



Wisconsin Technology Council

April 30, 2019

TO: The Assembly Committee on Constitution and Ethics
FROM: Tom Still, president, the Wisconsin Technology Council
RE: Assembly Bill 38

As someone who knew and worked with the late UW-Madison Professor Mark Cook, I want to congratulate the authors of AB 38 and its Senate companion, SB 42, for drafting legislation to streamline the process by which the University of Wisconsin contracts with companies in which a faculty or staff member has a financial interest.

I knew Dr. Cook as a leading scientist at the UW-Madison, where his work included innovations in poultry and meat science as well as human and animal health. I also knew him as a dogged entrepreneur whose involvement in emerging companies in Wisconsin was a valuable addition to his academic work. We served together on the board of directors of a company he helped to create.

It wasn't always easy, as Dr. Cook often found, to transfer great science into great companies and products. His work was sometimes slowed by rules that had either out-lived their usefulness, stood at odds with processes at other major universities, or simply cost Wisconsin entrepreneurs time and money. Time and money are two commodities that must be carefully guarded by young companies, often making the difference between success and failure.

As others may testify, the UW can be slower than peer institutions when it comes to working with outside funding sources. There are other reforms in play that will help to change that situation, and AB-38 will contribute to that overall process while improving internal reviews.

Under current law, any contract exceeding \$250,000 over two years and tied to a faculty or staff entrepreneur must receive a 45-day "review" by the UW Board of Regents. This is the case even when the relationship has been reviewed previously. All this costly review does is slow down the process.

The "Mark Cook Bill" will eliminate the 45-day delay and instead create a much more reasonable process that will more aggressively address conflicts while protecting the interests of the university.

The bill will strengthen the ethics law by requiring management plans for addressing interests. While UW-Madison already employs management plans to meet federal requirements, the management plans will now be required by state law.



Wisconsin Technology Council

The primary effect of the bill will be to substitute the Conflict of Interest Committees review process for the UW System review process. Working with legal counsel, these committees have the expertise to identify and, if necessary, manage potential conflicts.

The main interest of the Wisconsin Technology Council in supporting this bill is making it easier for university entrepreneurs – of which there are many – to take ideas created in laboratories and research centers, turn them into products and companies, and to do so in a transparent way that does not erect unneeded “speed bumps” for innovations that create economic opportunity.

I urged the committee to recommend passage of AB 38, and I appreciate the chance to testify.