



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

As of January 17, 2012

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 Winter or Spring, 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).

## **Index -- Bills of Interest by Subject**

**Page**

Benefits, Actuarial Funding of Post-Retirement Health Benefits (AB 219)	15
Board Composition, Changing District Boards (AB 353 and SB 275) <a href="#">Updated</a>	33
Boundary Change (Green Lake and Marquette Counties) – Act 66 (introduced as AB 113 and SB 80)	10
Budget, 2011-2013 State Budget - Act 32 (AB 40 and SB 27)	9
Budget Adjustment Bill – Act 10 (Special Session AB 11)	4
Capital Projects	
Exempting Student Residence Hall Lease Revenue from Capital Project Limits (SB 132)	30
Exempting Some Projects From Prevailing Wage Laws (AB 233 and SB 230) <a href="#">Updated</a>	15
Collective Bargaining and Employee Benefits Reform	
Act 10 (Special Session AB 11)	4
Restoring Collective Bargaining (SB 233 and AB 338)	31
Allowing One Memo of Understanding – Act 65 (introduced as AB 319)	17
College and Workforce Readiness Council, Governor’s (Executive Order #56) <a href="#">New</a>	38
Concealed Carry of Firearms	
Act 35 (introduced as SB 93)	28
(AB 126 and SB 90)	10
County Boundary Change (Green Lake and Marquette Counties) – Act 66 (AB 113 and SB 80)	10
Credit Cards for Students and Financial Literacy (AB 340 and SB 258)	20
Disabled Students, Instructional Materials for (AB 322)	18
District Board Composition, Changing (AB 353 and SB 275) <a href="#">Updated</a>	33
“Double Dipping,” Limits on Rehiring Certain Retirees (AB 318 and SB 239) <a href="#">Updated</a>	16
Felons, Refusal to Hire (AB 286 and SB 207) <a href="#">Updated</a>	16
Financial Aid	
Minnesota-Wisconsin Tuition Reciprocity (AB 141)	11
Talent Incentive Program Grants (AB 142)	11
WHEG Funding Sum Sufficient Formula (AB 143)	12
Temporary Commission on Aid, Establishing (AB 144)	13
Firearms on College Campuses – Concealed Carry	
Act 35 (introduced as SB 93)	28
(AB 126 and SB 90)	10
Funding Technical Colleges	
“Wisconsin Jobs Initiative” (SB 236)	32
“Workforce Growth Grants” (AB 398) <a href="#">New</a>	20
Gateway Technical College Centennial (SJR 39)	37
Geothermal Well Drilling (AB 201) <a href="#">New</a>	14
Graduates, Tax Deduction for (AB 33)	9
Health Care Benefits, Requiring Funding of Post-Retirement Costs (AB 219)	15

*(continued, next page)*

K-12	
School Nurses, Requirements to be – Act 86 (introduced as SB 45 and AB 62)	26
Vocational High School Diplomas (Special Session AB 18 and SB 18)	23
AB 447 and SB 335 <a href="#">Updated</a>	36
Instructional Materials for Disabled Individuals (AB 322)	18
Mandates	
Constitutional Change Requiring Funding of (AJR 46)	24
Limiting Unfunded Mandates (AB 326)	19
Memorandum of Understanding with Employee Bargaining Organizations – Act 65 (introduced as AB 319)	17
Nursing, Requirements to be a School Nurse – Act 86 (introduced as SB 45 and AB 62)	26
Prevailing Wage Laws Waived for Some Public Projects (AB 233 and SB 230) <a href="#">Updated</a>	15
Residence Halls, Exempting Lease Revenue from Referendum Requirements (SB 132)	30
Retirements, Limits on Rehiring Certain Retirees (AB 318 and SB 239) <a href="#">Updated</a>	16
School Nurses, Requirements to be – Act 86 (introduced as SB 45 and AB 62)	26
State Budget, 2011-13 – Act 32 (introduced as AB 40 and SB 27)	9
Student ID Cards and Voting – Act 23 (introduced as AB 7)	6
Talent Incentive Program Grants (Financial Aid) (AB 142)	11
Tax Deduction for Graduates (AB 33)	9
Tuition Reciprocity, Minnesota-Wisconsin, Program Changes (AB 141)	11
Tuition Remissions, Funding for Veterans (SB 53 and AB 133)	27
Unfunded Mandates	
Constitutional Amendment Prohibiting (AJR 46)	24
Limiting Unfunded Mandates (AB 326)	19
Veterans, Tuition Remission Funding for (SB 53 and AB 133)	27
Vocational High School Diplomas (Special Session AB 18 and SB 18)	23
AB 447 and SB 335 <a href="#">Updated</a>	36
Voter ID Requirements – Act 23 (introduced as AB 7)	6
Western Technical College Centennial (SJR 52) <a href="#">New</a>	38
“WiscNet,” Extending the Time for Study Before Prohibiting Sale of WiscNet Telecommunication Services by the UW (AB 473 and SB 375) <a href="#">New</a>	22
Wisconsin Higher Education Grants (WHEG) Sum Sufficient Funding (AB 143)	12
“Wisconsin Jobs Initiative” Funding for Technical Colleges (SB 236)	32
Workforce Advancement Training (WAT) Grants, Expanding (Special Session AB 4 and SB 4)	23
(SB 40 and AB 97)	25
(AB 187)	14
(AB 431 and SB 316) <a href="#">New</a>	21
Workforce Growth Grants (AB 398) <a href="#">New</a>	20
<b>Reading Wisconsin Bill Histories Online – A Guide to Basics</b>	<b>40</b>

## Bills of Interest

### **Act 10 (AB 11 in January, 2011, Special Session) – 2010-11 Budget Adjustment Bill**

*Act 10, the collective bargaining and “budget adjustment” bill, became law on June 29, 2011, after months of wrangling and Capitol protests. Act 10 was introduced as AB 11 in the January 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 9<sup>th</sup>, a conference committee of Assembly and Senate leaders was appointed, quickly split the fiscal provisions out of the bill, and sent it to the Senate for passage that evening while the Senate Democrats remained out of state. The Assembly immediately passed the new version and the Governor signed it on March 10<sup>th</sup>. The conference committee action was challenged in court and an injunction was issued stopping Act 10’s implementation. Act 10 was later declared “null and void” by a Dane County judge on May 26<sup>th</sup>. The state Supreme Court reversed this ruling and reinstated Act 10 on June 14, just as the Assembly prepared to repeat Act 10’s provisions as an amendment to the 2011-13 budget bill.*

*While Act 10 was reinstated in its own right by the Supreme Court, the 2011-13 budget bill, AB 40, also included several adjustments and clarifications to Act 10, as noted below.*

Key provisions of Act 10 affecting technical colleges included:

#### **Wisconsin Retirement System (Pensions)**

- Require employee pension contributions -- 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, beginning in 2011 or, for union employees, upon the expiration, amendment or extension of the current labor agreement.
- No bargaining of pensions -- Remove pension plan benefits from collective bargaining. Like other employee benefits, pensions would become a “prohibited subject” of bargaining.
- Budget Bill Note: Study of WRS vesting periods -- Require a study of options for changing the WRS benefit (offering a defined contribution benefit) and for allowing employees to opt out of their share of contributions in return for lower value pensions. (These provisions were removed from Act 10, but were restored in the budget bill.)
- Budget Bill Note: Change WRS vesting to 5 years -- The 2011-13 budget bill eliminated immediate WRS vesting for new public employees. New employees will now vest in the WRS after 5 years’ employment.
- Budget Bill Note: WRS Employee Contribution Timing -- This was clarified in the budget bill. For those employees not subject to an existing collective bargaining agreement, the budget bill establishes that WRS employee contributions begin after the budget is published on a date “... as determined by the Secretary of DOA.” On June 30<sup>th</sup>, DOA Secretary Mike Huebsch issued a memo stating that for local governments

(including technical colleges) “...the effective date should parallel as closely as possible the timing for state employees, who will first see these deductions on their August 25<sup>th</sup> paycheck.”

