



2019 SENATE BILL 354

August 22, 2019 - Introduced by Senators MARKLEIN, BEWLEY and FEYEN, cosponsored by Representatives MURPHY, FELZKOWSKI, KERKMAN, RAMTHUN and ZIMMERMAN. Referred to Committee on Universities, Technical Colleges, Children and Families.

1 **AN ACT to repeal** 13.106 (2), 16.54 (8r) (b), 36.11 (54), 36.25 (25) (c), 36.45 (3),
2 36.59 (7) and 36.65 (4); **to renumber** 36.45 (4); **to renumber and amend** 16.54
3 (8r) (a); **to amend** 1.11 (2) (j), 13.58 (5) (b) 6., 16.505 (2p) (a), 16.528 (5), 16.891
4 (1) (a), 16.953, 20.907 (1m), 36.09 (1) (j) and 36.11 (22) (title); **to repeal and**
5 **recreate** 36.11 (22) (b) and 36.45 (title); and **to create** 16.35 and 283.33 (10)
6 of the statutes; **relating to:** various University of Wisconsin System reporting
7 requirements.

Analysis by the Legislative Reference Bureau

This bill exempts the University of Wisconsin System from requirements to submit the following reports, which apply to other state agencies under current law: 1) an annual report to the legislature on environmental impact reports; 2) an annual report to the Department of Administration on interest paid for late payments; 3) an annual report to the Joint Committee on Finance and DOA on the expenditure of nonfederal gifts and grants; 4) a biennial energy cost reduction plan to DOA, JCF, and the legislature; and 5) an annual report to DOA on the cost of occupancy of state facilities.

In addition, the bill repeals requirements for the UW System to submit the following reports: 1) a biennial financial report to the governor and JCF by the Medical College of Wisconsin and the University of Wisconsin-Madison Medical

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School; 2) an annual report to DOA and JCF on created and abolished positions; 3) an annual report to the governor and JCF on federal funding expenditures; 4) an annual report to JCF and DOA on salary increases; 5) an annual report to the legislature and governor regarding employees with limited or concurrent appointments and employees requiring backup positions; 6) a biennial report to JCF on industrial and economic development research projects; 7) a biennial report to the governor and JCF on research funded with general purpose revenue; 8) a semiannual report to the Joint Committee on Information Policy and Technology on certain information technology projects; 9) an annual report to JCF and the Joint Legislative Audit Committee on fee increases; 10) an annual report to JCF on course drop rates; and 11) an annual report by the UW System administration to the Board of Regents on consultants.

The bill also does the following:

1. Prohibits DOA from requiring the Board of Regents to submit to DOA reports on accounts receivable or moving expenses if substantially similar information is included in other reports submitted by the Board of Regents or is accessible through DOA's statewide accounting system.

2. Exempts the Board of Regents from submitting annual reports to the Department of Natural Resources relating to its local program for construction site erosion control and storm water management.

3. Eliminates a requirement for the Board of Regents to submit an annual report to the legislature on sexual assault and sexual harassment and requires instead that each UW institution submit to JCF and the legislature and post on its Internet site an annual campus security report required under federal law.

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

1 **SECTION 1.** 1.11 (2) (j) of the statutes is amended to read:

2 1.11 (2) (j) Annually, no later than September 15, submit a report to the chief
3 clerk of each house of the legislature for distribution to the legislature under s.
4 13.172 (2), including the number of proposed actions for which the agency conducted
5 an assessment of whether an impact statement was required under par. (c) and the
6 number of impact statements prepared under par. (c). This paragraph does not apply
7 to the Board of Regents of the University of Wisconsin System.

8 **SECTION 2.** 13.106 (2) of the statutes is repealed.

9 **SECTION 3.** 13.58 (5) (b) 6. of the statutes is amended to read:

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1 13.58 (5) (b) 6. Review any University of Wisconsin System, institution, or
2 college campus information technology project identified in a report submitted to the
3 committee by the Board of Regents under s. ~~36.59 (7)~~ with an actual or projected cost
4 greater than \$1,000,000 or that is identified as a large, high-risk information
5 technology project under s. 36.59 (2) (a) to determine whether the project should be
6 continued or implemented. The committee may forward any recommendations
7 regarding the project to the governor and to the legislature under s. 13.172 (2).

