



## 2011 - 2012 Bills of Interest to Wisconsin Technical Colleges

As of June 3, 2011

Bills or proposed bills of interest to technical colleges in the 2011 - 2012 legislative session are described below. This document evolves with the addition of new bills and changes to existing bills throughout the session. Recently posted or changed items are highlighted. The District Boards Association's position or recommended position, if any, follows the bill description.

A directory of bills organized by subject begins on the next page.

A link to the bill at the Wisconsin State Legislature website is provided in each description. It connects to a summary page to access the bill's full text, its sponsors and its procedural history and status. A guide to reading bill histories online follows at the conclusion of this report.

The District Boards Association's lobbying efforts and positions are available at the Government Accountability Board (formerly the Ethics Board) website: <http://ethics.state.wi.us/LobbyingRegistrationReports/LobbyingOverview.htm>. This site includes cross-referenced links to other organizations taking a lobbying interest in each bill.

The current legislative session officially runs through December, 2012, but effectively ends with adjournment in both houses sometime likely in late Spring or in Summer, 2012.

Readers are welcome to contact Paul Gabriel at the Association office for more information: 608 266-9430 or [pgabriel@districtboards.org](mailto:pgabriel@districtboards.org). More information is also available at the colleges' advocacy web portal: [www.buildingthenextgeneration.org](http://www.buildingthenextgeneration.org).

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## Bills of Interest

### **AB 11 (in January, 2011, Special Session) – The 2010-11 Budget Adjustment Bill**

*Act 10, the “budget adjustment” or “collective bargaining” bill, was declared “null and void” by a Dane County judge on May 26, 2011. The state Supreme Court could still vote to overrule that decision. Assuming that does not occur in the next few days, it is widely expected that all, or at least most, Act 10 provisions will be incorporated into the larger 2011-13 State Budget bill, AB 40. This widely expected legislative “do-over” will likely include all Act 10 provisions if including them all does not threaten the votes needed to pass the overall budget. If incorporating the entirety of Act 10 appears to weaken the votes needed to pass the budget overall, the “do over” provisions could be somewhat recast or modified. It appears the Assembly has the votes needed to pass the budget with Act 10 included. The Senate appears more closely split, especially as a number of members face summer recall elections.*

*Act 10 was introduced as AB 11 as part of a January, 2011, Special Session. It passed the Assembly after a historic 63-hour continuous floor session spanning February 22-25. The bill contained both fiscal and non-fiscal provisions. The Senate may not consider a fiscal bill unless 20 of 33 members are present. A non-fiscal bill requires a quorum of a simple majority (17) being present. Fourteen Senate Democrats left Wisconsin leaving 19 Republican Senators unable to meet on the bill. On March 9th, a “conference committee” of Assembly and Senate leaders was appointed, split the fiscal provisions from the bill, and sent it to the Senate for passage that evening while the Senate Democrats remained out of state. The Assembly passed the new version and the Governor signed it on March 10th as 2011 Act 10.*

*While Act 10 awaited publication by the Secretary of State (after which the new law would take effect), scheduled for March 25th, a Dane County judge issued a temporary injunction barring its publication. The underlying lawsuit alleged that the Legislature did not follow open meetings law necessary to pass the bill. The injunction remained in place until the judge ruled on May 26<sup>th</sup> that Act 10 is null and void.*

Key provisions of Act 10 affecting technical colleges included:

#### Wisconsin Retirement System (Pensions)

- Require all state and local government employees - including technical college employees - to contribute one-half of the cost of WRS pensions, currently 5.8% of annual compensation, to pension costs beginning immediately (or upon the expiration, amendment or extension of the current labor agreement for union employees).
- Remove pension plan benefits from collective bargaining. Like other employee benefits, pensions would become a “prohibited subject” of bargaining.
- Require a study of changing the structure, benefits and vesting periods for all WRS pensions at a future time.

#### Health Insurance Benefits

- Remove health insurance benefits as a subject of collective bargaining. Like other employee benefits, health insurance would become a “prohibited subject” of bargaining.

Subject to state law, plans and premiums would be up to the employer. Note: the requirement employees pay a minimum share of premiums applies to state employees and not to technical colleges with one exception noted in the next bullet.

