



2009 ASSEMBLY BILL 226

April 23, 2009 – Introduced by Representatives NASS, MURTHA, KRAMER, KERKMAN, LOTHIAN, LEMAHIEU, PETROWSKI, BIES, VUKMIR, ROTH, SPANBAUER, VOS, KNODL, NERISON, TOWNSEND, SUDER, NYGREN and A. OTT, cosponsored by Senators GROTHMAN, A. LASEE and OLSEN. Referred to Committee on Colleges and Universities.

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:** increases in undergraduate resident tuition
3 and nonallocable segregated fees 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 on 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 2009–10, 2010–11, 2011–12, and 2012–13, this bill suspends the restrictions described above. Instead, the bill limits any increase in the sum of

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resident undergraduate tuition and nonallocable segregated fees during those fiscal years to the percentage increase in the U.S. consumer price index for all urban consumers during the previous fiscal year, as determined by the Legislative Fiscal Bureau (LFB). However, if the undergraduate students enrolled at an institution of the UW System approve an increase in nonallocable segregated fees for a specified fiscal year, the board may increase nonallocable segregated fees at that institution for that fiscal year by the amount approved, and the board may increase tuition at that institution by no more than the percentage increase in U.S. consumer price index for all urban consumers during the previous fiscal year, as determined by LFB.

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

14 36.27 (1) (ar) 1. Except as provided in subd. 2., in fiscal years 2009–10, 2010–11,
15 2011–12, and 2012–13, the board may not increase the sum of academic fees and
16 nonallocable segregated fees for undergraduate students by more than the

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1 percentage increase in the U.S. consumer price index for all urban consumers during
2 the previous fiscal year, as determined by the legislative fiscal bureau.

3 2. If a majority of the students enrolled in an institution who vote in a
4 referendum approve an increase in nonallocable segregated fees for a specified fiscal
5 year, the board may do the following:

6 a. Increase academic fees for undergraduate students at the institution by no
7 more than the percentage increase in the U.S. consumer price index for all urban
8 consumers during the previous fiscal year, as determined by the legislative fiscal
9 bureau.

10 b. Increase nonallocable segregated fees for undergraduate students at the
11 institution for the fiscal year by the amount approved in the referendum.

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(END)