

1 unless the child has been certified under ~~s. 36.25 (32) (a) 2.~~, as specified by the
2 department, as successfully completing a tractor and machinery operation safety
3 training course that is equivalent to the requirements, other than age, specified
4 under 29 CFR part 570.70 to 570.72.

5 **SECTION 680.** 349.13 (1j) of the statutes is amended to read:

6 349.13 (1j) The department, with respect to state trunk highways outside of
7 corporate limits, and local authorities, with respect to highways under their
8 jurisdiction including state trunk highways or connecting highways within
9 corporate limits, may authorize persons to park their vehicles during specified hours
10 on the near side of a highway adjacent to a schoolhouse located on property of leased
11 or owned by the University of Wisconsin System Authority when the persons are
12 conducting business at the schoolhouse.

13 **SECTION 681.** 448.20 (2) of the statutes is amended to read:

14 448.20 (2) ADVISE BOARD OF REGENTS. The council shall advise and cooperate
15 with the board of regents of the University of Wisconsin System Authority in
16 establishing an educational program for physician assistants on the undergraduate
17 level. The council shall suggest criteria for admission requirements, program goals
18 and objectives, curriculum requirements, and criteria for credit for past educational
19 experience or training in health fields.

20 **SECTION 682.** 452.12 (5) (a) of the statutes is amended to read:

21 452.12 (5) (a) Renewal applications for all licenses shall be submitted with the
22 applicable renewal fee determined by the department under s. 440.03 (9) (a) on or
23 before the applicable renewal date ~~specified~~ determined under s. 440.08 (2) (a). ~~The~~
24 ~~department shall pay \$10 of each renewal fee received under this paragraph to the~~

1 ~~Board of Regents of the University of Wisconsin System for research and~~
2 ~~educational, public outreach, and grant activities under s. 36.25 (34) and (ag).~~

****NOTE: This is reconciled s. 452.12 (5) (a). This SECTION has been affected by drafts with the following LRB numbers: LRB-0971/P4 and LRB-0480/P3.

3 **SECTION 683.** 610.70 (1) (e) of the statutes is amended to read:

4 610.70 (1) (e) “Medical care institution” means a facility, as defined in s. 647.01
5 (4), or any hospital, nursing home, community-based residential facility, county
6 home, county infirmary, county hospital, county mental health center, adult family
7 home, assisted living facility, rural medical center, hospice or other place licensed,
8 certified or approved by the department of health services under s. 49.70, 49.71,
9 49.72, 50.02, 50.03, 50.032, 50.033, 50.034, 50.35, 50.52, 50.90, 51.04, 51.08, or 51.09
10 or a facility under s. 45.50, 51.05, 51.06, or 252.10 or under ch. 36 or 233, or licensed
11 or certified by a county department under s. 50.032 or 50.033.

12 **SECTION 684.** 632.745 (6) (a) 2. of the statutes is amended to read:

13 632.745 (6) (a) 2. A municipality, as defined in s. 16.70 (8) county, city, village,
14 town, school district, board of school directors, sewer district, drainage district,
15 technical college district, or any other public or quasi-public corporation, officer,
16 board, or other body having the authority to award public contracts.

17 **SECTION 685.** 778.25 (1) (a) 5. of the statutes is repealed.

18 **SECTION 686.** 887.23 (1) of the statutes is amended to read:

19 887.23 (1) WHO MAY REQUIRE. The department of health services, the
20 department of corrections, the state superintendent of public instruction or the board
21 of regents of the University of Wisconsin System Authority may order the deposition
22 of any witness to be taken concerning any institution under his, her or its
23 government or superintendence, or concerning the conduct of any officer or agent

1 thereof, or concerning any matter relating to the interests thereof. Upon
2 presentation of a certified copy of such order to any municipal judge, notary public
3 or court commissioner, the officer shall take the desired deposition in the manner
4 provided for taking depositions to be used in actions. When any officer or agent of
5 any institution is concerned and will be affected by the testimony, 2 days' written
6 notice of the time and place of taking the deposition shall be given him or her. Any
7 party interested may appear in person or by counsel and examine the witness
8 touching the matters mentioned in the order. The deposition, duly certified, shall be
9 delivered to the authority which ordered it.

10 **SECTION 687.** 893.80 (1b) (intro.) of the statutes is amended to read:

11 893.80 (1b) (intro.) In this section, ~~“agent”~~:

12 (am) “Agent” includes a volunteer. In this subsection paragraph, “volunteer”
13 means a person who satisfies all of the following:

14 **SECTION 688.** 893.80 (1b) (a) of the statutes is renumbered 893.80 (1b) (am) 1.
15 and amended to read:

16 893.80 (1b) (am) 1. The person provides services or performs duties for and
17 with the express or implied consent of a volunteer fire company organized under ch.
18 181 or 213, political corporation, or governmental subdivision or agency thereof. A
19 person satisfies the requirements under this paragraph subdivision even if the
20 activities of the person with regard to the services and duties and the details and
21 method by which the services are provided and the duties are performed are left to
22 the discretion of the person.

23 **SECTION 689.** 893.80 (1b) (b) of the statutes is renumbered 893.80 (1b) (am) 2.
24 and amended to read:

1 893.80 (1b) (am) 2. The person is subject to the right of control of the volunteer
2 company, political corporation, or governmental subdivision or agency described in
3 ~~par. (a) subd. 1.~~

4 **SECTION 690.** 893.80 (1b) (bm) of the statutes is created to read:

5 893.80 (1b) (bm) “Political corporation” does not include the University of
6 Wisconsin System Authority.

7 **SECTION 691.** 893.80 (1b) (c) of the statutes is renumbered 893.80 (1b) (am) 3.
8 and amended to read:

9 893.80 (1b) (am) 3. The person is not paid a fee, salary, or other compensation
10 by any person for the services or duties described in ~~par. (a) subd. 1.~~ In this
11 ~~paragraph~~ subdivision, “compensation” does not include the reimbursement of
12 expenses.

13 **SECTION 692.** 893.82 (2) (d) 4. of the statutes is created to read:

14 893.82 (2) (d) 4. Officers and employees of the University of Wisconsin System
15 Authority.

16 **SECTION 693.** 893.82 (10) of the statutes is created to read:

17 893.82 (10) Except for sub. (6), this section does not apply if the claimant in the
18 action or proceeding is the state and the person against whom such claim is brought
19 is an officer or employee of the University of Wisconsin System Authority.

20 **SECTION 694.** 895.46 (1) (a) of the statutes is amended to read:

21 895.46 (1) (a) If the defendant in any action or special proceeding is a public
22 officer or employee and is proceeded against in an official capacity or is proceeded
23 against as an individual because of acts committed while carrying out duties as an
24 officer or employee and the jury or the court finds that the defendant was acting
25 within the scope of employment, the judgment as to damages and costs entered

1 against the officer or employee, except as provided in s. 146.89 (4), in excess of any
2 insurance applicable to the officer or employee shall be paid by the state or political
3 subdivision of which the defendant is an officer or employee or by the University of
4 Wisconsin System Authority if the defendant is an officer or employee of the
5 authority. Agents of any department of the state shall be covered by this section
6 while acting within the scope of their agency. Regardless of the results of the
7 litigation the governmental unit, if it does not provide legal counsel to the defendant
8 officer or employee, shall pay reasonable attorney fees and costs of defending the
9 action, unless it is found by the court or jury that the defendant officer or employee
10 did not act within the scope of employment. Except as provided in s. 146.89 (4), the
11 duty of a governmental unit to provide or pay for the provision of legal representation
12 does not apply to the extent that applicable insurance provides that representation.
13 If the employing state agency or the attorney general denies that the state officer,
14 employee or agent was doing any act growing out of or committed in the course of the
15 discharge of his or her duties, the attorney general may appear on behalf of the state
16 to contest that issue without waiving the state's sovereign immunity to suit. Failure
17 by the officer or employee to give notice to his or her department head of an action
18 or special proceeding commenced against the defendant officer or employee as soon
19 as reasonably possible is a bar to recovery by the officer or employee from the state
20 or, political subdivision, or University of Wisconsin System Authority of reasonable
21 attorney fees and costs of defending the action. The attorney fees and expenses shall
22 not be recoverable if the state or, political subdivision, or University of Wisconsin
23 System Authority offers the officer or employee legal counsel and the offer is refused
24 by the defendant officer or employee. If the officer, employee or agent of the state
25 refuses to cooperate in the defense of the litigation, the officer, employee or agent is

1 not eligible for any indemnification or for the provision of legal counsel by the
2 governmental unit under this section.

