

2009 DRAFTING REQUEST

Bill

Received: **01/20/2009**

Received By: **mkunkel**

Wanted: **As time permits**

Identical to LRB:

For: **John Murtha (608) 266-7683**

By/Representing:

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

Drafter: **mkunkel**

May Contact:

Addl. Drafters:

Subject: **Higher Education - UW System**

Extra Copies: **PG**

Submit via email: **YES**

Requester's email: **Rep.Murtha@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Resident tuition and nonallocable segregated fee increases

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>
/?	mkunkel 01/23/2009	bkraft 01/23/2009		_____			State
/1			jfrantze 01/26/2009	_____	sbasford 01/26/2009	lparisi 01/28/2009	

FE Sent For:

↳ At Intro.

<END>

2009 DRAFTING REQUEST

Bill

Received: **01/20/2009**

Received By: **mkunkel**

Wanted: **As time permits**

Identical to LRB:

For: **John Murtha (608) 266-7683**

By/Representing:

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

Drafter: **mkunkel**

May Contact:

Addl. Drafters:

Subject: **Higher Education - UW System**

Extra Copies: **PG**

Submit via email: **YES**

Requester's email: **Rep.Murtha@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Resident tuition and nonallocable segregated fee increases

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>
/?	mkunkel 01/23/2009	bkraft 01/23/2009		_____			State
/1			jfrantze 01/26/2009	_____	sbasford 01/26/2009		

FE Sent For:

<END>

2009 DRAFTING REQUEST

Bill

Received: **01/20/2009**

Received By: **mkunkel**

Wanted: **As time permits**

Identical to LRB:

For: **John Murtha (608) 266-7683**

By/Representing:

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

Drafter: **mkunkel**

May Contact:

Addl. Drafters:

Subject: **Higher Education - UW System**

Extra Copies: **PG**

Submit via email: **YES**

Requester's email: **Rep.Murtha@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given


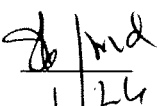
Topic:

Resident tuition and nonallocable segregated fee increases

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>
/?	mkunkel	1 bjk 1/23	 1/24	 1/24			

FE Sent For:

<END>

Kunkel, Mark

From: LRB.Legal
Sent: Tuesday, January 20, 2009 10:58 AM
To: Rep.Murtha
Cc: Ryan, Robin; Hurley, Peggy; Nelson, Robert P.; Kreye, Joseph; Grant, Peter; Kunkel, Mark
Subject: RE: Bill Requests

Importance: High

Representative Murtha,

1) It appears that your request for a redraft of 07-1942/1 has been re-entered for this session as LRB 09-1485 by attorney Robin Ryan.

2) The draft concerning jurors will go to either Peggy Hurley or Robert Nelson,

3) Your re-draft of 07-1412/3 (AB 235) appears to have been entered by Joe Kreye. The new number is LRB 09-1584.

4) Your request tuition cap draft for U.W. students will be drafted by either Mark Kunkel or Peter Grant.

I forwarded this e-mail to each drafting attorney. I am sure they will get back to you shortly.

Let me know if I can be of further assistance.

Mike Barman (Senior Program Assistant)
State of Wisconsin - Legislative Reference Bureau
Legal Section - Front Office
1 East Main Street, Suite 200, Madison, WI 53703
(608) 266-3561 / mike.barman@legis.wisconsin.gov

From: Rep.Murtha
Sent: Tuesday, January 20, 2009 10:27 AM
To: LRB.Legal
Subject: Bill Requests

To whom it may concern:

It has come to my attention that my office has made four bill draft requests over the last few weeks and has not heard anything from the representatives of the Legislative Reference Bureau. All of these requests are re-drafts of bills from last session. They do not require further research or new language to complete the draft request.