- Budget Bill Note: Pre-tax nature of WRS contributions -- The budget bill clarified that WRS employee contributions will be treated as "pre-tax" for income tax purposes and “must be considered employer contributions under section 414(h)(2) of the Internal Revenue Code.” This benefits employees by reducing taxable income.
- Budget Bill Note: FICA applies to employee WRS contributions -- WRS employee contributions are pre-tax only for income tax purposes and are still subject (for the employer and employee) to FICA (Social Security and Medicare) taxes.

### **Health Insurance Benefits**

- No bargaining health insurance -- 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.
- State health plan contributions -- 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**

- Limit bargaining to base wages -- For technical college districts, school districts and other local government employers (with a few exceptions for firefighters, police officers and transit workers), limit collective bargaining to employee base wages only. This would remove all other topics from bargaining, including benefits, workload, and terms of employment.
- Budget Bill Note: 90-day window for single MOU -- The budget bill also added the following that affects Act 10: A technical college district (or a school district) and its employee bargaining representative may enter into a single memorandum of understanding (1 per bargaining unit): within 90 days of the effective date of the budget bill, “to modify compensation and fringe benefits,” that reduces overall costs, under an existing collective bargaining agreement on the effective date of the budget bill, that was initially entered into prior to February 1, 2011. Such an MOU is not a modification of a bargaining agreement that triggers Act 10. *See also Act 65 (AB 319), below, which created a second 90-day window to execute one additional MOU.*
- Limit wage increases to CPI -- 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 contracts to 1 year -- 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 unions certify annually -- Require all public collective bargaining units to vote affirmatively each year to maintain certification as a union.

- Prohibit dues collection -- Prohibit employers from collecting union dues. This is commonly known as “fair share” agreements.
- Prohibit mandatory union dues or membership -- 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.

*Position: None.*

Bill history and text: <https://docs.legis.wisconsin.gov/2011/proposals/jr1/ab11>

### **Act 23 (introduced as AB 7) – Voter ID, Use of Student ID Cards for Voting**

*Wisconsin’s new “voter ID bill,” was signed into law as Act 23. The new law was initially interpreted to exclude technical college student IDs by the Government Accountability Board (GAB), which administers Wisconsin elections. Following significant statewide advocacy and appearances by the District Boards Association, the WTCS, and other advocates before the GAB at its November 9<sup>th</sup> meeting, the GAB reversed its initial ruling. It applied the plain reading of the new law, and unanimously agreed that technical college student IDs are included as college IDs under the voter ID statute.*

*Within days, the Legislature’s Joint Committee for Review of Administrative Rules (JCRAR) summoned GAB staff to a hearing concerning several issues. These included the use of technical college student IDs for voting and the use of stickers placed by colleges and universities on IDs to make them comply with requirements that valid IDs have certain issuance and expiration dates and a place for a student signature. For each of these issues, the JCRAR ruled on November 15<sup>th</sup> that the GAB was “interpreting,” not simply “applying,” the new law. This amounted to administrative rulemaking subject to the Governor’s and Legislature’s review and approval. This rule is unusual for multiple reasons including that the GAB is led by an independent board of former judges and is not a traditional state cabinet agency.*

*The GAB has issued a “scope” statement for a draft rule that allows technical college student IDs for voter ID. The Governor’s office quickly approved this scope statement. Because of posting and other requirements, the GAB can’t begin actually drafting the rule until mid-January, 2012, and the rule itself can’t be approved – even if there are no objections – until likely sometime after the February primary election at which IDs are first required. We expect that the GAB will issue guidance allowing the use of technical college IDs for the February elections so long as they meet the same format requirements of other college and university degrees. This should make them eligible for the time being unless there is an intervening court challenge or unexpected legislative action early in the new year.*

Act 23 requires certain photo ID be presented to exercise the right to vote. The law takes effect with Spring, 2012, elections. Under the new law, identification for voting means one of the following:

- A Wisconsin drivers license (or certain unexpired receipt of license);
- A state-issued identification card (or certain unexpired receipt of ID);
- A U.S. uniformed service ID;
- A U.S. passport;
- A certificate of U.S. naturalization issued not more than 2 years before the election;
- A Federally recognized tribal ID issued by the U.S. for a tribe in this state; OR,
- **“An unexpired identification card issued by a university or college in this state that is accredited, as defined in s. 39.30 (1)(d) ....”**

It is indisputable that Wisconsin technical colleges meet the accreditation requirements stated in s. 39.30 (1)(d). That section reads:

An “accredited” institution is an institution accredited by a nationally recognized accrediting agency or by the board of nursing pursuant to s. 441.01 (4), or, if not so accredited, is a non-profit institution of higher education whose credits are accepted on transfer by not less than 3 institutions which are so accredited, on the same basis as if transferred from an institution so accredited.

Technical colleges are accredited by the Higher Learning Commission of the Northcentral Association of Colleges and Universities, the same “gold standard” regional accrediting bodies as UW System schools and private institutions like Ripon College and Marquette University. Likewise, our nursing programs are accredited by the same bodies as UW and quality private non-profit college/university nursing programs in the state. Finally, of course, technical college credits transfer to all UW and most private institutions.

Despite the new law’s plain language on its face, the Wisconsin Government Accountability Board (GAB) decided on September 12<sup>th</sup> that Wisconsin technical college student identification cards may not be used for “voter ID” purposes. In the same action, the GAB approved the use of student IDs by almost all other college and university students in the state - including UW and independent private college and university student IDs - so long as the cards meet certain requirements, namely, they contain elements such as a signature and certain issuance and expiration dates.

On November 9<sup>th</sup>, District Boards Association, WTCS and other advocates succeeded in convincing the GAB that it was incorrect in its legal interpretation. The GAB is comprised of former judges. One member stated, “We were wrong, and judges don’t typically admit they were wrong.” The GAB then unanimously reversed its earlier decision.

The Legislature’s Joint Committee for Review of Administrative Rules (JCRAR) almost immediately summoned the GAB before it to a hearing with testimony by invitation only. Ultimately, the JCRAR decided that the GAB was “interpreting” and not simply “applying” the new law and that this was effectively administrative rulemaking. It ordered the GAB to draft administrative rules on the topic subject to the Governor’s and Legislature’s review. This process is underway, but will not be completed until sometime in February, 2012, at the earliest.

Until then, and unless the GAB's draft rule is rejected, it is likely the GAB will stand behind the use of technical college student IDs as voter ID, as long as they meet the same required format of all other college and university IDs.

At both the GAB and JCRAR November meetings, a number of arguments were explored suggesting that the Legislature did not intend to include technical college IDs.

First, concerns were raised that technical colleges are not actually colleges (!). However, Wisconsin technical colleges issue fully recognized associate degrees in a wide range of programs. Wisconsin technical college credits also transfer widely. This is the common definition of "college;" that a school issues recognized and accredited transfer credits and degrees at the associate level or higher. Technical colleges are also "colleges" in statute, defined in Chapter 38.

Second, some legislators pointed out the state's voter registration law lists "colleges, universities and technical colleges" while the new voter ID law says only "colleges and universities." This is due to the fact that the voter registration law is from before 1994 when technical "institutes" first became technical "colleges" in state law. In 1996, a correction was made to statutes by replacing only the word "institutes" with "colleges." This appears to be the only reason the two sections read differently; one is pre-1994 and was later corrected. The other is new and didn't need to distinguish between technical colleges and other colleges.