3 **SECTION 695.** 895.46 (5) (c) of the statutes is created to read:

4 895.46 (5) (c) Officers and employees of the University of Wisconsin System
5 Authority.

6 **SECTION 696.** 946.13 (12) (a) of the statutes is amended to read:

7 946.13 (12) (a) In this subsection, “research company” means an entity engaged
8 in commercial activity that is related to research conducted by an employee or officer
9 of the University of Wisconsin System Authority or to a product of such research.

10 **SECTION 697.** 946.13 (12) (b) (intro.) of the statutes is amended to read:

11 946.13 (12) (b) (intro.) Subsection (1) does not apply to a contract between a
12 research company and the University of Wisconsin System Authority or any
13 institution or college campus within the system for purchase of goods or services,
14 including research, if all the following apply:

15 **SECTION 698.** 946.13 (12) (b) 1. of the statutes is amended to read:

16 946.13 (12) (b) 1. The contract is approved by a University of Wisconsin System
17 Authority employee or officer responsible for evaluating and managing potential
18 conflicts of interest.

19 **SECTION 699.** 946.13 (12) (b) 2. b. of the statutes is amended to read:

20 946.13 (12) (b) 2. b. The ~~University of Wisconsin System~~ employee or officer
21 specified in subd. 1. submits the contract to the University of Wisconsin Board of
22 Regents and, within 45 days, the University of Wisconsin System Authority Board
23 of Regents does not notify the ~~University of Wisconsin System~~ employee or officer
24 specified in subd. 1. that entering the contract would constitute a violation of sub. (1).

1 **SECTION 9148. Nonstatutory provisions; University of Wisconsin**
2 **System.**

3 (1) CONVERSION OF THE UNIVERSITY OF WISCONSIN SYSTEM TO THE UNIVERSITY OF
4 WISCONSIN SYSTEM AUTHORITY.

5 (a) *Board of Regents.* Notwithstanding section 36.02 (1) (a) of the statutes, as
6 created by this act, each member of the Board of Regents of the University of
7 Wisconsin System appointed under section 15.91, 2013 stats., shall serve as a
8 member of the Board of Regents of the University of Wisconsin System Authority
9 until the expiration of his or her term that is specified in sections 15.07 (1) (cm) and
10 36.02 (1) (a), 2013 stats.

11 (b) *Assets and liabilities.* Except as provided in subsections (2) (b) and (3) (b),
12 on the effective date of this paragraph, the assets and liabilities of the University of
13 Wisconsin System, as determined by the secretary of administration, become the
14 assets and liabilities of the University of Wisconsin System Authority.

15 (c) *Employees.*

16 1. Except as provided in subsections (2) (c) and (3) (c), on the effective date of
17 this paragraph, all employees of the Board of Regents of the University of Wisconsin
18 System become employees of the University of Wisconsin System Authority.

19 2. Notwithstanding section 230.29 of the statutes, an individual employed by
20 the Board of Regents of the University of Wisconsin System before the effective date
21 of this subdivision who is subject to subdivision 1. is eligible to transfer to a position,
22 as defined in section 230.03 (11) of the statutes, before July 1, 2017.

23 (d) *Tangible personal property.* Except as provided in subsections (2) (e) and
24 (3) (e), on the effective date of this paragraph, all tangible personal property,
25 including records, of the University of Wisconsin System, as determined by the

1 secretary of administration, becomes the personal property of the University of
2 Wisconsin System Authority.

3 (e) *Pending matters.* Any matter pending with the University of Wisconsin
4 System on the effective date of this paragraph is transferred to the University of
5 Wisconsin System Authority. All materials submitted to or actions taken by the
6 University of Wisconsin System are considered as having been submitted to or taken
7 by the University of Wisconsin System Authority.

8 (f) *Contracts and agreements.* All contracts and agreements entered into by the
9 University of Wisconsin System in effect on the effective date of this paragraph
10 remain in effect and are transferred to the University of Wisconsin System Authority.
11 The University of Wisconsin System Authority shall carry out any obligations under
12 those contracts and agreements unless modified or rescinded to the extent allowed
13 under the contract or agreement, except that the authority is not liable for any
14 reimbursement obligation under a Minnesota–Wisconsin student reciprocity
15 agreement under section 39.47, 2013 stats., that accrues before the effective date of
16 this paragraph.

17 (g) *Policies and orders.* All policies of the Board of Regents of the University
18 of Wisconsin System in effect on the effective date of this paragraph remain in effect
19 until their specified expiration dates or until amended or repealed by the University
20 of Wisconsin System Authority. All orders issued by the Board of Regents of the
21 University of Wisconsin System in effect on the effective date of this paragraph
22 remain in effect until their specified expiration dates or until modified or rescinded
23 by the University of Wisconsin System Authority.

24 (h) *Rules.* All rules promulgated by the Board of Regents of the University of
25 Wisconsin System under section 36.11 (1) (a), (c), and (cm), 2013 stats., and section

1 342.40 (4) (b) 2., 2013 stats., and all rules adopted under section 36.11 (8) (a) of the
2 statutes in effect on the effective date of this paragraph remain in effect until their
3 specified expiration dates or until amended or are repealed by the Board of Regents
4 of the University of Wisconsin System Authority.

5 (i) *Payments for municipal services.* Notwithstanding section 70.119 of the
6 statutes, as amended by this act, the University of Wisconsin System Authority
7 shall, prior to July 1, 2017, pay the department of administration its proportionate
8 share of the negotiated payments for municipal services under section 70.119 of the
9 statutes, as amended by this act, for the municipal services provided to the
10 University of Wisconsin System in fiscal year 2015–16.

11 (2) VETERINARY DIAGNOSTIC LABORATORY.

12 (a) *Director.* Notwithstanding section 93.13 (3m) of the statutes, as affected
13 by this act, the director of the veterinary diagnostic laboratory appointed under
14 section 36.58 (3m), 2013 stats., may continue to serve as director until his or her term
15 expires as specified in the appointment.

16 (b) *Assets and liabilities.* On the effective date of this paragraph, the assets and
17 liabilities of the University of Wisconsin System that are primarily related to the
18 veterinary diagnostic laboratory, as determined by the secretary of administration,
19 shall become the assets and liabilities of the department of agriculture, trade and
20 consumer protection.

21 (c) *Employees.* On the effective date of this paragraph, all positions and all
22 incumbent employees holding those positions in the University of Wisconsin System
23 performing duties that are primarily related to the veterinary diagnostic laboratory,
24 as determined by the secretary of administration, are transferred to the department
25 of agriculture, trade and consumer protection.

*agriculture, trade and
consumer protection*

Comparable

1 (d) *Employee status.* Employees transferred under paragraph (c) have all the
 2 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
 3 statutes in the department of administration that they enjoyed in the University of
 4 Wisconsin System immediately before the transfer. Notwithstanding section 230.28
 5 (4) of the statutes, no employee so transferred who has attained permanent status
 6 in class is required to serve a probationary period.

7 (e) *Tangible personal property.* On the effective date of this paragraph, all
 8 tangible personal property, including records, of the University of Wisconsin System
 9 that is primarily related to the veterinary diagnostic laboratory, as determined by
 10 the secretary of administration, is transferred to the department of agriculture,
 11 trade and consumer protection.

12 (f) *Services without fees.* The laboratory of hygiene board shall, in its biennial
 13 budget request under section 16.42 of the statutes for the 2017–19 fiscal biennium,
 14 do all of the following:

15 1. Identify the federal and state agencies to whom the laboratory provided
 16 services in fiscal year 2016–17 and for which the laboratory did not charge fees under
 17 section 93.13 (3) (b) and (c) of the statutes, as affected by this act.

18 2. For each agency identified under subdivision 1., identify the total cost of
 19 services for which the laboratory did not charge fees.

20 3. Include a proposal for charging, beginning in the 2017–18 fiscal year, all
 21 federal and state agencies fees for services under section 93.13 (3) (a) of the statutes,
 22 as affected by this act.

23 (3) STATE LABORATORY OF HYGIENE.

24 (a) *Director.* Notwithstanding section 250.08 (5) of the statutes, as affected
 25 by this act, the director of the laboratory of hygiene appointed under section 36.25

1 (11) (e), 2013 stats., may continue to serve as director until his or her term expires
2 as specified in the appointment.