8 **SECTION 4.** 16.35 of the statutes is created to read:

9 **16.35 University of Wisconsin reports.** The department may not require
10 the Board of Regents of the University of Wisconsin System to submit to the
11 department reports on accounts receivable or moving expenses if substantially
12 similar information is included in other reports submitted to the department by the
13 Board of Regents or is accessible through the department's statewide accounting
14 system.

15 **SECTION 5.** 16.505 (2p) (a) of the statutes is amended to read:

16 16.505 (2p) (a) Subject to par. (b), the ~~board~~ Board of ~~regents~~ Regents of the
17 University of Wisconsin System or the chancellor of the University of
18 Wisconsin-Madison may create or abolish a full-time equivalent academic staff or
19 faculty position or portion thereof from revenues appropriated under s. 20.285 (1) (a).
20 ~~Annually, no later than the September 30 following completion of the fiscal year, the~~
21 ~~board of regents or chancellor shall report to the department and the cochairpersons~~
22 ~~of the joint committee on finance concerning the number of full-time equivalent~~
23 ~~positions created or abolished by the board or chancellor under this subsection~~
24 ~~during the preceding fiscal year.~~

25 **SECTION 6.** 16.528 (5) of the statutes is amended to read:

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1 16.528 (5) REPORTS OF INTEREST PAID. Annually before October 1, each agency
2 shall report to the department the number of times in the previous fiscal year the
3 agency paid interest under this section, the total amount of interest paid, and the
4 reasons why interest payments were not avoided by making timely payment. In this
5 subsection, “agency” does not include the Board of Regents of the University of
6 Wisconsin System.

7 **SECTION 7.** 16.54 (8r) (a) of the statutes is renumbered 16.54 (8r) and amended
8 to read:

9 16.54 (8r) Whenever the federal government makes available moneys for
10 instruction, extension, special projects, or emergency employment opportunities, the
11 ~~board~~ Board of ~~regents~~ Regents of the University of Wisconsin System may accept
12 the moneys on behalf of the state. The ~~board~~ Board of ~~regents~~ Regents shall, in the
13 administration of the expenditure of such moneys, comply with the requirements of
14 the act of congress making the moneys available and with the regulations prescribed
15 by the federal government or the federal agency administering the act, insofar as the
16 act or regulations are consistent with state law. The ~~board~~ Board of ~~regents~~ Regents
17 may submit any plan, budget, application, or proposal required by the federal agency
18 as a precondition to receipt of the moneys. The ~~board~~ Board of ~~regents~~ Regents may,
19 consistent with state law, perform any act required by the act of congress or the
20 federal agency to carry out the purpose of the act of congress. The ~~board~~ Board of
21 ~~regents~~ Regents shall deposit all moneys received under this ~~paragraph~~ subsection
22 in the appropriation account under s. 20.285 (1) (m).

23 **SECTION 8.** 16.54 (8r) (b) of the statutes is repealed.

24 **SECTION 9.** 16.891 (1) (a) of the statutes is amended to read:

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1 16.891 (1) (a) “Agency” has the meaning given in s. 16.70 (1e), except that
2 “agency” does not include the Board of Regents of the University of Wisconsin
3 System.

4 **SECTION 10.** 16.953 of the statutes is amended to read:

5 **16.953 Energy cost reduction plans.** No later than July 1 of each
6 even-numbered year, each agency, as defined in s. 16.75 (12) (a) 1., but not including
7 the Board of Regents of the University of Wisconsin System, shall submit a plan to
8 the department, the joint committee on finance, and the standing committee of each
9 house of the legislature having jurisdiction over energy, for reduction of the cost of
10 energy used by the agency. The plan shall include all system and equipment
11 upgrades or installations that are estimated to result in energy cost savings equal
12 to the cost of the upgrade or installation over the anticipated life of the system or
13 equipment. The plan shall also identify potential means of financing the upgrades
14 and installations other than reliance on appropriations of general purpose revenues.
15 The department of administration shall consider in its plan the means of financing
16 allowed under s. 16.858.

17 **SECTION 11.** 20.907 (1m) of the statutes is amended to read:

18 **20.907 (1m) REPORTING.** State agencies shall, by December 1 annually, submit
19 a report to the joint committee on finance and the department of administration on
20 expenditures made by the agency during the preceding fiscal year from nonfederal
21 funds received as gifts, grants, bequests, or devises. The department of
22 administration shall prescribe a form, which the department may modify as
23 appropriate for the various state agencies, that each state agency must use to report
24 its expenditures as required under this subsection. The form shall require the
25 expenditures to be reported in aggregate amounts as determined by the department

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1 of administration. The report shall also include a listing of in-kind contributions,
2 including goods and services, received and used by the state agency during the
3 preceding fiscal year. In this subsection, "state agency" does not include the Board
4 of Regents of the University of Wisconsin System.