- Require local government employers participating in the Public Employers Group Health Insurance program, the “state plan” for health insurance, to pay no more than 88% of the lowest cost plan premium for employees. This applies to one technical college district, Blackhawk Technical College. At Blackhawk, this shifts at least 12% of premium costs to employees. No other technical college district offers the “state plan” at this time.

#### Collective Bargaining

- For technical college districts, school districts and other local government employers (with a few exceptions for firefighters and police officers), limit collective bargaining to employee base wages only. This would remove all other bargaining topics, from benefits to workload and employment terms, from collective bargaining.
- In collective bargaining of base wages, limit wage increases to not exceed a cap based on inflation (the CPI) except as approved by a districtwide referendum.
- Limit public labor contracts to no more than one year in duration and freeze wages after an agreement expires until a new contract is settled.
- Require all public collective bargaining units to vote affirmatively each year to maintain certification as a union.
- Prohibit employers from collecting union dues. This is commonly known as “fair share” agreements.
- Prohibit members of collective bargaining units from being required to pay union dues or to be a member of the existing union. These provisions are commonly referred to as being a “right to work” state.

#### Civil Service

- Require technical college districts and other local governments to create a “civil service” or grievance procedure concerning termination from employment, discipline and workplace safety issues.

*Recommended position: None. The District Boards Association did not request any of the changes contained within Act 10.*

Bill history and text: <https://docs.legis.wisconsin.gov/2011/proposals/ab11>

### **AB 33 – Tax Deduction for Bachelor’s Degree Graduates**

*This bill was introduced in February and is awaiting a hearing.*

AB 33 is similar to a bill introduced last session. It would give *bachelor’s degree* graduates of accredited colleges and universities who live in Wisconsin year-round a \$1,000 tax deduction in each of up to 5 years following graduation. The bill is drafted to include accredited degrees earned anywhere so long as the graduate is a state resident claiming the credit. The bill is drafted to include only bachelor’s degree earners and not technical college graduates. However, staff for the bill’s lead sponsor are aware of this and have promised to review the bill language. As

originally drafted to apply to only bachelor's graduates, the bill is estimated to cost (reduce state tax revenue by) \$5.3 million annually.

*Recommended position: None/monitor. A bill seeking to keep talented graduates in Wisconsin should include WTCS graduates.*

Bill history and text: <https://docs.legis.wisconsin.gov/2011/proposals/ab33>

### **AB 40 (was also introduced as SB 27) – The 2011-2013 State Budget Bill**

*AB 40 and SB 27 were introduced as parallel state “executive budget” proposals for the biennium beginning July 1, 2011 through June 30, 2013, at the Governor’s request on March 1st. The Joint Finance Committee has proceeded to amend AB 40 and has left SB 27 aside, suggesting the final JFC-passed version will go to the Assembly first, then the Senate.*

*For a summary of provisions affecting technical colleges, and for regular updates on the budget bills’ progress, subscribe to “Advocacy Newsletters” at [www.buildingthenextgeneration.org](http://www.buildingthenextgeneration.org).*

Bill history and text (Warning: bill text is 1,300+ pages):  
<https://docs.legis.wisconsin.gov/2011/proposals/ab40>

### **AB 62 (also SB 45) – Requirements to be a School Nurse and Distributing School Medications**

*See SB 45, below.*

### **AB 97 (also SB 40) – Workforce Advancement Training (WAT) Grants**

*See SB 40, below.*

### **NEW - AB 113 (also SB 80) – County Boundary Change Between Green Lake and Marquette Counties**

*The Assembly bill version was the subject of a hearing and voted out of committee with unanimous support for passage. It was sent to the full Assembly floor but was tabled on May 17, 2011. The Senate version is awaiting a hearing.*

These bills change the official boundary between Green Lake and Marquette Counties affecting approximately 860 acres. According to the lead Assembly sponsor, Representative Joan

Ballweg, R-Markesan, the change reflects how the land is already treated for taxes, schools and voting. In other words, residents and local governments have long treated the proposed boundaries in this bill as the official boundaries.

This bill is of interest to technical colleges because part, but not all, of the boundary between Green Lake and Marquette Counties also serves as the boundary between Moraine Park and Madison Area Technical Colleges. To the extent any boundary between technical college districts changes, a number of factors can also change including property valuation for setting levies, jurisdictions involved in board appointments and residents' eligibility to serve on district boards, among others. Also, at the time of a shift in boundaries, state law provides that each local government ceding and receiving new territory adjust assets and liabilities. This includes technical college districts. Accordingly, the relevant portion of college district assets and liabilities (including debt obligations) subject to the boundary change must be calculated and shifted.