3 (b) *Assets and liabilities.* On the effective date of this paragraph, the assets and
4 liabilities of the University of Wisconsin System that are primarily related to the
5 state laboratory of hygiene, as determined by the secretary of administration, shall
6 become the assets and liabilities of the department of agriculture, trade and
7 consumer protection.

8 (c) *Employees.* On the effective date of this paragraph, all positions and all
9 incumbent employees holding those positions in the University of Wisconsin System
10 performing duties that are primarily related to the state laboratory of hygiene, as
11 determined by the secretary of administration, are transferred to the department of
12 agriculture, trade and consumer protection.

13 (d) *Employee status.* Employees transferred under paragraph (c) have all the
14 rights and the same status ^{agriculture, trade and consumer protection} under subchapter V of chapter 111 and chapter 230 of the ^{comparable}
15 statutes in the department of ~~administration~~ that they enjoyed in the University of
16 Wisconsin System immediately before the transfer. Notwithstanding section 230.28
17 (4) of the statutes, no employee so transferred who has attained permanent status
18 in class is required to serve a probationary period.

19 (e) *Tangible personal property.* On the effective date of this paragraph, all
20 tangible personal property, including records, of the University of Wisconsin System
21 that is primarily related to the state laboratory of hygiene, as determined by the
22 secretary of administration, is transferred to the department of agriculture, trade
23 and consumer protection.

1 (f) *State agency services.* The laboratory of hygiene board shall, in its biennial
2 budget request under section 16.42 of the statutes for the 2017–19 fiscal biennium,
3 do all of the following:

4 1. Identify the state agencies to whom the laboratory provided services in fiscal
5 year 2016–17 and for which the laboratory did not charge fees under section 250.08
6 (2) of the statutes, as affected by this act.

7 2. For each state agency identified under subdivision 1., identify the total cost
8 of services for which the laboratory did not charge fees.

9 3. Include a proposal for charging, beginning in the 2017–18 fiscal year, all
10 state agencies fees for services under section 250.08 (2) of the statutes, as affected
11 by this act.

12 (4) **RESIDENT UNDERGRADUATE TUITION.** Notwithstanding section 36.27 (1) (a) of
13 the statutes, the Board of Regents of the University of Wisconsin System or the
14 University of Wisconsin System Authority may not charge resident undergraduates
15 enrolled in an institution or college campus in the 2015–16 or 2016–17 academic year
16 more in academic fees than it charged resident undergraduates enrolled in that
17 institution or college campus in the 2014–15 academic year.

18 (5) **CAPITALIZATION CHANGE.** Wherever “board of regents” appears in the
19 statutes, “Board of Regents” is substituted.

20 **SECTION 9448. Effective dates; University of Wisconsin System.**

21 (1) **UNIVERSITY OF WISCONSIN SYSTEM AUTHORITY.** The repeal of sections 13.48
22 (2) (b) 1m., 13.48 (2) (d), 13.58 (5) (b) 3., 13.58 (5) (b) 6., 13.625 (6s), 14.26 (4), 15.137
23 (5), 15.91, 15.915 (title), 15.915 (6), 15.917, 16.04 (1e), 16.40 (23), 16.505 (2m), 16.505
24 (2p), 16.505 (4) (c), 16.54 (8g), 16.54 (8r) (b), 16.57, 16.705 (1r) (d), 16.705 (1r) (e),
25 16.71 (4), 16.73 (5), 16.75 (3t) (c) 1., 16.75 (3t) (c) 6., 16.855 (20), 16.855 (23), 16.87

1 (5), 16.971 (2m) (a), 16.971 (2m) (f), 20.115 (7) (h), 20.235 (1) (e), 20.285 (1) (gb),
2 20.285 (1) (ge), 20.285 (1) (gj), 20.285 (1) (k), 20.285 (1) (Li), 20.285 (1) (m), 20.285 (1)
3 (q), 20.285 (1) (qe), 20.285 (1) (qj), 20.285 (1) (qm), 20.285 (1) (qr), 20.285 (1) (r),
4 20.285 (1) (rc), 20.285 (1) (rm), 20.285 (1) (s), 20.285 (1) (tb), 20.285 (1) (tm), 20.285
5 (1) (u), 20.285 (1) (w), 20.285 (2) (title), 20.285 (2) (c), 20.285 (2) (d), 20.285 (2) (e),
6 20.285 (2) (h), 20.285 (2) (j), 20.285 (3), 20.505 (1) (km), 20.505 (8) (hm) 6r., 20.505
7 (8) (hm) 11a., 20.505 (8) (hm) 18r., 20.865 (1) (ci), 20.865 (1) (cj), 20.865 (1) (ic), 20.865
8 (1) (si), 20.916 (10), 20.923 (6) (Lm), 20.923 (6) (m), 20.923 (14) (b), 20.928 (1m),
9 20.928 (4), 29.598, 35.015 (1), 35.835 (1), 35.835 (2), 36.03, 36.05 (6), 36.05 (9m), 36.05
10 (9s), 36.07, 36.09 (title), 36.09 (1) (title), 36.09 (1) (am), 36.09 (1) (f), 36.09 (1) (gm),
11 36.09 (1) (hm), 36.09 (1) (j), 36.09 (2), 36.09 (3), 36.09 (4), 36.09 (4m), 36.09 (5), 36.11
12 (1) (d), 36.11 (3) (d), 36.11 (6) (title), (a) and (b), 36.11 (8e), 36.11 (8m), 36.11 (11), 36.11
13 (12), 36.11 (13), 36.11 (15), 36.11 (15m), 36.11 (17), 36.11 (18), 36.11 (19), 36.11 (21),
14 36.11 (22), 36.11 (23), 36.11 (23m), 36.11 (24), 36.11 (25), 36.11 (26), 36.11 (27), 36.11
15 (29r), 36.11 (31), 36.11 (32), 36.11 (33), 36.11 (36), 36.11 (36m), 36.11 (37), 36.11 (39),
16 36.11 (40), 36.11 (43), 36.11 (44), 36.11 (46), 36.11 (48), 36.11 (51), 36.11 (53), 36.11
17 (53m), 36.11 (54), 36.11 (55), 36.11 (57), 36.115, 36.12 (3), 36.13, 36.14, 36.15, 36.17,
18 36.19, 36.21, 36.25 (3), 36.25 (3m), 36.25 (4), 36.25 (5), 36.25 (7), 36.25 (8), 36.25 (9),
19 36.25 (10), 36.25 (13m), 36.25 (13s), 36.25 (14), 36.25 (14m), 36.25 (15), 36.25 (18),
20 36.25 (19), 36.25 (21), 36.25 (21m), 36.25 (22), 36.25 (23), 36.25 (23m), 36.25 (24),
21 36.25 (25), 36.25 (27), 36.25 (28), 36.25 (29), 36.25 (29m), 36.25 (29r), 36.25 (30), 36.25
22 (30g), 36.25 (30m), 36.25 (31), 36.25 (32), 36.25 (33), 36.25 (34), 36.25 (35m), 36.25
23 (36), 36.25 (37), 36.25 (38), 36.25 (39), 36.25 (42), 36.25 (44), 36.25 (46), 36.25 (47),
24 36.25 (48), 36.25 (49), 36.25 (49m), 36.25 (50), 36.25 (51), 36.25 (52), 36.25 (53), 36.27
25 (2m), 36.27 (3), 36.27 (4), 36.27 (5), 36.29, 36.31 (3), 36.32, 36.33, 36.335, 36.34, 36.36,

