

SUMMARY OF PROPOSAL TO ESTABLISH UW-MADISON AS A PUBLIC AUTHORITY

Governor Scott Walker has proposed that the University of Wisconsin-Madison be separated from the UW System and be established as a public authority. This proposal is included in his 2011-2013 Budget Bill, which will be acted on by the legislature in the coming months. These are the basic features of the proposal (numbers in bold refer to proposed statutory changes, and a guide for reading the proposed budget is at the end of this document).

Public Authority Status

- Wisconsin statutes do not provide a common definition or model for what constitutes a public authority. Essentially it is an organization that is part of state government but is free of most of the rules and regulations that apply to traditional executive branch agencies. UW Hospital and Clinics is a public authority.
- UW-Madison will continue to be a public university.
- UW-Madison will no longer be a part of the University of Wisconsin System. A new chapter of state statutes (Chapter 37) is being created to establish UW-Madison as a public authority.

Academic Freedom

- Chapter 36 of the statutes (which will continue to exist for UW System) includes provisions for academic freedom and tenure. Those provisions are repeated and included in the new Chapter 37.
 - **37.13(1), (2) and (5)** tenured appointments
 - **37.13(4)** those with tenure or in tenure-track positions at the time the public authority is established will continue to have the same after the authority is created

Governance

- *Current*

The University of Wisconsin System is governed by the board of regents, which consists of

 - 16 members appointed by the governor and confirmed by the state senate. Two of these members must be students currently enrolled at one of the universities in the system.
 - 2 ex officio members: state superintendent of public instruction and president of the Wisconsin Technical College System board

Terms for the student members are two years. The other regents appointed by the governor serve staggered seven-year terms, and there are no limits to the number of times someone might be reappointed.

The board of regents will continue under Chapter 36 to govern the University of Wisconsin System.

- *Proposed*

37.02(1)(a) A board of trustees will govern UW-Madison as a public authority. It will have 21 members—

 - 11 appointed by the governor, at least seven of whom must be alumni of the university, and one must be a member of the UW System board of regents and one must represent the agricultural interests of the state
 - 2 university faculty selected by the faculty
 - 1 non-faculty university employee selected by non-faculty employees
 - 2 alumni selected by the Wisconsin Alumni Research Foundation board
 - 2 alumni selected by the Wisconsin Alumni Association board
 - 2 alumni selected by the University of Wisconsin Foundation board
 - 1 current student selected by students

The chancellor will be a nonvoting member of the board of trustees.

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37.02(1)(b) and **(c)** Terms will be three years for all members except for the student, whose term will be two years. Terms will be staggered, and everyone except the student may serve no more than two consecutive terms.

37.02(1)(b) Those appointed by the governor, WARF, WAA, and UW Foundation “shall have a demonstrated commitment to the welfare of the university and shall have management experience or possess expertise in aspects of the university’s mission, such as undergraduate, graduate, and professional education, research, intellectual property, support of existing industries, new business startups, and public service.”

- The board of trustees will (same as current statutory provisions)
 - **37.02(6)** Appoint the chancellor, and he or she will serve at the pleasure of the board
 - **37.03(1)(a)** Adopt general policies for the university
 - **37.03(1)(b)** Determine the educational programs that will be offered
 - **37.03(1)(d)** Delegate to the chancellor responsibility for the administration and operation of the university, within board policies
- Shared governance (same as current statutory provisions)
 - **37.03(3)** Faculty have primary responsibility for academic and educational activities and for faculty personnel matters
 - **37.03(4)** Academic staff have primary responsibility for formulation and review of policies and procedures affecting them, including personnel matters
 - **37.03(5)** Students have primary responsibility for formulation and review of policies concerning student life, services and interests
 - **37.03(3)–(5)** Faculty, academic staff and students each have right to determine how to organize themselves and select representatives to participate in shared governance

Funding

- Funding for the university will consist of
 - Tuition
 - *Current*
Board of regents must follow statutory rules regarding distinctions between resident and non-resident tuition and set tuition rates within guidelines set by governor and legislature
 - *Proposed*
37.27 Board of trustees must follow statutory rules regarding distinctions between resident and non-resident tuition rates and then set reasonable tuition rates to meet university costs
14.76(1m) Board of trustees may independently enter into tuition reciprocity agreements
 - State Appropriation
 - *Current*
16.42(1) UW-Madison will participate in biennial state budget process like executive agencies, submit requests and receive allocations
 - *Proposed*
20.280(1)(a) State budget appropriation will be made in one large block grant directly to UW-Madison

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- Gifts, Grants and Donations
 - **16.54(8r)(a) and (9)(a)** Authorizes the UW-Madison to accept and manage federal funds and independently to use indirect cost reimbursements
 - **37.11(1)(d)** Authorizes UW-Madison to continue to accept gifts, grants, donations and loans
 - **37.27(7)** Non-state moneys (tuition, fees, program revenue, gifts, grants and donations) would be no longer be regarded as state funds and therefore would be exempt from state regulations

Personnel

- **37.11(1g)** A new personnel system—separate and distinct from the civil service system—will be developed for classified and academic staff, to be effective July 1, 2012. There will be a plan for transferring current employees to the new system.
- **40.02(25)(b)(2), 40.02(54)(hm) and 40.02(57)** All UW-Madison employees will continue to be in the Wisconsin Retirement System and have health insurance and other benefits as if they were still employees of a state agency. The current sick leave program will continue for UW-Madison employees.
- **Budget Repair Bill (Wisconsin Act 10)*** Repeals **Subchapter VI of Chapter 111**, which provides collective bargaining rights for faculty and academic staff.
- **Budget Repair Bill (Wisconsin Act 10)*** Amends **Chapter 111** to limit collective bargaining rights for civil servants. Current civil servants at UW-Madison will have these rights until the new personnel system takes effect on July 1, 2012.
- **Budget Repair Bill (Wisconsin Act 10)*** Teaching assistants, research assistants, project assistants and program assistants will continue to have collective bargaining rights, as limited by the Wisconsin Act 10.

*** Note that Wisconsin Act 10 is facing court challenges.**

Buildings

- **13.48 and 37.11(26)** UW-Madison will continue to participate in the state's long-range building program and have access to state building trust funds
- **37.11(1)(b) and 37.11(9)** UW-Madison will be able to condemn properties when necessary to acquire land to meet campus needs and may own, sell, lease, etc. property

New

- **13.48(10)(c)** UW-Madison does not have to seek approval from the state building commission for projects costing less than \$500,000 that rely entirely on funds other than state appropriations

Miscellaneous

- **895.46(10)** University employees will have the same limited immunity from lawsuits as other state employees, and the Department of Justice will continue to provide representation for the university and its employees
- **37.11(2)** The university will continue to have a police force
- **15 and 37** various sections. University will continue to have representation on hospital board, among others, and board of trustees appoints director of state hygiene lab, director of the psychiatric institute, state geologist, and state cartographer

and

- **37.11(8) and (8e)** You still have to have parking permits and pay parking fines!

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Guide for Reading Proposed Budget Bill

A copy of the bill, known as Senate Bill 27 (SB 27) and Assembly Bill 40 (AB 40) is available at <http://legis.wisconsin.gov/2011/data/AB40hst.html>

Pages 16-18 of SB 27/AB 40 provide a narrative summary, written by the staff of the Legislative Reference Bureau. A detailed narrative summary of the bill prepared by the Legislative Fiscal Bureau is available at <http://legis.wisconsin.gov/lfb/2011-13%20Budget/Governor/uw-madisonauthority.pdf>

The most relevant, central features of the bill can be found on pages 490–586 of SB 27/AB 40.

- **Chapter numbers:** **Chapter 36** currently covers UW System, including UW-Madison, and is being amended to cover only the system. **Chapter 37** is being added to cover UW-Madison separately as a public authority.
- **Pages 490–519 amend Chapter 36** to separate UW-Madison from UW System and transfer provisions that uniquely apply to UW-Madison by renumbering the chapter references from “36” to “37”.
- **Pages 519–573 create the new Chapter 37**, which establishes the University of Wisconsin-Madison as a public authority. Some provisions repeat language that is also in Chapter 36.

General guidelines for reading the bill:

- The lines on each page are numbered on the left simply to make it easy for legislators to find language that is being discussed or proposed for amendment.
- Each section of the bill is numbered and specifies the chapter and provisions of the chapter that is being proposed for amendment, repeal or addition. The Budget Bill starts with the current chapters in the statutes with the lowest number and then proceeds in order.
- The bill is not organized by subject matter. There are provisions that are relevant to the university in several chapters of the statute, so just reading the new Chapter 37 provides only a partial view.
- Language that is underlined is being added.
- Language that has a line through it is being deleted.
- A glass of red wine while reading is useful.

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governor. The bill requires DPI to charge a fee to any school district that uses the system and authorizes DPI to charge a fee to any other person that uses the system.

This bill creates an appropriation to fund the work of a task force to be created by the governor to assess and improve literacy in elementary school children.

**HIGHER EDUCATION**

Currently, the UW System consists of 13 four-year institutions, including the UW–Madison, 13 two-year colleges, and the UW–Extension. 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, and two students. The latter 16 members are appointed by the governor and confirmed by 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, the chancellors of the institutions, the faculty, and the academic staff and students. Three boards are created in or attached to the UW System: the Environmental Education Board, the Laboratory of Hygiene Board, and the Veterinary Diagnostic Laboratory.

This bill creates an authority called the University of Wisconsin–Madison, consisting of the current UW–Madison. The board of Trustees, which governs the authority, consists of 21 members, 11 of whom are appointed by the governor, and the chancellor, who serves as a nonvoting member. The Board of Trustees appoints the chancellor to serve at its pleasure as the chief executive officer of the authority. The bill establishes a shared, hierarchical governance system for the authority, consisting of the Board of Trustees, followed by the chancellor, the faculty, and the academic staff and students.

The bill transfers all assets and liabilities of the current UW–Madison, including real property, and all incumbent UW–Madison employees to the authority. Until July 1, 2012, the authority must adhere to the terms of any collective bargaining agreement covering the employees, and the authority is considered an agency under the state employment relations laws for all purposes. Beginning July 1, 2012, the authority must implement its own personnel system. Tenured faculty at UW–Madison retain their tenure at the authority. The authority remains a participating employer in the Wisconsin Retirement System and authority employees retain health insurance and other benefits they had as state employees. All contracts entered into by the Board of Regents that are primarily related to the operation of the current UW–Madison, including the contracts with the Board of Directors of the UW Hospitals and Clinics Authority, are transferred to the authority's Board of Trustees.

The bill requires the Board of Trustees to adopt rules relating to conduct on university property and authorizes the Board of Trustees to condemn property.

Current law prohibits the Board of Regents of the UW System from increasing resident undergraduate tuition beyond an amount sufficient to fund certain specified costs and activities. This bill does not impose these restrictions on the establishment of tuition by the Board of Trustees.

The bill appropriates general purpose revenue, program revenue, and moneys from segregated funds to the authority. The authority is not required to deposit

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moneys that it receives, such as tuition, gifts, grants, and federal revenue, into the state treasury and may transfer gifts, grants, and donations to the UW Foundation. However, it must transfer daily to the state treasurer for deposit into the local government pooled-investment fund the collected cash balance from all sources except gifts, grants, and donations.

The bill abolishes the Laboratory of Hygiene Board and the Veterinary Diagnostic Laboratory Board and transfers their functions to the authority. The bill directs the Board of Trustees to appoint the director of the laboratory of hygiene, the director of the psychiatric institute, the state geologist, and the state cartographer.

The bill makes other changes regarding the UW-System and the UW-Madison, including the following:

1. Transfers loan assistance programs for physicians and other health care providers, but not dentist and dental hygienist programs, from the Board of Regents to the Board of Trustees.

2. Adds one person associated with the authority to each of the following boards and councils: the teachers retirement board in DETF, the natural areas preservation council in DNR, the professional standards council for teachers in DPI, the Higher Educational Aids Board, and the Technical College System Board.

3. Replaces certain Board of Regents members of the University of Wisconsin Hospitals and Clinics Board and the board of directors of the University of Wisconsin Hospitals and Clinics Authority with the Board of Trustee members.

The bill does the following regarding legal proceedings involving the authority:

1. 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. This bill applies the prohibition to actions against an officer, director, employee, or agent of the Board of Trustees.

2. With a few exceptions, current law limits damages in a case against a state officer, employee, or agent who is acting in his or her official capacity to \$250,000. This bill applies the limit to actions against an officer, director, employee, or agent of the Board of Trustees.

3. Under current law, generally, 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 the political subdivision that employs the officer or employee must provide legal counsel to the defendant officer or employee or cover legal costs for the officer or employee. If damages are assessed against the officer or employee, the state or political subdivision must pay the damages. Under this bill, an officer, director, employer, or agent of the Board of Trustees is treated as a state officer, director, employer, or agent for purposes of these requirements.

4. Under current law, DOJ represents the state, state agencies, and state employees in certain legal proceedings, reviews, and actions. Under this bill, DOJ represents the Board of Trustees as a department of state government and the officials, employees, and agents of the board as state officials, employees, and agents for the purpose of representation in civil and criminal proceedings, and, upon

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request, for the purpose of appearing for and representing the board or its officials, employees, or agents at an administrative or civil court proceeding.

This bill directs the Board of Regents of the UW System to submit a plan to the secretary of administration by October 1, 2012, for the conversion of the UW–Milwaukee to an authority.

Current law allows the Board of Regents to charge different tuition rates to resident and nonresident students. Current law also includes nonresident tuition exemptions, under which certain nonresident students pay resident tuition rates. One of the exemptions applies to an alien who is not a legal permanent resident of the United States and who: 1) graduated from a Wisconsin high school or received a declaration of equivalency of high school graduation from Wisconsin; 2) was continuously present in Wisconsin for at least three years following the first day of attending a Wisconsin high school or immediately preceding receipt of a declaration of equivalency of high school graduation; and 3) enrolls in a UW System institution and provides the institution with an affidavit stating that he or she has filed or will file an application for permanent residency with U.S. Citizenship and Immigration Services as soon as the person is eligible to do so. This bill eliminates the foregoing nonresident tuition exemption.

Current law also provides that an alien described above is considered a resident of this state for purposes of admission to and payment of fees at a technical college in this state. This bill eliminates that provision.

This bill prohibits a technical college district board's tax levy for operations in 2011 and 2012 from being greater than its tax levy for operations in 2010. If a district board's levy exceeds the allowable amount, the Technical College System Board must reduce the district's state aid payments by the amount of the excess levy unless DOR determines that the district board's excess levy was caused by a clerical error made by DOR or a taxation district or county clerk.

Current law requires the UW System and each technical college to grant full remission of fees for 128 credits or eight semesters, whichever is longer, less the amount of any fees paid under the federal Reserve Officer Training Corps Program, the federal Veterans Vocational Rehabilitation Act, or the federal Post-9/11 Veterans Educational Assistance Act of 2008 to an eligible veteran or to the spouse, unmarried surviving spouse, or child of an eligible veteran.

This bill requires the UW–Madison, the UW System, and a technical college to grant full remission of fees for 128 credits or eight semesters, whichever is longer, without reduction for any fees paid under those federal programs.

OTHER EDUCATIONAL AND CULTURAL AGENCIES

Under current law, the Higher Educational Aids Board (HEAB) awards Wisconsin covenant scholar grants to undergraduates enrolled at least half time at nonprofit public or private institutions of higher education or at tribally controlled colleges in this state. Currently, the Office of the Wisconsin Covenant Scholars Program in DOA (office) promotes attendance at nonprofit institutions of higher education in this state and performs certain duties relating to the administration of the program.

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1 citizens affected by condemnation. The department shall make copies of the
2 pamphlets available to all condemnors, who may be charged a price for the
3 pamphlets sufficient to recover the costs of production.

4 **SECTION 945.** 32.26 (7) of the statutes is amended to read:


5 32.26 (7) The department of ~~commerce~~ safety and professional services shall
6 provide technical assistance on relocation plan development and implementation to
7 any condemnor carrying out a project which may result in the displacement of any
8 person.

9 **SECTION 946.** 33.11 of the statutes is amended to read:

10 **33.11 Goals.** The primary goal of activity under this chapter shall be to
11 improve or protect the quality of public inland lakes. In addition, compilation of basic
12 scientific data on lakes of this state and assessment of experimental and innovative
13 techniques of lake rehabilitation and protection shall be goals of the program.
14 Districts may undertake protection and rehabilitation projects to achieve the
15 purposes of such districts specified in s. 33.21. Projects may be undertaken in
16 cooperation with the department, the University of Wisconsin System, the
17 University of Wisconsin–Madison, and other government agencies, and public and
18 private organizations. Projects shall be divided into study, planning and
19 implementation phases.

20 **SECTION 947.** 33.16 (8) of the statutes is amended to read:

21 33.16 (8) The department may evaluate or contract with the University of
22 Wisconsin System or the University of Wisconsin–Madison to evaluate projects
23 receiving financial assistance under this section.

24  **SECTION 948.** 36.03 of the statutes is amended to read:

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1 **36.03 System.** There is created in this state a system of institutions of learning
2 to be known as the University of Wisconsin System. The principal office ~~and one~~
3 ~~university~~ of the system shall be located at or near the seat of state government.

4 **SECTION 949.** 36.09 (1) (a) of the statutes is amended to read:

5 36.09 (1) (a) The primary responsibility for governance of the system shall be
6 vested in the board which shall enact policies and promulgate rules for governing the
7 system, plan for the future needs of the state for university education within the
8 system, ensure the diversity of quality undergraduate programs while preserving
9 the strength of the state's graduate training and research centers within the system,
10 and promote the widest degree of institutional autonomy within the controlling
11 limits of ~~system-wide~~ systemwide policies and priorities established by the board.

12 **SECTION 950.** 36.09 (1) (am) (intro.) of the statutes is amended to read:

13 36.09 (1) (am) (intro.) The board, in consultation with the ~~department of~~
14 ~~commerce~~ Wisconsin Economic Development Corporation, shall do all of the
15 following for each economic development program, as defined in s. 36.11 (29r) (a),
16 administered by the board:

17 **SECTION 951.** 36.09 (1) (e) of the statutes is amended to read:

18 36.09 (1) (e) The board shall appoint a president of the system; a chancellor for
19 each institution; a dean for each college campus; ~~the state geologist; the director of~~
20 ~~the laboratory of hygiene; the director of the psychiatric institute; the state~~
21 ~~cartographer~~; and the requisite number of officers, other than the vice presidents,
22 associate vice presidents, and assistant vice presidents of the system; faculty;
23 academic staff; and other employees and fix the salaries, subject to the limitations
24 under par. (j) and ss. 20.923 (4g) and 230.12 (3) (e), the duties and the term of office
25 for each. The board shall fix the salaries, subject to the limitations under par. (j) and

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1 ss. 20.923 (4g) and 230.12 (3) (e), and the duties for each chancellor, vice president,
2 associate vice president, and assistant vice president of the system. No sectarian or
3 partisan tests or any tests based upon race, religion, national origin, or sex shall ever
4 be allowed or exercised in the appointment of the employees of the system.

5 **SECTION 952.** 36.11 (1) (b) of the statutes is amended to read:

6 36.11 (1) (b) Except as provided in this paragraph, the board may purchase,
7 have custody of, hold, control, possess, lease, grant easements and enjoy any lands,
8 buildings, books, records and all other property of any nature which may be
9 necessary and required for the purposes, objects and uses of the system authorized
10 by law. ~~Any lease is subject to the powers of the University of Wisconsin Hospitals~~
11 ~~and Clinics Authority under s. 233.03 (13) and the rights of the authority under any~~
12 ~~lease agreement, as defined in s. 233.01 (6).~~ The board shall not permit a facility that
13 would be privately owned or operated to be constructed on state-owned land without
14 obtaining prior approval of the building commission under s. 13.48 (12). The board
15 may sell or dispose of such property as provided by law, or any part thereof when in
16 its judgment it is for the best interests of the system and the state. All purchases and
17 sales of real property shall be subject to the approval of the building commission. The
18 provision of all leases of real property to be occupied by the board shall be the
19 responsibility of the department of administration under s. 16.84 (5).

20 **SECTION 953.** 36.11 (10) of the statutes is renumbered 37.11 (10) and amended
21 to read:

22 37.11 (10) UNIVERSITY FUND. The board may expend such portion of the income
23 of the university fund ~~on or at the University of Wisconsin-Madison~~ as is
24 appropriated by the legislature for the erection of buildings and the purchase of
25 equipment or books.

ASSEMBLY BILL 40**SECTION 954**

1 **SECTION 954.** 36.11 (16) of the statutes is amended to read:

2 **36.11 (16)** COMMENCEMENT OF FALL SEMESTER. The board shall ensure that no
3 fall semester classes at any institution, ~~except medical school classes and 4th year~~
4 ~~classes at the school of veterinary medicine,~~ commence until after September 1.

5 **SECTION 955.** 36.11 (28) of the statutes is renumbered 37.11 (28).

6 **SECTION 956.** 36.11 (28m) of the statutes is renumbered 37.11 (28m).

7 **SECTION 957.** 36.11 (29) of the statutes is renumbered 37.11 (29) and amended
8 to read:

9 **37.11 (29)** OTHER AGREEMENTS WITH THE UNIVERSITY OF WISCONSIN HOSPITALS
10 AND CLINICS AUTHORITY. The board may enter into joint purchasing contracts and
11 other contracts, rental agreements and cooperative agreements and other necessary
12 arrangements with the University of Wisconsin Hospitals and Clinics Authority
13 ~~which~~ that may be necessary and convenient for the missions, objects, and uses of
14 the University of Wisconsin Hospitals and Clinics Authority authorized by law.
15 ~~Purchasing contracts and agreements are subject to s. 16.73 (5).~~

16 **SECTION 958.** 36.11 (29m) of the statutes is repealed.

17 **SECTION 959.** 36.11 (29r) (b) of the statutes is renumbered 36.11 (29r) (b) 2. and
18 amended to read:

19 **36.11 (29r) (b) 2.** Annually, no later than October 1, the board shall submit to
20 the joint legislative audit committee and to the appropriate standing committees of
21 the legislature under s. 13.172 (3) a comprehensive report assessing economic
22 development programs administered by the board. The report shall include all of the
23 information required under s. ~~560.01 (2) (am)~~ 238.07 (2). The board shall collaborate
24 with the department of commerce Wisconsin Economic Development Corporation to

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1 make readily accessible to the public on an Internet-based system the information
2 required under this subsection.

3 **SECTION 960.** 36.11 (29r) (b) 1. of the statutes is created to read:

4 36.11 **(29r)** (b) 1. The board shall coordinate any economic development
5 assistance with the Wisconsin Economic Development Corporation.

6 **SECTION 961.** 36.11 (39) of the statutes is renumbered 37.11 (39) and amended
7 to read:

8 37.11 **(39)** GAYLORD NELSON CHAIR OF INTEGRATED ENVIRONMENTAL STUDIES. The
9 board shall may establish the Gaylord Nelson chair of integrated environmental
10 studies and seek private funding for this chair.

11 **SECTION 962.** 36.11 (40) of the statutes is renumbered 37.11 (40) and amended
12 to read:

13 37.11 **(40)** CENTER FOR COOPERATIVES. The board shall maintain a center for
14 cooperatives at the ~~University of Wisconsin-Madison~~ university. The center shall
15 comply with the requirements specified in s. 125.545 (5) (a).

