

## 2007 DRAFTING REQUEST

### Bill

Received: 12/05/2007

Received By: mkunkel

Wanted: As time permits

Identical to LRB:

For: Administration

By/Representing: James Johnston

This file may be shown to any legislator: NO

Drafter: mkunkel

May Contact:

Addl. Drafters:

Subject: Higher Education - UW System

Extra Copies: Sen. Risser  
Rep. Rhoades

Submit via email: YES

Requester's email: james.johnston@wisconsin.gov

Carbon copy (CC:) to:

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### Pre Topic:

No specific pre topic given

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### Topic:

Various changes to University of Wisconsin Hospitals and Clinics Authority statutes

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### 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>
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/1			nmatzke 12/10/2007	_____	mbarman 12/10/2007		
/2	mkunkel 12/12/2007	csicilia 12/12/2007	nmatzke 12/12/2007	_____	sbasford 12/12/2007		
/3	mkunkel	bkraft	nmatzke	_____	sbasford	sbasford	

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1/3 for  
a new  
label

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/?	mkunkel	/ 1 cjs 12/10 nmw 14/10 07		<u>nmw/rs</u> <u>12/10</u>			

FE Sent For:

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From the budget

Proposed amendment to Assembly Substitute Amendment 1 to SB 40

New language - UW's new suggestions are in italics

Section s.233.30 (3m) is created to read

Section s.233.30 (3m) The authority may not issue bonds or indebtedness under s. 233.03 (12) unless one of the following applies:

(a) The bonds or indebtedness are or refinancing of existing bonds or indebtedness.

(b) If the authority has a bond rating from Moody's Investor Services, Inc. of a better than A, or from Standard & Poor's Corporation of a better than A or equivalent ratings from those or comparable rating agencies when such rating systems or rating agencies no longer exist, the authority has provided notice to the joint committee on finance *and the secretary of the department of administration* of the bond rating of the authority, the amount of the proposed bonds or indebtedness, and the proposed use of the proceeds, and the joint committee on finance has not notified the authority within 30 working days after receipt of the notice that the joint committee on finance has scheduled a meeting to review the proposed bonds or indebtedness *and the secretary of the department of administration has not notified the authority within 30 working days after receipt of the notice that the secretary will conduct further review of the proposed bonds or indebtedness.*

(c) The joint committee on finance votes to approve the amount of the bonds or indebtedness *and the secretary of the department of administration, or his designee, has issued written approval of the bonds or indebtedness.*

**Kunkel, Mark**

---

**From:** Johnston, James - DOA [james.johnston@wisconsin.gov]  
**Sent:** Thursday, November 29, 2007 12:01 PM  
**To:** Kunkel, Mark  
**Cc:** Moyer, Andrew - DOA; Rhodes, Dennis - DOA  
**Subject:** UW Hospital Authority  
**Attachments:** Rewrite Veto-UW Hospital Authority Update.doc

Hi Mark,

I have a few corrections on the new bill we want drafted for the UW Hospital Authority.

- The appointment terms should be extended to 5 years. ✓
- The 3 new members will be appointed by the Governor in the same manner as the current Governor appointments. The board will not make nominations for the new members. ✓
- The bill will retain the current language relating to carry-over employees. ✓

Total summary is attached.

Jim

UWHC Rewrite

SB40 Veto

Rewrite

- a. Delete JCF review and oversight of lease agreements between authority and the board of regents.
- b. Extend the term for the 3 Governor appointed members to 5 years.
- c. Expand the board of directors to add 3 members nominated by the board and appointed by the Governor with the advice and consent of the Senate for 5 year terms. Increases quorum from 6 to 8 members.
- d. Allow the JCF co chairs to appoint any member of legislature (current JCF representation is limited JCF members).
- e. Allow the authority to accept research grants even if the grant investigator is an employee of the Board of Regents.
- f. Delete requirement that the UW Hospital Authority must delivery "comprehensive, high quality" health care. (Rationale is that UW does not provide obstetric care and therefore is not comprehensive).
- g. Delete references to creation and transfer of duties from Board of Regents to the authority including language relating to "carry-over" employees that transitioned to the authority when it was created.
- h. Delete requirement that UWHC is the state's backstop for operating the Poison Control Center if Children's Hospital ceases to operate the program.
- i. Delete requirement that the authority use the building commission as a financial consultant to assist and coordinate the issuing for bonds.
- j. Establish new criteria for the authority to issue bonds, including requiring approval from JCF and the DOA Secretary.
- k. Remove \$235 million limitation on the amount of outstanding bonds the authority may issue.

- a. Restore → go with SB40 changes
- b. Restore – extend terms to 5 years – OK as drafted
- c. Expand the board with 3 additional members appointed by the Governor with the advice and consent of the senate

d. Restore – stick w/ SB40 amended of 233.02(1) (9m)

e. Keep Current Law – don't amend 233.03(2) 233.04(3b) (a) 233.04(3b) (a)

f. Eliminate word "comprehensive" but retain "high quality"

g. Delete. 233.04(3), (3m), (3r), (3c) Amend, don't

h. Eliminate first sentence that mentions Poison Control Center

i. Restore – don't repeat 233.04(3)

j. Allow passive review by DOA and JFC. Bill required if either objects. SB40 OK as is

k. Keep Current Law – don't repeal 233.07

SB40  
i.e. (repeal 233.07)  
130.0945  
233.05  
(3)

	SB40 Veto	Rewrite
--	-----------	---------

i. Delete requirement that the authority is explicitly subject to Wisconsin State Statutes Chapter 150 (Regulation of Health Services).

✓ i. Keep Current Law - don't repeal 233.42

m. Delete all provisions relating to residential school students being admitted to the hospital, including: authority for the DPI Superintendent to apply to the authority board for the admission of residential school students, and limitations on the rates charged.

✓ m. Keep Current Law  
 ( - don't repeal  
 - 20.255 (1) (g) h)  
 - 115.53 (4) (a)  
 - 115.53 (3) (a)  
 - 115.53 (b)

Date (time) needed

*12-10*  
*1230*

LRB - *3595* / *1*

**BILL**

*O-NOTE*

*MDIT: cjs:*

Use the appropriate components and routines developed for bills.

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: *the University of Wisconsin Hospitals and Clinics Board and the University of Wisconsin Hospitals and Clinics Authority.*

*SAV*

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

*Analysis by the Legislative Reference Bureau*

If titles are needed in the analysis, in the component bar:

For the main heading, execute: . . . . . **create** → **anal:** → **title:** → **head**

For the subheading, execute: . . . . . **create** → **anal:** → **title:** → **sub**

For the sub-subheading, execute: . . . . . **create** → **anal:** → **title:** → **sub-sub**

For the analysis text, in the component bar:

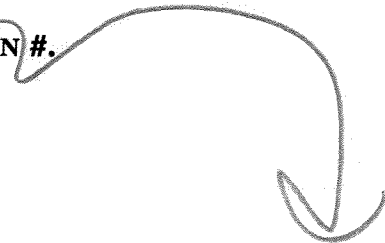
For the text paragraph, execute: . . . . . **create** → **anal:** → **text**

*attached*

*INSERT A*

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

SECTION #.