Third, significant emphasis is being placed on an attempt to specifically add technical colleges by an Assembly amendment to the voter ID bill that failed. Whatever weight a failed amendment to a bill carries in understanding the law as passed, it is much less than what the passed law actually says on its face. There apparently was no discussion on the floor as to why this amendment was offered or why it failed. It was one of 80 amendments that failed between the two houses over 12 hours of floor debate and caucus discussions. It is just as plausible as any other reason that it failed because technical colleges were already understood to be included in the new law (so the amendment was unnecessary).

Finally, some legislators are stating now that they did not personally intend to include technical colleges because the majority of technical college students "live at home." Again, what the law says carries much more weight than what an individual legislator thinks after the fact. We are not aware of any discussion to exclude technical colleges in any hearing, public discussion, bill summary, caucus or floor debate leading up to the bill's passage. Furthermore, the law is clear on its face and there is no rational or legal reason to exclude technical college students even if they are less likely to "be away" at school. Technical college students do move to attend school and some colleges maintain residence halls.

*Position: Support the GAB's November 9<sup>th</sup> ruling and any subsequent rule consistent with this ruling to assure technical college student IDs are valid for voter ID if they meet format requirements applicable to all colleges and universities.*

Bill history and text: <https://docs.legis.wisconsin.gov/2011/proposals/ab7>



## **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>

## **Act 32 (introduced as AB 40 and SB 27) – The 2011-2013 State Budget Bill**

*AB 40 and SB 27 were introduced as parallel state budget proposals for the biennium beginning July 1, 2011, through June 30, 2013, at the Governor’s request on March 1, 2011. AB 40 was amended by the Joint Finance Committee (JFC) over several weeks and voted out of committee on June 3<sup>rd</sup> on a 12-4 party-line vote. The Assembly considered the JFC version on the floor, amended it, and passed it on a 60-38 vote on June 16<sup>th</sup>. All 59 Republicans and the 1 Independent voted in favor, and 38 Democrats voted against. Later on June 16<sup>th</sup>, the Senate passed the same version, also on a party-line (19-14) vote. The Governor issued 50 partial vetoes and signed the bill as Act 32 on June 26<sup>th</sup>.*

*For a complete summary of budget provisions affecting technical colleges, see:*  
<http://districtboards.org/advocacy/budgetsummaryprovisions062811.pdf>

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) – Expanding Workforce Advancement Training (WAT) Grants**

*See SB 40, below.*

## **Act 66 (introduced as AB 113 and SB 80) – County Boundary Change Between Green Lake and Marquette Counties**

*The Assembly bill version was signed into law and became 2011 Act 66 on November 23, 2011.*

Act 66 changes 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. Because this law makes the official boundary match the long held boundary used by residents and local governments, there should be no impact on Moraine Park and Madison Colleges, which share a boundary with parts of the Green Lake/Marquette County boundary.

Boundary bills are of interest to technical colleges because technical college district boundaries are based on school district and county boundaries. 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.

*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>

## **AB 126 (also SB 90) – Concealed Carrying of Firearms**

*While these bills technically still exist, they have been preempted by the passage of SB 93.*

*See SB 93, below.*

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.*

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

*While this bill still technically exists, it was preempted by similar language passed in the 2011-13 State Budget, Act 32/AB 40, as described below.*

*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.*

Under longstanding law, Wisconsin and Minnesota students can 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.

A provision of the state budget bill, Act 32, preempted this bill by requiring that the Higher Educational Aids Board (HEAB) renegotiate with Minnesota to provide a Wisconsin student will pay the entire resident Minnesota tuition and fees amount him/herself. This effectively phases out the “supplement” Wisconsin taxpayers now make to cover the higher Minnesota tuition. The supplement will be phased-out beginning with new students in 2012-13, and will end completely at the beginning of the 2015-16 academic year.

*Recommended position: Monitor/none.*

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

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

*This bill passed the Assembly on November 3, 2011, after a highly controversial floor period in which Representative Peggy Krusick (D-Milwaukee) offered an amendment to bar the use of race as a factor in awarding these grants. The amendment passed with Krusick and majority Republicans supporting it. Afterward, the Assembly Democrats reportedly asked Krusick to no longer caucus with other Democrats.*

*The bill is awaiting a hearing in the Senate. It originated in a package of bills 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.*

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. With the Assembly amendment, race can no longer be considered as a factor in awarding these grants.

*Recommended position: Support language concerning non-continuous enrollment. 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. No position on race as a grant factor.*

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

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

*This bill was introduced in May, 2011, and received a hearing in September. It remains in committee. It is 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’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>

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

*This bill passed the Assembly on November 1, 2011, and is awaiting a hearing in the Senate. It is 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.*

*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.

*Recommended position: Support.*

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

### **AB 187 – Expanding Workforce Advancement (WAT) Training Grants**

*This bill was introduced in June, 2011, by then-Representative (now Senator) Jennifer Shilling (D-La Crosse). This bill is one of four bills that would expand Workforce Advancement Training (WAT) Grants at technical colleges. It is awaiting a hearing. This bill appeared for a time to have been replaced by September Special Session bills AB 4 and SB 4, which included similar language. However, those bills expired with the official adjournment of the Special Session on December 13<sup>th</sup>. AB 187 still appears to be dormant, but could be brought back by being scheduled for a hearing in the future. At this time, if any WAT Grant bill passes, SB 40 appears to be the most likely candidate. See SB 40, below.*

### **NEW – AB 201 – Restricting Geothermal Well Drillers**

*This bill was introduced in July, 2011, led by Representative Al Ott (R-Forest Junction). It received a hearing on January 4, 2012. A substitute amendment (replacing the original bill in its entirety) has been offered and appears to be the version that would go ahead if any version goes ahead. The bill remains in committee awaiting a vote.*

AB 201 would restrict the drilling of certain holes for “heat exchange” geothermal energy systems. Under the bill, any geothermal system excavation in Wisconsin that is deeper than it is wide and extends more than 25’ below surface could only be drilled if the work was done by or supervised by a licensed water well driller.

While water well drilling is highly regulated, geothermal drilling is a newer field that is growing and just becoming the subject of proposed regulation. Responding to emerging industry demand, Gateway Technical College created the nation’s first geothermal technician degree program. This program would clearly qualify graduates to engineer and drill effective and environmentally sound heat exchange boring holes. However, the bill would draw a “fence” around that business and reserve it exclusively for licensed water well drillers. Typically, geothermal drillers seek to avoid ground water from entering a closed heat transfer system rather than to capture and pump it. Both types of drillers seek to protect groundwater resources but by using often different technology for different reasons and applications.

This bill is based more on protecting the economic opportunities of energy-related drilling for water well companies than it is about protecting the public or groundwater. Gateway and other geothermal interests testified at the Assembly hearing that requiring drilling only by water well drillers adds cost but also does not assure quality or necessary competencies. We urged creating a distinct set of regulations and licensing for geothermal drilling as a separate field from water drilling.

*Recommended position: Oppose.*

Bill history and text: <https://docs.legis.wisconsin.gov/2011/proposals/ab201>

### **AB 219 – Funding Post-Retirement Health Care Benefits**

*This bill was introduced in September and received a hearing in October. It was voted out of committee on a 6-3 vote on October 19, 2011, and awaits scheduling for consideration by the full Assembly.*

AB 219 would require local governments, including technical college districts, fully fund any post-retirement health care insurance benefits on an actuarial basis (up-front on an as-you-go basis from year-to-year) effective for any new employee hired after the bill goes into effect.