16 **SECTION 963.** 36.11 (48) of the statutes is renumbered 37.11 (48) and amended
17 to read:

18 37.11 **(48)** REPORT ON UTILITY CHARGES; ASSESSMENT OF CERTAIN UTILITY CHARGES.
19 The board shall ~~ensure that the University of Wisconsin-Madison reports~~ report
20 annually to the department of administration on utility charges in the following
21 fiscal year to fund principal and interest costs incurred in purchasing the Walnut
22 Street steam and chilled-water plant enumerated under 2003 Wisconsin Act 33,
23 section 9106 (1) (g) 2., and in renovating and adding an addition to the Charter Street
24 heating and cooling plant enumerated under 2009 Wisconsin Act 28, section 9106 (1)
25 (g) 3., and the methodology used to calculate those charges. The board may not assess

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1 the utility charges until the charges are approved by the department of
2 administration.

3 **SECTION 964.** 36.25 (3) (title) of the statutes is amended to read:

4 36.25 (3) (title) AGRICULTURAL DEMONSTRATION—STATIONS,—EXPERIMENTS,
5 DEMONSTRATIONS RESEARCH AND INSTRUCTIONAL PROGRAMS.

6 **SECTION 965.** 36.25 (3) (a) to (c) of the statutes are renumbered 37.25 (3) (a) to
7 (c), and 37.25 (3) (a) and (c), as renumbered, are amended to read:

8 37.25 (3) (a) The board may establish through the College of Agricultural and
9 Life Sciences of the ~~University of Wisconsin–Madison~~ university demonstration
10 stations for the purpose of aiding in agricultural development. The location of the
11 stations shall be determined by the board which shall consider the opportunities for
12 agricultural development in various regions of the state.

13 (c) The board shall, under the supervision of the dean of the College of
14 Agricultural and Life Sciences of the ~~University of Wisconsin–Madison~~ university,
15 foster research and experimentation in the control of bovine brucellosis, which is also
16 known as Bang's disease, at various points within this state that the board considers
17 advisable. To facilitate the bovine brucellosis research and experimentation,
18 contracts may be entered into with owners of bovine animals of various classes for
19 the supervised control of the animals and for the purchase of animals under
20 conditions to be specified in contracts that shall be retained for control purposes.
21 ~~Payment under the contracts shall be made out of the appropriation in s. 20.285 (1)~~
22 ~~(a).~~

23 **SECTION 966.** 36.25 (3) (d) of the statutes is renumbered 36.25 (3).

24 **SECTION 967.** 36.25 (4) of the statutes is repealed.

ASSEMBLY BILL 40**SECTION 968**

1 **SECTION 968.** 36.25 (5) (a) of the statutes is renumbered 36.25 (5) and amended
2 to read:

3 **36.25 (5)** The board of regents, as licensee, shall manage, operate and maintain
4 broadcasting station WHA and WHA-TV and shall enter into an affiliation
5 agreement with the educational communications board pursuant to s. 39.14. ~~Except~~
6 ~~as provided under par. (b), the agreement shall provide that the board of regents shall~~
7 ~~grant the educational communications board the part-time use of equipment and~~
8 ~~space necessary for the operations of the state educational radio and television~~
9 ~~networks.~~ The board of regents shall maintain a separate account for each revenue
10 source for broadcasting station WHA and for WHA-TV which permits identification
11 of the functions or activities for which expenditures are made. The board of regents
12 shall maintain annual records of its expenditures for programming purposes by type
13 of programming and by source of revenue.

14 **SECTION 969.** 36.25 (5) (b) of the statutes is renumbered 37.25 (5) (b) and
15 amended to read:

16 **37.25 (5) (b)** The board of regents may rent space on the Madison public
17 broadcast transmission tower to the educational communications board and to other
18 public and commercial broadcasters.

19 **SECTION 970.** 36.25 (6) (a) of the statutes is amended to read:

20 **36.25 (6) (a)** The board shall have charge of the geological and natural history
21 survey. Under the supervision of the state geologist, appointed under s. 37.03 (1) (c).
22 the survey shall study the geology, water, soils, plants, fish and animal life of the
23 state and shall continue the topographic mapping of the state begun by the U.S.
24 geological survey, but no money may be expended for topography unless an
25 equivalent amount is expended for this purpose in the state by the U.S. government.

ASSEMBLY BILL 40**SECTION 971**

1 **SECTION 971.** 36.25 (6) (e) of the statutes is renumbered 37.25 (6) and amended
2 to read:

3 **37.25 (6) STATE GEOLOGIST.** The state geologist shall carry out the
4 responsibilities specified for him or her under ~~s.~~ ss. 36.25 (6) and 107.15.

5 **SECTION 972.** 36.25 (8) of the statutes is renumbered 37.25 (8) and amended
6 to read:

7 **37.25 (8) WATER RESOURCES RESEARCH.** Funds made available to the various
8 state agencies for joint water resources research and data collection programs shall
9 be administered and coordinated by the director of the water resources center of the
10 ~~University of Wisconsin–Madison~~ university. Such funds shall be made available,
11 on application from the state agencies concerned, when the director, after seeking the
12 advice of the department of natural resources, finds the proposed projects to be
13 consistent with other state projects and the needs of the state. The director shall
14 make biennial reports to the chief clerk of each house of the legislature, for
15 distribution to the legislature under s. 13.172 (2), at the convening of the legislature.

16 **SECTION 973.** 36.25 (9) of the statutes is amended to read:

17 **36.25 (9) STATE SOILS LABORATORY.** The board shall establish a state soils and
18 plant analysis laboratory at the extension in connection with the College of
19 Agricultural and Life Sciences of the University of Wisconsin–Madison ~~and the~~
20 ~~University of Wisconsin–Extension.~~ The laboratory shall, at the request of the owner
21 or occupant of any lands in the state and upon the payment of such fees as are
22 prescribed, make field examinations and analyses of the soil and plant tissue and
23 when possible interpret the results of such investigation and make appropriate
24 recommendations. ~~The board through the College of Agricultural and Life Sciences~~
25 ~~of the University of Wisconsin–Madison may cause an investigation to be made of~~

ASSEMBLY BILL 40**SECTION 973**

1 ~~methods of clearing cutover lands, perform experiments and demonstrations in~~
2 ~~conjunction therewith and provide related services to individual citizens at cost.~~

3 **SECTION 974.** 36.25 (10) of the statutes is repealed.

4 **SECTION 975.** 36.25 (11) of the statutes is renumbered 37.57, and 37.57 (1) and
5 (5) to (7), as renumbered, are amended to read:

6 **37.57 (1)** ~~The board shall maintain the state laboratory of hygiene shall be~~
7 ~~attached to the University of Wisconsin–Madison. The laboratory of hygiene board~~
8 ~~shall meet at least quarterly and may promulgate rules under ch. 227, approve the~~
9 ~~laboratory of hygiene budget, set fees, set priorities and make final approval of~~
10 ~~laboratory resources so that the laboratory can act in response to agencies' planned~~
11 ~~objectives and program priorities.~~

12 **(5)** ~~The technical staff and other employees necessary to the operation of the~~
13 ~~laboratory shall be employed under the classified service by the director. The board,~~
14 ~~upon the recommendation of the chancellor of the University of Wisconsin–Madison,~~
15 ~~with the approval of the laboratory of hygiene board, shall appoint the director of the~~
16 ~~laboratory and such other members of its professional staff as are required for the~~
17 ~~administration of the laboratory.~~

18 **(5m)** ~~The laboratory of hygiene board shall create and maintain a roster of~~
19 ~~scientists and other persons with technical expertise who are willing to work for the~~
20 ~~laboratory of hygiene if the governor declares that an emergency related to public~~
21 ~~health exists. If the governor declares such an emergency, the laboratory of hygiene~~
22 ~~board shall hire as limited-term employees the requisite number of persons from the~~
23 ~~roster to assist the department of health services under s. 250.042.~~

24 **(6)** ~~The laboratory of hygiene board may impose a fee for each test conducted~~
25 ~~by the laboratory. Any test conducted for a local unit of government is exempt from~~

ASSEMBLY BILL 40**SECTION 975**

1 the fee unless the test is outside the state public health care mission or is required
2 under 42 USC 300f to 300j, as determined by the laboratory of hygiene board. The
3 laboratory may charge state agencies through contractual arrangements for the
4 actual services rendered.

5 (7) The laboratory of hygiene board shall submit ~~biennial budget requests~~
6 ~~reflecting joint budgetary planning with agencies served,~~ and any information
7 required by the department of administration under s. 16.43, directly to the
8 department of administration.

9 **SECTION 976.** 36.25 (12) of the statutes is renumbered 37.25 (12), and 37.25 (12)
10 (a), as renumbered, is amended to read:

11 37.25 (12) (a) The board shall house, equip and maintain the psychiatric
12 research institute as a program of the ~~University of Wisconsin–Madison~~ Center for
13 Health Sciences. The psychiatric research institute shall be a facility for research,
14 development and service to the state in the field of mental health. The institute may
15 exercise the powers granted under s. 46.044.

16 **SECTION 977.** 36.25 (12m) of the statutes is renumbered 37.25 (12m).

17 **SECTION 978.** 36.25 (13g) of the statutes is renumbered 37.25 (13g), and 37.25
18 (13g) (a), (b) (intro.) and (d), as renumbered, are amended to read:

19 37.25 (13g) (a) The board shall establish at the ~~University of~~
20 ~~Wisconsin–Madison~~ university the “University of Wisconsin Hospitals and Clinics”.

21 (b) (intro.) The board shall maintain, control and supervise the use of the
22 University of Wisconsin Hospitals and Clinics, for the purposes of all of the following:

23 (d) This subsection applies only in the event that the on-campus facilities, as
24 defined in s. 233.01 (7), leased to the University of Wisconsin Hospitals and Clinics
25 Authority under s. ~~36.11~~ 37.11 (28), and any improvements, modifications or other

ASSEMBLY BILL 40**SECTION 978**

1 facilities specified in s. 233.04 (7) (c), are transferred to the board under s. 233.04 (3b)
2 (b), (7g) (b) or (7p) (b).

3 **SECTION 979.** 36.25 (13m) of the statutes is repealed.

4 **SECTION 980.** 36.25 (13s) of the statutes is renumbered 37.25 (13s) and
5 amended to read:

6 **37.25 (13s) MEDICAL PRACTICE IN UNDERSERVED AREAS.** Of the moneys
7 appropriated to the board under s. ~~20.285~~ 20.280 (1) ~~(fe)~~ (a) of the statutes, the board
8 shall, ~~beginning in fiscal year 2008–09~~, allocate \$400,000 in each fiscal year for the
9 department of family medicine and practice in the University of Wisconsin School of
10 Medicine and Public Health to support the Wisconsin Academy for Rural Medicine,
11 the Academy for Center-city Medical Education, and the Wisconsin Scholars
12 Academy programs. The board may not expend any moneys allocated under this
13 subsection in a fiscal year unless the board receives \$400,000 in gifts and grants from
14 private sources in that fiscal year for supporting such programs.

15 **SECTION 981.** 36.25 (18) of the statutes is renumbered 37.25 (18) and amended
16 to read:

17 **37.25 (18) SCHOOL OF VETERINARY MEDICINE.** The board shall establish and
18 maintain a school of veterinary medicine at the ~~University of Wisconsin–Madison~~
19 university. Existing facilities shall be used to the maximum possible extent for
20 auxiliary instructional and research support of the veterinary program.

21 **SECTION 982.** 36.25 (19) of the statutes is renumbered 37.25 (19), and 37.25 (19)
22 (a), as renumbered, is amended to read:

23 **37.25 (19) (a)** The board may establish at the ~~University of Wisconsin–Madison~~
24 university a model school for children with disabilities, as defined in s. 115.76 (5).

ASSEMBLY BILL 40**SECTION 982**

1 The school shall utilize practical demonstration techniques to train teachers and
2 other support personnel under s. 115.28 (7) (c).

3 **SECTION 983.** 36.25 (21) of the statutes is renumbered 37.25 (21), and 37.25 (21)
4 (intro.), (a) and (b), as renumbered, are amended to read:

5 **37.25 (21)** SCHOOL OF LAW; PART-TIME ENROLLMENT AND NIGHT COURSES. (intro.)

6 The board shall direct the School of Law to do all the following:

7 (a) Allow resident students who are admitted to law school to enroll in
8 part-time programs;

9 (b) Allow resident students who are admitted to law school 6 years after first
10 enrolling to complete requirements for a degree; ~~and.~~

11 **SECTION 984.** 36.25 (21m) of the statutes is renumbered 37.25 (21m) and
12 amended to read:

13 **37.25 (21m)** GREAT LAKES INDIAN LAW PROGRAM. The board shall establish a
14 Great Lakes Indian law program at the ~~University of Wisconsin-Madison Law~~
15 ~~School~~ university law school.

16 **SECTION 985.** 36.25 (23) of the statutes is renumbered 37.25 (23) and amended
17 to read:

18 **37.25 (23)** ROBERT M. LA FOLLETTE INSTITUTE OF PUBLIC AFFAIRS. There is
19 established a Robert M. La Follette institute of public affairs at the ~~University of~~
20 ~~Wisconsin-Madison~~ university. The institute shall engage in research, public
21 service and educational activities to advance the knowledge of public affairs and the
22 application of that knowledge to the needs of this state.

23 **SECTION 986.** 36.25 (24) of the statutes is amended to read:

24 **36.25 (24)** EMPLOYEE-OWNED BUSINESSES PROGRAM. Through the University of
25 Wisconsin small business development center, in cooperation with the ~~department~~

ASSEMBLY BILL 40**SECTION 986**

1 ~~of commerce under s. 560.07 (2m)~~ Wisconsin Economic Development Corporation,
2 the technical college system board and the University of Wisconsin–Extension, the
3 board shall create, as needed, educational programs to provide training in the
4 management of employee–owned businesses and shall provide technical assistance
5 to employee–owned businesses in matters affecting their management and business
6 operations, including assistance with governmental relations and assistance in
7 obtaining management, technical and financial assistance.

8 **SECTION 987.** 36.25 (30) of the statutes is amended to read:

9 **36.25 (30) POLLUTION PREVENTION.** The board shall maintain in the extension
10 a solid and hazardous waste education center to promote pollution prevention, as
11 defined in s. 299.13 (1) (dm). In cooperation with the department of natural resources
12 ~~and the department of commerce,~~ the center shall conduct an education and
13 technical assistance program to promote pollution prevention in this state.

14 **SECTION 988.** 36.25 (30m) of the statutes is renumbered 37.25 (30m) and
15 amended to read:

16 **37.25 (30m) AGRICULTURAL TECHNOLOGY AND FAMILY FARM PROGRAMS.** The board
17 may establish agricultural technology and family farm programs in the College of
18 Agricultural and Life Sciences at the ~~University of Wisconsin–Madison~~ university.

19 **SECTION 989.** 36.25 (34) of the statutes is renumbered 37.25 (34) and amended
20 to read:

21 **37.25 (34) CENTER FOR URBAN LAND ECONOMICS RESEARCH.** The board shall
22 establish a center for urban land economics research in the School of Business at the
23 ~~University of Wisconsin–Madison~~ university to conduct research and undertake
24 educational, public outreach and grant activities related to real estate and urban
25 land economics.

ASSEMBLY BILL 40**SECTION 990**

1 **SECTION 990.** 36.25 (35m) of the statutes is renumbered 37.25 (35m) and
2 amended to read:

3 **37.25 (35m)** HERBARIUM. The board shall maintain an herbarium at the
4 ~~University of Wisconsin–Madison~~ university to be known as the “Wisconsin State
5 Herbarium”.

6 **SECTION 991.** 36.25 (37) of the statutes is renumbered 37.25 (37) and amended
7 to read:

8 **37.25 (37)** AREA HEALTH EDUCATION CENTER. The board shall maintain at the
9 ~~University of Wisconsin–Madison~~ university an area health education center to
10 support community–based primary care training programs.

11 **SECTION 992.** 36.25 (42) of the statutes is renumbered 37.25 (42) and amended
12 to read:

13 **37.25 (42)** DISTINGUISHED CHAIR OF MILITARY HISTORY. The board shall establish
14 a distinguished chair of military history at the ~~University of Wisconsin–Madison~~
15 university.

16 **SECTION 993.** 36.25 (49m) of the statutes is renumbered 37.25 (49m), and 37.25
17 (49m) (a) 1. and (c), as renumbered, are amended to read:

18 **37.25 (49m) (a) 1.** “Center” means the Center on Education and Work at the
19 ~~University of Wisconsin–Madison~~ university.

20 (c) The center shall evaluate the effectiveness of the program during the pilot
21 period in promoting careers in math, science, agricultural education, technology
22 education, and information technology. If, based on the results of the evaluation, the
23 center determines that the program has been effective in promoting such careers, the
24 center may continue the program after the pilot period and may expand the program
25 by allowing participation by additional classrooms. The center shall prepare a report

ASSEMBLY BILL 40**SECTION 993**

1 regarding the evaluation and describing whether the center has continued or
2 expanded the program, and submit the report to the appropriate standing
3 committees of the legislature under s. 13.172 (3), the department of public
4 instruction, and the department of workforce development, ~~and the department of~~
5 ~~commerce.~~

6 **SECTION 994.** 36.25 (53) of the statutes is amended to read:

7 36.25 (53) BUSINESS PLAN COMPETITION. The board shall use the moneys
8 appropriated under s. 20.285 (1) (eb) to support a business plan competition program
9 existing on May 25, 2010, at institutions and college campuses ~~other than the~~
10 ~~University of Wisconsin–Madison~~ that makes entrepreneurial expertise available to
11 students and that has ties to campus–based business plan contests and national
12 organizations that foster student entrepreneurship. The board may use the moneys
13 only if the board receives matching funds for the same purpose from private
14 contributions.

15 **SECTION 995.** 36.27 (2) (cr) of the statutes is repealed.

16 **SECTION 996.** 36.27 (3n) (b) (intro.) of the statutes is amended to read:

17 36.27 (3n) (b) (intro.) Except as provided in subds. 1. to 3. and par. (bg), the
18 board shall grant full remission of academic fees and segregated fees for 128 credits
19 or 8 semesters, whichever is longer, less the number of credits or semesters for which
20 the person received remission of fees under s. 38.24 (7) ~~and, but not~~ less the amount
21 of any academic fees or segregated fees paid under 38 USC 3319, to any resident
22 student who is also any of the following:

23 **SECTION 997.** 36.27 (3n) (b) (intro.) of the statutes, as affected by 2011
24 Wisconsin Act (this act), is amended to read:

ASSEMBLY BILL 40**SECTION 997**

1 36.27 **(3n)** (b) (intro.) Except as provided in subds. 1. to 3. and par. (bg), the
2 board shall grant full remission of academic fees and segregated fees for 128 credits
3 or 8 semesters, whichever is longer, less the number of credits or semesters for which
4 the person received remission of fees under ~~s.~~ ss. 37.27 (3n) (b) and 38.24 (7), but not
5 less the amount of any academic fees or segregated fees paid under 38 USC 3319, to
6 any resident student who is also any of the following:

7 **SECTION 998.** 36.27 (3p) (b) of the statutes is amended to read:

8 36.27 **(3p)** (b) Except as provided in par. (bg), the board shall grant full
9 remission of nonresident tuition, academic fees, and segregated fees charged for 128
10 credits or 8 semesters, whichever is longer, less the number of credits or semesters
11 for which the person received remission of fees under s. 38.24 (8) and, but not less
12 the amount of any academic fees or segregated fees paid under 10 USC 2107 (c), 38
13 USC 3104 (a) (7) (A), or 38 USC 3313, to any student who is a veteran.

14 **SECTION 999.** 36.27 (3p) (b) of the statutes, as affected by 2011 Wisconsin Act
15 (this act), is amended to read:

16 36.27 **(3p)** (b) Except as provided in par. (bg), the board shall grant full
17 remission of nonresident tuition, academic fees, and segregated fees charged for 128
18 credits or 8 semesters, whichever is longer, less the number of credits or semesters
19 for which the person received remission of fees under ~~s.~~ ss. 37.27 (3p) (b) and 38.24
20 (8), but not less the amount of any academic fees or segregated fees paid under 10
21 USC 2107 (c), 38 USC 3104 (a) (7) (A), or 38 USC 3313, to any student who is a
22 veteran.

23 **SECTION 1000.** 36.29 (5) (a) of the statutes is renumbered 36.29 (5) and
24 amended to read:

ASSEMBLY BILL 40**SECTION 1000**

1 36.29 (5) ~~Except as provided in par. (b), the~~ The board may not acquire or make
2 a commitment to operate any golf course not owned by the board prior to July 2, 1983,
3 without specific authorization by the legislature.

4 **SECTION 1001.** 36.29 (5) (b) of the statutes is repealed.

5 **SECTION 1002.** 36.33 of the statutes is renumbered 37.33, and 37.33 (1) and (4),
6 as renumbered, are amended to read:

7 37.33 (1) LEGISLATIVE INTENT. The legislature finds and determines that,
8 because of the problems resulting from the development of the city of Madison
9 around certain agricultural lands of the ~~University of Wisconsin-Madison~~
10 university, the desirability of consolidating lands used for agricultural instruction,
11 research and extension purposes, the desirability of disposing of agricultural lands
12 no longer needed by the university and the need for land of better quality and of
13 greater quantity for the purpose of improving and expanding agricultural research,
14 it is in the public interest for the board to sell or lease, in whole or in part, the
15 agricultural lands and improvements thereon owned by the board and located in
16 sections 19, 20 and 30, township 7 north, range 9 east, Dane County; sections 25 and
17 27, township 7 north, range 8 east, Dane County; sections 34 and 35, township 38
18 north, range 11 east, Oneida County; and section 22, township 22 north, range 8 east,
19 Portage County; and to purchase other agricultural lands outside of the Madison
20 urban area and to construct thereon the necessary buildings and improvements. The
21 foregoing policy determination is made without reference to or intention of limiting
22 the powers which the board may otherwise have.

23 **(4) PROCEEDS.** The net proceeds from the sale of agricultural lands and
24 improvements authorized by this section shall be devoted to the purchase of land and
25 construction of improvements contemplated in sub. (1) ~~but of any excess of revenue~~

ASSEMBLY BILL 40**SECTION 1002**

1 beyond the amount required for this purpose a sum not to exceed \$7,200,000 shall
2 constitute a nonlapsible fund for the purpose of erecting facilities for research and
3 instruction in animal husbandry, agricultural engineering and agricultural and life
4 sciences at the University of Wisconsin–Madison, and such funds shall become
5 available upon consent and recommendation of the board and authorization by the
6 building commission.

7 **SECTION 1003.** 36.335 of the statutes is amended to read:

8 **36.335 Sale of other land; buildings and structures.** Except as provided
9 in s. 36.33, if If the Board of Regents of the University of Wisconsin System board
10 sells any real property under its jurisdiction during the period beginning on October
11 27, 2007, and ending on June 30, 2009, and the period beginning on July 1, 2009, the
12 board shall credit the net proceeds of the sale to the appropriation account under s.
13 20.285 (1) (iz) except that if there is any outstanding public debt used to finance the
14 acquisition, construction, or improvement of any property that is sold, the board
15 shall deposit a sufficient amount of the net proceeds from the sale of the property in
16 the bond security and redemption fund under s. 18.09 to repay the principal and pay
17 the interest on the debt, and any premium due upon refunding any of the debt. If
18 the property was acquired, constructed, or improved with federal financial
19 assistance, the board shall pay to the federal government any of the net proceeds
20 required by federal law. If the property was acquired by gift or grant or acquired with
21 gift or grant funds, the board shall adhere to any restriction governing use of the
22 proceeds.