I respectfully ask that my offices requests be met in a timely fashion. The four requests are outlined below:

- 1) A re-draft of last sessions LRB-1942/1; relating to: grants for the costs of jailing persons for methamphetamine offenses and making an appropriation
- 2) A re-draft of a bill that will reform the process by which jurors are listed on court documents to eliminate the potential of having jurors contacted by convicted felons.
- 3) A re-draft of LRB-1412/3; relating to an income and franchise tax credit for workplace wellness programs, granting rule-making authority, and requiring the exercise of rule-making authority.
- 4) Drafting a bill to provide a 4% tuition cap for the 2009-11 school years for university students. This is

also a re-draft due to the fact that the language I have requested is a part of last sessions Assembly Republican Budget bill.

I look forward to hearing from LRB with opportunities to jacket these four bills. Thank you.

Regards,

John Murtha
State Representative
29th Assembly District

MDK

Basford, Sarah

From: Rausch, Scott
Sent: Thursday, January 15, 2009 10:06 AM
To: LRB.Legal
Subject: Two Drafting Requests

Importance: High

-1663

Good morning,

I have two drafting requests.

The first is in regards to 2007 Assembly Bill 235, also known as LRB 1412/3. Rep. Murtha would like to author this piece of legislation during this session. Please draft this bill as soon as possible.

The second is identical to the Assembly Republican Budget from last session, regarding capping the annual increase in university tuition and non allocable fees at 4% from 2009-10 through 2012-13. Please see language below. This piece of legislation should be drafted as soon as possible as well.

CAP ANNUAL INCREASES IN TUITION AND NONALLOCABLE FEES AT 4% FROM 2009-10 THROUGH 2012-13

Prohibit the UW System Board of Regents from increasing resident undergraduate tuition by more than 4% in any one academic year from 2009-10 to 2012-13. In addition, provide that the nonallocable portion of segregated fees charged at any campus may not increase by more than 4% unless the increase is authorized by a student referendum. Under this provision, a student referendum would only be valid if: (a) the ballot question specified the amount by which the proposed increase would exceed the 4% cap, the duration of the proposed increase, and the reason for an increase in excess of the 4% cap; and (b) more than 10% of the total undergraduate student body voted to approve the proposed increase.

Thank you for your assistance in this matter and I look forward to hearing from LRB in response to these requests.

Regards,

Scott A. Rausch
Legislative Aide
State Representative John Murtha
(608) 266-7056
scott.rausch@legis.wi.gov

O-NOTE

2007 BILL

1-23-09

stay

-1663/1

RM NOT RUN

B^u
WED
1-28
PM

SAV
x-refv

regem.

- 1 AN ACT *to amend* 36.27 (1) (a) and 36.27 (1) (am) (intro.); and *to create* 36.27
- 2 (1) (ar) of the statutes; **relating to:** limiting nonallocable segregated fee and
- 3 resident tuition increases at the University of Wisconsin System.

Analysis by the Legislative Reference Bureau

Under current law the Board of Regents (board) of the University of Wisconsin (UW) System may not increase resident undergraduate tuition beyond an amount sufficient to fund all of the following: 1) in an odd-numbered year, the highest amount shown in the appropriation schedule for the tuition appropriation for that year in the Joint Committee of Finance version of the budget bill, the engrossed budget bill, or the enrolled budget bill; 2) in an even-numbered year, the amount shown in the appropriation schedule for the tuition appropriation; 3) the approved recommendations of the director of the Office of State Employment Relations for compensation and fringe benefits for staff; 4) projected losses of revenue caused by enrollment declines; 5) certain state-imposed costs; 6) nontraditional courses; and 7) differential tuition.

In addition to tuition, the board charges students segregated fees. Under board policies, there are two types of segregated fees: allocable and nonallocable. Allocable fees support campus student activities, such as student organizations, concerts, and lectures. Nonallocable fees support fixed obligations and programs that require stable funding, such as debt service, base operating funds for student unions, and student health services.