This bill represents good public policy that is already followed by most or all districts. There is a question of the bill's necessity if it is already in practice. There is also uncertainty about whether this policy will always be the best decision regardless of the unique district or the changing environment. On this basis, it makes sense to leave the decision to the local government based on its needs and the current situation rather than mandating it without exception by the state.

*Recommended position: None/monitor.*

Bill history and text: <https://docs.legis.wisconsin.gov/2011/proposals/ab219>

### **UPDATED – AB 233 (also SB 230) – Waiving Prevailing Wage Law for Certain Building Projects**

*This bill was introduced in late August and received a public hearing on October 14<sup>th</sup>. It was voted out of committee on October 19<sup>th</sup> and is ready for consideration by the full Assembly. The lead sponsor is Representative Howard Marklein (R-Spring Green). The identical companion, SB 230, was introduced in mid-October led by Senator Dale Schultz (R-Richland Center). It received a hearing on December 20<sup>th</sup> and is also awaiting a vote.*

Public works projects are generally subject to “prevailing wage” law. This requires that members of the trades on a qualifying public project receive the same hourly wage as paid on “the majority of hours worked on all projects” in the county in which the project is located for that trade or occupation. The law also requires that workers on a qualifying project work no more than 10 hours per day and 40 hours per week unless they are paid 1.5 times the base prevailing wage. The trigger for prevailing wage coverage is currently \$48,000 for “single trade” projects and \$100,000 for “multiple trade” projects.

These bills would exempt a project from prevailing wage law if the public works project is:

- Funded by a private source, such as a gift or grant, for at least 85% of the project cost;
- Transferred without cost from the private source to be owned by a local government or the state; and
- To be used for conservation, recreation or education purposes.

If passed, the bill would apply to projects for which bids are requested after the new law's effective date.

*Recommended position: None/monitor.*

Bill history and text:

AB 233: <https://docs.legis.wisconsin.gov/2011/proposals/ab233>

SB 230: <https://docs.legis.wisconsin.gov/2011/proposals/sb230>

### **UPDATED – AB 286 (also SB 207) – Refusal to Hire Felons**

*These twin bills were introduced in late September and received public hearings in October. SB 207 was voted out of committee on November 2<sup>nd</sup> on a 4-1 vote and awaits scheduling for consideration by the full Senate. AB 286 was voted out of committee on a 6-3 vote on December 7<sup>th</sup> and awaits scheduling for consideration by the full Assembly. These bills mirror bills introduced but not passed in prior sessions.*

State law generally prohibits discrimination in employment based on arrest or conviction record. However, employers, including public employers like technical college districts, currently may refuse to hire (or may lawfully terminate) an employee who has a conviction for a crime or misdemeanor “the circumstances of which *substantially relate* to the circumstances of the particular job.”

These bills provide that an employer lawfully may refuse to hire (or may terminate employment of) a person for conviction of a felony without any further reason. The bills also prohibit cities, counties and towns from establishing any contrary ordinance.

*Recommended position: None/monitor.*

Bill history and text:

AB 286: <https://docs.legis.wisconsin.gov/2011/proposals/ab286>

SB 207: <https://docs.legis.wisconsin.gov/2011/proposals/sb207>

### **UPDATED – AB 318 (also SB 239) – Limitations on Post-Retirement Rehiring**

*These are the so-called “double dipping” bills. AB 318 received a hearing in mid-November. A substitute amendment (replacing the entire original bill) dated January 12, 2012, has been drafted by the lead sponsor but not yet considered or adopted. The bill remains in committee. The Senate bill, SB 239, was introduced in mid-October and awaits a hearing.*



These bills were introduced after attention was drawn to UW-Green Bay rehiring recently retired staff into the same positions those staff had previously held. Other WRS retirement system employees in various state government agencies and local governments have also retired and have been rehired over the years. These individuals generally begin collecting a pension and are then rehired after a period of time (at least 30 days). Under current law, such persons may choose to stop receiving the pension and return to earning years of service toward a future pension. Many, however, choose to be paid the pension and a new salary (but not benefits).

These bills would require that a person who is retired and receiving a WRS pension and who is rehired to a WRS-eligible position of ½ time or more may not continue to receive a pension payment while they are back at work. Additionally, the individual may not earn additional years of service credit toward the ultimate pension payment by virtue of the new position.

A number of WRS employers have argued that it is fiscally prudent to allow a retired person to return to work because the employer saves on pre-retirement employee benefits costs. The pension payment being received by the employee was earned by the employee and does not add to the employer's costs. Overall, the employer reduces costs for the same employee to do the same job.

Additionally, the District Boards Association, WTCS and several districts testified or registered at the hearing concerning these bills' negative impact on "second career" hires. Technical colleges may seek to hire retirees who have retired from other positions in other agencies or governments. For example, a person retired from a local fire department or law enforcement position may be a prime candidate to be hired as a faculty member in these fields. These bills would prohibit such a person from continuing to receive a pension if they return to teach (at least ½ time). This would, in turn, keep a technical college from saving employee benefits costs by hiring such an individual. One solution would be to amend these bills to limit only the rehiring of individuals to the same position previously held.

*Recommended position: Oppose subject to an amendment limiting the new restrictions to re-hires involving the previous position held by the retiree.*

Bill history and text:

AB 318: <https://docs.legis.wisconsin.gov/2011/proposals/ab318>

SB 239: <https://docs.legis.wisconsin.gov/2011/proposals/sb239>

### **Act 65 (introduced as AB 319) – Authority to Execute One Memo of Understanding Under Collective Bargaining Without Triggering Act 10**

*This bill was introduced in mid-October and moved quickly to become a new law, Act 65, as of November 24, 2011.*

This bill creates a new 90-day window for a public employer and employee organization to modify the employment contract via a memo of understanding (MOU) without triggering Act 10

collective bargaining and employee benefits law. The new window runs for 90 days beginning November 24, 2011.

Many Act 10 provisions take effect only after an existing collective bargaining agreement expires *or is amended or extended*. Act 65 allows certain employers including technical college districts to enter into a single (one per bargaining unit) memorandum of understanding (MOU) with an employee organization without triggering the implementation of Act 10, if the MOU:

- Modifies compensation and fringe benefits,
- Resulting in an overall reduction in costs,
- Under an existing collective bargaining agreement.

This is the second MOU “window” allowed as an exception to Act 10. Under the state budget as passed (Act 32), a number of provisions were included that amended Act 10. One of these was a first 90-day window that has now expired.

*Recommended position: Support.*

Bill history and text: <https://docs.legis.wisconsin.gov/2011/proposals/ab319>

## **AB 322 – Accessible Instructional Materials for Disabled Students**

*This bill is similar to bills introduced in previous sessions. It was introduced in mid-October and is awaiting a committee hearing.*

Federal law prohibits colleges and universities from discriminating against disabled students in admission or participation in their courses, programs, services or facilities. These duties require colleges to provide educational auxiliary aids to students with impaired sensory, manual or speaking skills. Currently, students who are blind, visually impaired or who have a disability affecting reading may seek alternative materials from textbook publishers. However, many students and colleges report that receiving such materials can take months. Sometimes, students report not receiving the alternative materials at all, or until after the course has ended.

This bill requires a publisher to provide the alternative format materials (e.g., in Braille, electronic format, audio recording, etc.) within 15 days of a request meeting certain conditions. The conditions include assuring that the student has already purchased the materials in traditional format and that he/she agrees not to further distribute the materials to others.

The bill has a variety of other provisions affecting the college’s ability to reproduce or further translate the alternative materials, colleges sharing the materials with other colleges, and exempting publishers from the law if they are already members of national exchanges that rapidly produce alternative format materials.