So far, it appears these bills are intended to make the official boundary match the long held boundary used by residents and local governments alike. If that is the case, it may well mean the assets and liabilities are already matched to the new boundaries created by these bills.

*Recommended position: None/monitor.*

Bill history and text:

AB 113: <https://docs.legis.wisconsin.gov/2011/proposals/ab113>

SB 80: <https://docs.legis.wisconsin.gov/2011/proposals/sb80>

### **NEW - AB 126 (also SB 90) – “Concealed Carry” of Firearms**

*These bills were introduced and were the subject of public hearings in May, 2011. They are awaiting committee votes that would make them available for consideration by the full body in their respective houses.*

AB 126 and SB 90 create a system of licensing to allow the carrying of concealed weapons including handguns in Wisconsin. They also change a number of weapons-related provisions of law including those affecting the legality of “going armed” with a dangerous weapon in public places including in public/government buildings. These provisions affect technical college district campuses.

As introduced, the bills provide that a person may apply for a state permit to carry a dangerous weapon (a handgun, electronic weapon, a knife other than a switchblade, or a billy club) anywhere in the state with the following exceptions: various law enforcement and jail facilities, courthouses, past the security checkpoints at airports, and on the grounds of or in (K-12) schools. The bills provide that home and business owners may prohibit individuals from carrying weapons into their home or business, and may also ban their employees from carrying weapons while working (wherever they are working).

Importantly, the state or a local government unit (including technical college districts) *may* prohibit a licensee from carrying a weapon into “a building” that is owned, occupied, or controlled by the government unit. This language applies to buildings only and not to college campus grounds such as parking lots, driveways or lawns.

The bills then state “... a local government unit has notified an individual not to enter or remain ... while carrying a firearm or with a particular type of firearm if the ... local government unit has posted a sign that is located in a prominent place near all of the entrances to the part of the building to which the restriction applies and any individual entering the building can reasonably be expected to see the sign.”

The bills also provide new rules for law enforcement and former law enforcement officers to continue to carry weapons and concealed weapons, including at or in places weapons are otherwise banned.

For similar bills introduced in the past, technical colleges, the UW System and private colleges and universities have either opposed such legislation or have sought amendments to further limit carrying weapons on their campuses. This has focused on two types of amendments: seeking to treat college and university grounds like K-12 grounds (banning concealed carry outright), or, allowing colleges and universities the ability to post a ban for campus grounds as well as in buildings.

*Recommended position: The discretion of district boards to control district facilities, including allowing or posting a ban against carrying firearms, should extend beyond buildings to include all campus grounds and property.*

Bill history and text:

AB 126: <https://docs.legis.wisconsin.gov/2011/proposals/ab126>

SB 90: <https://docs.legis.wisconsin.gov/2011/proposals/sb90>

### **AB 133 (also SB 53) – Veterans Tuition Remissions**

*See SB 53, below.*

### **NEW - AB 141 – Minnesota Wisconsin Tuition Reciprocity**

*This bill was introduced in May, 2011, as one of a package produced by the Joint Legislative Council Special Committee on the Review of Higher Education Financial Aid Programs. Joint Legislative Council committees are citizen-legislator panels assigned to study a certain topic and propose legislation as appropriate. “Leg Council” bills are directly introduced by the committee rather than by one or more legislators. This bill awaits a hearing.*

*This issue may be addressed as part of the 2011-13 state budget bill, AB 40. If this occurs, it will preempt this bill.*

Wisconsin and Minnesota students may attend a public college or university in the other state and pay resident tuition equivalent to a comparable “home” state college or university. When Minnesota tuition is higher (as is common for 4-year programs), the Wisconsin student pays the home rate and the State of Wisconsin pays the balance or “supplement” to Minnesota. This bill would eliminate the state’s pay of a supplement and require Wisconsin residents attending a Minnesota school to pay the full in-state cost that a Minnesota resident would pay.

The bill also affects revenue from inbound Minnesota students to the UW System. Minnesota 4-year students often pay more than UW students. This additional tuition is currently returned by the UW to the state general fund. This bill would require these additional funds instead be credited to the WHEG financial aid grants for UW students. The bill does not apply this provision to technical colleges.