LFB:.....Pope - University of Wisconsin Hospital and Clinics Authority  
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION  
**SENATE AMENDMENT ,**  
**TO 2007 SENATE BILL 40**

LPS:  
THAW  
the frozen  
numbers

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 63, line 5: after that line insert:

3 ~~SECTION 3m.~~ <sup>#</sup> 13.094 of the statutes is repealed. *see* X

4 **2.** Page 73, line 4: after that line insert:

5 ~~SECTION 28e.~~ <sup>#</sup> 15.07 (1) (a) 5m. of the statutes is created to read:  
6 15.07 (1) (a) 5m. Members of the University of Wisconsin Hospitals and Clinics  
7 Board appointed under s. 15.96 (1) (ag) shall be appointed as provided in that section.

8 **SECTION 28m.** 15.07 (1) (a) 6. of the statutes is amended to read:

9 15.07 (1) (a) 6. Members of the University of Wisconsin Hospitals and Clinics  
10 Board appointed under s. 15.96 (8) (1) (h) shall be appointed by the governor without  
11 senate confirmation." *see* X

1 ~~3.~~ Page 73, line 13: after that line insert:

2 ~~SECTION 30c.~~ SECTION 15.07 (4) of the statutes is amended to read:

3 15.07 (4) QUORUM. A majority of the membership of a board constitutes a  
4 quorum to do business and, unless a more restrictive provision is adopted by the  
5 board, a majority of a quorum may act in any matter within the jurisdiction of the  
6 board. This subsection does not apply to actions of the University of Wisconsin  
7 Hospitals and Clinics Board, the ethics board, or the school district boundary appeal  
8 board as provided in ss. 15.96 (2), 19.47 (4) and 117.05 (2) (a).

9 ~~SECTION 30g.~~ SECTION 15.07 (4) of the statutes, as affected by 2007 Wisconsin Act 1 and  
10 2007 Wisconsin Act .... (this act), is repealed and recreated to read:

11 15.07 (4) QUORUM. A majority of the membership of a board constitutes a  
12 quorum to do business and, unless a more restrictive provision is adopted by the  
13 board, a majority of a quorum may act in any matter within the jurisdiction of the  
14 board. This subsection does not apply to actions of the government accountability  
15 board, the University of Wisconsin Hospitals and Clinics Board, or the school district  
16 boundary appeal board as provided in ss. 5.05 (1e), 15.96 (2), and 117.05 (2) (a).

17 ~~SECTION 30L.~~ SECTION 15.96 (title) of the statutes is amended to read:

18 15.96 (title) **University of Wisconsin Hospitals and Clinics Board;**  
19 **creation.**

20 ~~SECTION 30p.~~ SECTION 15.96 of the statutes is renumbered 15.96 (1), and 15.96 (1) (a)  
21 and (am), as renumbered, are amended to read.

22 15.96 (1) (a) ~~Three~~ <sup>SIX</sup> members nominated by the governor, and with the advice  
23 and consent of the senate appointed, for 3-year 5-year terms.

1 (am) Each cochairperson of the joint committee on finance or a member of the  
2 committee legislature designated by that cochairperson.

3 ~~SECTION 30t.~~ 15.96 (1) (ag) of the statutes is created to read:

4 15.96 (1) (ag) Three members nominated by the board and appointed by the  
5 governor, with the advice and consent of the senate, for 5-year terms.

6 ~~SECTION 30x.~~ 15.96 (2) of the statutes is created to read:

7 15.96 (2) Eight voting members of the University of Wisconsin Hospitals and  
8 Clinics Board constitute a quorum for the purpose of conducting the business and  
9 exercising the powers of the board, notwithstanding the existence of a vacancy. *cee* ✓

10 ~~4.~~ Page 338, line 16: after that line insert:

11 ~~"SECTION 235m.~~ 20.255 (1) (gh) of the statutes is repealed."

12 ~~5.~~ Page 811, line 23: after that line insert:

13 ~~"SECTION 1799m.~~ 50.135 (3) of the statutes is amended to read:

14 50.135 (3) EXEMPTION. The inpatient health care facilities under ss. 45.50,  
15 48.62, 51.05, 51.06, 233.40, 233.41, 233.42 and 252.10 are exempt from this section."

16 ~~6.~~ Page 1288, line 9: after that line insert:

17 ~~"SECTION 2710e.~~ 115.53 (3) (a) of the statutes is amended to read:

18 115.53 (3) (a) Arrange for otological or ophthalmic examination of any pupil or  
19 prospective pupil of the Wisconsin Educational Services Program for the Deaf and  
20 Hard of Hearing. The examination shall be paid for from the appropriation in s.  
21 20.255 (1) (b), ~~(gh)~~ or (gs).

22 ~~SECTION 2710m.~~ 115.53 (3) (b) of the statutes is amended to read:

23 115.53 (3) (b) Arrange for ophthalmic or otological examination of any pupil or  
24 prospective pupil of the school operated by the Wisconsin Center for the Blind and

1 Visually Impaired. The examination shall be paid from the appropriation in s. 20.255  
2 (1) (b), (gh), (gL), or (gs).

3 **SECTION 2710s.** 115.53 (4) of the statutes is repealed.

4 **7.** Page 1336, line 23: after that line insert:

5 **"SECTION 2874m.** 146.997 (1) (c) of the statutes is amended to read:

6 146.997 (1) (c) "Health care facility" means a facility, as defined in s. 647.01 (4),  
7 or any hospital, nursing home, community-based residential facility, county home,  
8 county infirmary, county hospital, county mental health complex or other place  
9 licensed or approved by the department of health and family services under s. 49.70,  
10 49.71, 49.72, 50.03, 50.35, 51.08 or 51.09 or a facility under s. 45.50, 51.05, 51.06,  
11 233.40, 233.41, 233.42 or 252.10."

12 **8.** Page 1342, line 3: after that line insert:

13 **"SECTION 2898g.** 150.84 (2) of the statutes is amended to read:

14 150.84 (2) "Health care facility" means a facility, as defined in s. 647.01 (4), or  
15 any hospital, nursing home, community-based residential facility, county home,  
16 county infirmary, county hospital, county mental health center or other place  
17 licensed or approved by the department under s. 49.70, 49.71, 49.72, 50.02, 50.03,  
18 50.35, 51.08 or 51.09 or a facility under s. 45.50, 51.05, 51.06, 233.40, 233.41, 233.42  
19 or 252.10.

20 **SECTION 2898r.** 155.01 (6) of the statutes is amended to read:

21 155.01 (6) "Health care facility" means a facility, as defined in s. 647.01 (4), or  
22 any hospital, nursing home, community-based residential facility, county home,  
23 county infirmary, county hospital, county mental health center or other place  
24 licensed or approved by the department under s. 49.70, 49.71, 49.72, 50.02, 50.03,

1 50.35, 51.08 or 51.09 or a facility under s. 45.50, 51.05, 51.06, 233.40, 233.41, 233.42  
2 or 252.10.”

3 **9.** Page 1384, line 7: after that line insert:

Six

4 ~~SECTION 3023a.~~ 233.02 (1) (a) of the statutes is amended to read:

5 233.02 (1) (a) ~~Three~~ members nominated by the governor, and with the advice ✓  
6 and consent of the senate appointed, for ~~3-year~~ 5-year terms.