Perhaps most controversially, the bill also establishes a new status for publishers. The “public accommodations” law generally refers to laws requiring any entity offering places of accommodation or amusement to assure they are accessible to disabled individuals (e.g., wheelchair access to restaurants or hotels). This bill provides that publishers of instructional

materials are places of public accommodation and that a publisher who refuses to comply with the provisions of this law is in violation of the public accommodations law.

It is not clear whether this bill is viable given the requirements it imposes on out-of-state publishers. These are businesses that may not have any “physical presence” or place of business in Wisconsin. Constitutional issues can arise when a state law imposes requirements as a condition of doing business upon an entity that is not physically located in the state.

*Recommended position: None/monitor. Support all reasonable efforts to improve accessibility of instructional materials for disabled students.*

Bill history and text: <https://docs.legis.wisconsin.gov/2011/proposals/ab322>

### **AB 326 – Unfunded Mandates**

*This bill largely mirrors a bill passed in the previous session but vetoed by then-Governor Doyle. It was introduced in mid-October and received a public hearing on October 25<sup>th</sup>. It remains in committee.*

AB 326 would create a new joint legislative Committee on State Mandates comprised of 10 legislators. The committee would include three members of the majority and two members of the minority from each house, at least one of which also serves on the Joint Finance Committee (JFC).

Under this bill, any bill creating a new statutory requirement on local government, including a technical college district, must first be referred to the Committee on State Mandates and could not be further considered until that committee issues a report or 30 days have passed. If the Mandates Committee issues a report stating that the measure imposes unfunded costs on local government, an amendment must be added to fund the costs. The bill further provides that any mandate imposed by statute or administrative rule on a local government that is not funded (including a law or rule becoming unfunded at some point in the future) is not enforceable by the state until it is funded by the state.

This bill is well-intentioned and is supportable in principle. However, it is highly unlikely to become law because many legislators believe that it is appropriate for state legislation to direct local governments in ways that reallocate existing local government resources.

*Recommended position: None/monitor.*

Bill history and text: <https://docs.legis.wisconsin.gov/2011/proposals/ab326>

### **AB 338 (also SB 233) – Restoring Collective Bargaining Rights**

*See SB 233, below.*

## **AB 340 (also SB 258) – Credit Cards and Financial Literacy Education for Students**

*These twin bills were introduced in late October and are awaiting committee hearings. They largely mirror proposals introduced in the last session.*

These bills would limit or prohibit activities related to credit card marketing and card sponsorship by colleges and universities. They also mandate colleges and universities offer students financial literacy training.

Related to marketing and sponsorship, the bills prohibit:

- Credit card issuers from offering college students any tangible inducement (a gift) to apply for a credit card;
- Credit card issuers from marketing credit card offerings physically on campuses if anything of value is provided to students.
- Colleges from receiving any payment for allowing credit card marketing aimed at students; and
- Credit card companies from issuing cards to individuals (students or not) under age 21 except under certain circumstances.

The bills would also require colleges to provide financial literacy information on the college website and to students during any on-campus orientation program.

Last session, we successfully fought for amendments already included in these bills as introduced. These include: exempting debit cards, which are increasingly used by colleges for student purchasing; allowing some marketing of credit cards on campuses if nothing of value is provided (some colleges may have full-service bank or credit union branches located on their campuses), and reducing the orientation and training requirement mandates.

*Recommended position: None/monitor.*

Bill history and text:

AB 340: <https://docs.legis.wisconsin.gov/2011/proposals/ab340>

SB 258: <https://docs.legis.wisconsin.gov/2011/proposals/sb258>

## **AB 353 (also SB 275) – Changing the Composition of Technical College District Boards**

*See SB 275, below.*

## **NEW – AB 398 – “Workforce Growth Grants” for Technical Colleges**

*This major bill was introduced in late November by Assembly Minority Leader Peter Barca (D-Kenosha), joined by 23 Assembly Democrats and 7 Senate Democrats. It received a public*

*hearing in the Assembly Colleges and Universities Committee on January 12, 2012, and remains in committee awaiting a vote.*

*Testimony in support of the bill was offered by a panel comprised of Minority Leader Barca, Gateway President (and president of the WTCS Presidents Association) Bryan Albrecht, WTCS Vice President Morna Foy, and Paul Gabriel.*

This bill would appropriate an additional \$10 million annually beginning July 1, 2012, for technical college categorical aid. The aid would be distributed to districts on a competitive grant basis by the WTCS for projects in which:

- the college partners with a business, consortium of businesses, an economic development organization or a local workforce development board;
- to meet local needs supporting sectors with a “documented skills gap” or high workforce shortage, including manufacturing, energy, informational technology, skilled trades and healthcare;
- for activities that address development of individuals prior to entering the workforce or for workforce training; for any of the following:
  - “Jobs training scholarships” for students;
  - building or infrastructure construction;
  - equipment and material purchases;
  - faculty hiring;
  - development of certain curricula; and
  - student career support services including job placement and business recruitment.

In awarding grants, the WTCS Board would be required to consider the likely speed of responsiveness and would be required to give preference to projects that seek to eliminate waiting lists for courses in topics related to jobs with high employment demand.

This bill is very positive in that it provides new capacity targeted to bottlenecks in producing workers for existing or emerging high skill jobs.

*Recommended position: Support!*

Bill history and text: <https://docs.legis.wisconsin.gov/2011/proposals/ab398>

### **NEW – AB 431 (also SB 316) – Expanding Eligible Uses and the Definition of Small Business for Workforce Advancement Training (WAT) Grants**

*The Assembly version of these identical bills was introduced in mid-December and received a hearing on January 12, 2012. It remains in committee awaiting a vote. The Senate version was introduced in early December and is awaiting a hearing. Both bills are led by La Crosse-area sponsors; Representative Steve Doyle (D-La Crosse), plus 11 Assembly Democrats, and Senator Jennifer Shilling (D-La Crosse), plus 4 Senate Democrats.*

*Western Technical College's Patti Balacek, Director of Business and Industry Services, joined Paul Gabriel to testify at the Assembly hearing.*

This bill expands the definition of WAT grant eligibility in two small ways. First, \$500,000 of \$4 million annual WAT funding is already set aside for grants to small business. This bill changes the definition of a small business from no more than 100 employees to no more than 250. Note that a small business may already compete in the general category as well as in the small business category. Second, this bill makes it an allowable purpose to use a WAT grant for technical assistance training aimed at “market expansion” and/or “market diversification.”

These changes are targeted at the request of a specific business but apply to the WAT grant program overall.

*Recommended position: Support.*

Bill history and text:

AB 431: <https://docs.legis.wisconsin.gov/2011/proposals/ab431>

SB 316: <https://docs.legis.wisconsin.gov/2011/proposals/sb316>

### **AB 447 (also SB 335) – Vocational High School Diplomas**

*See SB 335, below.*

### **NEW – AB 473 (also SB 375) – Extending the Time Before Prohibiting Sale of “WiscNet” Telecommunication Services by the UW System**

*Introduced in January, 2012, these identical bills are awaiting hearings. Note that a Senate committee hearing is scheduled for January 19, 2012.*

Technical colleges, the UW, K-12 school districts, public libraries and many other entities use an Internet “backbone” and other telecommunication services arrayed under “WiscNet” services operated and managed by the UW System. WiscNet has effectively provided major “bandwidth” needed for cutting edge instructional technology, communications technology, and the sharing of data not otherwise available in the private marketplace or that is prohibitively expensive in that marketplace. A provision of Act 32, the 2011-13 State Budget, effectively terminates WiscNet as of July 1, 2013. The provision states that the UW (itself or as a member, shareholder, or partner of an entity) may no longer offer, sell, resell, or provide telecommunications services to a public or private entity, except for certain pre-existing services offered only within the UW System itself.