*Recommended position: Monitor/none.*

Bill history and text: <https://docs.legis.wisconsin.gov/2011/proposals/ab141>

### **NEW - AB 142 – Talent Incentive Program Grants**

*This bill was introduced in May, 2011, as one of a package produced by the Joint Legislative Council Special Committee on the Review of Higher Education Financial Aid Programs. Joint Legislative Council committees are citizen-legislator panels assigned to study a certain topic and propose legislation as appropriate. “Leg Council” bills are directly introduced by the committee rather than by one or more legislators. This bill awaits a hearing.*

Talent Incentive Program grants are awarded by the Higher Educational Aids Board (“HEAB”) to promising “uniquely needy” students attending public or non-profit private colleges and universities. Grants may be in amounts up to \$1,800 annually and can be renewed for up to 10 semesters or quarters. However, the student must be continuously enrolled in each successive semester/quarter to receive the award.

This bill would maintain the current grant program except that a student could leave for a semester/quarter or more and would not lose future eligibility because he/she was not continuously enrolled every successive semester/quarter.

*Recommended position: Support. Student withdrawal decisions, especially for illness or other reasons outside a student’s control, should not be influenced by the potential of lost scholarship/grant funding.*

Bill history and text: <https://docs.legis.wisconsin.gov/2011/proposals/ab142>



## **NEW - AB 143 – “Sum Sufficient” Funding for WHEG and Other Financial Aid Programs**

*This bill was introduced in May, 2011, as one of a package produced by the Joint Legislative Council Special Committee on the Review of Higher Education Financial Aid Programs. Joint Legislative Council committees are citizen-legislator panels assigned to study a certain topic and propose legislation as appropriate. “Leg Council” bills are directly introduced by the committee rather than by one or more legislators. This bill awaits a hearing.*

*This bill’s provisions were included in a motion offered to AB 40, the 2011-13 state budget bill, in the Joint Finance Committee (JFC) in May, 2011. The motion failed.*

This bill affects financial aid programs including the Wisconsin Higher Education Grant, “WHEG,” the state’s main need-based higher education financial aid grant. WHEG includes fixed appropriations for WTCS students, for UW students, and for Wisconsin’s tribal college students. There is also a parallel “Tuition Grant” program for students at private independent non-profit colleges and universities. This bill also affects Minority Undergraduate Retention Grants (applicable to WTCS students) and Lawton Minority Undergraduate Grants for UW students.

This bill would change the appropriation from a fixed “sum certain” to an automatically adjusted “sum sufficient.” The amount appropriated would increase to the extent undergraduate tuition increases at UW institutions. The amount would be calculated using a formula that includes the higher of tuition increases at UW Madison or at all other UW institutions.

This bill has the benefits of adjusting state funding to match tuition increases but should match WTCS WHEG funding to WTCS tuition increases. While UW increases may be higher, this is not guaranteed and a link from WTCS WHEG funding to WTCS tuition is more rational.

However, it must be noted that existing funding has resulted in a much larger “need gap” for WTCS students than for UW and private college students. The need gap is the cumulative gap between all student resources (personal, family, financial aid and loans) compared with the cost of attending school. The larger gap for technical college students is due in some part to legislative decisions favoring much larger increases for UW and private college grant programs compared with WHEG for technical college students. This bill would freeze the larger need gap in place by beginning the indexing of new increases on top of the “base” of existing funding.

*Recommended position: Monitor/none.*

Bill history and text: <https://docs.legis.wisconsin.gov/2011/proposals/ab143>

## **NEW - AB 144 – Establishing a Temporary Financial Aid Commission**

*This bill was introduced in May, 2011, as one of a package produced by the Joint Legislative Council Special Committee on the Review of Higher Education Financial Aid Programs. Joint*

*Legislative Council committees are citizen-legislator panels assigned to study a certain topic and propose legislation as appropriate. “Leg Council” bills are directly introduced by the committee rather than by one or more legislators. This bill awaits a hearing.*

Wisconsin higher education grants and financial aid are administered largely by the Higher Educational Aids Board, “HEAB,” a small independent state agency led by a secretary appointed by the Governor.