23 **SECTION 1004.** 36.34 (1) (a) 3. of the statutes is amended to read:

24 36.34 (1) (a) 3. Is a Hispanic, as defined in s. ~~560.036~~ 490.04 (1) (d).

25 **SECTION 1005.** 36.34 (1) (c) of the statutes is repealed.

ASSEMBLY BILL 40**SECTION 1006**

1 **SECTION 1006.** 36.395 of the statutes is repealed.

2 **SECTION 1007.** 36.44 (1) of the statutes is renumbered 36.44.

3 **SECTION 1008.** 36.44 (2) of the statutes is renumbered 37.44 (2) and amended
4 to read:

5 37.44 (2) Notwithstanding sub. (1), the board shall use the fees collected under
6 s. 341.14 (6r) (b) 4. for the ~~University of Wisconsin–Madison~~ university's scholarship
7 program to provide funds for the ~~University of Wisconsin–Madison~~ university's
8 division of intercollegiate athletics. When the board determines that the division's
9 deficit has been eliminated, the board shall use such fees as provided under sub. (1).

10 **SECTION 1009.** 36.46 (1) (a) of the statutes is renumbered 36.46 (1).

11 **SECTION 1010.** 36.46 (1) (b) of the statutes is renumbered 36.46 (2m) and
12 amended to read:

13 36.46 (2m) Notwithstanding ~~par. (a)~~ sub. (1), if, within 14 working days after
14 the date of the secretary's notification, the cochairpersons of the committee do not
15 notify the secretary that the committee has scheduled a meeting for the purpose of
16 reviewing the secretary's proposed action, the proposed reserve funds may be
17 accumulated. If, within 14 working days after the date of the secretary's notification,
18 the cochairpersons of the committee notify the secretary that the committee has
19 scheduled a meeting for the purpose of reviewing the secretary's proposed action, the
20 proposed reserve funds may not be accumulated unless the committee approves that
21 action.

22 **SECTION 1011.** 36.46 (2) of the statutes is repealed.

23 **SECTION 1012.** 36.48 of the statutes is amended to read:

24 **36.48 Alcohol and other drug abuse prevention and intervention**
25 **programs.** The board shall appoint alcohol and other drug abuse prevention and

ASSEMBLY BILL 40**SECTION 1012**

1 intervention program counselors for the ~~University of Wisconsin–Madison and the~~
2 University of Wisconsin–Milwaukee. The counselors shall develop alcohol and other
3 drug abuse prevention and intervention programs and train faculty, academic staff
4 and classified staff in the prevention of and early intervention in alcohol and other
5 drug abuse.

6 **SECTION 1013.** 36.49 (intro.) and (2) of the statutes are consolidated,
7 renumbered 36.49 and amended to read:

8 **36.49 Environmental program grants and scholarships.** From the
9 appropriation under s. 20.285 (1) (rm), the board shall ~~annually do the following: (2)~~
10 ~~Provide~~ provide annual scholarships totaling \$100,000 to students enrolled in the
11 sustainable management degree program through the ~~University of~~
12 ~~Wisconsin–Extension~~ extension.

13 **SECTION 1014.** 36.49 (1) of the statutes is renumbered 37.49 and amended to
14 read:

15 **37.49 Environmental program grants.** Make From the appropriation
16 under s. 20.280 (1) (rm), annually the board shall award need-based grants totaling
17 \$100,000 to students who are members of underrepresented groups and who are
18 enrolled in a program leading to a certificate or a bachelor's degree from the Nelson
19 Institute for Environmental Studies at the ~~University of Wisconsin–Madison~~
20 university.

21 **SECTION 1015.** 36.54 (2) (a) 2. of the statutes is amended to read:

22 36.54 (2) (a) 2. “Public agency” means a county, city, village, town, public inland
23 lake protection and rehabilitation district, lake sanitary district ~~or~~, school district,
24 or state agency or an agency ~~of this state or~~ of a county, city, village, town, public

ASSEMBLY BILL 40**SECTION 1015**

1 inland lake protection and rehabilitation district, lake sanitary district, or school
2 district.

3 **SECTION 1016.** 36.54 (2) (a) 3. of the statutes is created to read:

4 36.54 (2) (a) 3. “State agency” includes the University of Wisconsin–Madison.

5 **SECTION 1017.** 36.56 (title) of the statutes is renumbered 37.56 (title).

6 **SECTION 1018.** 36.56 (1) of the statutes is renumbered 37.56 and amended to
7 read:

8 **37.56** From the appropriation under s. ~~20.285~~ 20.280 (1) (qm), the center for
9 cooperatives under s. ~~36.11~~ 37.11 (40) may award grants to persons to form forestry
10 cooperatives under ch. 185 or 193 that consist primarily of private, nonindustrial
11 owners of woodland. A grant recipient shall provide matching funds equal to 50%
12 of the grant amount awarded. The match may be in the form of money or in-kind
13 services or both, but may not include money received from the state.

14 **SECTION 1019.** 36.56 (2) of the statutes is repealed.

15 **SECTION 1020.** 36.58 (title) of the statutes is renumbered 37.58 (title).

16 **SECTION 1021.** 36.58 (1) of the statutes is repealed.

17 **SECTION 1022.** 36.58 (2) of the statutes is renumbered 37.58 (2).

18 **SECTION 1023.** 36.58 (3) of the statutes is renumbered 37.58 (3), and 37.58 (3)
19 (c), as renumbered, is amended to read:

20 37.58 (3) (c) The veterinary diagnostic laboratory board may identify services
21 that are necessary to protect human health and safety for which the veterinary
22 diagnostic laboratory may not charge fees.

23 **SECTION 1024.** 36.58 (3m) of the statutes is renumbered 37.58 (3m) and
24 amended to read:

ASSEMBLY BILL 40**SECTION 1024**

1 **37.58 (3m)** APPOINTMENT OF DIRECTOR. ~~After consultation with the veterinary~~
2 ~~diagnostic laboratory board, the~~ The chancellor of the ~~University of~~
3 ~~Wisconsin-Madison~~ shall appoint an individual who has received the degree of
4 doctor of veterinary medicine as the director of the veterinary diagnostic laboratory.

5 **SECTION 1025.** 36.58 (4) and (5) of the statutes are repealed.

6 **SECTION 1026.** 36.58 (6) of the statutes is renumbered 37.58 (6).

7 **SECTION 1027.** 36.59 (8) of the statutes is repealed.

8 **SECTION 1028.** 36.60 (title) of the statutes is amended to read:

9 **36.60** (title) ~~Physician and dentist~~ **Dentist loan assistance program.**

10 **SECTION 1029.** 36.60 (1) (ag) of the statutes is renumbered 37.60 (1) (ag).

11 **SECTION 1030.** 36.60 (1) (aj) of the statutes is renumbered 37.60 (1) (aj).

12 **SECTION 1031.** 36.60 (1) (ap) of the statutes is renumbered 37.60 (1) (ap).

13 **SECTION 1032.** 36.60 (1) (b) of the statutes is renumbered 37.60 (1) (b).

14 **SECTION 1033.** 36.60 (1) (cm) of the statutes is renumbered 37.60 (1) (cm).

15 **SECTION 1034.** 36.60 (1) (d) of the statutes is amended to read:

16 **36.60 (1)** (d) “Rural area” has the meaning given in s. ~~36.63~~ 37.63 (1) (c).

17 **SECTION 1035.** 36.60 (2) (a) 1. of the statutes is renumbered 36.60 (2) (a) and
18 amended to read:

19 **36.60 (2)** (a) ~~Except as provided in subd. 2., the~~ The board may repay, on behalf
20 of a ~~physician or dentist~~, up to \$50,000 in educational loans obtained by the ~~physician~~
21 ~~or dentist~~ from a public or private lending institution for education in an accredited
22 school of ~~medicine or dentistry~~ or for postgraduate ~~medical or dental~~ training.

23 **SECTION 1036.** 36.60 (2) (a) 2. of the statutes is renumbered 37.60 (2) (a) 2.

24 **SECTION 1037.** 36.60 (2) (b) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1037**

1 36.60 (2) (b) A ~~physician or~~ dentist who is a participant in the national health
2 service corps scholarship program under 42 USC 254n, or a ~~physician or~~ dentist who
3 was a participant in that program and who failed to carry out his or her obligations
4 under that program, is not eligible for loan repayment under this section.

5 **SECTION 1038.** 36.60 (3) (a) of the statutes is renumbered 37.60 (3) (a).

6 **SECTION 1039.** 36.60 (4m) of the statutes is renumbered 37.60 (4m).

7 **SECTION 1040.** 36.60 (5) (b) 1. of the statutes is amended to read:

8 36.60 (5) (b) 1. ~~The degree to which there is an extremely high need for medical~~
9 ~~care in the eligible practice area, health professional shortage area, or rural area in~~
10 ~~which a physician desires to practice and the degree to which there is an extremely~~
11 ~~high need for dental care in the dental health shortage area or rural area in which~~
12 ~~a dentist desires to practice.~~

13 **SECTION 1041.** 36.60 (5) (b) 2. of the statutes is amended to read:

14 36.60 (5) (b) 2. ~~The likelihood that a physician will remain in the eligible~~
15 ~~practice area, health professional shortage area, or rural area, and that a dentist will~~
16 ~~remain in the dental health shortage area or rural area, in which he or she desires~~
17 ~~to practice after the loan repayment period.~~

18 **SECTION 1042.** 36.60 (5) (b) 3. of the statutes is amended to read:

19 36.60 (5) (b) 3. ~~The per capita income of the eligible practice area, health~~
20 ~~professional shortage area, or rural area in which a physician desires to practice and~~
21 ~~of the dental health shortage area or rural area in which a dentist desires to practice.~~

22 **SECTION 1043.** 36.60 (5) (b) 4. of the statutes is amended to read:

23 36.60 (5) (b) 4. ~~The financial or other support for physician recruitment and~~
24 ~~retention provided by individuals, organizations, or local governments in the eligible~~
25 ~~practice area, health professional shortage area, or rural area in which a physician~~

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1 ~~desires to practice and~~ for dentist recruitment and retention provided by individuals,
2 organizations, or local governments in the dental health shortage area or rural area
3 in which a dentist desires to practice.

4 **SECTION 1044.** 36.60 (5) (b) 5. of the statutes is amended to read:

5 36.60 (5) (b) 5. The geographic distribution of the ~~physicians and~~ dentists who
6 have entered into loan repayment agreements under this section and the geographic
7 distribution of the ~~eligible practice areas, health professional shortage areas, dental~~
8 ~~health shortage areas,~~ and rural areas in which the eligible applicants desire to
9 practice.

10 **SECTION 1045.** 36.60 (5) (d) of the statutes is amended to read:

11 36.60 (5) (d) An agreement under sub. (3) does not create a right of action
12 against the state on the part of the ~~physician, dentist,~~ or lending institution for
13 failure to make the payments specified in the agreement.

14 **SECTION 1046.** 36.60 (6m) (a) (intro.) of the statutes is amended to read:

15 36.60 (6m) (a) (intro.) The board shall, by rule, establish penalties to be
16 assessed by the board against ~~physicians and~~ dentists who breach agreements
17 entered into under sub. (3). The rules shall do all of the following:

18 **SECTION 1047.** 36.60 (8) (b) of the statutes is amended to read:

19 36.60 (8) (b) Identify ~~eligible practice areas and rural areas with an extremely~~
20 ~~high need for medical care and~~ dental health shortage areas and rural areas with an
21 extremely high need for dental care.

22 **SECTION 1048.** 36.60 (8) (d) of the statutes is amended to read:

23 36.60 (8) (d) Publicize the program under this section to ~~physicians, dentists,~~
24 and eligible communities.

25 **SECTION 1049.** 36.60 (8) (e) of the statutes is amended to read:

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1 36.60 (8) (e) Assist ~~physicians and dentists~~ who are interested in applying for
2 the program under this section.

3 **SECTION 1050.** 36.60 (8) (f) of the statutes is amended to read:

4 36.60 (8) (f) Assist communities in obtaining ~~physicians' and dentists'~~ services
5 through the program under this section.

6 **SECTION 1051.** 36.60 (8) (h) of the statutes is amended to read:

7 36.60 (8) (h) Notwithstanding subs. (3) (b) and (5) (a) and (b), ensure that
8 moneys appropriated under s. 20.285 (1) (qj) are used under this section only to repay
9 loans on behalf of ~~physicians and dentists~~ who agree to practice in a rural area.

10 **SECTION 1052.** 36.60 (9) (intro.) of the statutes is amended to read:

11 36.60 (9) EXPANDED LOAN ASSISTANCE PROGRAM. (intro.) The board may agree to
12 repay loans as provided under this section on behalf of a ~~physician or dentist~~ under
13 an expanded ~~physician and dentist~~ loan assistance program that is funded through
14 federal funds in addition to state matching funds. To be eligible for loan repayment
15 under the expanded ~~physician and dentist~~ loan assistance program, a ~~physician or~~
16 dentist must fulfill all of the requirements for loan repayment under this section, as
17 well as all of the following:

18 **SECTION 1053.** 36.60 (9) (a) of the statutes is amended to read:

19 36.60 (9) (a) The ~~physician or dentist~~ must be a U.S. citizen.

20 **SECTION 1054.** 36.60 (9) (b) of the statutes is amended to read:

21 36.60 (9) (b) The ~~physician or dentist~~ may not have a judgment lien against his
22 or her property for a debt to the United States.

23 **SECTION 1055.** 36.60 (9) (c) (intro.) of the statutes is amended to read:

24 36.60 (9) (c) (intro.) The ~~physician or dentist~~ must agree to do all of the
25 following:

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1 **SECTION 1056.** 36.60 (9) (c) 2. of the statutes is amended to read:

2 36.60 **(9)** (c) 2. Use a sliding fee scale or a comparable method of determining
3 payment arrangements for patients who are not eligible for medicare or medical
4 assistance and who are unable to pay the customary fee for the physician's or
5 dentist's services.

6 **SECTION 1057.** 36.60 (9) (c) 3. of the statutes is amended to read:

7 36.60 **(9)** (c) 3. Practice at a public or private nonprofit entity in a health
8 professional shortage area, if a physician, or in a dental health shortage area, if a
9 dentist.

10 **SECTION 1058.** 36.61 (title) of the statutes is amended to read:

11 **36.61** (title) ~~Health care provider~~ **Dental hygienist loan assistance**
12 **program.**

13 **SECTION 1059.** 36.61 (1) (am) of the statutes is renumbered 37.61 (1) (am) and
14 amended to read:

15 37.61 **(1)** (am) “Eligible practice area” means a primary care shortage area, an
16 American Indian reservation, or trust lands of an American Indian tribe, ~~except that~~
17 ~~with respect to a dental hygienist “eligible practice area” means a dental health~~
18 ~~shortage area.~~

19 **SECTION 1060.** 36.61 (1) (b) of the statutes is renumbered 37.61 (1) (b) and
20 amended to read:

21 37.61 **(1)** (b) “Health care provider” means a ~~dental hygienist,~~ physician
22 assistant, nurse–midwife, or nurse practitioner.

23 **SECTION 1061.** 36.61 (1) (bp) of the statutes is renumbered 37.61 (1) (bp) and
24 amended to read:

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1 37.61 (1) (bp) “Health professional shortage area” has the meaning given in s.
2 ~~36.60~~ 37.60 (1) (aj).

3 **SECTION 1062.** 36.61 (1) (d) of the statutes is renumbered 37.61 (1) (d) and
4 amended to read:

5 37.61 (1) (d) “Primary care shortage area” has the meaning given in s. ~~36.60~~
6 37.60 (1) (cm).

7 **SECTION 1063.** 36.61 (1) (e) of the statutes is amended to read:

8 36.61 (1) (e) “Rural area” has the meaning given in s. ~~36.63~~ 37.63 (1) (c).

9 **SECTION 1064.** 36.61 (2) of the statutes is amended to read:

10 36.61 (2) ELIGIBILITY. The board may repay, on behalf of a ~~health care provider~~
11 dental hygienist, up to \$25,000 in educational loans obtained by the ~~health care~~
12 ~~provider~~ dental hygienist from a public or private lending institution for education
13 related to the ~~health care provider’s field of practice~~ of dental hygiene, as determined
14 by the board with the advice of the council.

15 **SECTION 1065.** 36.61 (3) (a) of the statutes is amended to read:

16 36.61 (3) (a) The board shall enter into a written agreement with the ~~health~~
17 ~~care provider~~ dental hygienist. In the agreement, the ~~health care provider~~ dental
18 hygienist shall agree to practice at least 32 clinic hours per week for 3 years in one
19 or more ~~eligible practice~~ dental health shortage areas in this state or in a rural area,
20 except that a ~~health care provider in the expanded loan assistance program under~~
21 ~~sub. (8) who is not a dental hygienist may only agree to practice at a public or private~~
22 ~~nonprofit entity in a health professional shortage area.~~

23 **SECTION 1066.** 36.61 (5) (b) 1. of the statutes is amended to read:

24 36.61 (5) (b) 1. The degree to which there is an extremely high need for medical
25 care in the ~~eligible practice area, health professional shortage area, or rural area in~~

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1 ~~which an eligible applicant who is not a dental hygienist desires to practice and the~~
2 ~~degree to which there is an extremely high need for dental care in the dental health~~
3 ~~shortage area or rural area in which an eligible applicant who is a dental hygienist~~
4 ~~desires to practice.~~

5 **SECTION 1067.** 36.61 (5) (b) 2. of the statutes is amended to read:

6 36.61 (5) (b) 2. The likelihood that an eligible applicant will remain in the
7 ~~eligible practice dental health shortage area, health professional shortage area, or~~
8 ~~rural area in which he or she desires to practice after the loan repayment period.~~

9 **SECTION 1068.** 36.61 (5) (b) 3. of the statutes is amended to read:

10 36.61 (5) (b) 3. The per capita income of the ~~eligible practice dental health~~
11 ~~shortage area, health professional shortage area, or rural area in which an eligible~~
12 ~~applicant desires to practice.~~

13 **SECTION 1069.** 36.61 (5) (b) 4. of the statutes is amended to read:

14 36.61 (5) (b) 4. The financial or other support for ~~health care provider dental~~
15 ~~hygienist recruitment and retention provided by individuals, organizations or local~~
16 ~~governments in the eligible practice dental health shortage area, health professional~~
17 ~~shortage area, or rural area in which an eligible applicant desires to practice.~~

18 **SECTION 1070.** 36.61 (5) (b) 5. of the statutes is amended to read:

19 36.61 (5) (b) 5. The geographic distribution of the ~~health care providers dental~~
20 ~~hygienists who have entered into loan repayment agreements under this section and~~
21 ~~the geographic location of the eligible practice dental health shortage area, health~~
22 ~~professional shortage area, or rural area in which an eligible applicant desires to~~
23 ~~practice.~~

24 **SECTION 1071.** 36.61 (5) (c) of the statutes is amended to read:

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1 36.61 (5) (c) An agreement under sub. (3) does not create a right of action
2 against the state on the part of the ~~health-care provider~~ dental hygienist or the
3 lending institution for failure to make the payments specified in the agreement.

4 **SECTION 1072.** 36.61 (6m) (a) (intro.) of the statutes is amended to read:

5 36.61 (6m) (a) (intro.) The board shall, by rule, establish penalties to be
6 assessed by the board against ~~health-care providers~~ dental hygienists who breach an
7 agreement entered into under sub. (3) (a). The rules shall do all of the following:

8 **SECTION 1073.** 36.61 (7) (a) of the statutes is amended to read:

9 36.61 (7) (a) Identify communities with an extremely high need for ~~health-care,~~
10 ~~including~~ dental health care.

11 **SECTION 1074.** 36.61 (7) (b) of the statutes is amended to read:

12 36.61 (7) (b) Publicize the program under this section to ~~health-care providers~~
13 dental hygienists and eligible communities.

14 **SECTION 1075.** 36.61 (7) (c) of the statutes is amended to read:

15 36.61 (7) (c) Assist ~~health-care providers~~ dental hygienists who are interested
16 in applying for the program under this section.

17 **SECTION 1076.** 36.61 (7) (d) of the statutes is amended to read:

18 36.61 (7) (d) Assist communities in obtaining the services of ~~health-care~~
19 ~~providers~~ dental hygienists through the program under this section.

20 **SECTION 1077.** 36.61 (7) (e) of the statutes is amended to read:

21 36.61 (7) (e) Notwithstanding subs. (3) (b) and (5) (a) and (b), ensure that
22 moneys appropriated under s. 20.285 (1) (qj) are used under this section only to repay
23 loans on behalf of ~~health-care providers~~ dental hygienists who agree to practice in
24 a rural area.

25 **SECTION 1078.** 36.61 (8) (intro.) of the statutes is amended to read:

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1 36.61 (8) EXPANDED LOAN ASSISTANCE PROGRAM. (intro.) The board may agree to
2 repay loans as provided under this section on behalf of a ~~health care provider~~ dental
3 hygienist under an expanded ~~health care provider~~ dental hygienist loan assistance
4 program that is funded through federal funds in addition to state matching funds.
5 To be eligible for loan repayment under the expanded ~~health care provider~~ dental
6 hygienist loan assistance program, a ~~health care provider~~ dental hygienist must
7 fulfill all of the requirements for loan repayment under this section, as well as all of
8 the following:

9 **SECTION 1079.** 36.61 (8) (a) of the statutes is amended to read:

10 36.61 (8) (a) The ~~health care provider~~ dental hygienist must be a U.S. citizen.

11 **SECTION 1080.** 36.61 (8) (b) of the statutes is amended to read:

12 36.61 (8) (b) The ~~health care provider~~ dental hygienist may not have a
13 judgment lien against his or her property for a debt to the United States.

14 **SECTION 1081.** 36.61 (8) (c) (intro.) of the statutes is amended to read:

15 36.61 (8) (c) (intro.) The ~~health care provider~~ dental hygienist must agree to
16 do all of the following:

17 **SECTION 1082.** 36.61 (8) (c) 2. of the statutes is amended to read:

18 36.61 (8) (c) 2. Use a sliding fee scale or a comparable method of determining
19 payment arrangements for patients who are not eligible for medicare or medical
20 assistance and who are unable to pay the customary fee for the ~~health care provider's~~
21 dental hygienist's services.

22 **SECTION 1083.** 36.61 (8) (c) 3. of the statutes is amended to read:

23 36.61 (8) (c) 3. Practice at a public or private nonprofit entity ~~in a health~~
24 ~~professional shortage area, if the health care provider is not a dental hygienist, or~~
25 ~~in a dental health shortage area, if the health care provider is a dental hygienist.~~

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1 research university, with a statewide, national, and international mission, offering
2 programs at the undergraduate, graduate, and professional levels in a wide range
3 of fields while engaging in extensive scholarly research, continuing adult education,
4 and public service.

5 **(2)** The primary purpose of the university is to provide a learning environment
6 in which faculty, staff, and students may discover, examine critically, preserve, and
7 transmit the knowledge, wisdom, and value that will help ensure the survival of this
8 and future generations and improve the quality of life for all. The university seeks
9 to help students develop an understanding of and appreciation for the complex
10 cultural and physical worlds in which they live and to realize their highest potential
11 of intellectual, physical, and human development. It also seeks to attract and serve
12 students from diverse social, economic, and ethnic backgrounds and to be sensitive
13 and responsive to those groups that have been underserved by higher education.

