy to the primary drafting attorney.**

After you have completed typing this draft, clip this form to the camera-ready copy and return these materials to the primary drafting attorney. Place the drafting file in the HOLD basket in the LPS room. Forward the electronic file to Typing — lrb\_lps, so that the electronic file can be viewed by all LPSes.

When the attorney finishes reviewing the draft, the attorney will bring the camera-ready copy back to the LPS room. If the attorney has found any typos or minor corrections, correct the draft as indicated and print out a new camera-ready copy. Take the final camera-ready copy, retrieve the drafting file from the HOLD basket in the LPS room, discard this form, place the camera-ready copy and the drafting file in the PA submit basket, and forward the electronic file to the PAs for submitting. (If, after reviewing the draft, the attorney decides to redraft it, give the attorney the drafting file and forward the electronic file to the attorney for drafting.)



2003

Date (time) needed

3 PM = TODAY 6/23

TO ed. 11 AM 6/23

LRBs 0116 1 1

SUBSTITUTE AMENDMENT [TO A BILL]

MJL:KMG

Use the appropriate components and routines developed for substitute amendments.

S (A) SUBSTITUTE AMENDMENT

TO 2003 SB (AB) 344 (LRB- 1 )

AN ACT... [generate catalog] to repeal...; to renumber...; to consolidate and renumber...; to renumber and amend...; to consolidate, renumber and amend...; to amend...; to repeal and recreate...; and to create... of the statutes; relating to: insert relating clause

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

-> label ANALYSIS - here

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

SECTION #.

INS A

# 2003 ASSEMBLY BILL 344

May 16, 2003 - Introduced by Representatives KREIBICH, GARD, JENSEN, HUEBSCH, GRONEMUS, SCHNEIDER, JESKEWITZ, WARD, FREESE, PETTIS, MCCORMICK, OTT, SERATTI, SUDER, SHILLING, WASSERMAN, LOTHIAN, HAHN, GOTTLIEB, BALOW, OLSEN and BIES, cosponsored by Senators SCHULTZ, S. FITZGERALD and BRESKE. Referred to Committee on Colleges and Universities.

*INSERT rel. clause ✓*

1 AN ACT *to create* 36.25 (46) and subchapter V of chapter 39 [precedes 39.81] of  
2 the statutes; **relating to:** requiring ~~every~~ college students to be ~~vaccinated~~  
3 ~~against or to~~ be informed about meningococcal disease *and requiring colleges*

*Regen*  
*to maintain certain records about the vaccination status of students*

### *Analysis by the Legislative Reference Bureau*

*Insert ANAL-A*

This bill prohibits the University of Wisconsin System and all private colleges and universities in Wisconsin from permitting an undergraduate student to occupy a dormitory or residence hall unless: 1) the student provides proof that he or she has been vaccinated against meningococcal disease within 12 months of the initial occupancy of the dormitory or residence hall; or 2) the college or university has provided detailed information on the risks associated with meningococcal disease and the availability and effectiveness of vaccines against the disease and the student (or his or her parent or guardian, if the student is a minor) affirms that he or she has reviewed the information and has chosen not to be vaccinated.

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

4 SECTION 1. 36.25 (46) of the statutes is created to read:

*INS A*





ASSEMBLY BILL 344

ASEC# CR 252.09

# 252.09

the following:

**MENINGOCOCCAL DISEASE.**

Bold + NOCS

Annually, each private college and university in this state shall do all of

LRB-1130/4  
MJL:kmg&cs:rs

SECTION 1

(1)

undergraduate student to occupy a dormitory or residence hall unless one of the following occurs:

(a)

The student submits proof to the appropriate campus office that he or she has been vaccinated against meningococcal disease within 12 months of his or her initial occupancy of a dormitory or residence hall. After this initial proof of vaccination is provided, the student is not required to provide proof for subsequent occupancies. Proof of vaccination shall include documentation from the health care provider who administered the vaccination or shall include a statement signed by the student or, if the student is younger than 18 years of age, by the student's parent or guardian, that specifies the date on which the vaccination was administered and the health care provider who administered the vaccination or the facility at which the vaccination was administered.

resides in a dormitory or residence hall and

The board provides detailed information on the risks associated with meningococcal disease and the availability and effectiveness of vaccines against the disease to the student, if he or she is at least 18 years old, or to the student's parent or guardian, if the student is a minor, and the individual who is provided the information affirms that he or she has reviewed the information and has chosen not to be vaccinated or has chosen not to have the minor vaccinated. Once the individual so affirms, the board is not required to obtain subsequent affirmations.

Each enrolled

Require a student who has received the vaccination against meningococcal disease to so affirm the date of the last vaccination against hepatitis B, if any.