1 36.37, 36.39, 36.395, 36.40, 36.44 (2), 36.45, 36.46, 36.48, 36.49, 36.52, 36.53, 36.54,
2 36.55, 36.56, 36.585 (4), 36.59 (title), 36.59 (1), 36.59 (2), 36.59 (3), 36.59 (4), 36.59
3 (5), 36.59 (6), 36.59 (7) (f), 36.59 (7m), 36.59 (8), 36.60, 36.61, 36.62, 36.63, 36.65 (2)
4 (i), 39.14 (4), 94.64 (4) (a) 2., 94.64 (4) (a) 3., 94.64 (4) (c) 2., 94.64 (4) (c) 3., 94.64 (8m),
5 94.65 (6) (a) 3., 111.81 (7) (ar), 111.81 (7) (at), 111.81 (7) (b), 111.81 (7) (f), 111.81 (7)
6 (gm), 111.81 (7) (h), 111.81 (7) (i), 111.81 (15m), 111.81 (17m), 111.81 (19m), 111.825
7 (1r), 111.825 (1t), 111.825 (7), 111.83 (5), 111.83 (7), 111.85 (5), 111.92 (1) (a) 2., 111.92
8 (1) (a) 3., 111.92 (1) (c), 111.935, 160.50 (1m), 196.218 (5) (a) 6., 227.01 (13) (kr), 227.01
9 (13) (Lm), 227.01 (13) (Ln), 230.12 (3) (e) 1., 230.35 (1s), 255.15 (3) (b) 11., 299.13 (1)
10 (be), 299.13 (2) (a) 2., 299.13 (2) (c) and 778.25 (1) (a) 5. of the statutes, the
11 renumbering of sections 20.285 (1) (fj), 20.285 (1) (kg), 20.285 (1) (mc), 36.11 (1)
12 (title), 36.11 (1) (a), 36.11 (1) (c), 36.11 (1) (cm), ^{36.11 (1) (d)} 36.44 (1), 36.59 (7) (a) and (b), 36.59
13 (7) (d) and (e), 36.59 (7) (g) and (h), 39.47 (title) and 230.12 (3) (e) 2. of the statutes,
14 the renumbering and amendment of sections 15.915 (1), 15.915 (2), 16.54 (8r) (a),
15 16.865 (4) (by SECTION 111), 20.285 (1) (fd), 20.285 (1) (i), 20.285 (1) (ia), 20.285 (1)
16 (je), 36.09 (1) (e), 36.09 (1) (h), 36.11 (1) (b), 36.11 (6) (c), 36.25 (11), 36.58, 36.59 (7)
17 (intro.), 36.59 (7) (c), 39.47 (1), 39.47 (2), 39.47 (2g), 39.47 (2m), 39.47 (3), 893.80 (1b)
18 (a), 893.80 (1b) (b) and 893.80 (1b) (c) of the statutes, the consolidation, renumbering,
19 and amendment of sections 36.09 (1) (a) and (L), 36.09 (1) (b), (c) and (d) and 111.92
20 (1) (a) 1. and 4. of the statutes, the amendment of sections 11.36 (1), 11.36 (3), 11.36
21 (4), 13.101 (6) (a) (by SECTION 4), 13.48 (3) (by SECTION 7), 13.48 (7) (by SECTION 8),
22 13.48 (10) (a) (by SECTION 9), 13.48 (10) (c) (by SECTION 10), 13.48 (14) (d), 13.48 (20),
23 13.48 (25), 13.48 (25r), 13.48 (29) (by SECTION 16), 13.94 (1) (intro.), 13.94 (1) (t), 13.94
24 (1s) (c) 8., 14.40 (1), 15.07 (1) (cm), 15.07 (2) (d), 15.105 (25m) (b), 15.107 (5) (a) 4.,
25 15.137 (2) (a) 5., 15.347 (4) (b), 15.347 (13) (b) 6., 15.377 (8) (c) 8., 15.57 (1), 15.57 (5),

1 15.67 (1) (a) 1., 15.94 (2m), 16.003 (2), 16.004 (7) (a) (by SECTION 45), 16.008 (2), 16.01
2 (2) (d), 16.01 (3) (intro.), 16.417 (2) (f) 2., 16.42 (1) (intro.), 16.50 (3) (b), 16.50 (3) (c),
3 16.505 (1) (intro.), 16.505 (4) (b), 16.517 (1), 16.517 (2), 16.529 (2), 16.53 (1) (d) 4.,
4 16.53 (7), 16.544 (3), 16.61 (3) (s), 16.61 (13) (a), 16.611 (2) (a), 16.611 (2) (c), 16.62
5 (1) (a), 16.62 (1) (b), 16.62 (1) (bm), 16.62 (1) (c), 16.64 (1) (a), 16.70 (8), 16.71 (1m),
6 16.72 (2) (e) (intro.), 16.72 (2) (f), 16.72 (8), 16.75 (1m), 16.75 (8), 16.75 (12) (a) 1.,
7 16.765 (4), 16.78 (1), 16.84 (10), 16.845 (1), 16.847 (1) (b), 16.848 (1s) (c), 16.85 (1),
8 16.85 (12), 16.85 (14), 16.855 (22) (by SECTION 106), 16.865 (1) (a), 16.865 (2), 16.865
9 (3), 16.865 (5), 16.865 (8) (by SECTION 114), 16.89, 16.967 (6) (a), 16.967 (8), 16.971
10 (2) (a), 16.971 (2) (L), 16.971 (2) (Lg) 1. (intro.), 16.971 (2) (Lm), 16.972 (1) (b), 16.972
11 (2) (f), 16.972 (2) (g), 16.972 (2) (h), 16.973 (7), 16.973 (12) (b) (intro.), 16.973 (14) (a)
12 (intro.), 16.974 (3), 16.974 (5), 16.976 (5), 16.978 (4), 16.993 (1), 16.993 (4), 16.993 (7),
13 19.42 (5), 19.42 (13) (b), 19.42 (13) (cm), 19.45 (11) (intro.), 19.45 (11) (a) (by SECTION
14 146), 19.45 (11) (b), 19.58 (1) (a), 20.235 (1) (fz), 20.285 (intro.), 20.285 (1) (a), 20.285
15 (1) (d) 2., 20.370 (1) (mu), 20.370 (4) (mu), 20.435 (4) (xe), 20.435 (5) (hx), 20.505 (2)
16 (k), 20.505 (2) (ki), 20.855 (1) (f), 20.865 (intro.), 20.865 (1) (c), 20.865 (3) (i), 20.866
17 (1) (u), 20.866 (2) (s) (intro.), 20.866 (2) (t), 20.867 (3) (h), 20.867 (3) (k), 20.901 (4),
18 20.921 (1) (a) (intro.), 20.921 (1) (a) 2m., 20.921 (1) (a) 3., 20.921 (1) (a) 4., 20.921 (1)
19 (b), 20.921 (1) (bm), 20.921 (1) (c), 20.921 (1) (d) 1., 20.921 (1) (f), 20.921 (2) (a), 20.921
20 (2) (b), 20.927 (1m), 20.9275 (1) (g), 20.928 (1), 23.09 (3) (b), 25.17 (1) (zm), 25.17 (9),
21 25.29 (7) (intro.), 25.40 (1) (a) 4., 25.77 (8), 26.30 (5), 27.019 (12), 28.07, 28.11 (11) (a)
22 4. d., 32.02 (1) (by SECTION 252), 33.11, 33.16 (8), 35.001 (4), 35.01 (3), 35.83 (3)
23 (intro.), 35.93 (1) (a), chapter 36 (title), 36.01 (1), 36.01 (2), 36.05 (1), 36.05 (2), 36.05
24 (5), 36.05 (8), 36.05 (10), 36.05 (11), 36.05 (12), 36.11 (title), 36.11 (4), 36.11 (5) (a),
25 36.11 (5) (b), 36.11 (8) (b), 36.11 (28), 36.11 (28m), 36.11 (29), 36.11 (55m) (e), 36.11