14 **37.01 Definitions.** In this chapter:

15 **(1)** “Academic staff” means those university employees who, immediately prior
16 to the effective date of this subsection [LRB inserts date], were designated as
17 academic staff of the University of Wisconsin–Madison under ch. 36, 2009 stats., and
18 those university employees hired as or designated as academic staff by the board.

19 **(1m)** “Authority” means the authority created in this chapter.

20 **(2)** “Board” means the Board of Trustees of the authority.

21 **(3)** “Board of Regents” means the Board of Regents of the system.

22 **(4)** “Campus” means the publicly owned or leased buildings and grounds that
23 comprise all or part of the university.

24 **(5)** “Chancellor” means the chief executive of the university.

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1 **(6)** “Faculty” means persons who hold the rank of professor, associate professor,
2 assistant professor, or instructor in an academic department or its functional
3 equivalent in the university and such other employees as may be designated by the
4 chancellor and faculty.

5 **(7)** “Student” means any person who is registered for study in the university
6 for the current academic period. For the purpose of administering particular
7 programs or functions involving students, the board shall adopt rules defining
8 continuation or termination of student status during periods between academic
9 periods.

10 **(8)** “System” means the University of Wisconsin System.

11 **(9)** “University” means the university operated by the board under this
12 chapter.

13 **37.02 University of Wisconsin–Madison: creation; organization of**
14 **Board of Trustees. (1)** (a) There is created an authority, which is a public body
15 corporate and politic, to be known as the “University of Wisconsin–Madison.” The
16 board shall consist of the following:

17 1. The following members, at least 7 of whom shall be university alumni,
18 appointed by the governor for 3–year terms:

19 a. One member of the Board of Regents.

20 b. One member who represents agricultural interests in this state.

21 c. Nine additional members.

22 2. The following members appointed for 3–year terms:

23 a. Two faculty members selected by the faculty.

24 b. One university employee who is not a faculty member, selected by university
25 employees who are not faculty.

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1 c. Two university alumni selected by the Wisconsin Alumni Research
2 Foundation board.

3 d. Two university alumni selected by the Wisconsin Alumni Association board.

4 e. Two university alumni selected by the University of Wisconsin Foundation
5 board.

6 3. One student enrolled in the university, selected by students enrolled in the
7 university, for a 2-year term.

8 4. The chancellor, who shall serve as a nonvoting member.

9 (b) Members appointed under par. (a) 1. c. and 2. c., d., and e. shall have a
10 demonstrated commitment to the welfare of the university and shall have
11 management experience or possess expertise in aspects of the university's mission,
12 such as undergraduate, graduate, and professional education, research, intellectual
13 property, support of existing industries, new business startups, and public service.

14 (c) Members appointed under par. (a) 1. and 2. may serve no more than 2
15 consecutive terms. The member appointed under par. (a) 3. may serve no more than
16 one term.

17 **(2)** A vacancy on the board shall be filled in the same manner as the original
18 appointment to the board for the remainder of the unexpired term, if any.

19 **(3)** A member of the board may not be compensated for his or her services but
20 may be reimbursed for actual and necessary expenses, including travel expenses,
21 incurred in the performance of his or her duties.

22 **(4)** No cause of action of any nature may arise against and no civil liability may
23 be imposed upon a member of the board for any act or omission in the performance
24 of his or her powers and duties under this chapter, unless the person asserting
25 liability proves that the act or omission constitutes willful misconduct.

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1 **(5)** The members of the board shall annually elect a chairperson and may elect
2 other officers as they consider appropriate. Eleven voting members of the board
3 constitute a quorum for the purpose of conducting the business and exercising the
4 powers of the authority, notwithstanding the existence of any vacancy. The board
5 may take action upon a vote of a majority of the members present, unless the bylaws
6 of the authority require a larger number.

7 **(6)** The board shall appoint a chancellor to serve as chief executive officer of the
8 university. The chancellor serves at the pleasure of the board. The chancellor shall
9 receive such compensation as the board fixes.

10 **(6m)** The board shall appoint a secretary of the board, who shall keep a record
11 of all its transactions.

12 **(7)** The state treasurer shall be the treasurer of the board for those moneys
13 appropriated to the board under s. 20.280.

14 **(8) (a)** The board shall provide in its operating policies for access to the board
15 by the public, faculty, students, and employees.

16 **(b)** The board meetings shall be open and all records of such meetings and of
17 all proceedings of the board shall be open to inspection in accordance with subchs.
18 II and V of ch. 19.

19 **37.03 Responsibilities. (1) BOARD.** **(a)** The primary responsibility for
20 governance of the authority is vested in the board, which shall operate a university
21 at or near the seat of government, and adopt policies for governing the university.

22 **(b)** The board shall determine the educational programs to be offered by the
23 university and may discontinue educational programs as it deems necessary.

24 **(c)** The board shall appoint a chancellor; faculty; other employees; the state
25 geologist; the director of the laboratory of hygiene; the director of the psychiatric

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1 institute; and the state cartographer; and fix the salaries, the duties, and the term
2 of office for each. No sectarian or partisan tests or any tests based upon race, color,
3 creed, religion, national origin, sex, disability, ancestry, age, sexual orientation,
4 pregnancy, marital status, or parental status shall ever be allowed or exercised in the
5 appointment of the employees of the university.

6 (d) The board shall delegate to the chancellor the responsibility for the
7 administration and operation of the university within the policies and guidelines
8 established by the board.

9 (e) In order to provide for the evaluation of the quality and effectiveness of the
10 university, the board shall prepare an accountability report measuring its
11 performance in such areas as the access and affordability of the university, student
12 achievement, the research efforts of the university, the economic impact of the
13 university on the state, the services provided by the university to the residents of the
14 state, and the financial accountability of the university's operations. By July 1, 2013,
15 and biennially thereafter, the board shall submit the accountability report to the
16 governor and shall post the report prominently on its Web site.

17 **(2) CHANCELLOR.** The chancellor shall be the executive head of the faculty and
18 the university, shall be vested with the responsibility of administering board policies,
19 and shall be accountable and report to the board on the operation and administration
20 of the university. Subject to board policy, the chancellor, in consultation with the
21 faculty, is responsible for designing curricula and setting degree requirements;
22 determining academic standards and establishing grading systems; defining and
23 administering institutional standards for faculty peer evaluation and screening
24 candidates for appointment, promotion, and tenure; recommending individual merit
25 increases; administering associated auxiliary services; and administering all funds,

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1 from whatever source, allocated, generated, or intended for use of the university. The
2 chancellor may designate a person as provost, to act as chief executive officer of the
3 university in the chancellor's absence.

4 **(3) FACULTY.** The faculty, subject to the responsibilities and powers of the board
5 and the chancellor, shall be vested with responsibility for the immediate governance
6 of the university and shall actively participate in university policy development. As
7 such, the faculty has the primary responsibility for academic and educational
8 activities and faculty personnel matters. The faculty have the right to determine
9 their own faculty organizational structure and to select representatives to
10 participate in university governance.

11 **(4) ACADEMIC STAFF.** The academic staff, subject to the responsibilities and
12 powers of the board, the chancellor, and the faculty, shall be active participants in
13 the immediate governance of and policy development for the university. The
14 academic staff have the primary responsibility for the formulation and review, and
15 shall be represented in the development, of all policies and procedures concerning
16 the academic staff, including academic staff personnel matters. The academic staff
17 have the right to organize themselves in a manner they determine and to select their
18 representatives to participate in university governance.

19 **(5) STUDENTS.** The students, subject to the responsibilities and powers of the
20 board, the chancellor, and the faculty, shall be active participants in the immediate
21 governance of and policy development for the university. As such, students have
22 primary responsibility for the formulation and review of policies concerning student
23 life, services, and interests. In consultation with the chancellor and subject to the
24 final confirmation of the board, students have the responsibility for the disposition
25 of those student fees that constitute substantial support for campus student

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1 activities. The students have the right to organize themselves in a manner they
2 determine and to select their representatives to participate in university
3 governance.

4 **37.11 Powers and duties of the board. (1)** GENERALLY. The board shall have
5 all the powers necessary or convenient to carry out the purposes and provisions of
6 this chapter. In addition to all other powers granted the board under this chapter,
7 the board may specifically:

8 (a) Adopt, amend, and repeal any bylaws, policies, and procedures for the
9 regulation of its affairs and the conduct of its business.

10 (b) Have a seal and alter the seal at pleasure.

11 (c) Maintain an office.

12 (d) Accept gifts, grants, loans, or other contributions from private or public
13 sources.

14 (e) Establish the university's annual budget and monitor the fiscal
15 management of the university.

16 (f) Execute contracts and other instruments required for the operation of the
17 university.

18 **(1g) PERSONNEL SYSTEM.** The board shall develop and implement a personnel
19 system, effective July 1, 2012, that is separate and distinct from the system created
20 under ch. 230. The board shall develop and implement the system with the active
21 participation of the faculty and academic staff as provided in s. 37.03 (3) and (4). In
22 developing the personnel system, the board shall provide for the transfer of classified
23 civil service employees to the university personnel system as necessary upon the
24 effective date of its implementation.

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1 **(1m)** PROTECTION OF PEOPLE; CUSTODY AND MANAGEMENT OF PROPERTY. (a) The
2 board may promulgate rules to protect the lives, health, and safety of persons on
3 property under its jurisdiction and to protect such property and to prevent
4 obstruction of the functions of the university. Any person who violates any rule
5 promulgated under this paragraph may be fined not more than \$500 or imprisoned
6 for not more than 90 days or both.

7 (b) Except as provided in this paragraph, the board may purchase, have custody
8 of, hold, control, possess, lease, grant easements, and enjoy any lands, buildings,
9 books, records, and all other property of any nature that may be necessary and
10 required for the purposes, objects, and uses of the university authorized by law. Any
11 lease is subject to the powers of the University of Wisconsin Hospitals and Clinics
12 Authority under s. 233.03 (13) and the rights of the authority under any lease
13 agreement, as defined in s. 233.01 (6). The board may sell or dispose of such property
14 as provided by law, or any part thereof when in its judgment it is for the best interests
15 of the university and the state.

16 (c) The board may promulgate rules for the management of all property under
17 its jurisdiction, for the care and preservation thereof, and for the promotion and
18 preservation of the orderly operation of the university in any or all of its authorized
19 activities with forfeitures for their violation, which may be sued for and collected in
20 the name of the board before any court having jurisdiction of such action. Forfeitures
21 shall not exceed \$500.

22 (cm) The board shall promulgate rules prescribing the times, places, and
23 manner in which political literature may be distributed and political campaigning
24 may be conducted in state-owned residence halls. No such rule may authorize any
25 activity prohibited under s. 11.36 (3) or (4).

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1 (d) All fines imposed and collected under this subsection shall be transmitted
2 to the county treasurer for disposition in accordance with s. 59.25 (3) (f) and (j). All
3 forfeitures, including forfeitures of posted bail if any, imposed and collected under
4 this subsection shall be transmitted to the county treasurer for disposition in
5 accordance with ss. 778.13 and 778.17.

6 **(2) POLICE AUTHORITY.** (a) The board shall have concurrent police power, with
7 other authorized peace officers, over all property subject to its jurisdiction. Such
8 concurrent police authority shall not be construed to reduce or lessen the authority
9 of the police power of the community or communities in which the university is
10 located. All university police officers shall cooperate with and be responsive to the
11 local police authorities as they meet and exercise their statutory responsibilities.
12 The designated agents of the board may arrest, with or without warrant, any person
13 on such property who they have reasonable grounds to believe has violated a state
14 law or any rule promulgated under sub. (1m) (a), (c), or (cm) or (8) and deliver such
15 person to any court having jurisdiction over the violation and execute a complaint
16 charging such person with the violation. This subsection does not impair the duty
17 of any other peace officers within their jurisdictions to arrest and take before the
18 proper court persons found violating any state law on such property.

19 (b) The board may employ police for the university and a chief to head such
20 police, or contract for police, all of whom shall be deemed peace officers under s.
21 939.22 (22) under the supervision and control of the chancellor or the chancellor's
22 designee. Such police officers shall meet the minimum standards established for
23 other police officers by the law enforcement standards board or a comparable agency.
24 Such police shall preserve the peace on all property described under par. (a), enforce
25 all rules promulgated under subs. (1) (a), (c), and (cm) and (8) and all other laws, and

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1 for that purpose the chancellor or the chancellor's designee may call for aid from such
2 other persons as is deemed necessary.

3 **(3) ADMISSION OF APPLICANTS.** (a) The board shall establish the policies for
4 admission to the university and within these policies shall establish specific
5 requirements for admission to its courses of instruction. No sectarian or partisan
6 tests or any tests based upon race, religion, color, creed, national origin of U.S.
7 citizens, sex, disability, ancestry, age, sexual orientation, pregnancy, marital status,
8 or parental status shall ever be allowed in the admission of students.

9 (b) The board may establish policies for the appropriate transfer of credits with
10 other educational institutions.

11 **(4) INJUNCTIVE RELIEF.** The board may obtain injunctive relief to enforce any
12 rules promulgated under sub. (1m) (a), (c) or (cm) or sub. (8).

13 **(5) INSURANCE.** (a) The board may procure liability insurance covering the
14 members of the board, any officer, employee, or such students whose activities may
15 constitute an obligation or responsibility of the university.

16 (b) The board may procure insurance to cover injuries sustained by students
17 as a result of their participation in intercollegiate athletics. The board may not use
18 general purpose revenue to pay for such insurance. With respect to any of the risks
19 to be covered by the insurance, the board may contract for the services of a claims
20 administrator and may obtain coverage by any combination of self-insurance, excess
21 or stop-loss insurance, or blanket insurance.

22 **(6) FINANCIAL AIDS.** (a) The board may:

23 1. Make grants to students from funds budgeted to or controlled by the
24 university and formulate policies and adopt rules for the grants.

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1 2. Make grants equivalent in value to the payment of incidental fees to disabled
2 residents of the state who are recommended and supervised by the department of
3 workforce development under s. 47.02.

4 (b) The board may not make a grant under par. (a) to a person whose name
5 appears on the statewide support lien docket under s. 49.854 (2) (b), unless the
6 person provides to the board a payment agreement that has been approved by the
7 county child support agency under s. 59.53 (5) and that is consistent with rules
8 promulgated under s. 49.858 (2) (a).

9 **(7) CONFER DEGREES.** The board may confer such degrees and grant such
10 diplomas as are usual in universities or as it deems appropriate.

11 **(8) PARKING RULES.** (a) The board may make general policies and shall
12 authorize the chancellor to promulgate rules regulating the parking of motor
13 vehicles on property under its jurisdiction.

14 (b) The board shall establish fines for the violation of any rule promulgated
15 under par. (a). The university may collect such fines together with moneys collected
16 from the sale of parking permits and other fees established under par. (a), to be used
17 only for the purpose of developing and operating parking or other transportation
18 facilities at the university and for enforcing parking rules under par. (a).

19 **(8e) PARKING FEES.** The board shall charge a parking fee for the parking of
20 motor vehicles by students, employees, and visitors at campus. The board may
21 require the fee to be sufficient to recover the costs of the construction and
22 maintenance necessary for the parking facilities. Nothing in this subsection
23 requires the recovery of the costs of land for parking facilities. Nothing in this
24 subsection requires that all users of the parking facilities be charged a parking fee.

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1 **(8m)** TRANSPORTATION PLANNING. The board shall work with the regional
2 planning commissions and the local authorities of the community in which the
3 university is located to evaluate the transportation needs of the university
4 population. The board shall develop a transportation plan for the university to effect
5 energy resource conservation and efficient use of transportation resources. The plan
6 shall include pedestrian walkways, bikeways, bike routes, bicycle storage racks, car
7 and van pools, and, to the extent feasible, improved mass transit services. The
8 transportation plans shall detail parking management strategies that provide
9 incentives for the use of mass transit and high occupancy vehicles.

10 **(9)** CONDEMNATION. The board may acquire by condemnation proceedings
11 under ch. 32 such parcels of land as it deems necessary for the use of the university
12 whenever the board is unable to agree with the owner upon the compensation
13 therefor, or whenever the absence or legal incapacity of such owner, or other cause,
14 prevents or unreasonably delays such agreement.

15 **(11)** SURPLUS MONEY. The board may invest any surplus money in such
16 securities as are legal for trust fund investments; or invest such funds or any part
17 thereof, in the senior or junior bonds or obligations that may be issued by such
18 nonprofit-sharing corporation as may be contracted with by the board for the
19 construction or equipment of dormitories, commons, or field houses, which bonds or
20 obligations shall be secured by a mortgage or pledge of the buildings or
21 improvements erected or to be erected by such corporations and by a mortgage or
22 pledge of its leasehold interest. Any interest on any of such bonds or securities shall
23 when received be added to the revolving funds and may be used for the purposes set
24 forth in this subsection.

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1 **(12) LIBRARY DEPOSITORY.** (a) The board may participate in the formation and
2 maintenance of a nonprofit-sharing corporation sponsored by participating colleges,
3 universities, and libraries for the purpose of providing and operating a central
4 library depository at a location in a midwestern state for the storage of little used
5 books and other library and research materials of participating institutions, and
6 which corporation may also perform other functions for the benefit of participating
7 institutions such as, without limitation because of enumeration, the correlating of
8 library catalogs of the participating institutions, the coordinating and planning of
9 the purchasing by each institution of costly or infrequently used books and research
10 materials in order to avoid unnecessary duplication, and facilitating the loaning of
11 library books and other library and research materials between participating
12 institutions. The board shall possess all powers necessary or convenient to
13 accomplish the foregoing, including the authority to designate representatives or
14 members of such corporation in accordance with its articles and bylaws.

15 (b) The board may make use of and pay for the use of the facilities and services
16 of such nonprofit-sharing corporation, but the board shall retain title to all books
17 and materials deposited with such corporation for storage or loaned to other
18 participating institutions. The appropriations to the board are to be available for the
19 purposes of this subsection to the extent that such appropriations may be applicable.

20 **(13) AUXILIARY RESERVES.** Auxiliary enterprise reserve funds established prior
21 to merger of this state's public institutions of higher education for the benefit or
22 support of an institution or group of institutions shall not be utilized for any other
23 purpose.

24 **(15) TAX DEFERRED ANNUITIES.** The board may continue all salary reduction
25 agreements with its employees pursuant to section 403 (b) of the Internal Revenue

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1 Code. The board may enter into new salary reduction agreements with its employees
2 pursuant to section 403 (b) of the Internal Revenue Code or other applicable federal
3 law and may purchase annuities for its employees pursuant to these agreements
4 from such annuity providers, both public and private, as the board deems
5 appropriate.

6 **(15m)** FOOTBALL COACHES PENSION PLAN. The board may deduct contributions
7 from the salaries of football coaches employed in the university who are eligible and
8 wish to participate in the qualified pension plan for football coaches established as
9 the American football coaches retirement trust, and remit the deductions to the
10 administrator of that plan, if the American football coaches retirement trust or the
11 administrator or agent of the plan indemnifies the board and its employees against,
12 and holds the board and its employees harmless from, all claims and demands
13 associated with the plan.

14 **(17)** SABBATICAL LEAVE FOR INSTRUCTIONAL FACULTY. The board may grant
15 sabbatical leave of up to one year to university faculty, in order to recognize and
16 enhance teaching efforts and excellence, under rules and procedures adopted by the
17 board, subject to the following conditions:

18 (a) Sabbatical leave may be granted only to those faculty members who have
19 completed 6 or more years, or the equivalent, of full-time instructional service in the
20 university.

21 (b) Only one sabbatical leave may be granted for each 6 years of full-time
22 instructional service in the university with preference given to those who have been
23 making significant contributions to teaching and have not had a leave of absence
24 except under s. 103.10, regardless of source of funding, in the previous 4 years.

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1 (c) Sabbatical leave shall be granted for the purposes of enhancing teaching,
2 course and curriculum development, or conducting research or any other scholarly
3 activities related to instructional programs within the field of expertise of the faculty
4 member taking such leave.

5 (d) Sabbatical leave shall be approved by appropriate faculty and
6 administrative committees.

7 (e) A faculty member shall receive compensation while on sabbatical leave, but
8 such compensation, when combined with outside compensation earned while on
9 leave, shall not exceed the full compensation normally received from the university.

10 (f) The faculty member taking a sabbatical leave shall agree to return to the
11 university for at least one year after the termination of the sabbatical or return any
12 compensation received from the university during the sabbatical.

13 **(21)** CONTROLLED SUBSTANCES AND CONTROLLED SUBSTANCE ANALOGS; DISCIPLINE.
14 Any student who engages in an activity, on campus or at an event sponsored by the
15 university, that constitutes a violation of ch. 961 is subject to nonacademic
16 misconduct disciplinary sanctions, as provided by the board by rule. In determining
17 the appropriate sanction, the board or its designee shall consider those penalties,
18 including suspension and expulsion, that will contribute most effectively to
19 maintaining a university environment that is free from controlled substances, as
20 defined in s. 961.01 (4), and controlled substance analogs, as defined in s. 961.01
21 (4m).

22 **(22)** ORIENTATION PROGRAM; INFORMATION ON SEXUAL ASSAULT AND SEXUAL
23 HARASSMENT. (a) The board shall do all of the following:

24 1. Incorporate in the orientation program for newly entering students oral and
25 written or electronic information on sexual assault and sexual harassment, as

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1 defined in s. 111.32 (13), including information on sexual assault by acquaintances
2 of the victims and on all of the following:

3 a. The legal definitions of, and penalties for, sexual assault under ss. 940.225,
4 948.02, and 948.025, sexual exploitation by a therapist under s. 940.22, and
5 harassment under s. 947.013.

6 b. Generally available national and state statistics, and university statistics
7 as compiled under par. (c) and as reported under par. (d), on sexual assaults and on
8 sexual assaults by acquaintances of the victims.

9 c. The rights of victims under ch. 950 and the services available at the
10 university and in the community to assist a student who is the victim of sexual
11 assault or sexual harassment.

12 d. Protective behaviors, including methods of recognizing and avoiding sexual
13 assault and sexual harassment and locations in the community where courses on
14 protective behaviors are provided.

15 2. Annually supply to all students enrolled in the university printed or
16 electronic material that includes all of the information under subd. 1.

17 (b) Annually, the board shall submit a report to the chief clerk of each house
18 of the legislature for distribution to the appropriate standing committees under s.
19 13.172 (3). The report shall indicate the methods the university has used to comply
20 with par. (a).

21 (c) Any person employed at the university who witnesses a sexual assault on
22 campus or receives a report from a student enrolled in the university that the student
23 has been sexually assaulted shall report to the dean of students. The dean of
24 students shall compile reports for the purpose of disseminating statistical
25 information under par. (a) 1. b.

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1 (d) Annually, the university shall report to the office of justice assistance in the
2 department of administration statistics on sexual assaults and on sexual assaults by
3 acquaintances of the victims that occurred on campus in the previous year. The office
4 of justice assistance shall include the statistics in appropriate crime reports
5 published by the office.

6 **(26) BUILDING PROGRAM PLANNING AND APPROVAL.** The board shall establish a
7 process for submission of building projects to the building commission for approval.
8 No building project for the university may be submitted by the board to the building
9 commission unless the project is developed and approved by the board in conformity
10 with this subsection. This subsection does not apply to building projects of the
11 University of Wisconsin Hospitals and Clinics Authority.

12 **(27) CONDITION ON FINANCIAL ASSISTANCE.** The board may not provide any state
13 financial assistance under this chapter to any person during the period that the
14 person is required to register with the selective service system under 50 USC,
15 Appendix, sections 451 to 473 if the person has not so registered.