SECTION 2. Subchapter V of chapter 39 [precedes 39.81] of the statutes is

created to read:

CHAPTER 39

SUBCHAPTER V

Maintain records of each student of the affirmation and dates of vaccinations under par.(b) sub.(2). The

no scoring

the

the

A(3) ← (B)

a confidential

(B)

under par.(b)

sub.(2)

**ASSEMBLY BILL 344**

**SECTION 3**

*act*  
*takes effect on the first day of*

1 (1) This ~~bill~~ first applies to students occupying a dormitory or residence hall on  
2 the effective date of this subsection.

3 (END)

*the 7th month following publication or on  
January 1, 2004, whichever is earlier.*

Sec #. Effective date. *B*

End INS A

Insert - Analysis - A

¶ This substitute amendment requires all Wisconsin colleges and universities to provide ~~to~~ to all students each year ~~detailed~~ <sup>detailed</sup> information on the risks associated with meningococcal disease and the availability and effectiveness of vaccines against the disease.

The colleges and universities must ~~also~~ also ensure that each student who resides in

on-campus housing ~~affirms~~ <sup>affirms</sup> that he or she

~~has~~ <sup>has</sup> received the information and ~~if~~ <sup>if</sup> the

student has been vaccinated against the

disease, <sup>(S)</sup> ~~and~~ <sup>and</sup> provided the date of ~~the~~ <sup>the</sup> vaccination, ~~and~~ <sup>and</sup> the date of the last vaccination against ~~hepatitis~~ <sup>hepatitis</sup>

¶ Finally, the college or university must <sup>hepatitis B, if any</sup> maintain <sup>(a confidential)</sup> record of this affirmation and <sup>the</sup> dates of the

vaccinations <sup>of</sup> ~~of~~ each student residing

in on-campus housing

6/23

TC w/Tom F. |

Grant.

Add to  
sub  
amendment

→ If a stud has received Hep B -  
vaccine, report date of ~~last~~  
IAAOC. Last vaccine.

→

- University has to keep a record  
of that.

**Lief, Madelon**

---

**From:** Mary Matthias & John Walker  
**Sent:** Tuesday, June 24, 2003 7:39 AM  
**To:** madelon.lief@legis.state.wi.us  
**Cc:** brad.hub@legis.state.wi.us  
**Subject:** LRB 03s0116-meningitis

Hi Lonnie-

Rob Kreibich asked me to look at the draft. I think it needs 2 changes, and a third I'm not sure of. Rob asked me to describe them to you and he would like the draft updated to incorporate these changes. Thanks.

1. The draft should require all students living in a dorm or res. Hall to affirm that they have received the information on meningitis. See item # 2 from the drafting instructions:

"2.) Students residing in residence halls or dormitories would be required to affirm (either by signature, or electronically) that they have received information from the university on the risks associated with meningococcal disease and the availability and effectiveness of vaccines against the disease."

It might work to put that requirement in a new subdivision as follows:

"1m. Require a student who resides in a dormitory or residence hall, or the student's parent or guardian, if the student is a minor, to affirm that the student has received the information under subd. 1."

---

2. The way I read the draft, (page 2, lines 5-8 and 20-23) only those students who reside in a dorm or res. hall AND have received a meningitis vaccination are required to give the university information about their hepatitis vaccination status. A kid living in a dorm who has NOT received a meningitis vaccination wouldn't be required to tell the U. whether or not they have been vaccinated hepatitis B. I believe the intent was that all students living in a dorm or res. hall must inform the university of whether or not they have received a meningitis vaccination AND whether or not they have received a hepatitis B vaccination. If they have received either vaccination, they must tell the University the date of vaccination.

It might work to break these requirements into 2 parts as follows:

"2. Require a student who resides in a dormitory or residence hall to specify whether or not he or she has received a vaccination against meningococcal disease and to provide the date of the vaccination, if any."

2m. Require a student who resides in a dormitory or residence hall to specify whether or not he or she has received a vaccination against hepatitis B and to provide the date of the vaccination, if any."

---

3. I'm not positive, but I think he wants the draft to "treat hepatitis B the same way it treats meningitis." If that is the case, the draft should require the U. to provide all students with detailed information on the risks associated with hepatitis B and the availability and effectiveness of vaccines against the disease to each enrolled student. Then the draft should also require students (or their parent if the student is a minor) to

06/24/2003



affirm that they have received the information.

Thanks. I am at home for a while this morning. If you want to talk to me feel free to call me here—835-7427.

Mary Matthias

**Lief, Madelon**


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"2.) Students residing in residence halls or dormitories would be required to affirm (either by signature, or electronically) that they have received information from the university on the risks associated with meningococcal disease and the availability and effectiveness of vaccines against the disease."

It might work to put that requirement in a new subdivision as follows:

"1m. Require a student who resides in a dormitory or residence hall, or the student's parent or guardian, if the student is a minor, to affirm that the student has received the information under subd. 1."