These bills simply extend the WiscNet termination date by one year to July 1, 2014. This allows additional time to study and promote the value of WiscNet and any opportunities to save it. It also allows time to assess the impact of the original law alternatives to it.

*Recommended position: Support.*

Bill history and text:

AB 473: <https://docs.legis.wisconsin.gov/2011/proposals/ab473>

SB 375: <https://docs.legis.wisconsin.gov/2011/proposals/sb375>

### **AB 4 and SB 4 (September, 2011 Special Session) – Expanding Workforce Advancement Training (WAT) Grants**

*These identical bills were part of a “Back to Work Wisconsin” Special Session, but expired without passage upon the adjournment of the Special Session effective December 13, 2011.*

*See SB 40, below, and AB 187, above, for similar bills that remain viable in the regular session.*

### **AB 18 and SB 18 (September, 2011 Special Session) – Vocational High School Diplomas**

*These identical bills expired without passing when the September, 2011, Special Session was officially adjourned on December 13, 2011.*

*Note: SB 335 and AB 447, below, were introduced in December, 2011, and are on a fast track. They constitute an amended approach to Special Session AB 18 and SB 18 and are designed to replace them.*

AB 18 and SB 18 were introduced as part of a “Back to Work Wisconsin” Special Session. Both were introduced at the Governor’s request co-sponsored by Representative Mark Radcliffe (D-Black River Falls). At hearings on October 19<sup>th</sup>, the Boards Association and WTCS expressed deep concerns about the bills and the Department of Public Instruction, and school boards and school administrators associations, among others, testified in opposition.

They would have allowed a K-12 school board to grant a “vocational high school diploma” to a student who earned credits to complete vocational curriculum approved by the local school board and by the Department of Public Instruction. However, these credits could be earned in place of the otherwise uniformly required minimum core credits for graduation in math, science, English, social studies, PE, and health education.

While these bills were well intended to address a crucial issue for our future prosperity, they raised deep concerns. It is not clear if or how an alternative high school diploma would be recognized by employers or admitting institutions of higher education. Additionally, many high-income, high-skill jobs in areas like advanced manufacturing require post-high school math, science, and English skills that build from current high school minimums. Providing pathways for young people is essential. Making it a path in lieu of current core subjects will inevitably lead to a two-tier system of high school diplomas with the vocational diploma treated as inferior. This would defeat a key purpose for this very diploma if students are not prepared for technical college programs.

*Recommended position: Oppose.*

Bill history and text:

SS2 AB 18: <https://docs.legis.wisconsin.gov/2011/proposals/se1/ab18>

SS2 SB 18: <https://docs.legis.wisconsin.gov/2011/proposals/se1/sb18>

## **AJR 46 (Assembly Joint Resolution) – Constitutional Amendment to Ban Unfunded Mandates**

*AJR 46 received a public hearing and was voted out of committee in mid-October with unanimous support for passage. It awaits scheduling for consideration by the full Assembly.*

*This proposal constitutes “first consideration” of a proposed constitutional amendment. To amend the state constitution, a measure must pass both houses in each of two consecutive legislatures (before sometime in Spring, 2012 for the current session and again in the 2013-14 session). The second passage triggers a state referendum, successful passage of which amends the constitution.*

*This joint resolution is proposed by a group of 11 Representatives and 4 Senators led by Representative Andre Jacque (R-Bellevue).*

AJR 46 would prohibit the state from passing a bill that places a requirement on any local government, including a technical college district, unless the bill contained an appropriation reimbursing the local government for the full cost of complying with the requirement.

This provision is very positive in theory. For example, the veterans tuition remission represents a popular mandate that is largely unfunded. Absent significant state funding (about 20% of remission costs are reimbursed by the state), this shifts millions of dollars annually as internal college reallocations, increases in property tax levies and to non-veteran student tuition costs.

However, in reality, this type of resolution is problematic in enforceability both over time and in defining the “cost” of complying. First, a bill may be passed with an appropriation so as to meet the resolution. However, the appropriation is subject to the next budget bill process and nothing in this resolution would appear to require full funding of the mandate in year 3 or 4 or 22. Second, the “full cost of complying” may be difficult or impossible to administer. If the state mandated that no college have a waiting list for nursing programs that exceeds two years in length for in-district residents, is there a cost? A district could invest in expanding nursing sections and seek reimbursement. The state could instead argue the district must simply cap its waiting list at a number representing no more than current program enrollment times 2 years.

*Recommended position: Support. Although this proposal would be difficult to implement, the Boards Association should support measures that seek to better match state appropriations to state mandates.*

Bill history and text: <https://docs.legis.wisconsin.gov/2011/proposals/ajr46>



## **SB 27 and AB 40 (passed as Act 32) – The 2011-2013 State Budget Bill**

*See AB 40, above.*

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

*This bill passed the Senate on October 20<sup>th</sup> and is awaiting action by the Assembly. It appeared to be dormant when Special Session AB 4 and SB 4 were introduced with similar terms. However, those bills expired on December 13<sup>th</sup> with official adjournment of the September Special Session. This makes SB 40 once again the most likely vehicle to expand Workforce Advancement Training (WAT) Grants. The Assembly version, AB 97, received a September hearing and remains in committee.*

Workforce Advancement Training (WAT) Grants are awarded competitively by the WTCS to technical college districts to defray the cost of customized training the college provides to a business or businesses. The entire grant amount passes through the college to the business(es) to defraying training costs. The grant covers direct training costs but not indirect or overhead costs. It expands incumbent worker training but does not expand general college capacity for program courses or students.

The current base funding amount for WAT grants is about \$4 million annually (actually \$3.97 million). 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 other purposes including, for example, training in health care, agriculture/forestry, or tourism/hospitality.

This bill expands annual funding by \$400,000 to \$4.4 million and expands the required minimum for advanced manufacturing by the same amount, to \$2.4 million.

Prior to being amended, the bill expanded the set-aside for manufacturing but did not increase overall funding. Lead sponsor Senator Julie Lassa (D-Stevens Point), along with Assembly companion bill sponsors (then Representative now Senator) Jennifer Shilling (D-La Crosse) and Representative Keith Ripp (R-Lodi) all sought amendments along the way to expand overall funding by \$400,000 and are to be commended for doing so.

*Recommended position: Support.*

Bill history and text:

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

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

## **Act 86 (introduced as SB 45 and AB 62) – Requirements to be a School Nurse**

SB 45 passed and was signed into law as Act 86 effective December 9, 2011. The Senate and Assembly bills were co-introduced by Senator Luther Olsen (R-Ripon) and Representative Steve Kestell (R-Elkhart Lake), joined by co-sponsors Senator Sheila Harsdorf (R-River Falls) and by 11 members of the Assembly (10 Republicans and 1 Independent).

Act 86 reverses a Department of Public Instruction (DPI) administrative rule (and portions of its underlying bill) passed last session requiring, for the first time, that a registered nurse (RN) must hold a minimum of a bachelor's degree in nursing to qualify for employment as a Wisconsin school nurse. Both the prior and current session bills also addressed the administration of medication in K-12 settings, which did not affect technical colleges.

Act 86 is a significant victory for associate degree (ADN) registered nurses and WTCS nursing programs. The new law provides that a Wisconsin K-12 school nurse must be an RN who has completed an appropriate course in community health or public health as approved by the DPI.

This keeps Wisconsin law from distinguishing among RNs based on the underlying degree earned prior to passing the RN board exams. Both associate degree and bachelor's degree nurses pass the same examinations to become a new RN. We have consistently argued that "an RN is an RN" and that regulatory standards for specialties in nursing should be based on the "RN plus additional training," and not on the underlying degree.