16 **(47) ARMED FORCES.** If a student who is a member of a national guard or a
17 member of a reserve unit of the U.S. armed forces withdraws from school after
18 September 11, 2001, because he or she is called into state active duty or into active
19 service with the U.S. armed forces for at least 30 days, the board shall reenroll the
20 student beginning in the semester in which he or she is discharged, demobilized, or
21 deactivated from active duty or the next succeeding semester, whichever the student
22 prefers, shall give the student the same priority in registering for courses that the
23 student would have had if he or she had registered for courses at the beginning of the
24 registration period, and, at the student's request, do one of the following for all
25 courses from which the student had to withdraw:

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1 (a) Reimburse the student all tuition and fees paid for all the courses and a
2 prorated portion of room and board payments.

3 (b) Grant the student an incomplete in all the courses and permit the student
4 to complete the courses, within 6 months after leaving state service or active service,
5 without paying additional tuition or fees.

6 **(50) RESERVE OFFICER TRAINING CORPS.** The board may not prohibit the reserve
7 officer training corps from operating on its campus.

8 **(51) AUTOMOBILE ALLOWANCE.** The board may not use general purpose revenue,
9 tuition, or academic fees for the chancellors' automobile allowance.

10 **37.12 Student discrimination prohibited. (1)** No student may be denied
11 admission to, participation in, or the benefits of, or be discriminated against in any
12 service, program, course, or facility of, the university because of the student's race,
13 color, creed, religion, sex, national origin, disability, ancestry, age, sexual
14 orientation, pregnancy, marital status, or parental status.

15 **(2) (a)** The board shall establish policies and procedures to protect students
16 from discrimination under sub. (1). The policies and procedures shall do all of the
17 following:

18 1. Provide criteria for determining whether sub. (1) has been violated.

19 2. Provide remedies and sanctions for violations of sub. (1).

20 3. Require a complainant to file a complaint with the university within 300
21 days of the alleged violation of sub. (1).

22 4. Provide periods within which the complainant and the university must act
23 for each procedural step leading to the issuance of a final decision and for appeal of
24 the final decision to the chancellor.

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1 (b) The board shall establish policies and procedures for the appeal of the
2 chancellor's decision to the board.

3 **37.13 Faculty tenure and probationary appointments. (1) DEFINITIONS.**

4 In this section:

5 (a) "Probationary appointment" means an appointment by the board held by
6 a faculty member during the period that may precede a decision on a tenure
7 appointment.

8 (b) "Tenure appointment" means an appointment for an unlimited period
9 granted to a faculty member by the board.

10 **(2) APPOINTMENTS.** (a) Except as provided under par. (b), the board may grant
11 a tenure appointment only upon the affirmative recommendation of the chancellor
12 and the appropriate academic department or its functional equivalent. Neither the
13 chancellor nor the academic department or its functional equivalent may base a
14 tenure recommendation upon impermissible factors, as defined by the board by rule.

15 (b) The board may grant a tenure appointment without the affirmative
16 recommendation of the appropriate academic department or its functional
17 equivalent if all of the following apply:

18 1. The board has the affirmative recommendation of the chancellor.

19 2. A faculty committee authorized by the board by rule to review the negative
20 recommendation of the academic department or its functional equivalent finds that
21 the decision of the academic department or its functional equivalent was based upon
22 impermissible factors, as defined by the board by rule.

23 3. The board has the affirmative recommendation of a committee appointed
24 according to the policies and procedures of the university to review the individual's
25 record with reference to criteria for tenure published by the university under

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1 procedures established by the board by rule. No person may be appointed to the
2 committee under this subdivision unless the person is knowledgeable or experienced
3 in the individual's academic field or in a substantially similar academic field. No
4 member of the committee appointed under this subdivision may be a member of the
5 academic department, or its functional equivalent, that made the negative
6 recommendation. The committee appointed under this subdivision may not base its
7 tenure recommendation upon impermissible factors, as defined by the board by rule.

8 (c) A tenure appointment may be granted to any faculty member who holds or
9 will hold a half-time appointment or more. The proportion of time provided for in the
10 appointment may not be diminished nor increased without the mutual consent of the
11 faculty member and the university subject only to sub. (5) and s. 37.21.

12 (d) A probationary appointment shall not exceed 7 consecutive academic years
13 in a full-time position. A leave of absence, sabbatical or a teacher improvement
14 assignment does not constitute a break in continuous service and shall not be
15 included in the 7-year period. The board may adopt rules specifying additional
16 circumstances that do not constitute a break in continuous service and that shall not
17 be included in the 7-year period.

18 **(3) RULES.** The board and the faculty shall adopt rules for tenure and
19 probationary appointments, for the review of faculty performance and for the
20 nonretention and dismissal of faculty members.

21 **(4) CONTINUATION OF APPOINTMENT.** (a) Any person who holds a tenure
22 appointment under ch. 36, 1971 stats., and ch. 37, 1971 stats., and related rules on
23 July 9, 1974, shall continue to hold tenure as defined under those chapters and
24 related rules. Any person who holds a tenure appointment under sub. (2) (a) or (b)

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1 and related rules on the effective date of this paragraph [LRB inserts date], shall
2 continue to hold tenure under that subsection and related rules.

3 (b) Any person who holds a probationary appointment under sub. (2) (d) and
4 related rules on the effective date of this paragraph [LRB inserts date], shall
5 continue to enjoy the contractual rights and guarantees as defined under that
6 paragraph and related rules.

7 (5) PROCEDURAL GUARANTEES. Any person having tenure may be dismissed only
8 for just cause and only after due notice and hearing. Any person having a
9 probationary appointment may be dismissed prior to the end of the person's contract
10 term only for just cause and only after due notice and hearing. The action and
11 decision of the board in such matters shall be final. The board and the faculty shall
12 develop procedures for the notice and hearing that shall be adopted by rule.

13 **37.14 Wisconsin distinguished professorships.** (1) The board may
14 establish distinguished professorships under this section.

15 (2) The board may pay under this section the salary and fringe benefit costs
16 of the professor holding the distinguished professorship and of any graduate
17 assistant assigned to the professor, and the equipment, supplies, and travel costs of
18 the professor and the graduate assistants assigned to the professor.

19 **37.15 Academic staff appointments.** A person having an academic staff
20 appointment for a term may be dismissed prior to the end of the appointment term
21 only for just cause and only after due notice and hearing. A person having an
22 academic staff appointment for an indefinite term who has attained permanent
23 status may be dismissed only for just cause and only after due notice and hearing.

24 **37.17 Executive appointments.** An appointment to an executive position,
25 as determined by the board, shall be at the pleasure of the board. A person holding

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1 a tenured or academic staff appointment under s. 37.13 or 37.15 does not lose that
2 appointment by accepting an executive appointment.

3 **37.19 Other appointments. (1)** The board may make or authorize
4 appointments for former classified service employees, student assistants, and
5 employees in training, such as residents, interns, post–doctoral fellows, or trainees
6 or associates.

7 **(2) (a)** Beginning July 1, 2012, all board employees in the classified service who
8 have been achieved permanent status in class, and who became board employees
9 before July 1, 2012, may be dismissed only for just cause and only after due notice
10 and hearing.

11 **(b)** Except for appointments under par. (a), ss. 37.13, 37.15, and 37.17, and
12 except for limited–term employees, project employees, student assistants,
13 employees in training such as residents, interns, post–doctoral fellows, or trainees
14 or associates, all appointments made on or after July 1, 2012, have the procedural
15 guarantees included in the personnel system implemented by the board under s.
16 37.11 (1g).

17 **37.21 Lapse of appointments.** Notwithstanding ss. 37.13 (4) and (5), 37.15,
18 and 37.19 (2), the board may, with appropriate notice, terminate any appointment
19 when a financial emergency exists. No person may be employed at the university
20 within 2 years to perform reasonably comparable duties to those of the person whose
21 appointment was terminated without first offering such person a reappointment.
22 The board, after consultation with the faculty and chancellor, shall adopt procedures
23 to be followed in the event of termination under this section.

24 **37.23 Conflict of interest.** No member of the board, or other person
25 appointed or employed in any position in the university, may at any time act as an

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1 agent for any person or organization if the act would create a conflict of interest with
2 the terms of the person's service in the university. The board shall define conflicts
3 of interest and adopt policies related thereto.

4 **37.25 Special programs. (2) WISCONSIN RESIDENTS PREFERENCE IN HOUSING.**
5 Preference as to rooming, boarding, and apartment facilities in the use of living units
6 operated by the university shall, for the following school year, be given to students
7 who are residents of this state and who apply before March 15, unless a later date
8 is set by the board. Such preference shall be granted in accordance with categories
9 of priority established by the board. Leases or other agreements for occupancy of
10 such living units shall not exceed a term of one calendar year. The board may
11 establish requirements for the execution of this subsection.

12 **(3m) SOLID WASTE EXPERIMENT CENTERS.** (a) In this subsection, "solid waste
13 disposal" has the meaning given in s. 289.01 (34).

14 (b) The board may establish one or more solid waste experiment centers for the
15 purpose of developing, demonstrating, promoting, and assessing the costs and
16 environmental effects of alternatives to solid waste disposal. The board shall
17 determine the location of the solid waste experiment centers. In making the
18 determination, the board shall consider the solid waste disposal needs of the various
19 regions of the state. The board may establish, through cooperative agreements, solid
20 waste experiment centers at existing publicly owned or privately owned storage,
21 treatment, or disposal facilities.

22 (c) The board shall conduct research into alternatives to solid waste disposal,
23 including the reuse and recycling of materials, composting, source separation, and
24 the disposal of household hazardous wastes. The board shall also conduct research
25 into the safe disposal of solid waste that cannot be composted or recycled. Research

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1 conducted under this paragraph shall include technologies suitable for application
2 to waste streams of less than 50 tons of solid waste per day and shall consider the
3 environmental effects of the technologies being researched and measures that could
4 be taken to mitigate such effects. Research conducted under this paragraph shall be
5 designed for the benefit of all public and private entities responsible for the
6 collection, storage, transportation, treatment, or disposal of solid waste and all
7 persons who generate solid waste.

8 **(5) STATE EDUCATIONAL RADIO AND TELEVISION NETWORKS.** (a) Except as provided
9 in par. (b), the board may grant the educational communications board the part-time
10 use of equipment and space necessary for the operations of the state educational
11 radio and television networks pursuant to the affiliation agreement between the
12 educational communications board and the Board of Regents required under s. 36.25
13 (5).

14 **(9) CLEARING CUTOVER LANDS.** The board through the College of Agricultural
15 and Life Sciences may cause an investigation to be made of methods of clearing
16 cutover lands, perform experiments and demonstrations in conjunction therewith,
17 and provide related services to individual citizens at cost.

18 **(14) GRADUATE STUDENT FINANCIAL AID.** The board shall establish a grant
19 program for minority and disadvantaged graduate students enrolled in the
20 university. The grants shall be awarded from the appropriation under s. 20.280 (1)
21 (a). The board shall give preference in awarding grants under this subsection to
22 residents of this state. The board may not make a grant under this subsection to a
23 person whose name appears on the statewide support lien docket under s. 49.854 (2)
24 (b), unless the person provides to the board a payment agreement that has been

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1 approved by the county child support agency under s. 59.53 (5) and that is consistent
2 with rules promulgated under s. 49.858 (2) (a).

3 **(14m) MINORITY AND DISADVANTAGED PROGRAMS.** (a) The board shall allocate
4 funds under s. 20.280 (4) (a) to fund programs for recruiting minority and
5 disadvantaged students and to fund programs for minority and disadvantaged
6 students enrolled in the university.

7 (b) Annually by April 15, the board shall adopt a precollege, recruitment and
8 retention plan for minority and disadvantaged students enrolled in the university.

9 (c) Annually by April 15, the board shall submit a report to the governor and
10 to the chief clerk of each house of the legislature for distribution to the appropriate
11 standing committees under s. 13.172 (3). The report shall include all of the following:

12 1. The plan adopted under par. (b).

13 2. All financial aid distributed to students, categorized by ethnic group, class
14 level, and dependency status. The report shall include information on financial need,
15 percentage of need satisfied by loan, percentage of need satisfied by grant, and the
16 percentage remaining unsatisfied.

17 **(15) MILITARY INSTRUCTION.** The board may provide courses in military science
18 and tactics.

19 **(27) INTEGRATED AGRICULTURE PROGRAM.** The board shall establish an integrated
20 agriculture program.

21 **(28) SCHOOLS OF BUSINESS.** The board shall use the funds appropriated under
22 s. 20.280 (1) (a) to support improvements in master's level business programs. The
23 board may spend funds in that appropriation for this purpose only if it receives
24 matching funds for the same purpose from private contributions.

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1 **(46) MENINGOCOCCAL DISEASE AND HEPATITIS B.** (a) The board shall do all of the
2 following:

3 1. Annually, provide detailed information on the risks associated with
4 meningococcal disease and hepatitis B and the availability and effectiveness of
5 vaccines against the diseases to each enrolled student, if he or she is at least 18 years
6 old, or to the student's parent or guardian, if the student is a minor.

7 2. Require a student who resides in a dormitory or residence hall, or the
8 student's parent or guardian if the student is a minor, to affirm that the student
9 received the information under subd. 1.

10 3. Require a student who resides in a dormitory or residence hall to affirm
11 whether he or she has received the vaccination against meningococcal disease and
12 to provide the date of the vaccination, if any.

13 4. Require a student who resides in a dormitory or residence hall to affirm
14 whether he or she has received the vaccination against hepatitis B and to provide the
15 date of the vaccination, if any.

16 5. Maintain a confidential record of the affirmations and the dates of the
17 vaccinations of each student under subds. 3. and 4.

18 (b) Nothing in this subsection requires the board to provide or pay for
19 vaccinations against meningococcal disease or hepatitis B.

20 **37.27 Tuition and fees. (1) BOARD TO ESTABLISH.** (a) Subject to par. (b), the
21 board may establish for different classes of students differing tuition and fees
22 incidental to enrollment in educational programs or use of facilities in the university.
23 Except as otherwise provided in this section, the board may charge any student who
24 is not exempted by this section a nonresident tuition. The board may establish

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1 special rates of tuition and fees for summer sessions and such other studies or
2 courses of instruction as the board deems advisable.

3 (b) The board shall permit a person who is 60 years of age or older to audit a
4 course without paying an auditor's fee if the person is a resident of this state, as
5 determined under sub. (2) (e), space is available in the course, and the instructor
6 approves.

7 **(2) NONRESIDENT TUITION EXCEPTIONS.** (a) Students qualifying under any of the
8 following categories, while they continue to be residents of this state, are entitled to
9 exemption from nonresident tuition but not from incidental or other fees:

10 1. Any adult student who has been a bona fide resident of the state for 12
11 months next preceding the beginning of any semester or session for which such
12 student registers at the university.

13 2. Any minor student, if one or both of the student's parents have been bona fide
14 residents of this state for at least 12 months next preceding the beginning of any
15 semester or session for which the student registers at the university.

16 3. Any adult student who is a dependent of his or her parents under 26 USC
17 152 (a), if one or both of the student's parents have been bona fide residents of this
18 state for at least 12 months next preceding the beginning of any semester or session
19 for which the student registers at the university.

20 4. Any minor student who has resided substantially in this state during the
21 years of minority and at least 12 months next preceding the beginning of any
22 semester or session for which such student registers at the university.

23 5. Any minor student under guardianship in this state whose legal guardian
24 has been a bona fide resident of this state for at least 12 months next preceding the

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1 beginning of any semester or session for which such student registers at the
2 university.

3 6. Any adult student who has been employed as a migrant worker for at least
4 2 months each year for 3 of the 5 years next preceding the beginning of any semester
5 or session for which the student registers at the university, or for at least 3 months
6 each year for 2 of the 5 years next preceding the beginning of any semester or session
7 for which the student registers at the university, any adult student whose parent or
8 legal guardian has been so employed while the student was a minor and any minor
9 student whose parent or legal guardian has been so employed. In this subdivision,
10 “migrant worker” has the meaning specified in s. 103.90 (5).

11 (am) Any person who is a refugee, as defined under 8 USC 1101 (a) (42), who
12 moved to this state immediately upon arrival in the United States and who has
13 resided in this state continuously since then is entitled to the exemption under par.
14 (a) if he or she demonstrates an intent to establish and maintain a permanent home
15 in Wisconsin according to the criteria under par. (e).

16 (b) 1. Nonresident members of the armed forces and persons engaged in
17 alternative service who are stationed in this state on active duty and their spouses
18 and children are entitled to the exemption under par. (a) during the period that such
19 persons are stationed in this state.

20 2. Members of the armed forces who reside in this state and are stationed at
21 a federal military installation located within 90 miles of the borders of this state, and
22 their spouses and children, are entitled to the exemption under par. (a).

23 3. Nonresident persons who served in active duty in the U.S. armed forces for
24 at least 10 years, who were honorably discharged from such service within 4 years
25 before applying at the university, and who filed state income tax returns for at least

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1 8 of the last 10 years of active duty in the U.S. armed forces, and their spouses and
2 children are entitled to the exemption under par. (a).

3 4. A person who was a resident of this state at the time of entry into active duty,
4 who is a resident of and living in this state at the time of registering at the university,
5 and who is a veteran, as defined in s. 45.01 (12), is entitled to the exemption under
6 par. (a).

7 (c) Any student who is a graduate of a Wisconsin high school and whose parents
8 are bona fide residents of this state for 12 months next preceding the beginning of
9 any semester or session for which the student registers at the university or whose
10 last surviving parent was a bona fide resident of this state for the 12 months
11 preceding death is entitled to the exemption under par. (a).

12 (cm) Any person continuously employed full time in this state, who was
13 relocated to this state by his or her current employer or who moved to this state for
14 employment purposes and accepted his or her current employment before applying
15 for admission to the university and before moving, and the spouse and dependents
16 of any such person, are entitled to the exemption under par. (a) if the student
17 demonstrates an intent to establish and maintain a permanent home in Wisconsin
18 according to the criteria under par. (e). In this paragraph, “dependents” has the
19 meaning given in 26 USC 152 (a).

20 (d) Any person who has not been a bona fide resident of the state for 12 months
21 next preceding the beginning of any semester or session for which such person
22 registers at the university, except as provided in this subsection, is not exempt from
23 the payment of the nonresident tuition.

24 (e) In determining bona fide residence at the time of the beginning of any
25 semester or session and for the preceding 12 months the intent of the person to

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1 establish and maintain a permanent home in Wisconsin is determinative. In
2 addition to representations by the student, intent may be demonstrated or disproved
3 by factors including, but not limited to, timely filing of a Wisconsin income tax return
4 of a type that only full-year Wisconsin residents may file, voter registration in
5 Wisconsin, motor vehicle registration in Wisconsin, possession of a Wisconsin
6 operator's license, place of employment, self-support, involvement in community
7 activities in Wisconsin, physical presence in Wisconsin for at least 12 months
8 preceding the beginning of the semester or session for which the student registers,
9 and, if the student is not a U.S. citizen, possession of a visa that permits indefinite
10 residence in the United States. Notwithstanding par. (a), a student who enters and
11 remains in this state principally to obtain an education is presumed to continue to
12 reside outside this state and such presumption continues in effect until rebutted by
13 clear and convincing evidence of bona fide residence.

14 **(2m) APPEALS.** Any body designated by the board to determine nonresident
15 tuition exemptions under sub. (2) may require a student who has been granted such
16 an exemption to submit information from which the body may determine the
17 student's eligibility for the exemption, the student's eligibility for a different
18 exemption, or the student's residency status.

19 **(3) TUITION REMISSIONS.** (a) The board may remit nonresident tuition either in
20 whole or in part at the university, but not other fees:

21 1. To a number of needy and worthy nonresident students upon the basis of
22 merit, to be shown by suitable tests, examinations, or scholastic records and
23 continued high standards of scholastic attainment.

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1 2. To additional individual students who, in the judgment of the board, are
2 deserving of relief from the assessment of nonresident tuition because of
3 extraordinary circumstances.

4 (b) The board may remit nonresident tuition, in whole or in part, but no other
5 fees, except in special circumstances as approved by the chancellor, to worthy and
6 needy foreign students and to students who are United States citizens but whose
7 residence is not in the United States.

8 (c) In addition to the remissions of nonresident tuition under this subsection,
9 the board may, as athletic scholarships, grant full remission of fees and nonresident
10 tuition, up to the maximum number allowed by the appropriate athletic conference
11 as recommended by the chancellor.

12 (d) The board shall remit nonresident tuition and fees, in whole or part, to
13 resident and nonresident graduate students who are fellows or who are employed
14 within the university as faculty, instructional staff, or assistants with an
15 appointment equal to at least 33 percent of a full-time equivalent position.

16 **(3m)** FEE REMISSIONS FOR SURVIVORS. (a) In this subsection:

17 1. “Correctional officer” has the meaning given in s. 102.475 (8) (a).

18 1g. “Emergency medical services technician” means an individual under s.
19 256.01 (5) or (9).

20 1m. “Fire fighter” means any person employed by this state or any political
21 subdivision of this state as a member or officer of a fire department whose duties
22 include fire fighting or fire fighting training or a member of a volunteer fire
23 department whose duties include fire fighting or fire fighting training.

24 2. “Law enforcement officer” has the meaning given in s. 165.85 (2) (c) and
25 includes a person appointed as a conservation warden under s. 23.10.

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1 (b) The board shall grant full remission of fees to any resident undergraduate
2 student who is enrolled in a bachelor's degree program and who is any of the
3 following:

4 1. The child of an ambulance driver, correctional officer, fire fighter, emergency
5 medical services technician, or law enforcement officer who was killed in the line of
6 duty in this state or who qualified for a duty disability benefit, as defined in s. 40.65
7 (4), under the Wisconsin Retirement System, the Employees' Retirement System of
8 the city of Milwaukee, or the Milwaukee County Employee's Retirement System and
9 died as a result of the qualifying disability. The student must be the child of an
10 ambulance driver, correctional officer, fire fighter, emergency medical services
11 technician, or law enforcement officer who was so killed or who died as a result of the
12 qualifying disability when the child was under the age of 21 or before the child was
13 born.

14 2. The surviving spouse of an ambulance driver, correctional officer, fire fighter,
15 emergency medical services technician, or law enforcement officer who was killed in
16 the line of duty in this state or who qualified for a duty disability benefit, as defined
17 in s. 40.65 (4), under the Wisconsin Retirement System, the Employees' Retirement
18 System of the city of Milwaukee, or the Milwaukee County Employee's Retirement
19 System and died as a result of the qualifying disability.

20 (c) The fee remission under par. (b) shall remain in effect until completion of
21 a sufficient number of credits to be awarded a bachelor's degree in the student's
22 major field of study, except that a student must be in good academic standing to
23 receive the remission for the next semester and may not receive a remission for more
24 than 5 consecutive years.

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1 **(3n)** FEE REMISSION FOR SPOUSE, SURVIVING SPOUSE, AND CHILDREN OF CERTAIN
2 VETERANS. (a) In this subsection, “eligible veteran” means a person verified by the
3 department of veterans affairs to be either of the following:

4 1. A person who has served on active duty under honorable conditions in the
5 U.S. armed forces, in forces incorporated as part of the U.S. armed forces, in the
6 national guard, or in a reserve component of the U.S. armed forces; who was a
7 resident of this state at the time of entry into that service; and who, while a resident
8 of this state, died on active duty, died as the result of a service-connected disability,
9 or died in the line of duty while on active or inactive duty for training purposes.