7 **SECTION 3023b.** 233.02 (1) (ag) of the statutes is created to read:

8 233.02 (1) (ag) Three members nominated by the board of directors and  
9 appointed by the governor, with the advice and consent of the senate, for 5-year  
10 terms.

11 ~~SECTION 3023c.~~ 233.02 (1) (am) of the statutes is amended to read:

12 233.02 (1) (am) Each cochairperson of the joint committee on finance or a  
13 member of the committee legislature designated by that cochairperson. ✓

14 ~~SECTION 3023d.~~ 233.02 (8) of the statutes is amended to read: ✓

15 233.02 (8) The members of the board of directors shall annually elect a  
16 chairperson and may elect other officers as they consider appropriate. ~~Six~~ Eight  
17 voting members of the board of directors constitute a quorum for the purpose of  
18 conducting the business and exercising the powers of the authority, notwithstanding  
19 the existence of any vacancy. The members of the board of directors specified under  
20 sub. (1) (c) and (g) may not be the chairperson of the board of directors for purposes  
21 of 1995 Wisconsin Act 27, section 9159 (2). The board of directors may take action  
22 upon a vote of a majority of the members present, unless the bylaws of the authority ✓  
23 require a larger number.

24 ~~SECTION 3023e.~~ 233.03 (2) of the statutes is amended to read:

1 233.03 (2) Sue and be sued; have a seal and alter the seal at pleasure; have  
 2 perpetual existence; maintain an office; negotiate and enter into leases; accept gifts  
 3 or grants, but not including research grants in which the grant investigator is an  
 4 employee of the board of regents; accept bequests or loans; accept and comply with  
 5 any lawful conditions attached to federal financial assistance; and make and execute  
 6 other instruments necessary or convenient to the exercise of the powers of the  
 7 authority.

8 ~~SECTION 3023f.~~ 233.03 (11) of the statutes is amended to read:  
 9 233.03 (11) Issue bonds in accordance with ss. 233.20 to 233.27 233.26.

10 ~~SECTION 3023g.~~ 233.04 (1) of the statutes is amended to read:

11 233.04 (1) By October 1, 1997, and annually thereafter, submit to the chief  
 12 clerk of each house of the legislature under s. 13.172 (2), the president of the board  
 13 of regents, the secretary of administration and the governor a report on the patient  
 14 care, education, research and community service activities and accomplishments of  
 15 the authority and an audited financial statement, certified by an independent  
 16 auditor, of the authority's operations. ~~The financial statement shall include a~~  
 17 ~~separate accounting of the use of the payment under sub. (7) (f).~~

18 ~~SECTION 3023h.~~ 233.04 (3b) (a) 1. of the statutes is amended to read: plain

19 233.04 (3b) (a) 1. Delivering comprehensive, high-quality health care to  
 20 patients using the hospitals and to those seeking care from its programs, including  
 21 a commitment to provide such care for the medically indigent.

22 ~~SECTION 3023i.~~ 233.04 (7) (f) of the statutes is repealed. ✓

23 ~~SECTION 3023j.~~ 233.04 (8) of the statutes is repealed. ✓

24 ~~SECTION 3023k.~~ 233.04 (10) of the statutes is repealed. ✓

25 ~~SECTION 3023l.~~ 233.05 (3) of the statutes is repealed. ✓

INSERT 6-23

plain

1            ~~SECTION 3023m.~~ 233.10 (2) (intro.) of the statutes is amended to read:

2            233.10 (2) (intro.) Subject to subs. (3), (3m), (3r) and (3t) and ch. 40 and the duty  
3            to engage in collective bargaining with employees in a collective bargaining unit for  
4            which a representative is recognized or certified under subch. I of ch. 111, the  
5            authority may establish any of the following:

6            ~~SECTION 3023n.~~ 233.10 (3) of the statutes is repealed.  
7            ~~SECTION 3023o.~~ 233.10 (3m) of the statutes is repealed.  
8            ~~SECTION 3023p.~~ 233.10 (3r) of the statutes is repealed.  
9            ~~SECTION 3023q.~~ 233.10 (3t) of the statutes is repealed.  
10          ~~SECTION 3023r.~~ 233.10 (4) of the statutes is repealed.

11          ~~SECTION 3023s.~~ 233.20 (3m) of the statutes is created to read:

12          233.20 (3m) The authority may not issue bonds or incur indebtedness  
13          described under s. 233.03 (12) unless one of the following applies:

14          (a) The bonds or indebtedness are a refinancing of existing bonds or  
15          indebtedness.

16          (b) If the authority has a bond rating from Moody's Investor Service, Inc., of  
17          better than A, or from Standard & Poor's Corporation of better than A, or equivalent  
18          ratings from those or comparable rating agencies when such rating systems or rating  
19          agencies no longer exist, the authority has provided notice to the joint committee on  
20          finance of the bond rating of the authority, the amount of the proposed bonds or  
21          indebtedness, and the proposed use of the proceeds, and the joint committee on  
22          finance has not notified the authority within 30 working days after receipt of the  
23          notice that the joint committee on finance has scheduled a meeting to review the  
24          proposed bonds or indebtedness.

INSERT  
7-20

INSERT 7-24

1 (c) The joint committee on finance votes to approve the amount of the bonds or  
2 indebtedness.

INSERT 8-2

3 SECTION 3023t. 233.27 of the statutes is repealed.

4 SECTION 3023u. 233.42 of the statutes is repealed."

5 10. Page 1392, line 18: after that line insert:

6 "SECTION 3036m. 252.14 (1) (d) of the statutes is amended to read:

7 252.14 (1) (d) "Inpatient health care facility" means a hospital, nursing home,  
8 community-based residential facility, county home, county mental health complex  
9 or other place licensed or approved by the department under s. 49.70, 49.71, 49.72,  
10 50.02, 50.03, 50.35, 51.08 or 51.09 or a facility under s. 45.50, 48.62, 51.05, 51.06,  
11 233.40, 233.41, 233.42 or 252.10."

12 11. Page 1706, line 6: after that line insert:

13 ~~(11) NEW MEMBERS~~ Notwithstanding section 233.02 (1) (a) of the statutes, as  
14 ~~created~~ affected by this act, of the initial terms of the members of the board of directors of the  
15 University of Wisconsin Hospitals and Clinics Authority appointed under section  
16 233.02 (1) (a) of the statutes, as ~~created~~ affected by this act, one term shall expire on July  
17 1, 2010, one term shall expire on July 1, 2011, and one term shall expire on July 1,  
18 2012.

non  
stat

3 additional

19 12. Page 1706, line 8: after that line insert:

20 ~~(11) NEW MEMBERS~~ Notwithstanding section 15.96 (1) (a) of the statutes, as  
21 ~~created~~ affected by this act, of the initial terms of the members of the University of Wisconsin  
22 Hospitals and Clinics Board appointed under section 15.96 (1) (a) of the statutes,  
23 as ~~created~~ affected by this act, one term shall expire on July 1, 2010, one term shall expire  
24 on July 1, 2011, and one term shall expire on July 1, 2012."

non  
stat

(B)

(A) Sec.#. Non statutory provisions.