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1 (56), 36.23, 36.25 (2), 36.25 (12) (b), 36.30, 36.31 (2m) (b), 36.35 (1), 36.43 (intro.),
2 36.43 (1), 36.51 (9), 36.585 (3) (a), 36.65 (2) (a), 36.65 (2) (g), 38.04 (19), 38.04 (27),
3 39.16 (1), 39.285 (1), 39.385 (1) (c), 39.437 (4) (a), 39.50 (1), 40.02 (22) (em), 40.02
4 (41n), 40.02 (48) (c), 40.02 (57), 40.05 (2) (bw), 40.05 (4) (bp) 2., 40.05 (4) (bp) 3. c.,
5 40.22 (2) (g), 40.285 (2) (c), 40.285 (2) (e) 1., 40.285 (2) (e) 2., 40.52 (3) (by SECTION 503),
6 40.81 (1), 43.58 (5), 44.10 (1), 44.14 (1), 44.14 (2), 45.03 (6), 45.20 (2) (a) 1. (by SECTION
7 511), 45.20 (2) (c) 1. (by SECTION 512), 45.20 (2) (d) 1. (intro.) (by SECTION 513), 46.29
8 (3) (g), 49.45 (8r), 50.38 (10), 59.56 (3) (a), 59.56 (3) (c) 2., 59.56 (3) (f) 1. (intro.), 59.56
9 (3) (g), 59.56 (4), 59.693 (8), 60.627 (7), 61.354 (7), 62.234 (7), 66.0316 (6) (intro.),
10 66.0410 (2) (a), 66.0410 (2) (b), 66.0506 (1), 66.0913 (1) (a), 70.119 (1), 70.119 (3) (d),
11 70.119 (3) (e) (by SECTION 536), 70.119 (4), 70.119 (5), 70.119 (6), 70.119 (7) (a), 70.119
12 (7) (b), 70.119 (7) (c), 70.58 (1), 71.05 (6) (b) 28. (intro.), 71.05 (6) (b) 28. a., 71.05 (6)
13 (b) 28. am., 71.10 (5f) (h) (intro.), 71.10 (5f) (i), 71.10 (5h) (h) (intro.), 71.10 (5h) (i),
14 73.03 (49) (e) 4., 84.27, 85.09 (2) (a), 92.025 (4), 92.04 (2) (g), 92.05 (3) (d), 92.07 (5),
15 93.07 (5), 93.33 (4s) (c), 93.33 (5) (intro.) (by SECTION 561), 93.46 (1m) (a) 2., 93.46 (1m)
16 (a) 3., 93.46 (1m) (c), 101.123 (2) (d) 4., 101.14 (4) (b) 3. a., 101.14 (4) (b) 3. b., 101.14
17 (4) (b) 3. c., 101.14 (4) (b) 3. d., 101.66 (1m) (bn), 101.977 (2) (bn), 103.49 (1) (f), 109.03
18 (1) (c), 111.70 (1) (i), 111.70 (1) (j), 111.815 (1) (by SECTION 592), 111.825 (3), 111.825
19 (4), 111.825 (6) (a), 111.84 (2) (c), 111.91 (4) (by SECTION 603), 111.93 (3) (a) and (b),
20 115.28 (7g) (a) (intro.), 115.29 (1), 115.297 (1) (a), 115.297 (5) (b), 115.43 (2) (b), 115.53
21 (4), 118.40 (2r) (e) 2p. a. (by SECTION 616), 118.40 (7) (am) 2., 137.20 (6) (b), 137.20 (7),
22 157.02 (3), 165.25 (6) (a), 165.40 (1) (f), 165.40 (4) (h), 165.80, 165.81 (1), 174.13 (2),
23 196.218 (3) (a) 3. b. (by SECTION 630), 227.01 (1), 229.842 (2) (b), 230.03 (3) (by SECTION
24 639), 230.03 (6), 230.046 (8) (by SECTION 641), 230.12 (3) (e) (title), 230.36 (1m) (b) 2.
25 (intro.), 230.36 (2m) (a) 14., 230.90 (1) (c), 233.01 (3), 233.04 (7) (e), 233.10 (3r) (b) 1.,

1 233.10 (3r) (b) 3., 233.10 (3r) (b) 5., 233.10 (3r) (b) 6., 250.20 (2) (d), 254.19, 255.054
2 (2), 255.055 (2), 281.31 (3) (b) 2., 281.33 (2) (by SECTION 661), 281.66 (6), 285.59 (1)
3 (b), 287.03 (1) (c), 287.22 (2) (d), 299.13 (1m) (intro.), 321.40 (1) (c) 2., 321.62 (9),
4 321.62 (22) (d) 1. (intro.), 321.65 (1) (a) 2., 341.14 (6r) (b) 4., 341.14 (6r) (c), 341.14 (6r)
5 (e), 342.40 (4) (a), 346.925 (1), 349.13 (1j), 448.20 (2), 452.12 (5) (a), 610.70 (1) (e),
6 632.745 (6) (a) 2., 887.23 (1), 893.80 (1b) (intro.), 895.46 (1) (a), 946.13 (12) (a), 946.13
7 (12) (b) (intro.), 946.13 (12) (b) 1. and 946.13 (12) (b) 2. b. of the statutes, the repeal
8 and recreation of sections 16.529 (1), 36.11 (47) (intro.), and 44.11 of the statutes, and
9 the creation of sections 13.48 (14) (am) 5., 16.004 (19), 16.848 (2) (em), 16.865 (4) (b),
10 16.865 (10), 19.36 (14), 19.42 (10) (m), 20.115 (9) (title), 20.115 (9) (k), 20.370 (3) (ga),
11 20.505 (5) (h), 24.61 (2) (a) 6m., 25.17 (3) (b) 9m., 25.50 (3m), 36.02, 36.05 (1m), 36.11
12 (1c) (a) and (b), 36.11 (1L) (title), 36.11 (1p), 36.11 (27m), 36.11 (59), 36.27 (7) (f) 1.,
13 40.02 (54) (m), 49.43 (9m), 66.0603 (1m) (a) 3v., 70.11 (38c), 77.665, 165.25 (8r),
14 165.40 (2) (a) 6., 219.09 (1) (h), 227.01 (13) (Lg), 321.62 (1) (bm), 893.80 (1b) (bm),
15 893.82 (2) (d) 4., 893.82 (10), and 895.46 (5) (c) of the statutes and SECTION 9148 (1)
16 (a) to (h), (2), (3), and (5) of this act take effect on July 1, 2016, except as follows:

17 ^{INSERT 167-18}
(2) GENERAL PROGRAM OPERATIONS. The ~~repeal and recreation of section 20.285~~
18 ~~amendment~~ of the statutes takes effect on July 1, 2017, or on the 2nd day after publication
19 of the 2017-19 biennial budget act, whichever is later.

20 (3) PAYMENTS FOR MUNICIPAL SERVICES. SECTION 9148 (1) (i) of this act takes effect
21 on the day after publication.

22 (4) MEDICAL ASSISTANCE TRUST FUND TRANSFER. The amendment of section 20.285
23 (1) (gb) takes effect on the day after publication.

ANALYSIS INSERT:

EDUCATION

UNIVERSITY OF WISCONSIN SYSTEM AUTHORITY

Current law creates a system of institutions of learning known as the UW System and specifies a mission and purposes for the system. The UW System is governed by the Board of Regents, which consists of the state superintendent of public instruction, the president of the technical college system, 14 citizen members with 7-year terms, and two students with 2-year terms. The latter 16 members are nominated by the governor and appointed with the advice and consent of the senate. There is a shared, hierarchical system of governance for the UW System: the Board of Regents has primary responsibility, followed by the UW System president, institution chancellors, faculty, academic staff, and students. Three boards and one council are created in or attached to the UW System: the environmental education board, the laboratory of hygiene board, the veterinary diagnostic laboratory, and the rural health development council.

Effective July 1, 2016, this bill converts the UW System to an authority called the University of Wisconsin System Authority (UWSA) by creating a system of higher education known by the same name, UW System, which is provided by UWSA. The bill creates a governing board for UWSA that retains the name, Board of Regents, and has the same members who are appointed in the same manner and for the same terms as under current law. The bill allows the members of the Board of Regents under current law to continue to serve until the expiration of their terms. The bill eliminates the shared, hierarchical system of governance under current law by vesting responsibility for governing the UW System in the UWSA Board of Regents and eliminating the powers specified under current law for the UW System president, chancellors, faculty, academic staff, and students. The bill specifies that the mission of the UW System includes developing human resource to meet the state's workforce needs, and requires the UWSA Board of Regents to provide affordable access to high-quality postsecondary, graduate, and doctoral education.

The bill eliminates specified grants of power to the Board of Regents under current law, and specifies that the UWSA Board of Regents has all powers necessary or convenient to operate the UW system, including the power to sue and be sued, have perpetual existence, execute contracts, and contract for legal services. The bill generally allows the UWSA Board of Regents of UWSA to adopt policies and procedures for matters without promulgating rules under procedures that apply to state agencies. However, the bill requires the UWSA Board of Regents to promulgate rules under those procedures for protecting the lives, health, and safety of persons on property under its jurisdiction, as well as for managing such property. The UWSA Board of Regents retains the police power of the Board of Regents under current law and campus police have the same duties and powers as under current law. As under current law, the bill allows the UWSA Board of Regents to authorize chancellors to adopt parking rules that are not subject to state agency rule-making procedures.