---

2. The way I read the draft, (page 2, lines 5-8 and 20-23) only those students who reside in a dorm or res. hall AND have received a meningitis vaccination are required to give the university information about their hepatitis vaccination status. A kid living in a dorm who has NOT received a meningitis vaccination wouldn't be required to tell the U. whether or not they have been vaccinated hepatitis B. I believe the intent was that all students living in a dorm or res. hall must inform the university of whether or not they have received a meningitis vaccination AND whether or not they have received a hepatitis B vaccination. If they have received either vaccination, they must tell the University the date of vaccination.

It might work to break these requirements into 2 parts as follows:

"2. Require a student who resides in a dormitory or residence hall to specify whether or not he or she has received a vaccination against meningococcal disease and to provide the date of the vaccination, if any."

2m. Require a student who resides in a dormitory or residence hall to specify whether or not he or she has received a vaccination against hepatitis B and to provide the date of the vaccination, if any."

---

3. I'm not positive, but I think he wants the draft to "treat hepatitis B the same way it treats meningitis." If that is the case, the draft should require the U. to provide all students with detailed information on the risks associated with hepatitis B and the availability and effectiveness of vaccines against the disease to each enrolled student. Then the draft should also require students (or their parent if the student is a minor) to

06/24/2003

affirm that they have received the information.

Thanks. I am at home for a while this morning. If you want to talk to me feel free to call me here—835-7427.

Mary Matthias



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRBs0116/3

MJL:kmg:pg

RMR Ljd

ASSEMBLY SUBSTITUTE AMENDMENT,  
TO 2003 ASSEMBLY BILL 344

Regen

and hepatitis B

1 AN ACT *to create* 36.25 (46) and 252.09 of the statutes; **relating to:** requiring  
2 college students to be informed about meningococcal disease, and requiring  
3 colleges to maintain certain records about the vaccination status of students.

*Analysis by the Legislative Reference Bureau*

This substitute amendment requires all Wisconsin colleges and universities to provide to all enrolled students each year detailed information on the risks associated with meningococcal disease, and the availability and effectiveness of vaccines against the disease. The colleges and universities must also ensure that each student who resides in on-campus housing affirms that he or she has received the information and, if the student has been vaccinated against the disease, provides the date of the vaccination, and the date of the last vaccination against hepatitis B. Finally, the college or university must maintain a confidential record of the affirmation and the dates of the vaccinations.

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

4 SECTION 1. 36.25 (46) of the statutes is created to read:  
5 36.25 (46) MENINGOCOCCAL DISEASE. (a) The board shall do all of the following:

and hepatitis B ← CS

1 1. Annually, provide detailed information on the risks associated with  
2 meningococcal disease and hepatitis B and the availability and effectiveness of vaccines against the  
3 disease to each enrolled student, if he or she is at least 18 years old, or to the student's  
4 parent or guardian, if the student is a minor.

5 3. Require a student who resides in a dormitory or residence hall ~~and has~~ <sup>to affirm</sup>  
6 whether he or she has received the vaccination against meningococcal disease ~~to so affirm~~ to provide the  
7 date of the vaccination, ~~and to provide the date of the last vaccination against~~ <sup>and</sup>  
8 ~~hepatitis B, if any.~~ <sup>if any.</sup>

9 <sup>4. Insert A</sup> 5. Maintain a confidential record of the affirmation and the dates of the  
10 vaccinations of each student under subd. <sup>3 and 4</sup>

11 (b) Nothing in this subsection requires the board to provide or pay for  
12 vaccinations against meningococcal disease or hepatitis B

13 SECTION 2. 252.09 of the statutes is created to read:

14 252.09 Meningococcal disease and hepatitis B Each private college and university in this  
15 state shall do all of the following:

16 (1) Annually, provide detailed information on the risks associated with  
17 meningococcal disease and hepatitis B and the availability and effectiveness of vaccines against the  
18 disease to each enrolled student, if he or she is at least 18 years old, or to the student's  
19 parent or guardian, if the student is a minor.

20 <sup>INS B</sup> 3. Require a student who resides in a dormitory or residence hall ~~and has~~ <sup>to affirm</sup>  
21 whether he or she has received the vaccination against meningococcal disease ~~to so affirm~~ and  
22 date of the vaccination, <sup>if any.</sup> ~~and to provide the date of the last vaccination against~~

23 ~~hepatitis B, if any.~~ <sup>INS C</sup>  
24 4. Maintain a confidential record of the affirmation and the dates of the  
25 vaccinations of each student under subd. <sup>(3) and (4)</sup>

26 5. Require a student who resides in a dormitory or residence hall, or the  
student's parent or guardian, if the student is a minor, to affirm that  
the student received the information under subd. 1.