9 Sec. #. Initial applicability. B

1 ~~13.~~ Page 1736, line 2: after that line insert:

2 ~~(11) NEW MEMBERS.~~ (#) The treatment of section 233.02 (1) (a) of the statutes first  
3 applies to appointments made on the effective date of this subsection. ce ✓

4 ~~14.~~ Page 1736, line 4: after that line insert:

5 ~~"(11) NEW MEMBERS.~~ (#) The treatment of section 15.96 (1) (a) of the statutes first  
6 applies to appointments made on the effective date of this subsection. ce ✓

7 ~~15.~~ Page 1749, line 12: after that line insert:

8 ~~"(11) NEW MEMBERS.~~ (#) The repeal and recreation of section 15.07 (4) of the statutes  
9 takes effect on the initiation date specified in 2007 Wisconsin Act 1, section 209 (1),  
10 or on the day after publication, whichever is later." ce ✓

11 (END) ✓

B  
9 Sec. #. Effective dates. This act takes  
effect on the day after publication,  
except as follows:

INSERT A:

Under current law, the board of directors of the University of Wisconsin Hospitals and Clinics Authority (UWHCA) must contract with the University of Wisconsin Hospitals and Clinics Board (UWHCB) for all nonprofessional services performed at the UWHCA. This makes various changes to current law regarding both the UWHCA and UWHCB. *bill*

**UWHCA changes.** The bill changes the membership of the board of directors of the UWHCA. Under current law, ~~3~~ <sup>three</sup> members of the board of directors are appointed by the governor, with the advice and consent of the senate, for ~~3~~ <sup>three</sup>-year terms. Under this bill, the governor must appoint, with the advise and consent of the senate, ~~6~~ <sup>six</sup> members for ~~5~~ <sup>five</sup>-year terms. The bill also allows each chair of the joint committee on finance (JCF) to appoint any member of the legislature as a member of the board of directors. Current law limits each chair's appointment authority to a member of the JCF, rather than to any member of the legislature. The bill also changes the quorum required for a meeting of the board of directors to ~~6~~ <sup>eight</sup> voting members, rather than the ~~6~~ <sup>six</sup> voting members required under current law. *and*

The bill also creates requirements that apply to financing that the UWHCA obtains from the Wisconsin Health and Educational Facilities Authority. The bill prohibits the UWHCA from issuing bonds or incurring indebtedness with respect to such financing unless the bonds or indebtedness are a refinancing of existing bonds or indebtedness, or unless the JCF votes to approve the bonds or indebtedness or the secretary of the department of administration (DOA), or his designee, has issued written approval of the bonds or indebtedness. *or her*

If the bonds or indebtedness are not a refinancing, or if the votes or approvals described above have not occurred, then the bill prohibits the UWHCA from issuing the bonds or incurring the indebtedness unless the UWHCA has a bond rating specified in the bill and the UWHCA notifies the JCF and the secretary of DOA about the amount, <sup>the</sup> use of the proceeds, of the proposed bonds or indebtedness. In addition, the UWHCA must wait 30 working days after providing such notifications. The bill allows the UWHCA to issue the bonds or incur the indebtedness only if the following conditions are satisfied: 1) the JCF does not notify the UWHCA before the 30-day deadline that JCF has scheduled a meeting to review the proposed bonds or indebtedness; and 2) the secretary of DOA does not notify the UWHCA before the 30-day deadline that the secretary will conduct further review of the proposed bonds or indebtedness. *waiting period* *administration* *end of the*

The bill also does the following:

1. Eliminates a requirement for the JCF to review certain agreements between the board of directors of the UWHCA and the board of directors of the University of Wisconsin System (UW system). *✓*

2. Requires the board of directors of the UWHCA to maintain, control, and supervise the use of the University of Wisconsin Hospitals and Clinics for the purpose of delivering high-quality health care, rather than high-quality and comprehensive health care as required under current law. *✓*

3. Eliminates a requirement under current law that ~~the board of directors of~~ the UWHCA must use the building commission as a financial consultant for the issuance of bonds.

4. Eliminates a requirement under current law that the board of directors must operate a statewide poison control center, but does not affect a requirement under current law for the board of directors to operate such a center if the Children's Hospital of Wisconsin in Milwaukee ceases to operate such a center.

5. Repeals outdated references to a payment that the UWHCA board of directors ~~was required to make to the board of regents of the UW system~~ in 1996.

**UWHCB changes.** The bill changes the membership of the UWHCB in the same manner that the bill changes the membership of the board of directors of the UWHCA. Under current law, ~~3~~ members of the UWHCB are appointed by governor, with the advice and consent of the senate, for ~~3~~-year terms. Under this bill, the governor must appoint, with the advise and consent of the senate, ~~6~~ members for ~~5~~-year terms. The bill also allows each chair of the joint committee on finance (JCF) to appoint any member of the legislature as a member. Current law limits each chair's appointment authority to a member of the JCF, rather than to any member of the legislature. The bill also provides ~~the~~ quorum required for a meeting of the UWHCB is ~~8~~ voting members.

Three

was required to make to

Five

that

Six

eight

**INSERT 6-23:**

**SECTION 1.** 233.04 (10) of the statutes is amended to read:

233.04 (10) ~~Operate a poison control center under s. 146.57.~~ If Children's Hospital of Wisconsin in the city of Milwaukee ceases to operate a poison control center under s. 146.57, ~~the authority shall~~ administer a statewide poison control program.

History: 1995 a. 27 ss. 1770g, 6301; 1995 a. 216; 1997 a. 35, 237; 2001 a. 105.

**INSERT 7-20:**

and the secretary of the department of administration

**INSERT 7-24:**

and the secretary of the department of administration has not notified the authority within 30 working days after receipt of the notice that the secretary will conduct further review of the proposed bonds or indebtedness

**INSERT 8-2:**

1 and the secretary of the department of administration, or his <sup>or her</sup> designee, has issued  
2 written approval of the bonds or indebtedness ✓

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-3595/1dn  
MDK:.....

93

James Johnston:

This bill incorporates the changes included in your email and attachment dated November 29, 2007. Because the email and attachment did not address quorum requirements, I assume that you want to make the same quorum changes that were made in budget. Please contact me if that is not okay.

the

Mark D. Kunkel  
Senior Legislative Attorney  
Phone: (608) 266-0131  
E-mail: [mark.kunkel@legis.wisconsin.gov](mailto:mark.kunkel@legis.wisconsin.gov)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-3595/1dn  
MDK:cjs:nwn

December 10, 2007

James Johnston:

This bill incorporates the changes included in your e-mail and attachment dated November 29, 2007. Because the e-mail and attachment did not address quorum requirements, I assume that you want to make the same quorum changes that were made in the budget. Please contact me if that is not okay.

Mark D. Kunkel  
Senior Legislative Attorney  
Phone: (608) 266-0131  
E-mail: [mark.kunkel@legis.wisconsin.gov](mailto:mark.kunkel@legis.wisconsin.gov)

**Kunkel, Mark**

---

**From:** Johnston, James - DOA [james.johnston@wisconsin.gov]  
**Sent:** Tuesday, December 11, 2007 12:17 PM  
**To:** Kunkel, Mark  
**Cc:** Moyer, Andrew - DOA; Hoadley, Frank R - DOA; Schmiedicke, David P - DOA  
**Subject:** LRB 3595/1 UW Hospital Authority  
**Attachments:** UW Hospital AuthoritySB 40 to LRB 3595 comparison.doc

Hi Mark,  
We have two modifications for the draft language:

1) Section 18 s.233.30 (3m) starting at line 12 on page 6

s.233.30 (3m) (b) Replace the opening clause of the first sentence with the following:

If the authority has an unenhanced bond rating in the category of A or better from Moody's Investor Service, Inc., or in the category of A or better from Standard & Poor's Corporation, or equivalent ratings from ...