The bill requires the UWSA Board of Regents to enter into an agreement with the DOA secretary to lease for a period of not more than 75 years any state-owned property or facilities required for the UWSA Board of Regents to perform its duties and exercise its powers. The lease agreement must contain specified provisions, including provisions that do the following: 1) give the state ownership of improvements or modifications made to property or facilities subject to the lease agreement; 2) give the state ownership of any facility that the UWSA board constructs on state-owned land; 3) require the UWSA board to obtain building commission approval for any construction or renovation project costing at least \$765,000 and involving a state-owned facility or occurring on state-owned land; 4) require UWSA to make debt payments for self-amortizing university facilities; and 5) make the UWSA Board of Regents responsible for maintenance and upkeep of facilities and property. The lease agreement and any modifications, extensions, or renewals may take effect only upon approval by JCF.

The bill requires the UWSA Board of Regents to appoint a president who is chief executive officer of UWSA, as well as the following, who are appointed by the Board of Regents under current law: the state geologist, state cartographer, and director of the psychiatric institute. The bill allows the UWSA Board of Regents to employ agents and employees whom the board finds necessary and requires the UWSA Board of Regents to develop and implement a personnel system and other employment policies. The bill transfers all UW System employees under current law to UWSA, except those who perform duties related to the veterinary diagnostic laboratory and the state laboratory of hygiene. The bill transfers those laboratories and their employees to DATCP, and specifies that the employees are not required to serve a probationary period. The bill requires the DATCP secretary to appoint the directors of those laboratories, but allows the directors appointed under current law to continue to serve until their appointments expire. The bill specifies that UW System employees who are transferred to UWSA are eligible to transfer back to a position in state government any time before July 1, 2017.

The bill requires the UWSA Board of Regents to establish an annual budget and monitor fiscal management of UWSA. The bill allows the UWSA Board of Regents to issue bonds that are not public debt and specifies that the state pledges that, unless bondholders are adequately protected, the state will not limit or alter any rights before UWSA satisfies the bonds. The bill eliminates all appropriations to the UW System under current law, except general purpose revenues for educational programs and the payment of certain construction debt. The bill requires the DOA secretary to make quarterly payments to UWSA of the general purpose revenues appropriated for educational programs. However, the secretary is allowed to make the payments only if UWSA has made payments due on the lease agreement described above, payments required for municipal services, and any other payments for obligations otherwise due to the state. In fiscal year 2017-18, the bill allocates \$753,533,000 from state sales tax revenue for the educational programs. In each fiscal year thereafter, the bill allocates the same amount with adjustments for inflation.

The bill generally maintains requirements under current law regarding tuition and tuition remissions. In academic years 2015-16 and 2016-17, the bill prohibits increases in resident undergraduate tuition above that charged in the 2014-15 academic year. The bill transfers responsibility for Minnesota-Wisconsin tuition reciprocity agreements from the Higher Educational Aids Board to the UWSA Board of Regents, which may continue such agreements at its discretion.

The bill specifies requirements for legal proceedings involving UWSA. Under current law, no one may sue a state officer, employee, or agent who is acting in his or her official capacity for damages unless the person serves the attorney general with a written notice of claim within 120 days of the event that allegedly caused the damages. The bill applies that prohibition to actions against a UWSA officer or employee. However, the prohibition does not apply to actions by the state against UWSA officers and employees. Current law generally limits damages in a case against a state officer, employee, or agent who is acting in his or her official capacity to \$250,000. The bill applies that limit to actions, including those by the state, against a UWSA officer or employee. Current law generally provides that, if a public officer or a state employee is sued in an official capacity or for actions undertaken within the scope of his or her employment, the state or political subdivision that employs the officer or employee must provide legal counsel to the defendant or cover legal costs for the defendant. If damages are assessed against the officer or employee, the state or political subdivision must pay any damages in excess of applicable insurance. The bill applies those duties to UWSA regarding its officers and employees. Under current law, DOJ represents the state, state agencies, and state employees in certain legal proceedings, reviews, and actions. The bill requires DOJ to do the same for UWSA and its officials, employees, and agents, unless the state and the UWSA Board of Regents are adverse parties.

The bill eliminates requirements that apply to the UW System and Board of Regents under current law, including requirements regarding the following: faculty tenure and probationary appointments; academic staff appointments; accumulation of sick leave; specified educational programs and studies; graduate student financial aid; recruiting programs for minority and disadvantaged students; public broadcasting; application and parking fees; student fee statements; gifts, grants, and bequests to the UW System; transportation planning; orientation information on sexual assault and harassment; student identification numbers; Downer Woods preservation; criteria for use of animals in research; information technology; support for medical practice in underserved areas; a rural physician residency assistance program; loan assistance programs for physicians, dentists, and other health care providers; and various legislative reports.

The bill makes other changes, including the following:

1. The bill allows the UWSA Board of Regents to acquire property by condemnation in the same manner as the Board of Regents under current law.
2. Under current law, employees of the UW System, except faculty and academic staff, may collectively bargain under the State Employment Labor Relations Act (SELRA). Under SELRA, the legislature must adopt collective bargaining agreements covering the employees before the agreements may be

executed. Under this bill, UWSA employees, except faculty, academic staff, and law enforcement officers, may collectively bargain under the Municipal Employment Relations Act (MERA), and collective bargaining agreements under MERA are not subject to legislative approval.

3. The bill allows the UWSA Board of Regents, with DOA approval, to opt in or out of the state's risk management program administered by DOA, except for the state worker's compensation program.

4. Under current law, the UW System is subject to state procurement requirements applicable to state agencies. Under this bill, UWSA is not subject to those requirements. Instead, UWSA is treated like a municipality, which allows DOA to enter into cooperative purchasing agreements with UWSA.

5. The bill requires the UWSA Board of Regents members to file annual statements of economic interest required for public officials, subjects specified UWSA officials to the ethics code for public officials, and requires the UWSA Board of Regents to establish an ethics code for other personnel.

6. The bill specifies that UWSA retains the income, sales, and property tax exemptions of the UW System under current law and requires UWSA to make payments for municipal services in the same manner as the UW System under current law.

7. The bill creates an exception to the open records law for information produced or collected by or for UWSA faculty or staff with respect to commercial, scientific, or technical research until that information is publicly disseminated or patented.

8. The bill specifies that the UW-Extension programs in counties are subject to the approval of the UWSA Board of Regents.

9. The eliminates the environmental education board and the rural health development council.

See also STATE GOVERNMENT — STATE BUILDING PROGRAM.

STATE GOVERNMENT

STATE BUILDING PROGRAM

Currently, with limited exceptions, each state agency, including the UW System, must submit for approval of the Building Commission any contract for the engineering, design, construction, reconstruction, remodeling, or expansion of a building, structure, or facility if the project cost exceeds \$185,000; if the project cost exceeds \$500,000, the project must be enumerated in the Authorized State Building Program. Currently, DOA manages all engineering, design, and construction work for state agencies, including the UW System, but DOA may delegate its management authority to an agency for a specific project. Plans and specifications for all work on UW projects are subject to approval of DOA.

Under this bill, the \$185,000 limit is increased to \$760,000 and, for UWSA, which is created effective July 1, 2016, under this bill, the provisions of current law relating to Building Commission approval and DOA supervision of such projects continue to apply to UWSA for projects that are funded entirely from general purpose revenues. For any project of UWSA which is not funded entirely by general purpose revenues, UWSA is in charge of all aspects of the project, except that DOA is still

Replace w/ Insert Analysis A

Replace w/ Insert Analysis B

responsible for the bidding process on a project of UWSA which costs at least \$760,000. DOA may not charge UWSA for conducting the bidding process on such a project.

Currently, the UW System may not accept a gift or grant of real property valued in excess of \$150,000 or any gift of a building, structure, or facility that is constructed for the benefit of the UW System without approval of the Building Commission. Under the bill, this restriction does not apply to UWSA.

INSERT 44-16:

create A.R.A.