10 2. A person who was a resident of this state at the time of entry into service
11 described in subd. 1. and who the U.S. department of veteran affairs has awarded
12 at least a 30 percent service-connected disability rating under 38 USC 1114 or 1134.

13 (b) Except as provided in subds. 1. to 3. and par. (bg), the board shall grant full
14 remission of academic fees and segregated fees for 128 credits or 8 semesters,
15 whichever is longer, less the number of credits or semesters for which the person
16 received remission of fees under ss. 36.27 (3n) (b) and 38.24 (7), but not less the
17 amount of any academic fees or segregated fees paid under 38 USC 3319, to any
18 resident student who is also any of the following:

19 1. A spouse of an eligible veteran. The remission under this subdivision applies
20 only during the first 10 years after the eligible veteran received the
21 service-connected disability rating.

22 2. Except as provided in subd. 2m., an unremarried surviving spouse of an
23 eligible veteran. The remission under this subdivision applies only during the first
24 10 years after the veteran died.

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1 2m. An unremarried surviving spouse of an eligible veteran who had a child
2 with the eligible veteran. The remission under this subdivision applies only until 10
3 years after the youngest child that the spouse had with the eligible veteran reaches
4 or would have reached 18 years of age, or during the first 10 years after the veteran
5 died, whichever is longer.

6 3. A child of an eligible veteran, if the child is at least 17 but not yet 26 years
7 of age.

8 (bg) Before the board grants a remission of academic fees and segregated fees
9 under par. (b), the board shall require the resident student to apply to the payment
10 of those fees all educational assistance to which the resident student is entitled
11 under 38 USC 3319. This requirement applies notwithstanding the fact that the
12 resident student may be entitled to educational assistance under 10 USC 16132a, 10
13 USC 16163a, or 38 USC 3500 to 3566 as well as under 38 USC 3319, unless the
14 resident student has 12 months or less of eligibility remaining for educational
15 assistance under 10 USC 16132a, 10 USC 16163a, or 38 USC 3500 to 3566.

16 (bm) 1. For a resident student who is entitled to educational assistance under
17 10 USC 16132a, 10 USC 16163a, or 38 USC 3500 to 3566 and under 38 USC 3319,
18 if the amount of educational assistance, not including educational assistance for
19 tuition, to which the resident student is entitled under 10 USC 16132a, 10 USC
20 16163a, or 38 USC 3500 to 3566 is greater than the amount of educational assistance,
21 not including educational assistance for tuition, that the resident student received
22 under 38 USC 3319, as determined by the higher educational aids board, in the
23 academic year the higher educational aids board shall reimburse the resident
24 student for the difference in those amounts of educational assistance, as calculated
25 by the higher educational aids board, from the appropriation account under s. 20.235

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1 (1) (fz). The higher educational aids board shall make that determination and
2 calculation in consultation with the board.

3 2. If in any fiscal year there are insufficient moneys available in the
4 appropriation account under s. 20.235 (1) (fz) to provide full reimbursement under
5 subd. 1. to all resident students who are eligible for that reimbursement, the higher
6 educational aids board and the board shall reimburse those resident students as
7 provided in s. 39.50 (4).

8 (c) The higher educational aids board shall reimburse the board for all
9 academic fees and segregated fees remitted under par. (b) as provided in s. 39.50 (1)
10 and (3m).

11 **(3p) FEE REMISSION FOR VETERANS.** (a) In this subsection, “veteran” means a
12 person who is verified by the department of veterans affairs as being a resident of
13 this state for purposes of receiving benefits under ch. 45, as being a resident at the
14 time of his or her entry into the U.S. armed forces or forces incorporated in the U.S.
15 armed forces, and as meeting any of the following conditions:

16 1. The person has served on active duty for at least one qualifying term of
17 service under subds. 2. to 4. under honorable conditions in the U.S. armed forces or
18 in forces incorporated as part of the U.S. armed forces during a war period or in a
19 crisis zone.

20 2. The person has served on active duty in the U.S. armed forces or in forces
21 incorporated in the U.S. armed forces under honorable conditions, for 2 continuous
22 years or more or for the full period of his or her initial service obligation, whichever
23 is less.

24 3. The person has served on active duty for 90 days or more under honorable
25 conditions in the U.S. armed forces or in forces incorporated in the U.S. armed forces

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1 during a war period or for any period of service under section 1 of executive order
2 10957 dated August 10, 1961.

3 4. The term of service in the U.S. armed forces or in forces incorporated as part
4 of the U.S. armed forces under honorable conditions entitled the person to receive the
5 Armed Forces Expeditionary Medal, established by executive order 10977 on
6 December 4, 1961, the Vietnam Service Medal established by executive order 11231
7 on July 8, 1965, the Navy Expeditionary Medal, the Marine Corps Expeditionary
8 Medal, or an equivalent expeditionary or service medal.

9 5. The person was honorably discharged from the U.S. armed forces or from
10 forces incorporated in the U.S. armed forces for a service-connected disability, for a
11 disability subsequently adjudicated to have been service connected, or for reasons of
12 hardship.

13 6. The person was released under honorable conditions from the U.S. armed
14 forces or from forces incorporated in the U.S. armed forces due to a reduction in the
15 U.S. armed forces.

16 (b) Except as provided in par. (bg), the board shall grant full remission of
17 nonresident tuition, academic fees, and segregated fees charged for 128 credits or 8
18 semesters, whichever is longer, less the number of credits or semesters for which the
19 person received remission of fees under ss. 36.27 (3p) (b) and 38.24 (8), but not less
20 the amount of any academic fees or segregated fees paid under 10 USC 2107 (c), 38
21 USC 3104 (a) (7) (A), or 38 USC 3313, to any student who is a veteran.

22 (bg) Before the board grants a remission of nonresident tuition, academic fees,
23 and segregated fees under par. (b), the board shall require the student to apply to the
24 payment of that tuition and those fees all educational assistance to which the student
25 is entitled under 38 USC 3313. This requirement applies notwithstanding the fact

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1 that the student may be entitled to educational assistance under 10 USC 16131 to
2 16137, 10 USC 16161 to 16166, or 38 USC 3001 to 3036 as well as under 38 USC 3313,
3 unless the student has 12 months or less of eligibility remaining for educational
4 assistance under 10 USC 16131 to 16137, 10 USC 16161 to 16166, or 38 USC 3001
5 to 3036.

6 (bm) 1. For a student who is entitled to educational assistance under 10 USC
7 16131 to 16137, 10 USC 16161 to 16166, or 38 USC 3001 to 3036 and under 38 USC
8 3313, if the amount of educational assistance, not including educational assistance
9 for tuition, to which the student is entitled under 10 USC 16131 to 16137, 10 USC
10 16161 to 16166, or 38 USC 3001 to 3036 is greater than the amount of educational
11 assistance, not including educational assistance for tuition, that the student
12 received under 38 USC 3313, as determined by the higher educational aids board,
13 in the academic year the higher educational aids board shall reimburse the student
14 for the difference in those amounts of educational assistance, as calculated by the
15 higher educational aids board, from the appropriation account under s. 20.235 (1)
16 (fz). The higher educational aids board shall make that determination and
17 calculation in consultation with the board.

18 2. If in any fiscal year there are insufficient moneys available in the
19 appropriation account under s. 20.235 (1) (fz) to provide full reimbursement under
20 subd. 1. to all students who are eligible for that reimbursement, the higher
21 educational aids board and the board shall reimburse those students as provided in
22 s. 39.50 (4).

23 (c) The higher educational aids board shall reimburse the board for all
24 nonresident tuition, academic fees, and segregated fees remitted under par. (b) as
25 provided in s. 39.50 (1) and (3m).

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1 **(3r)** FEE REMISSIONS FOR FUNERAL ASSISTANTS. The board shall grant a \$25
2 remission of nonresident tuition or academic fees to any student enrolled in the
3 university as an undergraduate for each valid voucher issued to the student under
4 s. 45.60 (3).

5 **(4)** APPLICABILITY. Subsections (1) (b) and (2) to (3r) do not apply beginning on
6 the date on which the board adopts a resolution to that effect or on July 1, 2013,
7 whichever occurs sooner.

8 **37.29 Gifts. (1)** All gifts, grants, and bequests for the benefit or advantage
9 of the university or any of its departments or facilities or to provide any means of
10 instruction, illustration, or knowledge in connection therewith, whether made to
11 trustees or otherwise, shall be valid notwithstanding any other provision of this
12 chapter except as otherwise provided in this subsection and shall be executed and
13 enforced according to the provisions of the instrument making the same, including
14 all provisions and directions in any such instrument for accumulation of the income
15 of any fund or rents and profits of any real estate without being subject to the
16 limitations and restrictions provided by law in other cases. No investment of the
17 funds of such gifts, grants, or bequests shall knowingly be made in any company,
18 corporation, subsidiary, or affiliate that practices or condones through its actions
19 discrimination on the basis of race, religion, color, creed, sex, national origin,
20 disability, ancestry, age, sexual orientation, pregnancy, marital status, or parental
21 status. This subsection does not apply to a gift, grant, or bequest that the board
22 declines to accept or that the board is not authorized to accept under this section.

23 **(2)** All gifts, grants, or bequests under sub. (1) may be made to the board, the
24 chancellor, or any officer, or to any person as trustee, or may be charged upon any
25 personal representative, trustee, heir, devisee, or legatee, or made in any other

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1 manner indicating an intention to create a trust, and may be made as well for the
2 benefit of the university or any of its schools, colleges, departments, or facilities to
3 provide any means of instruction, illustration, or knowledge in connection therewith,
4 or for the benefit of any students or any class or group of students whether by way
5 of scholarship, fellowship, or otherwise, or whether for the benefit of students or any
6 class or group of students in any course, subcourse, special course, postgraduate
7 course, summer school or teachers course, oratorical or debating course, laboratory,
8 shop, lectureship, drill, gymnasium or any other like division or department of study,
9 experiment, research, observation, travel, or mental or physical improvement in any
10 manner connected with the university, or to provide for the voluntary retirement of
11 any of the faculty.

12 **(3)** It shall not be necessary for a gift, grant, devise, or bequest to exactly or
13 particularly describe the members of a class or group of students intended to be the
14 beneficiaries, but it shall be sufficient to describe the class or group. In such case,
15 the board shall divide, graduate, or otherwise categorize the students into such
16 classes or groups as are necessary to select and determine those students belonging
17 to the class or group intended.

18 **(4)** Any grant, contract, gift, endowment, trust, or segregated funds
19 bequeathed or assigned to the university or its component parts for any purpose
20 whatsoever shall not be commingled or reassigned.

21 **(5)** Notwithstanding sub. (4), the board may transfer any grant, contract, gift,
22 endowment, or trust or segregated funds bequeathed or assigned to the university
23 to the University of Wisconsin Foundation, Inc., if the transfer is consistent with its
24 terms.

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1 **37.30 Sick leave.** Leave of absence with pay for university employees, owing
2 to sickness, shall be regulated by board policy, except that unused sick leave shall
3 accumulate from year to year.

4 **37.32 Student identification numbers.** The university may assign to each
5 enrolled student a unique identification number. The university shall not assign to
6 any student an identification number that is identical to or incorporates the
7 student's social security number. This section does not prohibit the university from
8 requiring a student to disclose his or her social security number, nor from using a
9 student's social security number if such use is required by a federal or state agency
10 or private organization in order for the university or the student to participate in a
11 particular program.

12 **37.335 Sale of other land; buildings and structures.** If there is any
13 outstanding public debt used to finance the acquisition, construction, or
14 improvement of any real property that is sold, the board shall deposit a sufficient
15 amount of the net proceeds from the sale of the property in the bond security and
16 redemption fund under s. 18.09 to repay the principal and pay the interest on the
17 debt, and any premium due upon refunding any of the debt. If the property was
18 acquired, constructed, or improved with federal financial assistance, the board shall
19 pay to the federal government any of the net proceeds required by federal law. If the
20 property was acquired by gift or grant or acquired with gift or grant funds, the board
21 shall adhere to any restriction governing use of the proceeds.

22 **37.34 Minority student programs. (1)** In this subsection, "minority
23 undergraduate" means an undergraduate student who is any of the following:

24 (a) A Black American.

25 (b) An American Indian.

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1 (c) A Hispanic, as defined in s. 490.04 (1) (d).

2 (d) A person who is admitted to the United States after December 31, 1975, and
3 who either is a former citizen of Laos, Vietnam, or Cambodia or whose ancestor was
4 or is a citizen of Laos, Vietnam, or Cambodia.

5 (2) The board shall establish a grant program for minority undergraduates
6 enrolled in the university. The board shall designate all grants under this subsection
7 as Lawton grants. The board may not make a grant under this subsection to a person
8 whose name appears on the statewide support lien docket under s. 49.854 (2) (b),
9 unless the person provides to the board a payment agreement that has been
10 approved by the county child support agency under s. 59.53 (5) and that is consistent
11 with rules promulgated under s. 49.858 (2) (a).

12 **37.35 Misconduct; campus security. (1) POWER TO SUSPEND AND EXPEL.** The
13 board may delegate the power to suspend or expel students for misconduct or other
14 cause prescribed by the board. The board shall adopt policies governing student
15 conduct and procedures for the administration of violations.

16 (2) **AUTHORITY TO RESTRICT PRESENCE OF PERSONS ON CAMPUS.** The chancellor or
17 the university's chief security officer during a period of immediate danger or
18 disruption may designate periods of time during which the campus and designated
19 buildings and facilities connected therewith are off limits to all persons who are not
20 faculty, staff, employees, students, or other personnel authorized by the above named
21 officials. Any person violating such an order shall be subject to the penalties
22 provided by law for criminal trespass.

23 (3) **REQUIRING PERMISSION FOR PRESENCE ON CAMPUS.** Any person who is convicted
24 of any crime involving danger to property or persons as a result of conduct by that
25 person that obstructs or seriously impairs activities run or authorized by the

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1 university and who, as a result of such conduct, is in a state of suspension or
2 expulsion from the university, and who enters university property without
3 permission of the chancellor or the chancellor's designee within 2 years, may for each
4 such offense be fined not more than \$500 or imprisoned for not more than 6 months
5 or both.

6 **37.40 Use of animals for research purposes.** The board shall adopt criteria
7 for researchers to follow regarding humane treatment of animals for scientific
8 research purposes.

9 **37.43 Accommodation of religious beliefs.** The board shall adopt rules
10 providing for the reasonable accommodation of a student's sincerely held religious
11 beliefs with regard to all examinations and other academic requirements. The rules
12 shall include all of the following:

13 (1) Written and timely notification of all students and instructors of the rules
14 and complaint process.

15 (2) A means by which a student can conveniently and confidentially notify an
16 instructor of potential conflicts.

17 (3) A means by which a student is permitted to make up an examination or
18 academic requirement at another time or by an alternative means without any
19 prejudicial effect.

20 (4) A procedure for handling and resolving complaints.

21 **37.44 License plate scholarship program.** (1) The board shall establish
22 a scholarship program funded by the fees collected under s. 341.14 (6r) (b) 4. for the
23 university. The scholarships shall be awarded by the chancellor according to criteria
24 developed by the chancellor.

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1 **37.48 Alcohol and other drug abuse prevention and intervention**
2 **programs.** The board shall appoint alcohol and other drug abuse prevention and
3 intervention program counselors for the university. The counselors shall develop
4 alcohol and other drug abuse prevention and intervention programs and train
5 faculty, academic staff, and classified staff in the prevention of and early
6 intervention in alcohol and other drug abuse.

7 **37.51 Nutritional improvement for elderly. (1)** In this section,
8 “authorized elderly person” means any resident of this state who is 60 years of age
9 or older, and the spouse of any such person.

10 **(2)** The board may establish a system to provide the opportunity for authorized
11 elderly persons to participate in its meal program. If the board establishes such a
12 service, it shall develop a plan and annually notify the department of public
13 instruction of the plan.

14 **(3)** The plan shall provide at least one meal per day for each day that school
15 is in regular session. The board may provide additional service at other times in its
16 discretion, if the number of eligible persons in the area is of sufficient size, in the
17 opinion of the board, so that unwarranted production expense is not incurred.

18 **(4)** If the board operates a food services plan for elderly persons under this
19 section, it shall make facilities available for service to elderly persons at every facility
20 that provides hot food service to its students unless there is reason not to do so due
21 to concerns regarding safety, convenience, or insufficient interest in a given
22 neighborhood.

23 **(5)** Meals may be served at schools where they are served to students or at any
24 site more convenient to the majority of authorized elderly persons interested in the
25 service. Food may be transported to authorized elderly persons who are unable to

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1 leave their homes or distributed to nonprofit organizations for such purposes.
2 However, no state funds under this section may be used for food delivery to individual
3 homes.

4 **(6)** The board may file a claim with the department of public instruction for
5 reimbursement for reasonable expenses incurred, excluding capital equipment
6 costs, but not to exceed 15 percent of the cost of the meal or 50 cents per meal,
7 whichever is less. Any cost in excess of the lesser amount may be charged to
8 participants. If the department of public instruction approves the claim, it shall
9 certify that payment is due and the secretary of administration shall pay the claim
10 from the appropriation under s. 20.255 (2) (cn).

11 **(7)** All meals served must meet the approval of the board, which shall establish
12 minimum nutritional standards and reasonable expenditure limits consistent with
13 the standards and limits established by the state superintendent of public
14 instruction under s. 115.345 (6). The board shall give special consideration to the
15 dietary problems of elderly persons in formulating a nutritional plan. However, the
16 board is not required to provide special foods for individual persons with allergies or
17 medical disorders.

18 **(8)** Participants in a program under this section may be required to document
19 their Wisconsin residency in a manner approved by the board. The board may issue
20 identification cards to such persons if necessary. The board may admit nonresidents
21 who would otherwise qualify into its program, but no state funds under this section
22 may be used to subsidize any portion of the meals served to such persons.

23 **(9)** The board shall adopt reasonable policies necessary to implement this
24 section.

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1 **37.53 Tuition gift certificates.** The board may establish a gift certificate
2 program for the payment of nonresident tuition and academic fees. The program
3 shall include all of the following components:

4 **(1)** The individual named in a gift certificate may use the gift certificate to pay
5 all or a portion of his or her nonresident tuition or academic fees, or for a
6 study–abroad program, at the university.

7 **(2)** A gift certificate is not transferable, except to a parent, child, spouse, or
8 sibling of the named individual in sub. (1).

9 **(3)** A gift certificate does not expire.

10 **37.60 Physician loan assistance program. (1) DEFINITIONS.** In this section:

11 (ac) “Clinic hours” means hours spent working with patients in a clinic.

12 (d) “Rural area” has the meaning given in s. 37.63 (1) (c).

13 **(2) ELIGIBILITY.** (a) 1. Except as provided in subd. 2., the board may repay, on
14 behalf of a physician, up to \$50,000 in educational loans obtained by the physician
15 from a public or private lending institution for education in an accredited school of
16 medicine or for postgraduate medical training.

17 (b) A physician who is a participant in the national health service corps
18 scholarship program under 42 USC 254n, or a physician who was a participant in
19 that program and who failed to carry out his or her obligations under that program,
20 is not eligible for loan repayment under this section.

21 **(3) AGREEMENT.** (b) The agreement shall specify that the responsibility of the
22 board to make the payments under the agreement is subject to the availability of
23 funds in the appropriations under s. 20.280 (1) (ks) and (qj) or collected as
24 contributions under sub. (6) or as penalties under sub. (6m) (b).

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1 **(4) LOAN REPAYMENT.** Except as provided in sub. (4m), principal and interest due
2 on loans, exclusive of any penalties, may be repaid by the board at the following rate:

3 (a) Up to 40 percent of the principal of the loan or \$20,000, whichever is less,
4 during the first year of participation in the program under this section.

5 (b) Up to an additional 40 percent of the principal of the loan or \$20,000,
6 whichever is less, during the 2nd year of participation in the program under this
7 section.

8 (c) Up to an additional 20 percent of the principal of the loan or \$10,000,
9 whichever is less, during the 3rd year of participation in the program under this
10 section.

11 **(5) AVAILABILITY OF FUNDS; RIGHT OF ACTION AGAINST STATE.** (a) The obligation of
12 the board to make payments under an agreement entered into under sub. (3) (b) is
13 subject to the availability of funds in the appropriations under s. 20.280 (1) (ks) and
14 (qj) or collected as contributions under sub. (6) or as penalties under sub. (6m) (b).

15 (b) If the cost of repaying the loans of all eligible applicants, when added to the
16 cost of loan repayments scheduled under existing agreements, exceeds the total
17 amount in the appropriations under s. 20.280 (1) (ks) and (qj) or collected as
18 contributions under sub. (6) or as penalties under sub. (6m) (b), the board shall
19 establish priorities among the eligible applicants based upon the following
20 considerations:

21 1. The degree to which there is an extremely high need for medical care in the
22 eligible practice area, health professional shortage area, or rural area in which a
23 physician desires to practice.

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1 2. The likelihood that a physician will remain in the eligible practice area,
2 health professional shortage area, or rural area in which he or she desires to practice
3 after the loan repayment period.

4 3. The per capita income of the eligible practice area, health professional
5 shortage area, or rural area in which a physician desires to practice.

6 4. The financial or other support for physician recruitment and retention
7 provided by individuals, organizations, or local governments in the eligible practice
8 area, health professional shortage area, or rural area in which a physician desires
9 to practice.

10 5. The geographic distribution of the physicians who have entered into loan
11 repayment agreements under this section and the geographic distribution of the
12 eligible practice areas, health professional shortage areas, and rural areas in which
13 the eligible applicants desire to practice.

14 6. Other considerations that the board may specify.

15 (d) An agreement under sub. (3) does not create a right of action against the
16 state, university, or other instrumentalities of the state on the part of the physician
17 or lending institution for failure to make the payments specified in the agreement.

18 **(6)** LOCAL PARTICIPATION. The board shall encourage contributions to the
19 program under this section by counties, cities, villages, and towns.

20 **(6m)** PENALTIES. (a) The board shall establish requirements for penalties to
21 be assessed by the board against physicians who breach agreements entered into
22 under sub. (3). The requirements shall do all of the following:

23 1. Specify what actions constitute a breach of the agreement.

24 2. Provide specific penalty amounts for specific breaches.

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1 3. Provide exceptions for certain actions, including breaches resulting from
2 death or disability.

3 (b) The board shall use any penalties assessed and collected under this
4 subsection for the program under this section.

5 **(8) ADMINISTRATION.** The board shall do all of the following:

6 (b) Identify eligible practice areas and rural areas with an extremely high need
7 for medical care.

8 (d) Publicize the program under this section to physicians and eligible
9 communities.

10 (e) Assist physicians who are interested in applying for the program under this
11 section.

12 (f) Assist communities in obtaining physicians' services through the program
13 under this section.

14 (g) Make recommendations to the governor on all of the following:

15 1. Ways to improve the delivery of health care to persons living in rural areas
16 of the state that constitute shortage areas.

17 2. Ways to help communities evaluate and utilize the linkage between rural
18 health facilities and economic development.

19 3. Coordination of state and federal programs available to assist rural health
20 care service delivery.

21 4. Strengthening coordination and maintenance of rural services and the
22 delivery system.

23 5. Development of mechanisms to reduce shortages of health care providers in
24 rural areas.

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1 (h) Notwithstanding subs. (3) (b) and (5) (a) and (b), ensure that moneys
2 appropriated under s. 20.280 (1) (qj) are used under this section only to repay loans
3 on behalf of physicians who agree to practice in a rural area.