2) Repeal s. 233.27

Also we would like to authorize Senator Riser and Representative Rhoades to receive drafts of the bill.

Thanks,  
Jim



State of Wisconsin  
2007 - 2008 LEGISLATURE

LRB-3595/1-<sup>e</sup>

MDK:cjs: ~~nwn~~ (3)

Stays

RM  
has  
been  
run

TOMORROW  
WED  
12-12  
PM

2007 BILL

Repeal Cat

1 AN ACT *to repeal* 13.094, 233.04 (7) (f), 233.04 (8) and 233.05 (3); *to renumber*  
2 *and amend* 15.96; *to amend* 15.07 (1) (a) 6., 15.07 (4), 15.96 (title), 233.02 (1)  
3 (a), 233.02 (1) (am), 233.02 (8), 233.04 (1), 233.04 (3b) (a) 1., 233.04 (10) and  
4 233.10 (2) (intro.); *to repeal and recreate* 15.07 (4); and *to create* 15.96 (2)  
5 and 233.20 (3m) of the statutes; **relating to:** the University of Wisconsin  
6 Hospitals and Clinics Board and the University of Wisconsin Hospitals and  
7 Clinics Authority.

**Analysis by the Legislative Reference Bureau**

Under current law, the board of directors of the University of Wisconsin Hospitals and Clinics Authority (UWHCA) must contract with the University of Wisconsin Hospitals and Clinics Board (UWHCB) for all nonprofessional services performed at the UWHCA. This bill makes various changes to current law regarding both the UWHCA and UWHCB.

**UWHCA changes.** The bill changes the membership of the board of directors of the UWHCA. Under current law, three members of the board of directors are appointed by the governor, with the advice and consent of the senate, for three-year terms. Under this bill, the governor must appoint, with the advise and consent of the senate, six members for five-year terms. The bill also allows each chair of the joint committee on finance (JCF) to appoint any member of the legislature as a member



**BILL**

INSERT 2A

of the board of directors. Current law limits each chair's appointment authority to a member of the JCF, rather than to any member of the legislature. The bill also changes the quorum required for a meeting of the board of directors to eight voting members, rather than the six voting members required under current law.

such

incurs to

The bill also creates requirements that apply to financing that the UWHCA obtains from the Wisconsin Health and Educational Facilities Authority. The bill prohibits the UWHCA from issuing bonds or incurring indebtedness with respect to such financing unless the bonds or indebtedness are a refinancing of existing bonds or indebtedness, or unless the JCF votes to approve the bonds or indebtedness and the secretary of administration, or his or her designee, has issued written approval of the bonds or indebtedness.

If the bonds or indebtedness are not a refinancing, or if the votes or approvals described above have not occurred, then the bill prohibits the UWHCA from issuing the bonds or incurring the indebtedness unless the UWHCA has a bond rating specified in the bill and the UWHCA notifies the JCF and the secretary of administration about the amount, and the use of the proceeds, of the proposed bonds or indebtedness. In addition, the UWHCA must wait 30 working days after providing such notifications. The bill allows the UWHCA to issue the bonds or incur the indebtedness only if the following conditions are satisfied: 1) the JCF does not notify the UWHCA before the end of the 30-day waiting period that JCF has scheduled a meeting to review the proposed bonds or indebtedness; and 2) the secretary of DOA does not notify the UWHCA before the end of the 30-day waiting period that the secretary will conduct further review of the proposed bonds or indebtedness.

The bill also does the following:

INSERT 2B

1. Eliminates a requirement for the JCF to review certain agreements between the board of directors of the UWHCA and the board of directors of the University of Wisconsin System (UW system).
2. Requires the UWHCA to maintain, control, and supervise the use of the University of Wisconsin Hospitals and Clinics for the purpose of delivering high-quality health care, rather than high-quality and comprehensive health care as required under current law.
3. ~~Eliminates a requirement under current law that the UWHCA must use the Building Commission as a financial consultant for the issuance of bonds.~~
3. 4. Eliminates a requirement under current law that the board of directors must operate a statewide poison control center, but does not affect a requirement under current law for the board of directors to operate such a center if the Children's Hospital of Wisconsin in Milwaukee ceases to operate such a center.
4. 5. Repeals outdated references to a payment that the Board of Regents of the UW system was required to make to the UWHCA board of directors in 1996.

**UWHCB changes.** The bill changes the membership of the UWHCB in the same manner that the bill changes the membership of the board of directors of the UWHCA. Under current law, three members of the UWHCB are appointed by governor, with the advice and consent of the senate, for three-year terms. Under this bill, the governor must appoint, with the advise and consent of the senate, six

**BILL**

members for five-year terms. The bill also allows each chair of the joint committee on finance (JCF) to appoint any member of the legislature as a member. Current law limits each chair's appointment authority to a member of the JCF, rather than to any member of the legislature. The bill also provides that the quorum required for a meeting of the UWHCB is eight voting members.

---

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

1       **SECTION 1.** 13.094 of the statutes is repealed.

2       **SECTION 2.** 15.07 (1) (a) 6. of the statutes is amended to read:

3       15.07 (1) (a) 6. Members of the University of Wisconsin Hospitals and Clinics  
4       Board appointed under s. 15.96 ~~(8)~~ (1) (h) shall be appointed by the governor without  
5       senate confirmation.

6       **SECTION 3.** 15.07 (4) of the statutes is amended to read:

7       15.07 (4) **QUORUM.** A majority of the membership of a board constitutes a  
8       quorum to do business and, unless a more restrictive provision is adopted by the  
9       board, a majority of a quorum may act in any matter within the jurisdiction of the  
10      board. This subsection does not apply to actions of the University of Wisconsin  
11      Hospitals and Clinics Board, the ethics board, or the school district boundary appeal  
12      board as provided in ss. 15.96 (2), 19.47 (4) and 117.05 (2) (a).

13      **SECTION 4.** 15.07 (4) of the statutes, as affected by 2007 Wisconsin Act 1 and  
14      2007 Wisconsin Act .... (this act), is repealed and recreated to read:

15      15.07 (4) **QUORUM.** A majority of the membership of a board constitutes a  
16      quorum to do business and, unless a more restrictive provision is adopted by the  
17      board, a majority of a quorum may act in any matter within the jurisdiction of the  
18      board. This subsection does not apply to actions of the government accountability

**BILL**

1 board, the University of Wisconsin Hospitals and Clinics Board, or the school district  
2 boundary appeal board as provided in ss. 5.05 (1e), 15.96 (2), and 117.05 (2) (a).

3 **SECTION 5.** 15.96 (title) of the statutes is amended to read:

4 **15.96 (title) University of Wisconsin Hospitals and Clinics Board;**  
5 **creation.**

6 **SECTION 6.** 15.96 of the statutes is renumbered 15.96 (1), and 15.96 (1) (a) and  
7 (am), as renumbered, are amended to read.