SECTION 1. 20.285 (1) (a) of the statutes is amended to read:

20.285 (1) (a) *General program operations.* ~~The Biennially, the amounts in the schedule for the purpose of educational programs and related programs. The board of regents may not encumber amounts appropriated under this paragraph for groundwater research without the approval of the secretary of administration.~~

XXXX NOTE: but

History: 1971 c. 40 s. 93; 1971 c. 100 s. 23; 1971 c. 125, 215, 236; 1971 c. 323 s. 27; 1973 c. 90, 301, 333, 340; 1975 c. 39; 1975 c. 41 s. 52; 1975 c. 198 s. 63; 1975 c. 224; 1977 c. 29; 1977 c. 418 ss. 91 to 92, 924 (50), 929 (55); 1977 c. 422; 1977 c. 447 s. 206; 1979 c. 34, 221; 1981 c. 20; 1983 a. 27 ss. 213 to 215m, 2202 (20); 1983 a. 237; 1983 a. 333 s. 6; 1985 a. 29, 120, 339; 1987 a. 27, 399; 1989 a. 31; 1989 a. 56 s. 259; 1989 a. 269, 335, 353; 1991 a. 39, 167, 269; 1993 a. 16, 455; 1995 a. 27 ss. 600m to 615m, 1080b, 1085b, 1086b; 1995 a. 227, 228; 1997 a. 27 s. 257m, 263m, 271 to 281; 1997 a. 237, 252; 1999 a. 9, 32, 107; 1999 a. 150 s. 672; 2001 a. 16, 103, 109; 2003 a. 33, 176, 321; 2005 a. 25, 460; 2007 a. 20 ss. 248m to 262, 9121 (6) (a); 2009 a. 28 ss. 211, 215, 253m to 262m; 2009 a. 190, 265; 2011 a. 32; 2013 a. 20; 2013 a. 166 s. 77.

SECTION 2. 20.285 (1) (a) of the statutes, as affected by 2015 Wisconsin Act

(this act), section 1, is amended to read:

20.285 (1) (a) *General program operations.* Biennially, the amounts in the schedule for the purpose of educational programs and related programs, to be paid as provided in s. 16.004 (19).

create A.R.B.

use A.R.A.

create A.R.C.

History: 1971 c. 40 s. 93; 1971 c. 100 s. 23; 1971 c. 125, 215, 236; 1971 c. 323 s. 27; 1973 c. 90, 301, 333, 340; 1975 c. 39; 1975 c. 41 s. 52; 1975 c. 198 s. 63; 1975 c. 224; 1977 c. 29; 1977 c. 418 ss. 91 to 92, 924 (50), 929 (55); 1977 c. 422; 1977 c. 447 s. 206; 1979 c. 34, 221; 1981 c. 20; 1983 a. 27 ss. 213 to 215m, 2202 (20); 1983 a. 237; 1983 a. 333 s. 6; 1985 a. 29, 120, 339; 1987 a. 27, 399; 1989 a. 31; 1989 a. 56 s. 259; 1989 a. 269, 335, 353; 1991 a. 39, 167, 269; 1993 a. 16, 455; 1995 a. 27 ss. 600m to 615m, 1080b, 1085b, 1086b; 1995 a. 227, 228; 1997 a. 27 s. 257m, 263m, 271 to 281; 1997 a. 237, 252; 1999 a. 9, 32, 107; 1999 a. 150 s. 672; 2001 a. 16, 103, 109; 2003 a. 33, 176, 321; 2005 a. 25, 460; 2007 a. 20 ss. 248m to 262, 9121 (6) (a); 2009 a. 28 ss. 211, 215, 253m to 262m; 2009 a. 190, 265; 2011 a. 32; 2013 a. 20; 2013 a. 166 s. 77.

SECTION 3. 20.285 (1) (a) of the statutes, as affected by 2015 Wisconsin Act (this

act), section 2, is amended to read:

use A.R.B.

20.285 (1) (a) *General program operations.* Biennially, the The amounts in the schedule for the purpose of educational programs and related programs, to be paid as provided in s. 16.004 (19).

History: 1971 c. 40 s. 93; 1971 c. 100 s. 23; 1971 c. 125, 215, 236; 1971 c. 323 s. 27; 1973 c. 90, 301, 333, 340; 1975 c. 39; 1975 c. 41 s. 52; 1975 c. 198 s. 63; 1975 c. 224; 1977 c. 29; 1977 c. 418 ss. 91 to 92, 924 (50), 929 (55); 1977 c. 422; 1977 c. 447 s. 206; 1979 c. 34, 221; 1981 c. 20; 1983 a. 27 ss. 213 to 215m, 2202 (20); 1983 a. 237; 1983 a. 333 s. 6; 1985 a. 29, 120, 339; 1987 a. 27, 399; 1989 a. 31; 1989 a. 56 s. 259; 1989 a. 269, 335, 353; 1991 a. 39, 167, 269; 1993 a. 16, 455; 1995 a. 27 ss. 600m to 615m, 1080b, 1085b, 1086b; 1995 a. 227, 228; 1997 a. 27 s. 257m, 263m, 271 to 281; 1997 a. 237, 252; 1999 a. 9, 32, 107; 1999 a. 150 s. 672; 2001 a. 16, 103, 109; 2003 a. 33, 176, 321; 2005 a. 25, 460; 2007 a. 20 ss. 248m to 262, 9121 (6) (a); 2009 a. 28 ss. 211, 215, 253m to 262m; 2009 a. 190, 265; 2011 a. 32; 2013 a. 20; 2013 a. 166 s. 77.

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Use A.R.B.
↓
(by SECTION 2)

INSERT 165-14:

S/B 156
↑

INSERT 167-18:

Use A.R.C.
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treatment of section 20.285 (1) (a) (by SECTION 3)

S/B 157
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Insert Analysis A

EDUCATION

UNIVERSITY OF WISCONSIN SYSTEM AUTHORITY

Current law creates a system of institutions of learning known as the UW System and specifies a mission and purposes for the system. The UW System is governed by the Board of Regents, which consists of the State Superintendent of Public Instruction, the president of the technical college system, 14 citizen members with seven-year terms, and two students with two-year terms. The latter 16 members are nominated by the governor and appointed with the advice and consent of the senate. There is a shared, hierarchical system of governance for the UW System: the Board of Regents has primary responsibility, followed by the UW System president, institution chancellors, faculty, academic staff, and students. Three boards and one council are created in or attached to the UW System: the Environmental Education Board, the Laboratory of Hygiene Board, the Veterinary Diagnostic Laboratory Board, and the Rural Health Development Council.

Effective July 1, 2016, this bill converts the UW System to an authority called the University of Wisconsin System Authority (UWSA) by creating a system of higher education known by the same name, UW System, which is provided by UWSA. The bill creates a governing board for UWSA that retains the name, Board of Regents, and has the same members who are appointed in the same manner and for the same terms as under current law. The bill allows the members of the Board of Regents under current law to continue to serve until the expiration of their terms. The bill eliminates the shared, hierarchical system of governance under current law by vesting responsibility for governing the UW System in the UWSA Board of Regents and eliminating the powers specified under current law for the UW System president, chancellors, faculty, academic staff, and students. The bill specifies that the mission of the UW System includes developing human resources to meet the state's workforce needs, and requires the UWSA Board of Regents to provide affordable access to high-quality postsecondary, graduate, and doctoral education.

The bill eliminates specified grants of power to the Board of Regents under current law, and specifies that the UWSA Board of Regents has all powers necessary or convenient to operate the UW System, including the power to sue and be sued, have perpetual existence, execute contracts, and contract for legal services. The bill generally allows the UWSA Board of Regents of UWSA to adopt policies and procedures for matters without promulgating rules under procedures that apply to state agencies. However, the bill requires the UWSA Board of Regents to promulgate rules under those procedures for protecting the lives, health, and safety of persons on property under its jurisdiction, as well as for managing such property. The UWSA Board of Regents retains the police power of the Board of Regents under current law and campus police have the same duties and powers as under current law. As under current law, the bill allows the UWSA Board of Regents to authorize chancellors to adopt parking rules that are not subject to state agency rule-making procedures.

The bill requires the UWSA Board of Regents to enter into an agreement with the DOA secretary to lease for a period of not more than 75 years any state-owned

property or facilities required for the UWSA Board of Regents to perform its duties and exercise its powers. The lease agreement must contain specified provisions, including provisions that do the following: 1) give the state ownership of improvements or modifications made to property or facilities subject to the lease agreement; 2) give the state ownership of any facility that the UWSA Board of Regents constructs on state-owned land; 3) require the UWSA Board of Regents to obtain building commission approval for any construction or renovation project costing at least \$760,000 and involving a state-owned facility or occurring on state-owned land; 4) require UWSA to make debt payments for self-amortizing university facilities; and 5) make the UWSA Board of Regents responsible for maintenance and upkeep of facilities and property. The lease agreement and any modifications, extensions, or renewals may take effect only upon approval by JCF.

