

2007 DRAFTING REQUEST

Bill

Received: **01/18/2007**

Received By: **mkunkel**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Binau**

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

Drafter: **mkunkel**

May Contact:

Addl. Drafters:

Subject: **Higher Education - UW System**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Binau, BB0388 -

Topic:

Report on proposed spending for UW High Demand Faculty

Instructions:

See Attached

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>
/?				_____			State
/1	mkunkel 01/23/2007	kfollett 01/23/2007	jfrantze 01/24/2007	_____	sbasford 01/24/2007		State
	mkunkel 01/25/2007	kfollett 01/25/2007		_____			
/2			rschluet 01/25/2007	_____	sbasford 01/25/2007		

FE Sent For:

<END>

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/1	mkunkel 01/23/2007	kfollett 01/23/2007	jfrantze 01/24/2007		sbasford 01/24/2007		

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Handwritten notes: 1/25 kf

Handwritten signature and date: 1/25

<END>

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/?	mkunkel	1/15 f 1/23	Jo 1/24	JK 1/24			

FE Sent For:

<END>

-1578

2007-09 Budget Bill Statutory Language Drafting Request

- Topic: Report on the proposed use of the High Demand Faculty fund in each year of the biennium **BB 0388**
- Tracking Code:
- SBO team: Education
- SBO analyst: Robinson J. Binau
 - Phone: 266-2843
 - Email: rj.binau@wisconsin.gov
- Agency acronym: UWS
- Agency number: 285
- Priority (High):

Date: January 17, 2007
To: Steve Miller
From: **Robinson J. Binau** *RJB*
Subject: Statutory Language Request

TITLE

The University of Wisconsin System Board of Regents will be required to report to the Secretary of the Department of Administration on the projected distribution of funding provided related to high demand faculty. Funding for the high Demand Faculty may not be expended until the Secretary of the Department of Administration approved the distribution plan.

If you have any questions, please call me at 6-2843, or send me an email at rj.binau@wisconsin.gov

Thank you.

*See 2005 Act 25
9152(3)*

*In each FY, prior to expending, under
S. 20.285 (1)(a)
and (1)(im), must
get DOA approval*

1. Additional Faculty and Increased Access

Source of Funds	Agency Request				Governor's Recommendation			
	FY06		FY07		FY06		FY07	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	23,015,200	0.00	57,563,000	0.00	0	0.00	13,125,000	125.00
PR-O	10,676,600	0.00	27,456,000	0.00	0	0.00	0	0.00
TOTAL	33,691,800	0.00	85,019,000	0.00	0	0.00	13,125,000	125.00

The Governor recommends increasing funding and position authority to increase the number of faculty positions at system institutions. The Governor further recommends providing \$1,111,400 to begin implementation of the recommendations of the Committee on Baccalaureate Expansion and \$582,000 for the University of Wisconsin-Rock County engineering initiative.

2. Lawton Minority Retention Grant Program and Advanced Opportunity

Source of Funds	Agency Request				Governor's Recommendation			
	FY06		FY07		FY06		FY07	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	4,925,500	0.00	7,650,100	0.00	4,925,500	0.00	5,687,300	0.00
TOTAL	4,925,500	0.00	7,650,100	0.00	4,925,500	0.00	5,687,300	0.00

The Governor recommends increasing funding for the Lawton Minority Retention grant program and the Advanced Opportunity grant program. The increase represents: (a) replacing auxiliary enterprises revenue used to fund both programs in the 2003-05 biennium (\$3,492,100 in each year), see Item #21; (b) reestimating the sum sufficient Lawton grant appropriation (\$777,800 in FY06 and \$336,300 in FY07); and (c) providing annual increases for Advanced Opportunity grants (\$655,600 in FY06 and \$425,500 in FY07).

3. Retaining High Demand Faculty

Source of Funds	Agency Request				Governor's Recommendation			
	FY06		FY07		FY06		FY07	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	2,500,000	0.00	2,500,000	0.00
TOTAL	0	0.00	0	0.00	2,500,000	0.00	2,500,000	0.00

The Governor recommends providing funding to support supplemental salary increases to faculty whose services are in high demand by other higher education institutions.

05 Wis. Act 25, s. 9152 - continued



(3) **PLAN TO ELIMINATE POSITIONS.** By May 30, 2006, the Board of Regents of the University of Wisconsin System shall submit to the secretary of administration for his or her approval a plan to eliminate 200 administrative positions within the University of Wisconsin System, specified by position classification and location. Notwithstanding section 16.505 (2p) of the statutes, the Board of Regents of the University of Wisconsin System may not during the 2006-07 fiscal year create any full-time equivalent academic staff or faculty positions from revenues appropriated under section 20.285 (1) (a) of the statutes until the secretary of administration approves the plan.



use similar language



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1578/1
MDK: kjf

DOA:.....Binau, BB0388 - Report on proposed spending for UW High Demand Faculty

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

Don't Gen

guy

1

AN ACT ...; relating to: salaries increases for high demand faculty of the University of Wisconsin System.