8 15.96 (1) (a) ~~Three~~ Six members nominated by the governor, and with the  
9 advice and consent of the senate appointed, for ~~3-year~~ 5-year terms.

10 (am) Each cochairperson of the joint committee on finance or a member of the  
11 ~~committee~~ legislature designated by that cochairperson.

12 **SECTION 7.** 15.96 (2) of the statutes is created to read:

13 15.96 (2) Eight voting members of the University of Wisconsin Hospitals and  
14 Clinics Board constitute a quorum for the purpose of conducting the business and  
15 exercising the powers of the board, notwithstanding the existence of a vacancy.

16 **SECTION 8.** 233.02 (1) (a) of the statutes is amended to read:

17 233.02 (1) (a) ~~Three~~ Six members nominated by the governor, and with the  
18 advice and consent of the senate appointed, for ~~3-year~~ 5-year terms.

19 **SECTION 9.** 233.02 (1) (am) of the statutes is amended to read:

20 233.02 (1) (am) Each cochairperson of the joint committee on finance or a  
21 member of the ~~committee~~ legislature designated by that cochairperson.

22 **SECTION 10.** 233.02 (8) of the statutes is amended to read:

23 233.02 (8) The members of the board of directors shall annually elect a  
24 chairperson and may elect other officers as they consider appropriate. ~~Six~~ Eight  
25 voting members of the board of directors constitute a quorum for the purpose of

**BILL**

INSERT 5-6

1 conducting the business and exercising the powers of the authority, notwithstanding  
2 the existence of any vacancy. The members of the board of directors specified under  
3 sub. (1) (c) and (g) may not be the chairperson of the board of directors for purposes  
4 of 1995 Wisconsin Act 27, section 9159 (2). The board of directors may take action  
5 upon a vote of a majority of the members present, unless the bylaws of the authority  
6 require a larger number.

7 **SECTION 11.** 233.04 (1) of the statutes is amended to read:

8 233.04 (1) By October 1, 1997, and annually thereafter, submit to the chief  
9 clerk of each house of the legislature under s. 13.172 (2), the president of the board  
10 of regents, the secretary of administration and the governor a report on the patient  
11 care, education, research and community service activities and accomplishments of  
12 the authority and an audited financial statement, certified by an independent  
13 auditor, of the authority's operations. ~~The financial statement shall include a~~  
14 ~~separate accounting of the use of the payment under sub. (7) (f).~~

15 **SECTION 12.** 233.04 (3b) (a) 1. of the statutes is amended to read:

16 233.04 (3b) (a) 1. Delivering comprehensive, high-quality health care to  
17 patients using the hospitals and to those seeking care from its programs, including  
18 a commitment to provide such care for the medically indigent.

19 **SECTION 13.** 233.04 (7) (f) of the statutes is repealed.

20 **SECTION 14.** 233.04 (8) of the statutes is repealed.

21 **SECTION 15.** 233.04 (10) of the statutes is amended to read:

22 233.04 (10) ~~Operate a poison control center under s. 146.57.~~ If Children's  
23 Hospital of Wisconsin in the city of Milwaukee ceases to operate a poison control  
24 center under s. 146.57, the authority shall administer a statewide poison control  
25 program.

**BILL**

1           **SECTION 16.** 233.05 (3) of the statutes is repealed.

2           **SECTION 17.** 233.10 (2) (intro.) of the statutes is amended to read:

3           233.10 (2) (intro.) Subject to subs. (3), (3m), (3r) and (3t) and ch. 40 and the duty  
4 to engage in collective bargaining with employees in a collective bargaining unit for  
5 which a representative is recognized or certified under subch. I of ch. 111, the  
6 authority may establish any of the following:

7           **SECTION 18.** 233.20 (3m) of the statutes is created to read:

8           233.20 (3m) The authority may not issue bonds or incur indebtedness  
9 described under s. 233.03 (12) unless one of the following applies:

10          (a) The bonds or indebtedness are a refinancing of existing bonds or  
11 indebtedness.

12          (b) ~~If the authority has a bond rating from Moody's Investor Service, Inc., of~~  
13 ~~better than A, or from Standard & Poor's Corporation of better than A, or equivalent~~  
14 ratings from those or comparable rating agencies when such rating systems or rating  
15 agencies no longer exist, the authority has provided notice to the joint committee on  
16 finance and the secretary of administration of the bond rating of the authority, the  
17 amount of the proposed bonds or indebtedness, and the proposed use of the proceeds,  
18 and the joint committee on finance has not notified the authority within 30 working  
19 days after receipt of the notice that the joint committee on finance has scheduled a  
20 meeting to review the proposed bonds or indebtedness and the secretary of  
21 administration has not notified the authority within 30 working days after receipt  
22 of the notice that the secretary will conduct further review of the proposed bonds or  
23 indebtedness.

**BILL****INSERT 7-3**

1 (c) The joint committee on finance votes to approve the amount of the bonds or  
2 indebtedness and the secretary of administration, or his or her designee, has issued  
3 written approval of the bonds or indebtedness.

**SECTION 19. Nonstatutory provisions.**

4  
5 (1) Notwithstanding section 233.02 (1) (a) of the statutes, as affected by this act,  
6 of the initial terms of the 3 additional members of the board of directors of the  
7 University of Wisconsin Hospitals and Clinics Authority appointed under section  
8 233.02 (1) (a) of the statutes, as affected by this act, one term shall expire on July 1,  
9 2010, one term shall expire on July 1, 2011, and one term shall expire on July 1, 2012.

10 (2) Notwithstanding section 15.96 (1) (a) of the statutes, as affected by this act,  
11 of the initial terms of the 3 additional members of the University of Wisconsin  
12 Hospitals and Clinics Board appointed under section 15.96 (1) (a) of the statutes, as  
13 affected by this act, one term shall expire on July 1, 2010, one term shall expire on  
14 July 1, 2011, and one term shall expire on July 1, 2012.

**SECTION 20. Initial applicability.**

15  
16 (1) The treatment of section 233.02 (1) (a) of the statutes first applies to  
17 appointments made on the effective date of this subsection.

18 (2) The treatment of section 15.96 (1) (a) of the statutes first applies to  
19 appointments made on the effective date of this subsection.

20 **SECTION 21. Effective dates.** This act takes effect on the day after publication,  
21 except as follows:

22 (1) The repeal and recreation of section 15.07 (4) of the statutes takes effect on  
23 the initiation date specified in 2007 Wisconsin Act 1, section 209 (1), or on the day  
24 after publication, whichever is later.

25 (END)

2007-2008 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-3595/2ins  
MDK:.....

CA ✓  
x-126 ✓

1

**INSERT 2A:**

bonds issued by the UWHCA, or indebtedness ✓

2

**INSERT 2B:**

✓ In addition, the bill repeals a prohibition under current law on the UWHCA issuing bonds, or incurring indebtedness described above, if the aggregate principal amount of the UWHCA's outstanding bonds, together with all such indebtedness, would exceed \$235,000,000. Also, the bill eliminates a requirement under current law that the UWHCA must use the building commission as financial consultant for the issuance of bonds. ✓

3

**INSERT 5-6:**

4

**SECTION 1.** 233.03 (11) of the statutes is amended to read: ✓

5

233.03 (11) Issue bonds in accordance with ss. 233.20 to ~~233.27~~ 233.26. ✓

History: 1995 a. 27.