The bill would create a temporary commission on financial aid consolidation and modernization related to HEAB programs. It would consist of 11 members as follows:

- The HEAB executive secretary.
- The chairperson of the HEA Board.
- A HEA Board member designated by the chairperson of the HEA Board.
- Two representatives of the University of Wisconsin System.
- Two representatives of the Wisconsin Technical College System.
- Two representatives of the Wisconsin Association of Independent Colleges and Universities.
- One member of the Assembly appointed by the Speaker of the Assembly.
- One member of the Senate appointed by the Senate Majority Leader.

The bill would direct the temporary commission to study the potential for consolidating all grant programs administered by HEAB into a single, comprehensive, need-based grant program. It would also study options for providing grant aid for students who are attending Wisconsin institutions of higher education at less than fulltime credit loads. The commission would report its recommendations to HEAB and the Legislature no later than April 1, 2012.

*Recommended position: Support.*

Bill history and text: <https://docs.legis.wisconsin.gov/2011/proposals/ab144>

## **LRB 0294/1 – Composition of Technical College District Boards**

*This draft bill is being circulated for legislative sponsors by Senator Glenn Grothman (R-West Bend) and has not yet been introduced. The Boards Association has met with the Senator’s staff and requested reconsideration given the wide range of employers and employees who would become ineligible for most board seats.*

This draft bill would fundamentally change the composition of technical college district boards and eligibility to serve. The proposed bill would require each 9-member district board be comprised of:

- Six employees (or owners, directors, managers) of a for-profit business, or persons retired from positions at a for-profit business,
- one elected official,
- one school district administrator, and
- one additional member.

Other aspects of the appointment process including plans of representation would remain unchanged.

Under this bill, a large number of current members would be ineligible to serve except as the board's single additional member. Among others, the six-member board majority could no longer include persons who work for or are retired from the following types of employers and positions:

- Most hospitals, clinics and health care providers (except for-profit entities);
- School districts, including counselors, teachers, principals and other staff and administrators;
- Cities, counties, or other local governments including police, fire, EMT, and other public safety and health officers;
- Labor organizations/unions, and trade association employees and officials;
- Employees of community-based organizations and other not-for-profit groups including significant technical college partners such as workforce development boards, chambers of commerce, and local regional and state economic development organizations;
- Community-based organizations and groups such as employees of the Boy and Girl Scouts, Boys and Girls Clubs, and YMCA/YWCA;
- Employees of charitable organizations and foundations such as the United Way, all other charitable and philanthropic groups, and local community foundations;
- Employees of religious orders and organizations;
- The State of Wisconsin including public health, human services, all UW, natural resources, corrections, transportation, State Patrol, agricultural, Extension, and other employees;
- Federal employees including members of the U.S. Military and military recruiters, Veterans Administration, USDA, Forest Service and others;
- Veterans organizations such as the VFW and American Legion;
- Cooperative employees;
- Credit union employees;
- Tribal and Native American nation employees including gaming industry employees;
- Faculty and staff of most private colleges and universities (other than for-profit/proprietary schools);
- Cooperative, credit union, and employees of local public cooperative electric, water, sewer and telecommunications utilities;
- Employees of not-for-profit child care organizations, pre-schools and child welfare entities;
- Those working for employee-owned and member-owned not-for-profit health care plans, insurance, mutual benefit and fraternal organizations;
- Retired school superintendents/administrators not serving in the school administrator position; and
- Elected local and state public officials not serving in the elected official position.

Based on 2010-11 membership, some 43% of current board members (62 of 144) would no longer be eligible to serve. This includes at least 2 and up to 6 members of each current board.

The types of employees and retirees no longer able to serve include many representing our districts' large and most important employers. They also represent employees from industries in

which technical colleges provide the majority of trained workers and professionals. This bill would eliminate board eligibility for many individuals representing police, fire, public safety, nursing, health occupations, education, child care, and utility workers. Each of these is an industry in which technical colleges provide a large number or the vast majority of skilled employees.

The bill would also serve to make arbitrary distinctions among employees with similar jobs but different employers. The director of food service for a large non-profit hospital would not qualify for the six “business” board seats, but the manager of a private restaurant would. Of course, both hire and supervise technical college graduates from the same culinary programs. Many bank employees would qualify to serve in these board positions but credit union employees would not. Similarly, an insurance professional would or would not qualify depending on the type of company. Wisconsin is home to many fraternal and non-profit insurance concerns. Employees of these organizations would not qualify while employees of a for-profit insurance company would.