4 **(9) EXPANDED LOAN ASSISTANCE PROGRAM.** The board may agree to repay loans
5 as provided under this section on behalf of a physician under an expanded physician
6 loan assistance program that is funded through federal funds in addition to state
7 matching funds. To be eligible for loan repayment under the expanded physician
8 loan assistance program, a physician must fulfill all of the requirements for loan
9 repayment under this section, as well as all of the following:

10 (a) The physician must be a U.S. citizen.

11 (b) The physician may not have a judgment lien against his or her property for
12 a debt to the United States.

13 (c) The physician must agree to do all of the following:

14 1. Accept medicare assignment as payment in full for services or articles
15 provided.

16 2. Use a sliding fee scale or a comparable method of determining payment
17 arrangements for patients who are not eligible for medicare or medical assistance
18 and who are unable to pay the customary fee for the physician's services.

19 3. Practice at a public or private nonprofit entity in a health professional
20 shortage area.

21 **37.61 Health care provider loan assistance program. (1) DEFINITIONS.**

22 In this section:

23 (ac) "Clinic hours" has the meaning given in s. 37.60 (1) (ac).

24 (ad) "Council" means the rural health development council.

25 (e) "Rural area" has the meaning given in s. 37.63 (1) (c).

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1 **(2) ELIGIBILITY.** The board may repay, on behalf of a health care provider, up
2 to \$25,000 in educational loans obtained by the health care provider from a public
3 or private lending institution for education related to the health care provider's field
4 of practice, as determined by the board with the advice of the council.

5 **(3) AGREEMENT.** (a) The board shall enter into a written agreement with the
6 health care provider. In the agreement, the health care provider shall agree to
7 practice at least 32 clinic hours per week for 3 years in one or more eligible practice
8 areas in this state or in a rural area, except that a health care provider in the
9 expanded loan assistance program under sub. (8) may only agree to practice at a
10 public or private nonprofit entity in a health professional shortage area.

11 (b) The agreement shall specify that the responsibility of the board to make the
12 payments under the agreement is subject to the availability of funds in the
13 appropriations under s. 20.280 (1) (ks) and (qj) or collected as contributions under
14 sub. (6) or as penalties under sub. (6m) (b).

15 **(4) LOAN REPAYMENT.** Principal and interest due on loans, exclusive of any
16 penalties, may be repaid by the board at the following rate:

17 (a) Up to 40 percent of the principal of the loan or \$10,000, whichever is less,
18 during the first year of participation in the program under this section.

19 (b) Up to an additional 40 percent of the principal of the loan or \$10,000,
20 whichever is less, during the 2nd year of participation in the program under this
21 section.

22 (c) Up to an additional 20 percent of the principal of the loan or \$5,000,
23 whichever is less, during the 3rd year of participation in the program under this
24 section.

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1 **(5) AVAILABILITY OF FUNDS; RIGHT OF ACTION AGAINST STATE.** (a) The obligation of
2 the board to make payments under an agreement entered into under sub. (3) is
3 subject to the availability of funds in the appropriations under s. 20.280 (1) (ks) and
4 (qj) or collected as contributions under sub. (6) or as penalties under sub. (6m) (b).

5 (b) If the cost of repaying the loans of all eligible applicants, when added to the
6 cost of loan repayments scheduled under existing agreements, exceeds the total
7 amount in the appropriations under s. 20.280 (1) (ks) and (qj) or collected as
8 contributions under sub. (6) or as penalties under sub. (6m) (b), the board shall
9 establish priorities among the eligible applicants based upon the following
10 considerations:

11 1. The degree to which there is an extremely high need for medical care in the
12 eligible practice area, health professional shortage area, or rural area in which an
13 eligible applicant desires to practice.

14 2. The likelihood that an eligible applicant will remain in the eligible practice
15 area, health professional shortage area, or rural area in which he or she desires to
16 practice after the loan repayment period.

17 3. The per capita income of the eligible practice area, health professional
18 shortage area, or rural area in which an eligible applicant desires to practice.

19 4. The financial or other support for health care provider recruitment and
20 retention provided by individuals, organizations, or local governments in the eligible
21 practice area, health professional shortage area, or rural area in which an eligible
22 applicant desires to practice.

23 5. The geographic distribution of the health care providers who have entered
24 into loan repayment agreements under this section and the geographic location of

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1 the eligible practice area, health professional shortage area, or rural area in which
2 an eligible applicant desires to practice.

3 6. Other considerations that the board may specify.

4 (c) An agreement under sub. (3) does not create a right of action against the
5 state, the university, or other instrumentalities of the state on the part of the health
6 care provider or the lending institution for failure to make the payments specified
7 in the agreement.

8 **(6)** LOCAL PARTICIPATION. The board shall encourage contributions to the
9 program under this section by counties, cities, villages, and towns.

10 **(6m)** PENALTIES. (a) The board shall establish requirements for penalties to
11 be assessed by the board against health care providers who breach an agreement
12 entered into under sub. (3) (a). The requirements shall do all of the following:

13 1. Specify what actions constitute a breach of the agreement.

14 2. Provide specific penalty amounts for specific breaches.

15 3. Provide exceptions for certain actions, including breaches resulting from
16 death or disability.

17 (b) The board shall use any penalties assessed and collected under this
18 subsection for the program under this section.

19 **(7)** ADMINISTRATION. The board shall do all of the following:

20 (a) Identify communities with an extremely high need for health care.

21 (b) Publicize the program under this section to health care providers and
22 eligible communities.

23 (c) Assist health care providers who are interested in applying for the program
24 under this section.

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1 (d) Assist communities in obtaining the services of health care providers
2 through the program under this section.

3 (e) Notwithstanding subs. (3) (b) and (5) (a) and (b), ensure that moneys
4 appropriated under s. 20.280 (1) (qj) are used under this section only to repay loans
5 on behalf of health care providers who agree to practice in a rural area.

6 **(8) EXPANDED LOAN ASSISTANCE PROGRAM.** The board may agree to repay loans
7 as provided under this section on behalf of a health care provider under an expanded
8 health care provider loan assistance program that is funded through federal funds
9 in addition to state matching funds. To be eligible for loan repayment under the
10 expanded health care provider loan assistance program, a health care provider must
11 fulfill all of the requirements for loan repayment under this section, as well as all of
12 the following:

13 (a) The health care provider must be a U.S. citizen.

14 (b) The health care provider may not have a judgment lien against his or her
15 property for a debt to the United States.

16 (c) The health care provider must agree to do all of the following:

17 1. Accept medicare assignment as payment in full for services or articles
18 provided.

19 2. Use a sliding fee scale or a comparable method of determining payment
20 arrangements for patients who are not eligible for medicare or medical assistance
21 and who are unable to pay the customary fee for the health care provider's services.

22 3. Practice at a public or private nonprofit entity in a health professional
23 shortage area.

24 **37.62 Rural health development council.** The rural health development
25 council created under s. 15.917 (1) shall do all of the following:

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1 **(1)** Advise the board on matters related to the physician loan assistance
2 program under s. 37.60 and the health care provider loan assistance program under
3 s. 37.61.

4 **(2)** Advise the board on the amount, up to \$25,000, to be repaid on behalf of each
5 health care provider who participates in the health care provider loan assistance
6 program under s. 37.61.

7 **SECTION 1088.** 38.04 (1m) (b) (intro.) of the statutes is amended to read:

8 38.04 **(1m)** (b) (intro.) The board, in consultation with the ~~department of~~
9 ~~commerce~~ Wisconsin Economic Development Corporation, shall do all of the
10 following for each economic development program administered by the board:

11 **SECTION 1089.** 38.04 (4) (a) of the statutes is amended to read:

12 38.04 **(4)** (a) ~~Except as provided in par. (ag), the~~ The qualifications of
13 educational personnel and the courses of study for each program offered in district
14 schools shall be approved by the board. The board may charge the districts for the
15 full costs associated with certification of educational personnel. Such certification
16 expenses shall not be included in the district aidable cost.

17 **SECTION 1090.** 38.04 (4) (ag) of the statutes is repealed.

18 **SECTION 1091.** 38.04 (8) (a) of the statutes is amended to read:

19 38.04 **(8)** (a) In this subsection, “minority group member” has the meaning
20 given in s. ~~560.036~~ 490.04 (1) (f).

21 **SECTION 1092.** 38.04 (10m) (title) of the statutes is amended to read:

22 38.04 **(10m)** (title) ECONOMIC DEVELOPMENT ASSISTANCE COORDINATION AND
23 REPORTING.

24 **SECTION 1093.** 38.04 (10m) of the statutes is renumbered 38.04 (10m) (b) and
25 amended to read:

ASSEMBLY BILL 40**SECTION 1093**

1 38.04 (10m) (b) Annually, no later than October 1, the board shall submit to
2 the joint legislative audit committee and to the appropriate standing committees of
3 the legislature under s. 13.172 (3) a comprehensive report assessing economic
4 development programs, as defined in sub. (1m) (a), administered by the board. The
5 report shall include all of the information required under s. ~~560.01 (2) (am)~~ 238.07
6 (2). The board shall collaborate with the ~~department of commerce~~ Wisconsin
7 Economic Development Corporation to make readily accessible to the public on an
8 Internet-based system the information required under this subsection.

9 **SECTION 1094.** 38.04 (10m) (a) of the statutes is created to read:

10 38.04 (10m) (a) The board shall coordinate any economic development
11 assistance with the Wisconsin Economic Development Corporation.

12 **SECTION 1095.** 38.16 (3) of the statutes is created to read:

13 38.16 (3) (a) In this subsection:

14 1. “Department” means the department of revenue.

15 2. “Excess levy” means the amount by which a district board’s tax levy exceeds
16 the limit under par. (b).

17 3. “Tax levy” excludes taxes levied for the purpose of paying principal and
18 interest on valid bonds and notes.

19 (b) Notwithstanding sub. (1), a district board’s tax levy in 2011 and in 2012 may
20 not exceed the district board’s tax levy in 2010.

21 (c) Except as provided in par. (d), if the board determines that a district board
22 imposed an excess levy in 2011 or 2012, the board shall do all of the following:

23 1. Reduce the amount of state aid payments to the district board in the school
24 year in which the district board imposed the excess levy by an amount equal to the
25 amount of the excess levy.

ASSEMBLY BILL 40**SECTION 1095**

1 2. Ensure that the amount of any reductions in state aid under subd. 1. lapses
2 to the general fund.

3 3. Ensure that the amount of the excess levy is not included in determining the
4 limit described under par. (b) for the district board for the following year.

5 4. Ensure that, if a district board's excess levy exceeds the amount of state aid
6 that may be reduced under subd. 1., the excess amount is subtracted from state aid
7 payments in the following years until the total amount of the excess levy is
8 subtracted from the state aid payments.

9 (d) The department may issue a finding that a district board is not liable for
10 a penalty that would otherwise be imposed under par. (c) if the department
11 determines that the district board's excess levy is caused by one of the following
12 clerical errors:

13 1. The department, through mistake or inadvertence, has assessed to any
14 county or taxation district, in the current year or in the previous year, a greater or
15 lesser valuation for any year than should have been assessed, causing the district
16 board's levy to be erroneous in a way that directly causes an excess levy.

17 2. A taxation district clerk or a county clerk, through mistake or inadvertence
18 in preparing or delivering the tax roll, causes a district board's levy to be erroneous
19 in a way that directly causes an excess levy.

20 **SECTION 1096.** 38.22 (6) (e) of the statutes is repealed.

21 **SECTION 1097.** 38.23 (4) of the statutes is amended to read:

22 38.23 (4) Nothing in this section or s. 36.12 or 37.12 prevents institutions from
23 segregating students in dormitories based on sex.

24 **SECTION 1098.** 38.24 (7) (b) (intro.) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1098**

1 38.24 (7) (b) (intro.) Except as provided in subds. 1. to 3. and par. (bg), the
2 district board shall grant full remission of fees under sub. (1m) (a) to (c) for 128
3 credits or 8 semesters, whichever is longer, less the number of credits or semesters
4 for which the person received remission of fees from any other district board under
5 this subsection and from the Board of Regents under s. 36.27 (3n) (b) ~~and, but not less~~
6 the amount of any fees paid under 38 USC 3319, to any resident student who is also
7 any of the following:

8 **SECTION 1099.** 38.24 (7) (b) (intro.) of the statutes, as affected by 2011
9 Wisconsin Act (this act), is amended to read:

10 38.24 (7) (b) (intro.) Except as provided in subds. 1. to 3. and par. (bg), the
11 district board shall grant full remission of fees under sub. (1m) (a) to (c) for 128
12 credits or 8 semesters, whichever is longer, less the number of credits or semesters
13 for which the person received remission of fees from any other district board under
14 this subsection ~~and~~, from the Board of Regents under s. 36.27 (3n) (b), and from the
15 Board of Trustees under s. 37.27 (3n) (b), but not less the amount of any fees paid
16 under 38 USC 3319, to any resident student who is also any of the following:

17 **SECTION 1100.** 38.24 (8) (b) of the statutes is amended to read:

18 38.24 (8) (b) Except as provided in par. (bg), the district board shall grant full
19 remission of the fees charged under sub. (1m) (a) to (c) for 128 credits or 8 semesters,
20 whichever is longer, less the number of credits or semesters for which the person
21 received remission of fees from any other district board under this subsection and
22 from the Board of Regents under s. 36.27 (3p) ~~and, but not less~~ the amount of any fees
23 paid under 10 USC 2107 (c), 38 USC 3104 (a) (7) (A), or 38 USC 3313, to any student
24 who is a veteran.

ASSEMBLY BILL 40**SECTION 1101**

1 **SECTION 1101.** 38.24 (8) (b) of the statutes, as affected by 2011 Wisconsin Act
2 (this act), is amended to read:

3 38.24 **(8)** (b) Except as provided in par. (bg), the district board shall grant full
4 remission of the fees charged under sub. (1m) (a) to (c) for 128 credits or 8 semesters,
5 whichever is longer, less the number of credits or semesters for which the person
6 received remission of fees from any other district board under this subsection and
7 from the Board of Regents under s. 36.27 (3p), and from the Board of Trustees under
8 s. 37.27 (3p), but not less the amount of any fees paid under 10 USC 2107 (c), 38 USC
9 3104 (a) (7) (A), or 38 USC 3313, to any student who is a veteran.

10 **SECTION 1102.** 38.26 (1) of the statutes is amended to read:

11 38.26 **(1)** In this section, “minority student” means a student enrolled in a
12 district school who is a minority group member, as defined in s. 560.036 490.04 (1)
13 (f).

14 **SECTION 1103.** 38.28 (1m) (a) 2. of the statutes is amended to read:

15 38.28 **(1m)** (a) 2. “District aidable cost” for any district that does not have an
16 institution ~~or~~, college campus, or university located in the district does not include
17 costs associated with the collegiate transfer program at the district school. In this
18 subdivision, “institution” and “college campus” have the meanings specified under
19 s. 36.05 and “university” has the meaning given in s. 37.01 (9).

20 **SECTION 1104.** 38.28 (4) of the statutes is amended to read:

21 38.28 **(4)** From the appropriation under s. 20.292 (1) (dm), the board shall
22 annually pay to any district that does not have an institution ~~or~~, college campus, or
23 university located within the district an amount equal to that portion of the
24 instructional costs of the district’s collegiate transfer program not supported by fees
25 and tuition that is equal to the state support of similar programs in the University

ASSEMBLY BILL 40**SECTION 1104**

1 of Wisconsin System, as determined by the board. In this subsection, “institution”
2 and “college campus” have the meanings specified under s. 36.05 and “university”
3 has the meaning given in s. 37.01 (9).

4 **SECTION 1105.** 38.40 (4m) (a) of the statutes is amended to read:

5 38.40 (4m) (a) The board may approve an innovative school-to-work program
6 provided by a nonprofit organization for children at risk, as defined in s. 118.153(1)
7 (a) 115.001 (1m), in a county having a population of 500,000 or more to assist those
8 children at risk in acquiring employability skills and occupational-specific
9 competencies before leaving high school. If the board approves a program under this
10 paragraph, the board may award a grant, from the appropriation under s. 20.292 (1)
11 (ef), to the nonprofit organization providing the program and the nonprofit
12 organization shall use the funds received under the grant to provide the program.

13 **SECTION 1106.** 39.16 (1) of the statutes is amended to read:

14 39.16 (1) There is created a medical education review committee consisting of
15 9 members as follows. Seven members shall be appointed by the governor for
16 staggered 5-year terms, and shall be selected from citizens with broad knowledge of
17 medical education who are currently not associated with either of the medical schools
18 of this state. The remaining members of the committee shall be the president
19 chancellor of the University of ~~Wisconsin System~~ Wisconsin-Madison or a designee,
20 and the president of the Medical College of Wisconsin, Inc. or a designee.

21 **SECTION 1107.** 39.16 (2) (a) of the statutes is amended to read:

22 39.16 (2) (a) Stimulate the development of cooperative programs by the
23 Medical College of Wisconsin, Inc. and the University of ~~Wisconsin-Madison~~ Medical
24 Wisconsin School of Medicine and Public Health, and advise the governor and
25 legislature on the viability of such cooperative arrangements.

ASSEMBLY BILL 40**SECTION 1108**

1 **SECTION 1108.** 39.30 (1) (e) of the statutes is amended to read:

2 39.30 (1) (e) “Resident student” shall be determined under s. 36.27 or 37.27, so
3 far as applicable.

4 **SECTION 1109.** 39.30 (3) (a) of the statutes is amended to read:

5 39.30 (3) (a) From the total tuition charged the student by the institution,
6 subtract the amount of the resident academic fee charged at ~~the Madison campus of~~
7 the University of Wisconsin System Wisconsin–Madison.

8 **SECTION 1110.** 39.32 (1) (b) of the statutes is amended to read:

9 39.32 (1) (b) “Resident student” shall be determined under s. 36.27 or 37.27,
10 so far as applicable.

11 **SECTION 1111.** 39.325 (1) of the statutes is amended to read:

12 39.325 (1) There is established, to be administered by the board, a Wisconsin
13 health education loan program under P.L. 94–484, on July 29, 1979, in order to
14 provide financial aid to medical and dentistry students enrolled in the University of
15 Wisconsin Medical School of Medicine and Public Health, the Medical College of
16 Wisconsin, or the Marquette University School of Dentistry.

17 **SECTION 1112.** 39.40 (1) (c) of the statutes is amended to read:

18 39.40 (1) (c) A Hispanic, as defined in s. 560.036 490.04 (1) (d).

19 **SECTION 1113.** 39.40 (2) (a) of the statutes is amended to read:

20 39.40 (2) (a) Are registered as juniors or seniors, or hold a bachelor’s degree and
21 are registered as special students, in the University of Wisconsin–Madison, in the
22 University of Wisconsin System, or in an accredited, private institution of higher
23 education located in this state.

24 **SECTION 1114.** 39.41 (2) (a) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1114**

1 39.41 (2) (a) If a designated scholar under sub. (1m) is admitted to and enrolls,
2 on a full-time basis, by September 30 of the academic year immediately following the
3 school year in which the senior was designated a scholar, in the University of
4 Wisconsin-Madison, in an institution within the University of Wisconsin System, or
5 in a technical college district school that is participating in the program under this
6 section, the scholar shall receive a higher education scholarship that exempts the
7 scholar from all tuition and fees, including segregated fees, at ~~the~~ that university,
8 institution, or district school for one year, except that the maximum scholarship for
9 a scholar who receives an original scholarship for the 1996–97 academic year or for
10 any academic year thereafter may not exceed \$2,250 per academic year.

11 **SECTION 1115.** 39.41 (2) (b) of the statutes is amended to read:

12 39.41 (2) (b) For each year that a scholar who receives a scholarship under par.
13 (a) is enrolled full time, maintains at least a 3.000 grade point average, or the
14 equivalent as determined by the university, institution, or district school, and makes
15 satisfactory progress toward an associate degree, a bachelor's degree, or a vocational
16 diploma, the student shall be exempt from all tuition and fees, including segregated
17 fees, in the subsequent year or, if the scholar does not enroll in a participating
18 institution of higher education in the subsequent year, in the 2nd year following the
19 year in which the scholar received the scholarship, except that the maximum
20 scholarship for a scholar who receives an original scholarship for the 1996–97
21 academic year or for any academic year thereafter may not exceed \$2,250 per
22 academic year. No scholar is eligible for an exemption for more than 4 years in the
23 University of Wisconsin-Madison or the University of Wisconsin System or more
24 than 3 years at a district school.

25 **SECTION 1116.** 39.41 (2) (c) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1116**

1 39.41 (2) (c) Subject to sub. (4), for each year the student is exempt from tuition
2 and fees under par. (a) or (b), the board shall pay the university, institution, or district
3 school, on behalf of the student, an amount equal to 50% of the student's tuition and
4 fees, except that the maximum payment for a student who receives an original
5 scholarship for the 1996–97 academic year or for any academic year thereafter may
6 not exceed \$1,125 per academic year.

7 **SECTION 1117.** 39.41 (4) (a) of the statutes is amended to read:

8 39.41 (4) (a) The board shall make the payments under subs. (2) (c) and (3) only
9 if the university, institution, district school, or private institution matches the
10 amount of the payment from institutional funds, gifts, or grants. Beginning in the
11 1992–93 school year, the matching requirement under this paragraph for the
12 institutions within the University of Wisconsin System shall be satisfied by
13 payments of an amount equal to the total payments from the institutions made under
14 this paragraph in the 1991–92 school year and, if such payments are insufficient to
15 satisfy the matching requirement, by the waiver of academic fees established under
16 s. 36.27. Beginning in the 2011–12 school year, the matching requirement under this
17 paragraph for the University of Wisconsin–Madison shall be satisfied by payments
18 of an amount equal to the total payments from the University of Wisconsin–Madison
19 made under this paragraph in the 1991–92 school year and, if such payments are
20 insufficient to satisfy the matching requirement, by the waiver of academic fees
21 established under s. 37.27.

22 **SECTION 1118.** 39.41 (5) (a) 1. of the statutes is amended to read:

23 39.41 (5) (a) 1. Each institution within the University of Wisconsin System,
24 technical college district school and private institution of higher education that
25 wishes to participate in the scholarship program under this section in academic year

ASSEMBLY BILL 40**SECTION 1118**

1 1999–2000 and thereafter shall notify the board by October 1, 1998, that the
2 institution wishes to participate. Notification as required under this subdivision
3 provided by the University of Wisconsin–Madison prior to the effective date of this
4 subdivision [LRB inserts date], shall be considered notification that the
5 University of Wisconsin–Madison wishes to participate in the scholarship program
6 under this section.

7 **SECTION 1119.** 39.435 (7) (a) 1. of the statutes is amended to read:

8 39.435 (7) (a) 1. For purposes of calculating the amount to be appropriated
9 under s. 20.235 (1) (fe) for fiscal year ~~2011–12~~ 2013–14, “base amount” means the
10 amount shown in the schedule under s. 20.005 for that appropriation for fiscal year
11 ~~2010–11~~ 2012–13.

12 **SECTION 1120.** 39.435 (7) (a) 2. of the statutes is amended to read:

13 39.435 (7) (a) 2. For purposes of calculating the amount to be appropriated
14 under s. 20.235 (1) (fe) for each fiscal year after fiscal year ~~2011–12~~ 2013–14, “base
15 amount” means the appropriation amount calculated under par. (b) for the previous
16 fiscal year.

