

**2013 DRAFTING REQUEST**

**Bill**

Received: 2/4/2014 Received By: mkunkel  
Wanted: As time permits Same as LRB: -4166  
For: Paul Farrow (608) 266-9174 By/Representing: Scot Rausch  
May Contact: Drafter: mkunkel  
Subject: Higher Education - UW System Addl. Drafters:  
Extra Copies: PG

Submit via email: YES  
Requester's email: Sen.Farrow@legis.wisconsin.gov  
Carbon copy (CC) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Classified research

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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>
/1	mkunkel 2/4/2014	kfollett 2/5/2014	jfrantze 2/5/2014	_____	mbarman 2/5/2014	srose 2/5/2014	

FE Sent For:

<END>

NOT  
NEEDED

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/1	mkunkel	1/5 2/5	J	2/5			

FE Sent For:

<END>

## Kunkel, Mark

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**From:** Rausch, Scott  
**Sent:** Tuesday, February 04, 2014 3:36 PM  
**To:** Kunkel, Mark  
**Subject:** FW: LRB 4166/2

Mark,

Please draft a senate companion to LRB 4166/2. Thank you.

## Scott Rausch

Chief of Staff

[Office of Senator Paul Farrow](#)

(608) 266-9174

[Scott.Rausch@legis.wi.gov](mailto:Scott.Rausch@legis.wi.gov)

---

**From:** Spencer, Matt  
**Sent:** Tuesday, February 04, 2014 3:10 PM  
**To:** Kunkel, Mark  
**Cc:** Rausch, Scott  
**Subject:** LRB 4166/2

Could you please release 4166/2 to Sen. Farrow's office. They will be requesting a companion bill.

Thank you,

Matthew Spencer  
Office of Representative Mike Kuglitsch  
(608) 267-5158



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-4166/2  
MDK:kjf:jm

CPs:  
already  
run

O-note

64 wed  
2-5

12 2-4

-419611

**2013 ASSEMBLY BILL 729**

February 4, 2014 - Introduced by Representatives KUGLITSCH, STRACHOTA, KAHL, KNODL, RIPP, AUGUST and CRAIG, cosponsored by Senators FARROW and COWLES. Referred to Committee on Colleges and Universities.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

Regen

- 1 AN ACT *to create* 19.36 (14), 36.11 (55m) and 36.45 (4) of the statutes; **relating**
- 2 **to:** classified research at University of Wisconsin System institutions and
- 3 exemption from open records requirements.

***Analysis by the Legislative Reference Bureau***

Under this bill, if certain requirements are satisfied, the Board of Regents of the University of Wisconsin (UW) System may accept research contracts involving government security classifications or similar restrictions on participation in the research or access to, or dissemination of, research results. The requirements that must be satisfied are as follows. First, the research must further national security interests. Second, the educational interests of all participating students must be adequately protected. Third, appropriate facilities, infrastructure, and administrative resources must be available for the research, either on campus or at off-campus locations. Fourth, the sponsors of the research must cover all additional costs associated with the security requirements of the research. Finally, the conditions for accepting the contracts and conducting the research must be established pursuant to processes approved by the chancellors of the UW institutions at which the research is to be conducted. The bill requires the chancellors to consult with faculty in approving those processes.

The bill also provides that certain information of public higher education institutions is exempt from inspection or copying under the open records law. The information subject to the exemption is information, data, or records produced or collected by or for faculty or staff of such institutions as a result of study or research

**ASSEMBLY BILL 729**

on commercial, scientific, or technical subjects. The exemption applies whether or not the study or research is sponsored by the institution alone or in conjunction with a governmental body or private concern. The exemption expires when the information is publicly released, published, or patented.

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

1           **SECTION 1.** 19.36 (14) of the statutes is created to read:

2           **19.36 (14) HIGHER EDUCATION INTELLECTUAL PROPERTY RECORDS.** An authority  
3 may withhold access to information, data, or records produced or collected by or for  
4 faculty or staff of public institutions of higher education in the conduct of or as a  
5 result of study or research on commercial, scientific, or technical subjects, whether  
6 sponsored by the institution alone or in conjunction with a governmental body or  
7 private concern, until such information, data, or records have been publicly released,  
8 published, or patented.

9           **SECTION 2.** 36.11 (55m) of the statutes is created to read:

10           **36.11 (55m) CLASSIFIED RESEARCH.** The board may accept research contracts  
11 involving government security classifications or other similar restrictions on  
12 participation in research or access to or dissemination of research results, if all of the  
13 following are satisfied:

14           (a) The research furthers national security interests.

15           (b) The educational interests of all participating students are adequately  
16 protected.

17           (c) Appropriate facilities, infrastructure, and administrative resources are  
18 available for the research, either on campus or at off-campus locations.

19           (d) The sponsors of the research cover all additional costs associated with the  
20 security requirements of the research.

**ASSEMBLY BILL 729**

1           (e) The conditions for accepting the contracts and conducting the research are  
2 established pursuant to a process approved by the chancellor, in consultation with  
3 the faculty, of the institution at which the research is to be conducted.

4           **SECTION 3.** 36.45 (4) of the statutes is created to read:

5           36.45 (4) The board shall report annually by September 1 to the joint committee  
6 on finance the number of research contracts considered under processes established  
7 under s. 36.11 (55m) (e) and the outcome of those contracts.

8

(END)

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

LRB-4196/1dn  
MDK...

*kjf*

*Date*

Sen. Farrow:

This is a companion to LRB-4166/2. ✓

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-4196/1dn  
MDK:kjf:jf

February 5, 2014

Sen. Farrow:

This is a companion to LRB-4166/2.

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

**Barman, Mike**

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**From:** Henkel, Matt  
**Sent:** Wednesday, February 05, 2014 10:20 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -4196/1 Topic: Classified research

Please Jacket LRB -4196/1 for the SENATE.