The existing district board governance model assures that technical colleges have representative and responsive boards made up of individuals who carefully match and represent the real world of work. This bill would limit the diversity of individuals serving on boards, and would needlessly eliminate representation of many of the important local businesses and industries. It would make boards less, not more, responsive to the programs offered and taxpayers served.

*Recommended position: Oppose.*

Bill history and text: Not yet available.

## **SB 27 and AB 40 – The 2011-2013 State Budget Bill**

*See AB 40, above.*

## **NEW - SB 40 (also AB 97) – Workforce Advancement Training (WAT) Grants**

*These identical bills were introduced in April, 2011. The Assembly bill is awaiting a hearing. The Senate bill was the subject of a hearing in late April and is awaiting further action. Both bills have a favorable amendment awaiting consideration. The substance of these bills is also part of a larger “Jobs” package being offered by Senate Democrats. The bills’ provisions were included in a budget motion offered in the Joint Finance Committee (JFC). That motion failed 4-12 on party lines.*

Workforce Advancement Training (WAT) Grants are awarded by the WTCS to technical college districts on a competitive basis to be used to defray the cost of customized training the college provides to a business. The entire grant amount passes through the college to the business to use in defraying training costs. In that sense, the grants generate training contracts that might not

otherwise be affordable to the business. However, the college providing the training receives only the typical cost-based training fee. These grants do not otherwise expand capacity for regular students or courses.

The base funding amount for WAT grants is \$4 million annually. Of this amount, current state law requires at least \$2 million be used for training targeted at “advanced manufacturing.” The remaining funds may be used for broader training purposes and businesses including, for example, training in health care, agriculture/forestry, tourism/hospitality or other non-manufacturing industries.

These bills as originally introduced simply reallocated the existing \$4 million base funding to require that \$2.4 million (rather than \$2 million) be used for advanced manufacturing projects. In recent years, some \$2.7 million was already being allocated for manufacturing projects. Thus, the bills would have had no practical effect based on current demand, but could have limited future use and flexibility if, for example, demand for grants changed to be less manufacturing-driven.

The pending amendments would change the overall appropriation from \$4 million to \$4.4 million annually. This positive change protects the amount of funding available for non-manufacturing purposes and increases overall funding to match the expanded set-aside for advanced manufacturing.

*Recommended position: Support based on the pending amendments to increase overall funding in an amount matching the increased set-aside.*

Bill history and text:

SB 40: <https://docs.legis.wisconsin.gov/2011/proposals/sb40>

AB 97: <https://docs.legis.wisconsin.gov/2011/proposals/ab97>

### **UPDATED - SB 45 (also AB 62) – Requirements to be a School Nurse and Distributing School Medications**

*These identical bills were introduced in late March. The Senate version was the subject of a public hearing on April 6, 2011, and the Assembly bill received a hearing on June 2<sup>nd</sup>. Based on concerns raised by groups including the WTCS and District Boards Association, a “substitute amendment” has been drafted for each bill. A “substitute” amendment effectively replaces the entire bill with new provisions. This substitute is a very positive development meeting our concerns as described below.*

These bills once again address rules for working as a school nurse. Currently, by Department of Public Instruction (DPI) rule, a new school nurse must hold a bachelor’s degree in addition to being an RN.

The pending substitute amendments (LRBs0097/1 and LRBs0098/1) developed to replace these bills satisfy technical colleges’ longstanding concerns by directing DPI to license as a school

nurse any RN who has successfully completed a course in public health or community health approved by DPI. The substitutes must be formally adopted by the relevant legislative committees to officially “fix” these bills. The fact that the “sub” is being offered by the bills’ lead sponsors at the request of the Senate Health Committee following its bill hearing is very positive and promising.

The best way to follow this complex set of proposals across two sessions is by a timeline:

- In 2010, DPI requested legislation to eliminate the DPI licensing of school nurses. In its place, DPI requested a law to require that school nurses hold a minimum of a bachelor’s degree. The bills also changed rules for administering medication in school settings.
- The Boards Association and WTCS opposed the minimum bachelor’s degree requirement as unrelated to the parallel competencies possessed by new RNs from either associate degree or bachelor’s nursing programs.
- At our urging, the bills were amended to remove the bachelor’s degree minimum and, instead, required DPI to establish qualifications to be a school nurse by administrative rulemaking. The bill as passed was signed into law as 2009 Act 160. We understood that DPI would continue to pursue the bachelor’s requirement in rulemaking.
- DPI imposed the bachelor’s minimum in administrative rule. While there was support for this in testimony, there was also significant opposition during the rulemaking process.
- On March 1, 2011, Governor Walker introduced a 2011-13 state budget (AB 40) including a provision to repeal the new rule. Later, however, the Joint Finance Committee removed the provision from the budget (eliminating it) as one of several “non-fiscal” policy items.
- In late March, 2011, the new bills, SB 45 and AB 62, were introduced to repeal and restate last session’s Act 160.
- The new bills, SB 45 and AB 62, were written to state that DPI *may license* as a school nurse any RN who is “certified by the (DPI) as being qualified to perform professional nursing services in a public school.” While it was not clear how DPI would interpret the new “qualified to perform nursing services in a public school” standard, it had pushed for a bill and passed an administrative rule imposing the bachelor’s degree minimum.
- At an April, 2011, hearing, technical colleges and other groups opposed the new bills for various reasons. With no real support for the bills from any group, the Senate Health Committee asked the co-sponsors to re-work the identical bills.
- In May, 2011, the “substitute” bills addressing technical college concerns were offered. They are pending and not yet formally adopted.

Technical colleges have fought steadfastly against requiring school nurses have a minimum bachelor’s degree. RNs are licensed after passing national examinations and meeting other requirements including graduating from an approved (associate degree or bachelor’s degree) nursing program. A new “RN is an RN” regardless of the degree earned, and all RNs pass the same examinations regardless of degree earned. There is no meaningful difference in examination pass rates depending on the degree earned. In many years, associate degree nurse graduates pass the examinations in Wisconsin at a higher rate than bachelor’s graduates.

While many nurses require specific competencies and training beyond the RN designation, there is no connection between the underlying nursing degree leading to the RN and such specialized training and competencies.

*Recommended position: Support based on the adoption of the substitute amendments LRBs0097/1 and LRBs0098/1. The District Boards Association continues to oppose any bill or rule that distinguishes among RNs based on the underlying degree program leading to the RN.*

Bill history and text:

SB 45: <https://docs.legis.wisconsin.gov/2011/proposals/sb45>

AB 62: <https://docs.legis.wisconsin.gov/2011/proposals/ab62>

## **NEW - SB 53 (also AB 133) – Veterans Tuition Remissions**

*SB 53 was introduced in April and AB 133 was introduced in May, 2011. Both bills are awaiting a hearing. The Senate's lead sponsor is Senator Julie Lassa (D-Stevens Point) and the Assembly's lead sponsor is Representative Janis Ringhand (D-Evansville).*

These identical bills change standards for veterans' tuition remissions and provide full state funding of remissions granted to veterans and their family members. Current law provides a 100% tuition remission at Wisconsin technical colleges and/or UW institutions for many veterans and some family members. Qualifying individuals generally include military veterans within 10 years after leaving active duty, and a veteran's children and un-remarried spouse if the veteran died while on active duty or received a 30% or greater duty-related permanent disability. The benefit is provided for the longer of 128 credits or 8 semesters.

Since 2009, veterans have been required to use any Post 9/11 tuition assistance first before using the state remission. However, vets also have a "hold harmless" guarantee that requires colleges pay back any amount the vet would lose in total federal benefits by virtue of using the Post 9/11 tuition assistance first.

This bill includes two important provisions. The first provision was also proposed last session and is proposed again in the 2012-13 state budget bill (AB 40). It eliminates the requirement vets use federal Post 9/11 tuition benefits before receiving the rest as a state remission. This is based on the rationale that the state should provide a full 128 credits of college to vets at no cost *in addition to* all federal veterans' benefits.

Importantly, this bill also provides full state reimbursement to colleges for the remission cost. Currently, the state provides about 20% reimbursement to the colleges. In 2009-10, technical colleges received \$1.2 million from the state (which is 22%) of \$5.7 million remitted on behalf of 4,241 vets and family members at technical colleges. Current state funding is split on a pro-rata basis between UW and technical college remissions and varies (will decrease) as the number of vets and family members climbs.

The bill changes the state appropriation from a "sum certain" to a "sum sufficient" appropriation. A "sum sufficient" means the state will allocate all funds required to cover the tuition remission costs for WTCS and UW students in the program. This eliminates the state's unfunded mandate and reflects that veterans serve proudly and honorably on behalf of all Wisconsinites. It eliminates a shift of unfunded remission costs to non-veteran students and property taxpayers.