6

**INSERT 6-12:**

7

If the authority has an unenhanced bond rating in the category of A or better from  
8 Moody's Investor Service, Inc., or in the category of A or better from Standard &  
9 Poor's Corporation,

10

**INSERT 7-3:**

11

**SECTION 2.** 233.27 of the statutes is repealed. ✓ + ✓



State of Wisconsin  
2007 - 2008 LEGISLATURE

LRB-3595/2  
MDK:cjs:nwn

3  
bjk

O-NOTE ←

Today

2007 BILL

SA ✓

— regen. cat.

1 AN ACT *to repeal* 13.094, 233.04 (7) (f), 233.04 (8), 233.05 (3) and 233.27; *to*  
 2 *renumber and amend* 15.96; *to amend* 15.07 (1) (a) 6., 15.07 (4), 15.96 (title),  
 3 233.02 (1) (a), 233.02 (1) (am), 233.02 (8), 233.03 (11), 233.04 (1), 233.04 (3b) (a)  
 4 1., 233.04 (10) and 233.10 (2) (intro.); *to repeal and recreate* 15.07 (4); and *to*  
 5 *create* 15.96 (2) and 233.20 (3m) of the statutes; **relating to:** the University  
 6 of Wisconsin Hospitals and Clinics Board and the University of Wisconsin  
 7 Hospitals and Clinics Authority.

**Analysis by the Legislative Reference Bureau**

Under current law, the board of directors of the University of Wisconsin Hospitals and Clinics Authority (UWHCA) must contract with the University of Wisconsin Hospitals and Clinics Board (UWHCB) for all nonprofessional services performed at the UWHCA. This bill makes various changes to current law regarding both the UWHCA and UWHCB.

**UWHCA changes.** The bill changes the membership of the board of directors of the UWHCA. Under current law, three members of the board of directors are appointed by the governor, with the advice and consent of the senate, for three-year terms. Under this bill, the governor must appoint, with the advise and consent of the senate, six members for five-year terms. The bill also allows each chair of the joint committee on finance (JCF) to appoint any member of the legislature as a member



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of the board of directors. Current law limits each chair's appointment authority to a member of the JCF, rather than to any member of the legislature. The bill also changes the quorum required for a meeting of the board of directors to eight voting members, rather than the six voting members required under current law.

The bill also creates requirements that apply to bonds issued by the UWHCA, or indebtedness that the UWHCA incurs to the Wisconsin Health and Educational Facilities Authority. The bill prohibits the UWHCA from issuing bonds or incurring such indebtedness unless the bonds or indebtedness are a refinancing of existing bonds or indebtedness, or unless the JCF votes to approve the bonds or indebtedness and the secretary of administration, or his or her designee, has issued a written approval.

If the bonds or indebtedness are not a refinancing, or if the votes or approvals described above have not occurred, then the bill prohibits the UWHCA from issuing the bonds or incurring the indebtedness unless the UWHCA has a bond rating specified in the bill and the UWHCA notifies the JCF and the secretary of administration about the amount, and the use of the proceeds, of the proposed bonds or indebtedness. In addition, the UWHCA must wait 30 working days after providing such notifications. The bill allows the UWHCA to issue the bonds or incur the indebtedness only if the following conditions are satisfied: 1) the JCF does not notify the UWHCA before the end of the 30-day waiting period that JCF has scheduled a meeting to review the proposed bonds or indebtedness; and 2) the secretary of DOA does not notify the UWHCA before the end of the 30-day waiting period that the secretary will conduct further review of the proposed bonds or indebtedness.

In addition, the bill repeals a prohibition under current law on the UWHCA issuing bonds, or incurring indebtedness described above, if the aggregate principal amount of the UWHCA's outstanding bonds, together with all such indebtedness, would exceed \$235,000,000. Also, the bill eliminates a requirement under current law that the UWHCA must use the building commission as financial consultant for the issuance of bonds.

The bill also does the following:

1. Eliminates a requirement for the JCF to review certain agreements between the board of directors of the UWHCA and the board of directors of the University of Wisconsin System (UW system).

2. Requires the UWHCA to maintain, control, and supervise the use of the University of Wisconsin Hospitals and Clinics for the purpose of delivering high-quality health care, rather than high-quality and comprehensive health care as required under current law.

\* 3. Eliminates a requirement under current law that the board of directors must operate a statewide poison control center, but does not affect a requirement under current law for the board of directors to operate such a center if ~~the Children's Hospital of Wisconsin in Milwaukee~~ ceases to operate such a center.

4. Repeals outdated references to a payment that the Board of Regents of the UW system was required to make to the UWHCA board of directors in 1996.

*Handwritten notes:*  
- "a children's" (circled)  
- "except for correcting the names of hospitals" (circled)  
- "stet" (circled with arrow pointing to "the Children's Hospital")  
- "a children's" (circled)

**BILL**

***UWHCB changes.*** The bill changes the membership of the UWHCB in the same manner that the bill changes the membership of the board of directors of the UWHCA. Under current law, three members of the UWHCB are appointed by governor, with the advice and consent of the senate, for three-year terms. Under this bill, the governor must appoint, with the advise and consent of the senate, six members for five-year terms. The bill also allows each chair of the joint committee on finance (JCF) to appoint any member of the legislature as a member. Current law limits each chair's appointment authority to a member of the JCF, rather than to any member of the legislature. The bill also provides that the quorum required for a meeting of the UWHCB is eight voting members.

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

1           **SECTION 1.** 13.094 of the statutes is repealed.

2           **SECTION 2.** 15.07 (1) (a) 6. of the statutes is amended to read:

3           15.07 (1) (a) 6. Members of the University of Wisconsin Hospitals and Clinics  
4 Board appointed under s. 15.96 ~~(8)~~ (1) (h) shall be appointed by the governor without  
5 senate confirmation.

6           **SECTION 3.** 15.07 (4) of the statutes is amended to read:

7           15.07 (4) **QUORUM.** A majority of the membership of a board constitutes a  
8 quorum to do business and, unless a more restrictive provision is adopted by the  
9 board, a majority of a quorum may act in any matter within the jurisdiction of the  
10 board. This subsection does not apply to actions of the University of Wisconsin  
11 Hospitals and Clinics Board, the ethics board, or the school district boundary appeal  
12 board as provided in ss. 15.96 (2), 19.47 (4) and 117.05 (2) (a).

13           **SECTION 4.** 15.07 (4) of the statutes, as affected by 2007 Wisconsin Act 1 and  
14 2007 Wisconsin Act ... (this act), is repealed and recreated to read:

15           15.07 (4) **QUORUM.** A majority of the membership of a board constitutes a  
16 quorum to do business and, unless a more restrictive provision is adopted by the  
17 board, a majority of a quorum may act in any matter within the jurisdiction of the

**BILL**

1 board. This subsection does not apply to actions of the government accountability  
2 board, the University of Wisconsin Hospitals and Clinics Board, or the school district  
3 boundary appeal board as provided in ss. 5.05 (1e), 15.96 (2), and 117.05 (2) (a).