In fiscal years ~~2008-09~~ 2009-10, and 2010-11, this bill suspends the restrictions described above. Instead, the bill limits any increase in resident

2011-12 and 2012-13

BILL

undergraduate tuition during those fiscal years to no more than 4 percent above the tuition in effect in the previous fiscal year. In addition, the bill limits any increase in total nonallocable segregated fees for resident and nonresident undergraduate students during those fiscal years to no more than 4 percent above the total nonallocable segregated fees in effect during the previous fiscal year. However, the bill provides an exception to the limit on increases for nonallocable segregated fees. If the undergraduate students enrolled at an institution of the UW System approve an increase in nonallocable segregated fees for a specified fiscal year that exceeds the foregoing limit, the board may increase nonallocable segregated fees for undergraduates at that institution for that fiscal year by the amount approved. For the exception to apply, more than 10 percent of the undergraduate students enrolled at an institution must vote to approve the increase. In addition, the ballot used in the referendum must do the following: 1) identify the amount of the increase and the fiscal years for which the increase applies; and 2) explain the reasons for the increase.

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:

1 ^X
SECTION 1. 36.27 (1) (a) of the statutes is amended to read:

2 36.27 (1) (a) Subject to pars. (am), (ar), (b), and (c), the board may establish for
3 different classes of students differing tuition and fees incidental to enrollment in
4 educational programs or use of facilities in the system. Except as otherwise provided
5 in this section, the board may charge any student who is not exempted by this section
6 a nonresident tuition. The board may establish special rates of tuition and fees for
7 the extension and summer sessions and such other studies or courses of instruction
8 as the board deems advisable.

9 ^X
SECTION 2. 36.27 (1) (am) (intro.) of the statutes is amended to read:

10 36.27 (1) (am) (intro.) The Except as provided in par. (ar), the board may not
11 increase academic fees for resident undergraduate students beyond an amount
12 sufficient to fund all of the following:

13 ^X
SECTION 3. 36.27 (1) (ar) of the statutes is created to read:

BILL

1 36.27 (1) (ar) 1. In fiscal years ~~2009-10~~^{2009-10, and 2010-11}, the board may
2 not do any of the following:

3 a. Increase academic fees for undergraduate students by more than 4 percent
4 above the academic fees in effect for the previous fiscal year.

5 b. Except as provided in subd. 2., increase the total nonallocable segregated
6 fees for undergraduate students by more than 4 percent above the total nonallocable
7 segregated fees in effect for the previous fiscal year.

8 2. If a majority of the undergraduate students enrolled in an institution who
9 vote in a referendum that is open only to undergraduate students approve an
10 increase in the total nonallocable segregated fees for undergraduate students for one
11 or more fiscal years by an amount greater than the maximum increase allowed in
12 subd. 1. b., the board may increase total nonallocable segregated fees for
13 undergraduate students at the institution for the fiscal year or years by the amount
14 approved in the referendum. This subdivision applies only if all of the following are
15 satisfied:

16 a. More than 10 percent of the undergraduate students enrolled in the
17 institution at the time of the referendum vote to approve the increase.

18 b. The ballot used in the referendum identifies the amount of the increase and
19 the fiscal year or years to which the increase applies and explains the reasons for the
20 increase.

21 (END)

Dnote

2011-12 and 2012-13

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

LRB-1663/1dn

MDK:.....

Lbjk

Date

Rep. Murtha:

This bill is based on the Assembly Republican budget proposal from last session.

Note that if the bill is not likely to pass until after the beginning of fiscal year 2009-10 (i.e., July 1, 2009), you may want to revise the bill so that it applies to fiscal years 2010-11 through 2013-14, rather than to fiscal years 2009-10 through 2012-13.

Please let me know if you need any changes to the bill.

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

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

LRB-1663/1dn
MDK:bjk:jf

January 26, 2009

Rep. Murtha:

This bill is based on the Assembly Republican budget proposal from last session.

Note that if the bill is not likely to pass until after the beginning of fiscal year 2009-10 (i.e., July 1, 2009), you may want to revise the bill so that it applies to fiscal years 2010-11 through 2013-14, rather than to fiscal years 2009-10 through 2012-13.

Please let me know if you need any changes to the bill.

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

Barman, Mike

From: Rep.Murtha
Sent: Wednesday, January 28, 2009 1:24 PM
To: LRB.Legal
Subject: Draft Review: LRB 09-1663/1 Topic: Resident tuition and nonallocable segregated fee increases

Please Jacket LRB 09-1663/1 for the ASSEMBLY.