5 **SECTION 12.** 36.09 (1) (j) of the statutes is amended to read:

6 36.09 (1) (j) Except where such matters are a subject of bargaining with a
7 certified representative of a collective bargaining unit under s. 111.91, the board
8 shall establish salaries for persons prior to July 1 of each year for the next fiscal year,
9 and shall designate the effective dates for payment of the new salaries. In the first
10 year of the biennium, payments of the salaries established for the preceding year
11 shall be continued until the biennial budget bill is enacted. If the budget is enacted
12 after July 1, payments shall be made following enactment of the budget to satisfy the
13 obligations incurred on the effective dates, as designated by the board, for the new
14 salaries, subject only to the appropriation of funds by the legislature and s. 20.928
15 (3). This paragraph does not limit the authority of the board to establish salaries for
16 new appointments. The board may not increase the salaries of employees under this
17 paragraph unless the salary increase conforms to the proposal as approved under s.
18 230.12 (3) (e) or the board authorizes the salary increase to recognize merit, to correct
19 salary inequities under par. (h), to fund job reclassifications or promotions, or to
20 recognize competitive factors. The granting of salary increases to recognize
21 competitive factors does not obligate inclusion of the annualized amount of the
22 increases in the appropriations under s. 20.285 (1) for subsequent fiscal bienniums.
23 ~~No later than October 1 of each year, the board shall report to the joint committee~~
24 ~~on finance and the secretary of administration and administrator of the division of~~
25 ~~personnel management in the department of administration concerning the~~

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1 ~~amounts of any salary increases granted to recognize competitive factors, and the~~
2 ~~institutions at which they are granted, for the 12-month period ending on the~~
3 ~~preceding June 30.~~

4 **SECTION 13.** 36.11 (22) (title) of the statutes is amended to read:

5 36.11 **(22)** (title) ORIENTATION PROGRAM; INFORMATION ON SEXUAL ASSAULT AND,
6 SEXUAL HARASSMENT, AND CAMPUS SECURITY.

7 **SECTION 14.** 36.11 (22) (b) of the statutes is repealed and recreated to read:

8 36.11 **(22)** (b) Each institution and college campus shall post on its Internet site
9 and submit to the joint committee on finance and to the chief clerk of each house of
10 the legislature, for distribution to the appropriate standing committees under s.
11 13.172 (3), the annual security report that the institution or college campus is
12 required to prepare under 20 USC 1092 (f).

13 **SECTION 15.** 36.11 (54) of the statutes is repealed.

14 **SECTION 16.** 36.25 (25) (c) of the statutes is repealed.

15 **SECTION 17.** 36.45 (title) of the statutes is repealed and recreated to read:

16 **36.45** (title) **Classified research reports.**

17 **SECTION 18.** 36.45 (3) of the statutes is repealed.

18 **SECTION 19.** 36.45 (4) of the statutes is renumbered 36.45.

19 **SECTION 20.** 36.59 (7) of the statutes is repealed.

20 **SECTION 21.** 36.65 (4) of the statutes is repealed.

21 **SECTION 22.** 283.33 (10) of the statutes is created to read:

22 283.33 **(10)** REPORTING EXEMPTION. If the department has approved an
23 authorized local program under which the Board of Regents of the University of
24 Wisconsin System is responsible for ensuring compliance with local and state
25 construction site erosion control and storm water management requirements, the

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1 department may not require the board to submit an annual report to the department
2 relating to the authorized local program.

3 **SECTION 23. Nonstatutory provisions.**

4 (1) COURSE DROP RATE REPORTS. The requirement for the Board of Regents of the
5 University of Wisconsin System to submit annual course drop rate reports to the joint
6 committee on finance under that committee's September 1988 motion terminates on
7 the effective date of this subsection.

8 (2) CONSULTANT REPORTS. On the effective date of this subsection, the University
9 of Wisconsin System administration is no longer required to provide annual reports
10 to the Board of Regents of the University of Wisconsin System on any of the following:

11 (a) All consultants hired, including those paid on a lump-sum basis.

12 (b) The number of unclassified consultants employed in the same position for
13 more than one year and why.

14 (c) How long the consultants described in par. (b) are expected to remain in the
15 positions described in par. (b).

16 (END)