17 **SECTION 1121.** 39.435 (7) (b) (intro.) of the statutes is amended to read:

18 39.435 (7) (b) (intro.) Biennially, beginning on February 1, ~~2011~~ 2013, the board
19 shall calculate the amounts to be appropriated under s. 20.235 (1) (fe) for the next
20 biennium as follows:

21 **SECTION 1122.** 39.435 (7) (b) 1. of the statutes is amended to read:

22 39.435 (7) (b) 1. The board shall determine the percentage by which the
23 undergraduate academic fees that will be charged for the next academic year at the
24 University of Wisconsin–Madison and at each institution within the University of

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1 Wisconsin System, as estimated by the board, will increase or decrease from the
2 undergraduate academic fees charged for the current academic year.

3 **SECTION 1123.** 39.435 (7) (b) 1m. of the statutes is amended to read:

4 39.435 (7) (b) 1m. The board shall determine the percentage by which the
5 undergraduate academic fees that will be charged for the academic year after the
6 next academic year at the University of Wisconsin–Madison and at each institution
7 within the University of Wisconsin System, as estimated by the board, will increase
8 or decrease from the estimated undergraduate academic fees that will be charged for
9 the next academic year.

10 **SECTION 1124.** 39.435 (8) of the statutes is amended to read:

11 39.435 (8) The board shall award grants under this section to University of
12 Wisconsin–Madison and University of Wisconsin System students from the
13 appropriation under s. 20.235 (1) (fe).

14 **SECTION 1125.** 39.437 (1) of the statutes is amended to read:

15 39.437 (1) ESTABLISHMENT OF GRANT PROGRAM. There is established, to be
16 administered by the board, ~~with the assistance of the office of the Wisconsin~~
17 ~~Covenant Scholars Program in the department of administration as provided in~~
18 ~~subs. (2) (a) 2., (4), and (5),~~ a Wisconsin Covenant Scholars Program to provide grants
19 to students who meet the eligibility criteria specified in sub. (2).

20 **SECTION 1126.** 39.437 (2) (a) 2. of the statutes is amended to read:

21 39.437 (2) (a) 2. The student has been designated as a Wisconsin covenant
22 scholar by the ~~office of the Wisconsin Covenant Scholars Program in the department~~
23 ~~of administration~~ board.

24 **SECTION 1127.** 39.437 (4) (a) of the statutes is amended to read:

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1 39.437 (4) (a) By February 1 of each year, the Board of Trustees of the
2 University of Wisconsin–Madison shall provide to the board information relating to
3 the resident undergraduate academic fees charged to attend that university for the
4 current academic year, the Board of Regents of the University of Wisconsin System
5 shall provide to the ~~office of the Wisconsin Covenant Scholars Program in the~~
6 ~~department of administration~~ board information relating to the resident
7 undergraduate academic fees charged to attend each of the institutions within that
8 system for the current academic year, the technical college system board shall
9 provide to ~~that office~~ the board information relating to the fees under s. 38.24 (1m)
10 (a) to (c) charged to attend each of the technical colleges within that system for the
11 current academic year, each tribally controlled college in this state shall provide to
12 ~~that office~~ the board information relating to the tuition and fees charged to attend
13 the tribal college for the current academic year, and the Wisconsin Association of
14 Independent Colleges and Universities or a successor organization shall provide to
15 ~~that office~~ the board information relating to tuition and fees charged to attend each
16 of the private, nonprofit, accredited institutions of higher education in this state for
17 the current academic year.

18 **SECTION 1128.** 39.437 (4) (b) of the statutes is amended to read:

19 39.437 (4) (b) By April 1 of each year, the ~~office of the Wisconsin Covenant~~
20 ~~Scholars Program in the department of administration~~ board shall determine the
21 average of the resident undergraduate academic fees charged for the current
22 academic year at the University of Wisconsin–Madison, the average of the resident
23 undergraduate academic fees charged for the current academic year among the
24 institutions within the University of Wisconsin System, the average of the fees under
25 s. 38.24 (1m) (a) to (c) charged for the current academic year among the technical

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1 colleges in this state, the average of the tuition and fees charged for the current
2 academic year among the tribally controlled colleges in this state, and the average
3 of the tuition and fees charged for the current academic year among the private,
4 nonprofit, accredited institutions of higher education in this state.

5 **SECTION 1129.** 39.437 (4) (c) of the statutes is amended to read:

6 39.437 (4) (c) To the extent permitted under 20 USC 1232g and 34 CFR part
7 99, the department of public instruction shall provide pupil information to the office
8 of the ~~Wisconsin Covenant Scholars Program in the department of administration~~
9 board as necessary for that office to fulfill its role in the administration of the grant
10 program under this section.

11 **SECTION 1130.** 39.437 (5) (intro.) of the statutes is amended to read:

12 39.437 (5) RULES. (intro.) The ~~department of administration~~ board shall
13 promulgate rules to implement this section, including all of the following:

14 **SECTION 1131.** 39.437 (5) (c) of the statutes is amended to read:

15 39.437 (5) (c) Any other rules the ~~department of administration~~ board
16 considers necessary to assure the uniform administration of this section.

17 **SECTION 1132.** 39.437 (6) of the statutes is created to read:

18 39.437 (6) SUNSET. No student may enroll in the Wisconsin Covenant Scholars
19 Program after September 30, 2011. After that date, the board may designate a
20 student as a Wisconsin covenant scholar under sub. (2) (a) 2. only if the student
21 enrolled in the Wisconsin Covenant Scholars Program by that date.

22 **SECTION 1133.** 39.44 (1) (a) 3. of the statutes is amended to read:

23 39.44 (1) (a) 3. Is a Hispanic, as defined in s. ~~560.036~~ 490.04 (1) (d).

24 **SECTION 1134.** 39.50 (1m) of the statutes is created to read:

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1 **39.50 (1m)** UNIVERSITY OF WISCONSIN-MADISON. At the end of each semester,
2 the Board of Trustees of the University of Wisconsin-Madison shall certify to the
3 board the number of students enrolled in the University of Wisconsin-Madison to
4 whom any fees or nonresident tuition has been remitted under s. 37.27 (3n) or (3p),
5 the number of credits for which those fees or that nonresident tuition has been
6 remitted, and the amount of fees and nonresident tuition remitted. Subject to sub.
7 (3m), if the board approves the information certified under this subsection, the
8 board, from the appropriation account under s. 20.235 (1) (fz), shall reimburse the
9 board of trustees for the full amount of fees and nonresident tuition remitted.

10 **SECTION 1135.** 39.50 (3m) of the statutes is amended to read:

11 **39.50 (3m)** REMISSION OF FEES; PRORATED REIMBURSEMENT. In June of each fiscal
12 year, the board shall determine the total amount of fees and nonresident tuition
13 remitted by the ~~board of regents~~ Board of Regents and the Board of Trustees that are
14 eligible for reimbursement under ~~sub.~~ subs. (1) and (1m) and fees remitted by the
15 district boards that are eligible for reimbursement under sub. (2). If the moneys
16 appropriated under s. 20.235 (1) (fz) are not sufficient to reimburse the ~~board of~~
17 ~~regents~~ Board of Regents and the Board of Trustees for the full amount of those fees
18 and that nonresident tuition and each district board for the full amount of those fees,
19 the board shall prorate the reimbursement paid under subs. (1), (1m), and (2) in the
20 proportion that the moneys available bears to the total amount eligible for
21 reimbursement under subs. (1), (1m), and (2).

22 **SECTION 1136.** 39.50 (4) of the statutes is amended to read:

23 **39.50 (4)** REIMBURSEMENT OF VETERANS AND DEPENDENTS; PRORATED
24 REIMBURSEMENT. In each fiscal year, the higher educational aids board shall
25 determine the total amount of reimbursement due to students under ss. 36.27 (3n)

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1 (bm) 1. and (3p) (bm) 1., 37.27 (3n) (bm) 1. and (3p) (bm) 1., and 38.24 (7) (bm) 1. and
2 (8) (bm) 1. If the moneys appropriated under s. 20.235 (1) (fz) are not sufficient to
3 provide full reimbursement to those students, the higher educational aids board
4 shall prorate the reimbursement paid to those students under ss. 36.27 (3n) (bm) 1.
5 and (3p) (bm) 1., 37.27 (3n) (bm) 1. and (3p) (bm) 1., and 38.24 (7) (bm) 1. and (8) (bm)
6 1. in the proportion that the moneys available bears to the total amount eligible for
7 reimbursement under ss. 36.27 (3n) (bm) 1. and (3p) (bm) 1., 37.27 (3n) (bm) 1. and
8 (3p) (bm) 1., and 38.24 (7) (bm) 1. and (8) (bm) 1. If the higher educational aids board
9 prorates reimbursement under this subsection, the Board of Regents shall reimburse
10 a student who is eligible for reimbursement under s. 36.27 (3n) (bm) 1. or (3p) (bm)
11 1., the Board of Trustees shall reimburse a student who is eligible for reimbursement
12 under s. 37.27 (3n) (bm) 1. or (3p) (bm) 1., and the appropriate technical college
13 district board shall reimburse a student who is eligible for reimbursement under s.
14 38.24 (7) (bm) 1. or (8) (bm) 1., in an amount that is equal to the difference between
15 the amount of reimbursement for which the student is eligible and the amount of
16 reimbursement paid by the higher educational aids board.

17 **SECTION 1137.** 40.02 (22) (em) of the statutes is amended to read:

18 40.02 (22) (em) For Wisconsin retirement system purposes only, for a member
19 of the a faculty, as defined in s. 36.05 (8) or 37.01 (6), of a university who is on
20 sabbatical leave under s. 36.11 (17) or 37.11 (17), means the compensation that would
21 have been payable to the participant, at the participant's rate of pay immediately
22 prior to beginning the sabbatical leave, for service that would have been rendered at
23 the university during the period of the sabbatical leave if the participant had
24 continued to render services for the participant's employer during that period.

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1 Contributions and premiums on earnings considered to be received under this
2 paragraph shall be paid as required under s. 40.05.

3 **SECTION 1138.** 40.02 (25) (b) 2. of the statutes is amended to read:

4 40.02 (25) (b) 2. Any person employed as a graduate assistant and other
5 employees-in-training as are designated by the ~~board of regents~~ Board of Regents
6 or Board of Trustees of the university, who are employed on at least a one-third
7 full-time basis.

8 **SECTION 1139.** 40.02 (25) (b) 2c. of the statutes is amended to read:

9 40.02 (25) (b) 2c. A state employee described in s. ~~49.825 (4) or~~ 49.826 (4).

10 **SECTION 1140.** 40.02 (48) (am) 22. of the statutes is amended to read:

11 40.02 (48) (am) 22. A person employed under s. 60.553 (1), 61.66 (1), or 62.13
12 (2e) (a).

13 **SECTION 1141.** 40.02 (48) (c) of the statutes is amended to read:

14 40.02 (48) (c) In s. 40.65, “protective occupation participant” means a
15 participating employee who is a police officer, fire fighter, an individual determined
16 by a participating employer under par. (a) or (bm) to be a protective occupation
17 participant, county undersheriff, deputy sheriff, state probation and parole officer,
18 county traffic police officer, conservation warden, state forest ranger, field
19 conservation employee of the department of natural resources who is subject to call
20 for forest fire control or warden duty, member of the state traffic patrol, state motor
21 vehicle inspector, University of ~~Wisconsin~~ Wisconsin-Madison or University of
22 Wisconsin System full-time police officer, guard or any other employee whose
23 principal duties are supervision and discipline of inmates at a state penal institution,
24 excise tax investigator employed by the department of revenue, person employed

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1 under s. 60.553 (1), 61.66 (1), or 62.13 (2e) (a), or special criminal investigation agent
2 employed by the department of justice.

3 **SECTION 1142.** 40.02 (54) (hm) of the statutes is created to read:

4 40.02 (54) (hm) The University of Wisconsin–Madison.

5 **SECTION 1143.** 40.02 (57) of the statutes is amended to read:

6 40.02 (57) “University” means the University of Wisconsin System under ch.
7 36 or the University of Wisconsin–Madison under ch. 37.

8 **SECTION 1144.** 40.03 (6) (h) (intro.) and 2. of the statutes are consolidated,
9 renumbered 40.03 (6) (h) and amended to read:

10 40.03 (6) (h) Shall, on behalf of the state, offer as provided in s. 40.55 long-term
11 care insurance policies, ~~subject to the following conditions:~~ 2. For purposes of this
12 section, the offering by the state of long-term health insurance policies shall
13 constitute a group insurance plan under par. (a) 1.

14 **SECTION 1145.** 40.03 (6) (h) 1. of the statutes is repealed.

15 **SECTION 1146.** 40.05 (4) (b) of the statutes is amended to read:

16 40.05 (4) (b) Except as provided under pars. (bc) and (bp), accumulated unused
17 sick leave under ss. 13.121 (4), 36.30, 37.30, 230.35 (2), 233.10, 238.04 (8), and 757.02
18 (5) and subch. I, V, or VI of ch. 111 of any eligible employee shall, at the time of death,
19 upon qualifying for an immediate annuity or for a lump sum payment under s. 40.25
20 (1) or upon termination of creditable service and qualifying as an eligible employee
21 under s. 40.02 (25) (b) 6. or 10., be converted, at the employee’s highest basic pay rate
22 he or she received while employed by the state, to credits for payment of health
23 insurance premiums on behalf of the employee or the employee’s surviving insured
24 dependents. Any supplemental compensation that is paid to a state employee who
25 is classified under the state classified civil service as a teacher, teacher supervisor,

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1 or education director for the employee's completion of educational courses that have
2 been approved by the employee's employer is considered as part of the employee's
3 basic pay for purposes of this paragraph. The full premium for any eligible employee
4 who is insured at the time of retirement, or for the surviving insured dependents of
5 an eligible employee who is deceased, shall be deducted from the credits until the
6 credits are exhausted and paid from the account under s. 40.04 (10), and then
7 deducted from annuity payments, if the annuity is sufficient. The department shall
8 provide for the direct payment of premiums by the insured to the insurer if the
9 premium to be withheld exceeds the annuity payment. Upon conversion of an
10 employee's unused sick leave to credits under this paragraph or par. (bf), the
11 employee or, if the employee is deceased, the employee's surviving insured
12 dependents may initiate deductions from those credits or may elect to delay
13 initiation of deductions from those credits, but only if the employee or surviving
14 insured dependents are covered by a comparable health insurance plan or policy
15 during the period beginning on the date of the conversion and ending on the date on
16 which the employee or surviving insured dependents later elect to initiate
17 deductions from those credits. If an employee or an employee's surviving insured
18 dependents elect to delay initiation of deductions from those credits, an employee or
19 the employee's surviving insured dependents may only later elect to initiate
20 deductions from those credits during the annual enrollment period under par. (be).
21 A health insurance plan or policy is considered comparable if it provides hospital and
22 medical benefits that are substantially equivalent to the standard health insurance
23 plan established under s. 40.52 (1).

24 **SECTION 1147.** 40.05 (4) (bm) of the statutes is amended to read:

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1 40.05 (4) (bm) Except as provided under par. (bp), accumulated unused sick
2 leave under ss. 36.30, 37.30, and 230.35 (2) ~~or~~, 233.10, or 238.04 (8) of any eligible
3 employee shall, upon request of the employee at the time the employee is subject to
4 layoff under s. 40.02 (40), be converted at the employee's highest basic pay rate he
5 or she received while employed by the state to credits for payment of health
6 insurance premiums on behalf of the employee. Any supplemental compensation
7 that is paid to a state employee who is classified under the state classified civil
8 service as a teacher, teacher supervisor or education director for the employee's
9 completion of educational courses that have been approved by the employee's
10 employer is considered as part of the employee's basic pay for purposes of this
11 paragraph. The full amount of the required employee contribution for any eligible
12 employee who is insured at the time of the layoff shall be deducted from the credits
13 until the credits are exhausted, the employee is reemployed, or 5 years have elapsed
14 from the date of layoff, whichever occurs first.

15 **SECTION 1148.** 40.05 (4) (bp) 1. of the statutes is amended to read:

16 40.05 (4) (bp) 1. Except as provided in subds. 2. and 3., for sick leave which
17 accumulates beginning on August 1, 1987, conversion under par. (b) or (bm) of
18 accumulated unused sick leave under s. 36.30 or 37.30 to credits for payment of
19 health insurance premiums shall be limited to the annual amounts of sick leave
20 specified in this subdivision. For faculty and academic staff personnel who are
21 appointed to work 52 weeks per year, conversion is limited to 8.5 days of sick leave
22 per year. For faculty and academic staff personnel who are appointed to work 39
23 weeks per year, conversion is limited to 6.4 days of sick leave per year. For faculty
24 and academic staff personnel not otherwise specified, conversion is limited to a

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1 number of days of sick leave per year to be determined by the secretary by rule, in
2 proportion to the number of weeks per year appointed to work.

3 **SECTION 1149.** 40.05 (4) (bp) 2. of the statutes is amended to read:

4 40.05 (4) (bp) 2. The limits on conversion of accumulated unused sick leave
5 which are specified under subd. 1. may be waived for nonteaching faculty who are
6 appointed to work 52 weeks per year and nonteaching academic staff personnel if the
7 secretary of administration determines that a sick leave accounting system
8 comparable to the system used by the state for employees in the classified service is
9 in effect at the University of Wisconsin–Madison or the institution, as defined in s.
10 36.05 (9), and if the University of Wisconsin–Madison or the institution regularly
11 reports on the operation of its sick leave accounting system to the ~~board of regents~~
12 Board of Regents of the University of Wisconsin System or the Board of Trustees of
13 the University of Wisconsin–Madison.

14 **SECTION 1150.** 40.05 (4) (bp) 3. of the statutes is amended to read:

15 40.05 (4) (bp) 3. The limits on conversion of accumulated unused sick leave
16 which are specified under subd. 1. may be waived for teaching faculty or teaching
17 academic staff at the University of Wisconsin–Madison or any institution, as defined
18 in s. 36.05 (9), if the secretary of administration determines all of the following:

19 a. That administrative procedures for the crediting and use of earned sick leave
20 for teaching faculty and teaching academic staff on a standard comparable to a
21 scheduled 40-hour work week are in operation at the University of
22 Wisconsin–Madison or institution.

23 b. That a sick leave accounting system for teaching faculty and teaching
24 academic staff comparable to the system used by state employees in the classified
25 service is in effect at the University of Wisconsin–Madison or institution.

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1 c. That the University of Wisconsin–Madison or institution regularly reports
2 on the operation of its sick leave accounting system to the ~~board of regents~~ Board of
3 Regents of the University of Wisconsin System ~~or the Board of Trustees of the~~
4 University of Wisconsin–Madison.

5 **SECTION 1151.** 40.05 (4) (e) of the statutes is created to read:

6 40.05 (4) (e) The Health Insurance Risk–Sharing Plan Authority shall not be
7 required to pay any contributions related to benefits authorized under pars. (b), (bc),
8 (bm), and (bw) and subch. IX.

9 **SECTION 1152.** 40.05 (5) (a) of the statutes is amended to read:

10 40.05 (5) (a) For teachers in the unclassified service of the state employed by
11 the ~~board of regents of the university~~ Board of Regents of the University of Wisconsin
12 System or for teachers employed by the Board of Trustees of the University of
13 Wisconsin–Madison, no contribution if the teacher has less than one year of state
14 creditable service and an amount equal to the gross premium for coverage subject to
15 a 130–day waiting period if the teacher has one year or more of state creditable
16 service.

17 **SECTION 1153.** 40.05 (5) (b) 4. of the statutes is amended to read:

18 40.05 (5) (b) 4. The accrual and crediting of sick leave shall be determined in
19 accordance with ss. 13.121 (4), 36.30, 37.30, 230.35 (2), 233.10, 238.04 (8), and 757.02
20 (5) and subch. I, V, or VI of ch. 111.

21 **SECTION 1154.** 40.22 (2) (g) of the statutes is amended to read:

22 40.22 (2) (g) The employee is appointed by the ~~university~~ Board of Regents of
23 the University of Wisconsin System under s. 36.19, by the Board of Trustees of the
24 University of Wisconsin–Madison under s. 37.19 (1), or by the University of
25 Wisconsin Hospitals and Clinics Authority, as a student assistant or employee in

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1 training or is appointed by a school or other education system in which the person
2 is regularly enrolled as a student and is attending classes to perform services
3 incidental to the person's course of study at that school or education system.

4 **SECTION 1155.** 40.22 (2) (h) of the statutes is amended to read:

5 40.22 (2) (h) The employee is teaching while on leave from an educational
6 institution not a part of the University of Wisconsin-Madison or University of
7 Wisconsin System, if the person is a visiting professor, visiting associate professor,
8 visiting assistant professor or visiting lecturer at the university and if the
9 employment at the university is all within 12 consecutive calendar months. If the
10 employment at the university is continued beyond the 12-month period the person
11 shall, at the start of the 13th consecutive calendar month of employment, come under
12 the system for future service.

13 **SECTION 1156.** 40.22 (2) (m) of the statutes is amended to read:

14 40.22 (2) (m) Notwithstanding sub. (3m), the employee was formerly employed
15 by Milwaukee County, is a state employee described in s. 49.825 (4), 2009 stats., or
16 s. 49.826 (4), and elects to remain a covered employee under the retirement system
17 established under chapter 201, laws of 1937, pursuant to s. 49.825 (4) (c), 2009 stats.,
18 or s. 49.826 (4) (c). This paragraph shall not apply if the employee remains a state
19 employee, but is no longer performing services for the Milwaukee County enrollment
20 services unit under s. 49.825, 2009 stats., or the child care provider services unit
21 under s. 49.826.

22 **SECTION 1157.** 40.51 (8) of the statutes is amended to read:

23 40.51 (8) Every health care coverage plan offered by the state under sub. (6)
24 shall comply with ss. 631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.746 (1) to (8)

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1 and (10), 632.747, 632.748, 632.798, 632.83, 632.835, 632.85, 632.853, 632.855,
2 632.87 (3) to (6), 632.885, 632.89, 632.895 (5m) and (8) to ~~(17)~~ (16m), and 632.896.

3 **SECTION 1158.** 40.51 (8m) of the statutes is amended to read:

4 40.51 **(8m)** Every health care coverage plan offered by the group insurance
5 board under sub. (7) shall comply with ss. 631.95, 632.746 (1) to (8) and (10), 632.747,
6 632.748, 632.798, 632.83, 632.835, 632.85, 632.853, 632.855, 632.885, 632.89, and
7 632.895 (11) to ~~(17)~~ (16m).

8 **SECTION 1159.** 40.52 (3) of the statutes is amended to read:

9 40.52 **(3)** The group insurance board, after consulting with the ~~board of regents~~
10 Board of Trustees of the University of Wisconsin–Madison and the Board of Regents
11 of the University of Wisconsin System, shall establish the terms of a health insurance
12 plan for graduate assistants, and for employees–in–training designated by the ~~board~~
13 ~~of regents~~ Board of Trustees or Board of Regents, who are employed on at least a
14 one–third full–time basis and for teachers who are employed on at least a one–third
15 full–time basis by the University of Wisconsin–Madison or University of Wisconsin
16 System with an expected duration of employment of at least 6 months but less than
17 one year.

18 **SECTION 1160.** 40.55 (1) of the statutes is amended to read:

19 40.55 **(1)** Except as provided in sub. (5), the state shall offer, through the group
20 insurance board, to eligible employees under s. 40.02 (25) (bm) and to state
21 annuitants long–term care insurance policies which have been filed with the office
22 of the commissioner of insurance and which have been approved for offering under
23 contracts established by the group insurance board ~~if the insurer requests that the~~
24 ~~policy be offered and the.~~ The state shall also allow an eligible employee or a state