The bill requires the UWSA Board of Regents to appoint a president who is chief executive officer of UWSA, as well as the following, who are appointed by the Board of Regents under current law: the state geologist, state cartographer, and director of the psychiatric institute. The bill allows the UWSA Board of Regents to employ agents and employees whom the board finds necessary and requires the UWSA Board of Regents to develop and implement a personnel system and other employment policies. The bill transfers all UW System employees under current law to UWSA, except those who perform duties related to the Veterinary Diagnostic Laboratory and the State Laboratory of Hygiene. The bill transfers those laboratories and their employees to DATCP, and specifies that the employees are not required to serve a probationary period. The bill requires the DATCP secretary to appoint the directors of those laboratories, but allows the directors appointed under current law to continue to serve until their appointments expire. The bill specifies that UW System employees who are transferred to UWSA are eligible to transfer back to a position in state government any time before July 1, 2017.

The bill requires the UWSA Board of Regents to establish an annual budget and monitor fiscal management of UWSA. The bill allows the UWSA Board of Regents to issue bonds that are not public debt and specifies that the state pledges that, unless bondholders are adequately protected, the state will not limit or alter any rights before UWSA satisfies the bonds. The bill eliminates all appropriations to the UW System under current law, except general purpose revenues for educational programs and the payment of certain construction debt. The bill requires the DOA secretary to make quarterly payments to UWSA of the general purpose revenues appropriated for educational programs. However, the secretary is allowed to make the payments only if UWSA has made payments due on the lease agreement described above, payments required for municipal services, and any other payments for obligations otherwise due to the state. In fiscal year 2017-18, the bill allocates \$753,533,000 from state sales tax revenue for the educational programs. In each fiscal year thereafter, the bill allocates the same amount with adjustments for inflation.

The bill generally maintains requirements under current law regarding tuition and tuition remissions. In academic years 2015-16 and 2016-17, the bill prohibits increases in resident undergraduate tuition above that charged in the 2014-15

academic year. The bill transfers responsibility for Minnesota-Wisconsin tuition reciprocity agreements from the Higher Educational Aids Board to the UWSA Board of Regents, which may continue such agreements at its discretion.

The bill specifies requirements for legal proceedings involving UWSA. Under current law, no one may sue a state officer, employee, or agent who is acting in his or her official capacity for damages unless the person serves the attorney general with a written notice of claim within 120 days of the event that allegedly caused the damages. The bill applies that prohibition to actions against a UWSA officer or employee. However, the prohibition does not apply to actions by the state against UWSA officers and employees. Current law generally limits damages in a case against a state officer, employee, or agent who is acting in his or her official capacity to \$250,000. The bill applies that limit to actions, including those by the state, against a UWSA officer or employee. Current law generally provides that, if a public officer or a state employee is sued in an official capacity or for actions undertaken within the scope of his or her employment, the state or political subdivision that employs the officer or employee must provide legal counsel to the defendant or cover legal costs for the defendant. If damages are assessed against the officer or employee, the state or political subdivision must pay any damages in excess of applicable insurance. The bill applies those duties to UWSA regarding its officers and employees. Under current law, DOJ represents the state, state agencies, and state employees in certain legal proceedings, reviews, and actions. The bill requires DOJ to do the same for UWSA and its officials, employees, and agents, unless the state and the UWSA Board of Regents are adverse parties.

The bill eliminates requirements that apply to the UW System and Board of Regents under current law, including requirements regarding the following: faculty tenure and probationary appointments; academic staff appointments; accumulation of sick leave; specified educational programs and studies; graduate student financial aid; recruiting programs for minority and disadvantaged students; public broadcasting; application and parking fees; student fee statements; gifts, grants, and bequests to the UW System; transportation planning; orientation information on sexual assault and harassment; student identification numbers; Downer Woods preservation; criteria for use of animals in research; information technology; support for medical practice in underserved areas; a rural physician residency assistance program; loan assistance programs for physicians, dentists, and other health care providers; and various legislative reports.

The bill makes other changes, including the following:

1. The bill allows the UWSA Board of Regents to acquire property by condemnation in the same manner as the Board of Regents under current law.
2. Under current law, employees of the UW System, except faculty and academic staff, may collectively bargain under the State Employment Labor Relations Act (SELRA). Under SELRA, the legislature must adopt collective bargaining agreements covering the employees before the agreements may be executed. Under this bill, UWSA employees, except faculty, academic staff, and law enforcement officers, may collectively bargain under the Municipal Employment

Relations Act (MERA), and collective bargaining agreements under MERA are not subject to legislative approval.

3. The bill allows the UWSA Board of Regents, with DOA approval, to opt in or out of the state's risk management program administered by DOA, except for the state worker's compensation program.

4. Under current law, the UW System is subject to state procurement requirements applicable to state agencies. Under this bill, UWSA is not subject to those requirements. Instead, UWSA is treated like a municipality, which allows DOA to enter into cooperative purchasing agreements with UWSA.

5. The bill requires the UWSA Board of Regents members to file annual statements of economic interest required for public officials, subjects specified UWSA officials to the ethics code for public officials, and requires the UWSA Board of Regents to establish an ethics code for other personnel.

6. The bill specifies that UWSA retains the income, sales, and property tax exemptions of the UW System under current law and requires UWSA to make payments for municipal services in the same manner as the UW System under current law.

7. The bill creates an exception to the open records law for information produced or collected by or for UWSA faculty or staff with respect to commercial, scientific, or technical research until that information is publicly disseminated or patented.

8. The bill specifies that the UW-Extension programs in counties are subject to the approval of the UWSA Board of Regents.

9. The bill eliminates the Environmental Education Board and the Rural Health Development Council.

See also STATE GOVERNMENT — OTHER STATE GOVERNMENT.

the amount of state building trust fund moneys to DOA for planning for enumerated projects; and 3) authorize DOA to issue revenue-obligation refunding obligations. Also, after this first meeting of the Building Commission, DOA must report quarterly to the Building Commission regarding the status of projects under the state building program.

Under current law DOA may prepare a request for the issuance of operating notes and may submit the request to the Building Commission. The request must be signed by the governor and the secretary of administration and is subject to review by JCF.

Under this bill, DOA is not required to submit a request for the issuance of operating notes to the Building Commission. Instead, DOA may prepare an authorizing certification for the issuance of operating notes that must be signed by the secretary, must be transmitted to the governor, and is subject to review by JCF.

***** ANALYSIS FROM -1081/P3 *****

Under current law, the Building Commission may authorize money from the state building trust fund to be available for a project costing \$760,000 or less and the building commission may authorize the design and construction of any building, the acquisition of land, or the repair or improvement of any building, structure, or facility that costs more than \$760,000 only if the project is enumerated in the state building program. This bill increases each of those thresholds to \$3,000,000. Also, current law generally prohibits the state from entering into a contract for the construction of or addition to any building in connection with a building project involving a cost that exceeds \$185,000 without approval by the building commission. This bill increases that threshold to \$760,000. Under current law, a contract to perform for the state any engineering services, architectural services, construction work, or limited trades work that involves an expenditure over \$60,000 must be approved by the governor. This bill increases that threshold to \$150,000.

***** ANALYSIS FROM -0971/P6 *****

Under current law, DOA manages all engineering, design, and construction work for state agencies, including the UW System, but DOA may delegate its management authority to an agency for a specific project. Plans and specifications for all work on UW projects are subject to approval of DOA. Under this bill, a project for UWSA, which is created effective July 1, 2016, under this bill, is subject to Building Commission approval and DOA supervision if the project is funded entirely from general purpose revenues. For any project of UWSA that is not funded entirely by general purpose revenues, Building Commission approval is not required and UWSA is in charge of all aspects of the project, except that DOA is still responsible for the bidding process on a project of UWSA that costs at least \$760,000. DOA may not charge UWSA for conducting the bidding process on such a project.

Currently, the UW System may not accept a gift or grant of real property valued in excess of \$150,000 or any gift of a building, structure, or facility that is constructed for the benefit of the UW System without approval of the Building Commission. Under the bill, this restriction does not apply to UWSA.

***** ANALYSIS FROM -1059/8 *****

STATE GOVERNMENT →

OTHER
STATE
GOVERNMENT

Insert Analysis B