4 **SECTION 5.** 15.96 (title) of the statutes is amended to read:

5 **15.96 (title) University of Wisconsin Hospitals and Clinics Board;**  
6 **creation.**

7 **SECTION 6.** 15.96 of the statutes is renumbered 15.96 (1), and 15.96 (1) (a) and  
8 (am), as renumbered, are amended to read.

9 15.96 (1) (a) ~~Three~~ Six members nominated by the governor, and with the  
10 advice and consent of the senate appointed, for ~~3-year~~ 5-year terms.

11 (am) Each cochairperson of the joint committee on finance or a member of the  
12 ~~committee~~ legislature designated by that cochairperson.

13 **SECTION 7.** 15.96 (2) of the statutes is created to read:

14 15.96 (2) Eight voting members of the University of Wisconsin Hospitals and  
15 Clinics Board constitute a quorum for the purpose of conducting the business and  
16 exercising the powers of the board, notwithstanding the existence of a vacancy.

17 **SECTION 8.** 233.02 (1) (a) of the statutes is amended to read:

18 233.02 (1) (a) ~~Three~~ Six members nominated by the governor, and with the  
19 advice and consent of the senate appointed, for ~~3-year~~ 5-year terms.

20 **SECTION 9.** 233.02 (1) (am) of the statutes is amended to read:

21 233.02 (1) (am) Each cochairperson of the joint committee on finance or a  
22 member of the ~~committee~~ legislature designated by that cochairperson.

23 **SECTION 10.** 233.02 (8) of the statutes is amended to read:

24 233.02 (8) The members of the board of directors shall annually elect a  
25 chairperson and may elect other officers as they consider appropriate. ~~Six~~ Eight

**BILL**

1 voting members of the board of directors constitute a quorum for the purpose of  
2 conducting the business and exercising the powers of the authority, notwithstanding  
3 the existence of any vacancy. The members of the board of directors specified under  
4 sub. (1) (c) and (g) may not be the chairperson of the board of directors for purposes  
5 of 1995 Wisconsin Act 27, section 9159 (2). The board of directors may take action  
6 upon a vote of a majority of the members present, unless the bylaws of the authority  
7 require a larger number.

8 **SECTION 11.** 233.03 (11) of the statutes is amended to read:

9 233.03 (11) Issue bonds in accordance with ss. 233.20 to ~~233.27~~ 233.26.

10 **SECTION 12.** 233.04 (1) of the statutes is amended to read:

11 233.04 (1) By October 1, 1997, and annually thereafter, submit to the chief  
12 clerk of each house of the legislature under s. 13.172 (2), the president of the board  
13 of regents, the secretary of administration and the governor a report on the patient  
14 care, education, research and community service activities and accomplishments of  
15 the authority and an audited financial statement, certified by an independent  
16 auditor, of the authority's operations. ~~The financial statement shall include a~~  
17 ~~separate accounting of the use of the payment under sub. (7) (f).~~

18 **SECTION 13.** 233.04 (3b) (a) 1. of the statutes is amended to read:

19 233.04 (3b) (a) 1. Delivering comprehensive, high-quality health care to  
20 patients using the hospitals and to those seeking care from its programs, including  
21 a commitment to provide such care for the medically indigent.

22 **SECTION 14.** 233.04 (7) (f) of the statutes is repealed.

23 **SECTION 15.** 233.04 (8) of the statutes is repealed.

24 **SECTION 16.** 233.04 (10) of the statutes is amended to read:

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and Health System

1           233.04 (10) ~~Operate a poison control center under s. 146.57.~~ If Children's  
2           Hospital of Wisconsin in the city of Milwaukee ceases to operate a poison control  
3           center under s. 146.57, ~~the authority shall~~ administer a statewide poison control  
4           program.

5           **SECTION 17.** 233.05 (3) of the statutes is repealed.

6           **SECTION 18.** 233.10 (2) (intro.) of the statutes is amended to read:

7           233.10 (2) (intro.) Subject to subs. (3), (3m), (3r) and (3t) and ch. 40 and the duty  
8           to engage in collective bargaining with employees in a collective bargaining unit for  
9           which a representative is recognized or certified under subch. I of ch. 111, the  
10          authority ~~may~~ establish any of the following: shall

11          **SECTION 19.** 233.20 (3m) of the statutes is created to read:

12          233.20 (3m) The authority may not issue bonds or incur indebtedness  
13          described under s. 233.03 (12) unless one of the following applies:

14          (a) The bonds or indebtedness are a refinancing of existing bonds or  
15          indebtedness.

16          (b) If the authority has an unenhanced bond rating in the category of A or better  
17          from Moody's Investor Service, Inc., or in the category of A or better from Standard  
18          & Poor's Corporation, or equivalent ratings from those or comparable rating agencies  
19          when such rating systems or rating agencies no longer exist, the authority has  
20          provided notice to the joint committee on finance and the secretary of administration  
21          of the bond rating of the authority, the amount of the proposed bonds or indebtedness,  
22          and the proposed use of the proceeds, and the joint committee on finance has not  
23          notified the authority within 30 working days after receipt of the notice that the joint  
24          committee on finance has scheduled a meeting to review the proposed bonds or  
25          indebtedness and the secretary of administration has not notified the authority

**BILL**

1 within 30 working days after receipt of the notice that the secretary will conduct  
2 further review of the proposed bonds or indebtedness.

3 (c) The joint committee on finance votes to approve the amount of the bonds or  
4 indebtedness and the secretary of administration, or his or her designee, has issued  
5 written approval of the bonds or indebtedness.

6 **SECTION 20.** 233.27 of the statutes is repealed.

7 **SECTION 21. Nonstatutory provisions.**

8 (1) Notwithstanding section 233.02 (1) (a) of the statutes, as affected by this act,  
9 of the initial terms of the 3 additional members of the board of directors of the  
10 University of Wisconsin Hospitals and Clinics Authority appointed under section  
11 233.02 (1) (a) of the statutes, as affected by this act, one term shall expire on July 1,  
12 2010, one term shall expire on July 1, 2011, and one term shall expire on July 1, 2012.

13 (2) Notwithstanding section 15.96 (1) (a) of the statutes, as affected by this act,  
14 of the initial terms of the 3 additional members of the University of Wisconsin  
15 Hospitals and Clinics Board appointed under section 15.96 (1) (a) of the statutes, as  
16 affected by this act, one term shall expire on July 1, 2010, one term shall expire on  
17 July 1, 2011, and one term shall expire on July 1, 2012.

18 **SECTION 22. Initial applicability.**

19 (1) The treatment of section 233.02 (1) (a) of the statutes first applies to  
20 appointments made on the effective date of this subsection.

21 (2) The treatment of section 15.96 (1) (a) of the statutes first applies to  
22 appointments made on the effective date of this subsection.

23 **SECTION 23. Effective dates.** This act takes effect on the day after publication,  
24 except as follows:



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-3595/3dn

MDK:.....

Lbjk

Date

LPS - Please check spelling.

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Based on comments I received from James Roberts of the UW Clinics and Hospitals Authority, I made the following changes to the previous version of this bill:

1. I changed the name of the children's hospital in s. 233.04 (10).

2. I changed "may" to "shall" in s. 233.10 (2) (intro.).

children's

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**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-3595/3dn  
MDK:bjk:nwn

December 20, 2007

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