2

Analysis by the Legislative Reference Bureau

EDUCATION

HIGHER EDUCATION

This bill prohibits the Board of Regents (board) of the UW System from making expenditures in a fiscal year for supplemental salary increases for faculty whose services are in high demand by other higher educational institutions unless the board has submitted a plan for the expenditure for that fiscal year to the Secretary of Administration, and the Secretary has approved the plan.

X
XX

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

3

SECTION 1. 36.09 (1) (e) of the statutes is amended to read:

4

36.09 (1) (e) The board shall appoint a president of the system; a chancellor for

5

each institution; a dean for each college campus; the state geologist; the director of

1 the laboratory of hygiene; the director of the psychiatric institute; the state
2 cartographer; and the requisite number of officers, other than the vice presidents,
3 associate vice presidents, and assistant vice presidents of the system; faculty;
4 academic staff; and other employees and fix the salaries, subject to the limitations
5 under par. (j) and ss. 20.923 (4g), 36.11 (53), and 230.12 (3) (e), the duties and the term
6 of office for each. The board shall fix the salaries, subject to the limitations under
7 par. (j) and ss. 20.923 (4g) and 230.12 (3) (e), and the duties for each chancellor, vice
8 president, associate vice president, and assistant vice president of the system. No
9 sectarian or partisan tests or any tests based upon race, religion, national origin, or
10 sex shall ever be allowed or exercised in the appointment of the employees of the
11 system.

History: 1973 c. 335; 1975 c. 39, 224; 1977 c. 196 ss. 130 (1), (2), 131; 1977 c. 418; 1979 c. 34 s. 2102 (29) (a); 1981 c. 20 s. 2202 (1) (a); 1983 a. 27 s. 2200 (15); 1983 a. 366; 1985 a. 29, 42, 45, 332; 1987 a. 4, 27, 340; 1989 a. 31, 336, 359; 1991 a. 39; 1997 a. 27 ss. 1156ad, 9456 (3m); 1997 a. 35, 237, 307; 1999 a. 42; 2001 a. 16, 104; 2003 a. 33 ss. 930, 931, 2811, 9160; 2003 a. 48 ss. 10, 11; 2003 a. 206 s. 23; 2003 a. 320; 2005 a. 25 ss. 695, 2493.

12 **SECTION 2. 36.11 (53) of the statutes is created to read:**

13 **36.11 (53) HIGH DEMAND FACULTY SALARIES.** The board may not expend any
14 moneys appropriated under ss. 20.285 (1) (a) or (im) in any fiscal year to support
15 supplemental salary increases for faculty whose services are in high demand by
16 other higher educational institutions unless the board has submitted a plan for the
17 expenditure for the fiscal year to the secretary of administration and the secretary
18 has approved the plan.

19

(END)

Kunkel, Mark

From: Binau, RJ - DOA
Sent: Thursday, January 25, 2007 9:52 AM
To: Kunkel, Mark
Subject: RE: LRB Draft 1578

Mark,
ok

From: Kunkel, Mark [mailto:Mark.Kunkel@legis.wisconsin.gov]
Sent: Thursday, January 25, 2007 9:48 AM
To: Binau, RJ - DOA
Subject: RE: LRB Draft 1578

Okay, how about this? The boldfaced language makes it clear that the plan only covers the amount in excess of the prior fiscal year amount and the DOA's authority is limited to approving whether the excess is expended.

"In a fiscal year, the board may not expend moneys appropriated under s. 20.285 (1) (a) or (im) to support supplemental salary increases for faculty whose services are in high demand by other higher educational institutions in an amount that exceeds the amount expended for that purpose from those appropriations in the prior fiscal year unless the board has submitted a plan **for expending such excessive amount** to the secretary of administration and the secretary has approved **the expenditure of the excessive amount.**"

From: Binau, RJ - DOA
Sent: Wednesday, January 24, 2007 5:19 PM
To: Kunkel, Mark
Subject: RE: LRB Draft 1578

Mark,

Close. The report is due only on the portion that exceeds the amount expended for this purpose in the prior fiscal year

I Would write:

In a fiscal year the board may not expend moneys appropriated under s.20.285(1)(a) or (im) to support supplemental salary increases for faculty whose services are in high demand by other higher educational institutions unless the board has submitted a plan for the expenditure of these funds to the secretary of the Department of Administration. The report is only due if the amounts to be expended exceed the amount expended for that purpose from those appropriations in the prior fiscal year. If amounts do not exceed the prior year, the reporting requirement is deemed met.

Something like this.

RJ

From: Kunkel, Mark [mailto:Mark.Kunkel@legis.wisconsin.gov]
Sent: Wednesday, January 24, 2007 4:53 PM
To: Binau, RJ - DOA
Subject: RE: LRB Draft 1578

RJ:

I'm not quite sure what you want. If I revise the language to read as follows, does it do what you want? (New language is italicized and bold-faced.)