MUE



INS A

4. <sup>no</sup> Require a student who resides in a dormitory or residence hall to <sup>affirm</sup> ~~specify~~ whether he or she has received <sup>of</sup> ~~the~~ the vaccination against hepatitis B and ~~to~~ to provide the date of the vaccination, if any.

(end ins)

Insert B

③  
# (2) Require a student who resides in a dormitory or residence hall, or the student's parent or guardian if the student is a minor, to affirm that the student received the information under sub. (1).

(end ins B)

INS C

③  
# (1) Require a student who resides in a dormitory or residence hall to affirm whether or ~~not~~ he or she received the vaccination against hepatitis B and to provide the date of the vaccination, if any.

(end ins C)



INS D

H (6)<sup>CB</sup> Nothing in this section requires a

college or university to provide or pay for

vaccinations against meningococcal disease ✓

or hepatitis B.

(end ins D)



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRBs0116/2  
MJL:kmg&jd:ch&pg

ASSEMBLY SUBSTITUTE AMENDMENT ,  
TO 2003 ASSEMBLY BILL 344

1 AN ACT *to create* 36.25 (46) and 252.09 of the statutes; **relating to:** requiring  
2 college students to be informed about meningococcal disease and hepatitis B  
3 and requiring colleges to maintain certain records about the vaccination status  
4 of students.

---

*Analysis by the Legislative Reference Bureau*

This substitute amendment requires all Wisconsin colleges and universities to provide to all enrolled students each year detailed information on the risks associated with meningococcal disease and hepatitis B and the availability and effectiveness of vaccines against the diseases. The colleges and universities must also ensure that each student who resides in on-campus housing affirms that he or she has received the information and, if the student has been vaccinated against either disease, provides the date of the vaccination or vaccinations. Finally, the college or university must maintain a confidential record of the affirmations and the dates of the vaccinations.

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

5 SECTION 1. 36.25 (46) of the statutes is created to read:

1           36.25 (46) MENINGOCOCCAL DISEASE AND HEPATITIS B. (a) The board shall do all  
2 of the following:

3           1. Annually, provide detailed information on the risks associated with  
4 meningococcal disease and hepatitis B and the availability and effectiveness of  
5 vaccines against the diseases to each enrolled student, if he or she is at least 18 years  
6 old, or to the student's parent or guardian, if the student is a minor.

7           2. Require a student who resides in a dormitory or residence hall, or the  
8 student's parent or guardian if the student is a minor, to affirm that the student  
9 received the information under subd. 1.

10          3. Require a student who resides in a dormitory or residence hall to affirm  
11 whether he or she has received the vaccination against meningococcal disease and  
12 to provide the date of the vaccination, if any.

13          4. Require a student who resides in a dormitory or residence hall to affirm  
14 whether he or she has received the vaccination against hepatitis B and to provide the  
15 date of the vaccination, if any.

16          5. Maintain a confidential record of the affirmations and the dates of the  
17 vaccinations of each student under subd. 3 and 4.

18          (b) Nothing in this subsection requires the board to provide or pay for  
19 vaccinations against meningococcal disease or hepatitis B.

20           SECTION 2. 252.09 of the statutes is created to read:

21           **252.09 Meningococcal disease and hepatitis B.** (1) - B  
22 university in this state shall do all of the following:

23           (1)<sup>a</sup> Annually, provide detailed information on the risks associated with  
24 meningococcal disease and hepatitis B and the availability and effectiveness of

1 vaccines against the diseases to each enrolled student, if he or she is at least 18 years  
2 old, or to the student's parent or guardian, if the student is a minor.

3 <sup>b</sup>  
(2) Require a student who resides in a dormitory or residence hall, or the  
4 student's parent or guardian if the student is a minor, to affirm that the student  
5 received the information under <sup>par. (a)</sup> ~~sub. (1)~~.

6 <sup>c</sup>  
(3) Require a student who resides in a dormitory or residence hall to affirm  
7 whether he or she has received the vaccination against meningococcal disease and  
8 to provide the date of the vaccination, if any.

9 <sup>d</sup>  
(4) Require a student who resides in a dormitory or residence hall to affirm  
10 whether ~~whether~~ he or she received the vaccination against hepatitis B and to provide  
11 the date of the vaccination, if any.

12 <sup>e</sup>  
(5) Maintain a confidential record of the affirmation <sup>(5)</sup> and the dates of the  
13 vaccinations of each student under <sup>par. (c) and (d)</sup> ~~subs. (2) and (4)~~.

14 <sup>2 - B</sup>  
(6) Nothing in this section requires a college or university to provide or pay for  
15 vaccinations against meningococcal disease or hepatitis B.

### 16 SECTION 3. Effective date.

17 (1) This act takes effect on the first day of the 7th month following publication  
18 or on January 1, 2004, whichever is earlier.

19 (END)