*Recommended position: Support.*

Bill history and text:

SB 53: <https://docs.legis.wisconsin.gov/2011/proposals/sb53>

AB 133: <https://docs.legis.wisconsin.gov/2011/proposals/ab133>

## **SB 90 (also AB 126) – “Concealed Carry” of Firearms**

*See AB 126, above.*

## **NEW - SB 93 – “Concealed Carry” of Firearms**

*This bill was the subject of a public hearing and was voted out of committee on a 3-2 vote on May 27, 2011, making it ready for action by the full Senate.*

Unlike AB 126 and SB 90 (see AB 126, above) this bill authorizes concealed carrying of weapons without requiring permits or training, a concept generally referred to as “Constitutional Carry.” This bill also allows for the carrying of weapons in places that would or could be banned under the other “concealed carry” bills such as AB 126 and SB 90.

Specific to technical colleges, SB 93 would allow a local government such as a technical college to ban carrying weapons only to the extent: the location is in a building, is beyond an electronic weapons screening point, the college provides electronic screening for weapons at all public entrances to the building or portion of the building, and, it provides locked storage for individuals to use for personal weapons storage while they pass through and remain beyond the weapons check point.

SB 93 does not allow local governments to ban the carrying of weapons on their grounds. It allows any employer to ban employees from carrying weapons while working, except that no employer may ban an employee from keeping loaded weapons in the employee’s own vehicle even if the employee uses the vehicle for work.

*Recommended position: Based on cost and complexity, and based on maintaining maximum control of college facilities by the local college board, other approaches such as AB 126 and SB 90 are preferable to this bill.*

Bill history and text: <https://docs.legis.wisconsin.gov/2011/proposals/sb93>

(End of Bills of Interest Section)



*This report was prepared by Paul Gabriel, who is responsible for the content including any analysis or opinion. For more information, contact Paul Gabriel at 608 266-9430 or [pgabriel@districtboards.org](mailto:pgabriel@districtboards.org)*

*A Guide to reading bill histories follows:*

## Reading Wisconsin Bill Histories – A Guide to the Basics

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The text, sponsors, and procedural history of each state legislative bill are available at the Wisconsin Legislature's website, <http://legis.wisconsin.gov>. Select "Assembly" or "Senate" and enter the bill number. You may also access a bill history page through links provided in the District Boards Association's "Bills of Interest" reports found at [www.districtboards.org](http://www.districtboards.org), and at [www.buildingthenextgeneration.org](http://www.buildingthenextgeneration.org).

When reviewing a specific bill history on line, the following guide to may be helpful in understanding a bill's text, sponsors, and procedural status:

Bill text	(Link to) the original bill's full text.
Sponsors	Sponsors are listed in the first dated entry of the procedural history or on the bill itself. This entry's date is the official date of bill introduction.
Read first time	Provides the committee to which bill is referred for a hearing.
Public hearing held	Hearing at which public may comment or register on the bill.
Executive action taken ... Report passage recommended	The committee voted the bill out of committee to the full body with its recommendation/vote for passage.
Assembly/Senate Amendment (number)	Click on the number to see text of any amendment to original bill.
"Substitute" Amendment (number)	Click on substitute amendment number to see text of an amendment that <i>replaces entire original bill</i> .
Fiscal estimate	Click on link for a report of bill's estimated fiscal effect.

Second reading	The full body considers the bill after it comes back from committee. This is the point at which amendments from committee or from the floor are officially attached.
Third reading	Clears the way for a full vote to pass or defeat the bill (it may be voted up or down but not amended).
Voice vote	Adoption by the body without a roll call.
Ayes/Noes	Click on this link to see the roll call vote (not available when the action was by “voice vote”).
Messaged	After the vote, the action sending the bill to the other house.
Concurred in	One house’s adoption of the other’s bill or bill version.
Enrolled	The bill is packaged as a complete piece of legislation and is available to be called for by, or sent to, the Governor.
Report approved, vetoed, or vetoed in part	Reflects the Governor’s signing, veto, or (for appropriations bills) partial veto.
Report Published	The date on which the Secretary of State published the new law, making it official and putting it into effect as a law.
Act (number)	When a bill becomes law it is transformed from a bill number to “2011 Act xx.” Click on the Act number to see the new law.