Opposition to this bill (like support for the prior session law it overturned) was vigorous and was led by the Wisconsin Association of School Nurses. Other nurses and nursing groups also supported the bachelor's minimum, including the dean of UW-Madison's School of Nursing. Generally, this advocacy tended to be based on public health and safety arguments despite the lack of any data presented concerning problems or deficiencies with ADN nurses.

The opposition also argued that the bachelor's degree includes training and education not provided to ADN nurses. Again, no data was presented showing any consistent pattern of additional work completed in bachelor's programs or any meaningful differences in nursing curriculum between degrees. Additionally, technical colleges argued we should be able to adjust the ADN curriculum or support additional training beyond the degree as needed if the additional competencies required of school nurses were agreed upon and quantified.

Interestingly, the minimum bachelor's *in nursing* standard for school nurses also meant that an ADN RN would not be eligible to be a school nurse despite advanced degrees in other relevant fields. An ADN nurse who went on to earn, for example, additional bachelor's/master's or PhD degrees in public health, child psychology or school social work would remain ineligible to be a school nurse under the prior law.

Finally, opponents repeatedly argued that the vast majority of school nurses already have a bachelor's degree. We argued in return that many K-12 teachers have a master's degree, but likely did not when initially hired. We support lifelong learning including earning additional degrees. What we oppose is limiting the lawful employment available to holders of the exact same credential – the RN license – based solely on the underlying degree earned leading to that credential.

It appears that there are general public policy initiatives underway nationally supporting the bachelor's degree as the *minimum entry degree for all RNs*. This is alternatively framed as requiring a bachelor's degree to sit for RN exams, or, by requiring the bachelor's degree be earned within a certain number of years in practice as an RN. Such initiatives suggest there will be additional battles ahead to protect the ADN as an RN.

*Recommended position: Support as passed (based on the adoption of the substitute amendments). 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>

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

*SB 53 received a public hearing in early October and awaits a committee vote. AB 133 was introduced in May, 2011, and is 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).*

*A portion of these bills has been affected by similar language passed in the 2011-13 State Budget, Act 32, as described below.*

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 major provisions, the first of which is affected by the budget bill as passed.

The 2011-13 state budget (Act 32) provided in part that a veteran be eligible for a remission of up to 128 credits *in addition to any federal benefits*. This requires a vet continue to use available Post 9/11 federal benefits; and be held harmless for doing so. The vet then receives 128 credits remitted in addition to those paid for with federal dollars.

The first portion of this bill would eliminate the requirement that vets use federal Post 9/11 tuition benefits before the balance is remitted each term (until the vet eventually reaches 128 credits).

Second, this bill also provides full state reimbursement to colleges for the remission cost by changing the state funding from a “sum certain” to a “sum sufficient” appropriation. A “sum sufficient” means the state will allocate all funds required to cover fully the tuition remissions. 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 second portion of this bill (sum sufficient funding) is fantastic in its own right. It puts the state and all state residents fully behind the policy objective of honoring many vets with tuition-free higher education.

The bill’s first provision (eliminating the use of any federal benefits toward tuition) is also positive if (but only if) combined with full state funding (the bill’s second part). While vets are held harmless either way, it’s preferable to the colleges to receive federal funds earlier on (credits 1-60, rather than only after credit number 128) if the state is not covering the full remission cost.

*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 SB 93, below.*

## **Act 35 (passed as SB 93) – “Concealed Carry” of Firearms**

*This bill was introduced in May and was amended and passed in the Senate on a 25-8 vote on June 14<sup>th</sup>. The Assembly passed the same bill version on June 21<sup>st</sup> on a 68-27 vote. Governor Walker the bill on July 8 and it took full effect on November 1, 2011.*

Act 35 provides for the concealed carrying of certain weapons by individuals who have received training and a permit to carry. Allowable weapons include handguns, electric weapons, knives other than switchblades, and clubs. As described below, technical colleges may provide appropriate training for those seeking a permit to carry. However, it should be noted that the

applicable training standards are still unclear. The Department of Justice initially instituted a rule requiring a 4-hour minimum training course. That requirement has been suspended by the Legislature at this time.

With a few exceptions noted below, public bodies including technical colleges may limit the concealed carrying of weapons *only in “buildings” the college owns, occupies or controls*. This includes indoor leased space or other indoor space over which the college has control, regardless of ownership. A technical college may prohibit concealed carry in an eligible building (or part of a building) by posting the prohibition “in a prominent place” near “all of the entrances” to the building or portion of building that is affected.

A technical college **may not** generally limit the carrying of concealed weapons in the following places or circumstances:

- Outdoor college spaces including grounds and training facilities that are not in a building. This includes campus lawns, parking lots and training centers that are not in a building such as power utility training areas, truck driving training courses, and the like.
- Parking facilities including surface lots or in parking ramps, even if the ramp is part of a campus building.
- In the cars of employees, students or visitors, even if the car is used in the course of employment by an employee. For example, a college staff member who drives her own vehicle during a work day for work purposes may not be prohibited from carrying a weapon in the vehicle. This would also appear to allow, for example, a person to carry a weapon in a vehicle he/she brings into a posted building for an auto service program.
- By a person “... who leases residential or business premises in the building ....” on or in college facilities. This includes, for example:
  - A student who rents a dorm room in a college-leased or owned space.
  - A person who rents or is given business space in a college building for a bank kiosk, coffee shop, bookstore or other private business.
- By law enforcement officers (as is current law) and by certain out-of-state and former law enforcement officers in certain circumstances.

Permits to carry concealed weapons will be issued by the Wisconsin Department of Justice (DOJ). After receiving an application, fee, and doing a background check, the DOJ must issue a license to carry a concealed weapon to an individual who: Is at least 21 years of age; is a Wisconsin resident; is not prohibited under state or federal law from possessing weapons; is not prohibited by a court from carrying while on bail or release and facing charges; and, has proof of training, as described below. The new law also provides for reciprocity with other states. DOJ will, by administrative rule, create a list of states issuing permits that will be honored in Wisconsin.

Suitable training may be demonstrated by completing a “firearms safety or training course,” including a course at a technical college, college or university, private or public institution or organization, or firearms training school. Any such course must be taught by an instructor who is certified by a national or state organization that certifies firearms instructors, or by the DOJ. A number of other training opportunities are also allowed such as DNR hunter education programs, courses conducted by a national or state organization that certifies firearms instructors, and courses taught by law enforcement. Training requirements may also be met by demonstrating prior experiences or training such as small arms military training, training in another state, and in

other circumstances. A DOJ rule requiring such training to be for a minimum of 4 hours has been suspended.

This bill also amends gun laws related to K-12 settings. It is currently a felony to knowingly possess a firearm if the person knows or has reason to know the place is a “gun free school zone.” This includes being in a K-12 school building, on school grounds, or on public property within 1,000 feet of school grounds. There are certain exceptions. Under Act 35, it remains a felony to possess a firearm in a K-12 school or on school grounds (again, with certain exceptions). However, it is no longer a crime to carry a firearm on public property within 1,000 feet of school grounds. Rather, a person with a concealed carry permit may carry a weapon up to the boundary of the school grounds. Those without a carry permit who are on public property within 1,000 feet of (but not on) school grounds may be fined, but are no longer guilty of a crime.

Besides (K-12) schools, concealed carry is outright prohibited only in: Police, sheriff, or state patrol stations; jails, prisons and secured correctional facilities; certain secured treatment and mental health facilities; county, state and federal courthouses; municipal courtrooms when court is in session; and, beyond security checkpoints at airports.

Many organizations sought unsuccessfully for additional prohibitions or authority to further post against concealed carry. These included groups seeking the ability to prohibit concealed carry for all campus grounds. Amendments to this effect were offered but tabled in each house.