"In a fiscal year, the board may not expend moneys appropriated under s. 20.285 (1) (a) or (im) to support supplemental salary increases for faculty whose services are in high demand by other higher educational institutions in an amount that exceeds the amount expended for that purpose from those appropriations in the prior fiscal year unless the board has submitted a plan for the expenditure to the secretary of administration and the secretary has approved the plan."

-- Mark

From: Binau, RJ - DOA
Sent: Wednesday, January 24, 2007 2:06 PM
To: Kunkel, Mark
Subject: LRB Draft 1578

Mark,

Thanks for the draft. Could you please amend s.36.11 (53) that the report would be required only on the amount that is allocated in excess of the prior year's allocation.

We would do this so they would not have to report on their base allocation and then it would be set up for any fiscal year where the state does not provide an increase for this purpose, the prior year's report would be sufficient.

RJ



2

DOA:.....Binau, BB0388 - Report on proposed spending for UW High Demand Faculty

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

I forgot to run RM

Don't Gen

under certain circumstances

1 AN ACT ...; relating to: salary increases for high demand faculty of the University
2 of Wisconsin System.

Analysis by the Legislative Reference Bureau
EDUCATION
HIGHER EDUCATION

INSERT 1A

This bill prohibits the Board of Regents (board) of the UW System from making expenditures in a fiscal year for supplemental salary increases for faculty whose services are in high demand by other higher educational institutions unless the board has submitted a plan for the expenditure for that fiscal year to the secretary of administration, and the secretary has approved the plan.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

3 **SECTION 1.** 36.09 (1) (e) of the statutes is amended to read:
4 36.09 (1) (e) The board shall appoint a president of the system; a chancellor for
5 each institution; a dean for each college campus; the state geologist; the director of

1 the laboratory of hygiene; the director of the psychiatric institute; the state
 2 cartographer; and the requisite number of officers, other than the vice presidents,
 3 associate vice presidents, and assistant vice presidents of the system; faculty;
 4 academic staff; and other employees and fix the salaries, subject to the limitations
 5 under par. (j) and ss. 20.923 (4g), 36.11 (53), and 230.12 (3) (e), the duties and the term
 6 of office for each. The board shall fix the salaries, subject to the limitations under
 7 par. (j) and ss. 20.923 (4g) and 230.12 (3) (e), and the duties for each chancellor, vice
 8 president, associate vice president, and assistant vice president of the system. No
 9 sectarian or partisan tests or any tests based upon race, religion, national origin, or
 10 sex shall ever be allowed or exercised in the appointment of the employees of the
 11 system.

12 **SECTION 2.** 36.11 (53) of the statutes is created to read:

13 **36.11 (53) HIGH DEMAND FACULTY SALARIES.** The board may not expend any
 14 moneys appropriated under s. 20.285 (1) (a) or (im) in any fiscal year to support
 15 supplemental salary increases for faculty whose services are in high demand by
 16 other higher educational institutions unless the board has submitted a plan for the
 17 expenditure for the fiscal year to the secretary of administration and the secretary
 18 has approved the plan.

19 (END)

INSERT 2-13

2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1578/2ins
MDK:.....

1

INSERT 1A:

expenditure. The prohibition applies only if the board[✓] expends an amount in a fiscal year that exceeds the amount expended in the prior fiscal year. The secretary's approval is required only for the amount that exceeds the prior fiscal year's amount.

2

INSERT 2-13:

3

In a fiscal year, the board[✓] may not expend moneys appropriated under s. 20.285 (1)

4

(a[✓] or (im)[✓] to support supplemental salary increases for faculty whose services are

5

in high demand by other higher educational institutions in an amount that exceeds

6

the amount expended for that purpose from those appropriations in the prior fiscal

7

year unless the board[✓] has submitted a plan for expending ~~such~~^{that} excessive amount to

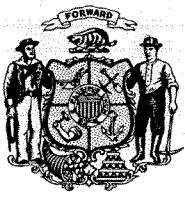
8

the secretary of administration and the secretary has approved the expenditure of

9

~~the~~ excessive amount.

that



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1578/2

MDK:kjf:rs

DOA:.....Binau, BB0388 - Report on proposed spending for UW High
Demand Faculty

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: salary increases for high demand faculty of the University
2 of Wisconsin System.

Analysis by the Legislative Reference Bureau

EDUCATION

HIGHER EDUCATION

This bill prohibits the Board of Regents (board) of the UW System from making expenditures, under certain circumstances, for supplemental salary increases for faculty whose services are in high demand by other higher educational institutions unless the board has submitted a plan for the expenditure to the secretary of administration, and the secretary has approved the expenditure. The prohibition applies only if the board expends an amount in a fiscal year that exceeds the amount expended in the prior fiscal year. The secretary's approval is required only for the amount that exceeds the prior fiscal year's amount.

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18 salary increases for faculty whose services are in high demand by other higher
19 educational institutions in an amount that exceeds the amount expended for that
20 purpose from those appropriations in the prior fiscal year unless the board has
21 submitted a plan for expending that excessive amount to the secretary of
22 administration and the secretary has approved the expenditure of that excessive
23 amount.

24

(END)