It remains unclear whether colleges have authority to issue safety rules for instructional environments that are not otherwise in a posted building. Colleges have always had the ability to require or prohibit certain dress or equipment to promote safe learning. For example, a college may determine that it is not safe for a student to carry a weapon during instructional activities on an emergency services training course, on an electric utility pole, in an aircraft, or in many other non-building learning environments. Even the definition of a “building” itself may come into play as the new law is interpreted. It is not entirely clear, for example, how the law applies to an enclosed space such as the inside of a wind tower used for training on campus grounds.

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

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

### **SB 132 – Exempting Residence Hall Lease Revenue From Referendum Requirements**

*This bill has largely been passed in the 2011-13 State Budget (Act 32) on a motion by then-Representative (now Senator) Jennifer Shilling (D-La Crosse).*

This bill would allow a technical college district to subtract student lease revenue from the amount triggering a referendum for the construction, purchase, or lease/purchase of a residence hall. Under this bill, a district could use up to \$1.5 million of general college revenue (subject to

existing rules) with the balance funded by student lease revenue. Such a project would not require voter approval.

The similar 2011-13 state budget provision that becomes law with publication of Act 32 is slightly more restrictive in that it allows the same lease-revenue exception, but also requires that no “public” funds (state aid, local levies, tuition) go into the project. In other words, the project must be entirely supported by student lease revenue (and gifts or grants). SB 132 does not require the project avoid use of all public funds.

Both the budget amendment and this bill are great examples of bipartisan support for a technical college-related initiative. Democrat Shilling’s budget amendment needed Republican help to become law. This bill was introduced by (former) Senator Dan Kapanke (R-La Crosse) with support from Shilling, Representative Steve Doyle (D-La Crosse) and Senator Jim Holperin (D-Conover).

*Recommended position: Support.*

Bill history and text: <https://docs.legis.wisconsin.gov/2011/proposals/sb132>

### **SB 207 (also AB 286) – Refusal to Hire Felons**

*See AB 286, above.*

### **SB 230 (also AB 233) – Prevailing Wage Law Exemption for Certain Public Projects**

*See AB 233, above.*

### **SB 233 (also AB 338) – Restoring Collective Bargaining Rights**

*These twin bills were introduced in October sponsored by numerous Democrats in each house. They are awaiting a hearing. They have virtually no chance of passing with a Republican majority in each house.*

SB 233 and AB 338 would effectively undo most of the changes made by Act 10 to collective bargaining. The bills restore prior law concerning the subjects of collective bargaining and rules concerning union dues, membership, certification of labor organizations and other non-financial aspects of Act 10. The bills do not undo the mandatory payment of WRS pension costs by public employees imposed by Act 10. They also do not affect law requiring payment of a share of health insurance premium costs by individuals using the state health plan (Blackhawk is the only technical college currently offering the state plan).

*Recommended position: None/monitor.*

Bill history and text:

SB 233: <https://docs.legis.wisconsin.gov/2011/proposals/sb233>

AB 338: <https://docs.legis.wisconsin.gov/2011/proposals/ab338>

## **SB 236 – The “Wisconsin Jobs Initiative” to Expand State investment in Technical Colleges**

*The major “Wisconsin Jobs Initiative” bill was introduced in mid-October by Senator Chris Larson (D-Milwaukee) and Representative Cory Mason (D-Racine). It is co-sponsored by seven Senate Democrats and 22 Assembly Democrats. The bill is awaiting a hearing.*

This bill would represent the single largest investment in technical colleges in history. The “Wisconsin Jobs Initiative,” WJI, has two major investment components. It restores general aid funding to technical colleges by \$34.2 million annually beginning July 1, 2012. General aid funds are distributed to all districts by formula. This represents restoration of almost the entire cut to general aid imposed by the 2011-13 state budget bill, Act 32.

The bill also creates a major new categorical aid program funded by \$35.8 million annually. Together, these investments would represent an additional \$70 million annually, a more than 60% increase in the total state investment in technical colleges. To pay for these investments, the WJI provides for a new state income tax bracket that increases taxes by 1% (from 7.75 to 8.75%) on incomes of more than \$1 million annually.

The new WJI categorical aid grants of \$35.8 million annually would be awarded to districts by the WTCS for the following purposes:

- To serve dislocated workers: “To recruit, enroll, instruct, provide support services to, and pay the tuition and fees of dislocated workers who enroll in the district...”
- To serve adults seeking a high school diploma: “To recruit, enroll, instruct, and provide support services to adults who enroll in the district in a program leading to a GED certificate or a high school equivalency diploma (HSED).
- To address capacity issues and bottlenecks: “To expand existing capacity or create capacity in district programs for which there are student waiting lists or that address projected workforce needs in the district.”

Preference for funding would be given to projects serving areas of highest unemployment.

The WJI would place technical colleges at the center of the most significant new program targeting unemployment and job skills in state history. It enjoys widespread support among Senate and Assembly Democrats, but is not likely to move forward successfully in this session, especially in the Assembly, where members of the majority have referred to its funding mechanism as “inciting class warfare” by raising income taxes on the approximately 3,200 Wisconsinites with incomes over \$1 million annually.



*Recommended position: Strongly support the investment in technical colleges but take no position on the mechanism for funding the WJI.*

Bill history and text: <https://docs.legis.wisconsin.gov/2011/proposals/sb236>

### **SB 239 (also AB 318) – Limitations on Post-Retirement Re-Hiring**

*See AB 318, above.*

### **SB 258 (also AB 340) – Credit Cards and Financial Literacy Education for Students**

*See AB 340, above.*

### **UPDATED – SB 275 (also AB 353) - Changing the Composition of Technical College District Boards**

*These identical bills were introduced by lead sponsors Representative Mark Honadel (R-South Milwaukee) and Senator Glenn Grothman (R-West Bend). SB 275 received a hearing on December 8, 2011. AB 353 received a public hearing on January 5, 2012. Both bills remain in committee awaiting a vote that would make that bill ready for consideration by its respective house. A bill need only pass out of committee in one house to gain momentum. If voted on and passed by that house, the bill is “messed” to the other house with an option that the second house pass it by “concurrence.”*

*Paul Gabriel and WTCS Vice President Morna Foy testified in opposition at the December Senate hearing. On January 5<sup>th</sup>, the Assembly Colleges and Universities Committee held a detailed hearing that began with testimony in favor by the Assembly and Senate lead sponsors. Senator Glenn Grothman asked the Assembly committee for its support but noted (to paraphrase) “It is clear to me this bill will not pass the Senate in this form. To pass the Senate, it would need to be amended to only change the MATC Milwaukee board (and leave 15 other boards unchanged).” Both hearings included testimony in favor of passage by the Milwaukee Metropolitan Association of Commerce (MMAC) supporting a greater manufacturing and private business presence on the board. The Boards Association noted that the MATC Milwaukee board already includes a manufacturing executive who is an MMAC Board member (!), as well as a vice president of a Fortune 500 Company, ManpowerGroup, Inc. The board is highly representative of, and responsive to, the district. This did not sway MMAC, which also suggested that the 6 businesspersons required under the bills should be appointed from a slate put together by local economic development and business leaders (rather than being based on public applications).*

*The Assembly hearing on January 5<sup>th</sup> once again included testimony in opposition by the WTCS's Morna Foy. She highlighted the many areas of programs and graduates whose employers/employees and retirees would be excluded by the bills.*

*Also testifying in opposition was a group comprised of:*

- **Lauri Steeber**, Janesville, Chairperson of the Blackhawk Board and a retired lieutenant, Wisconsin State Patrol;
- **Dr. Tom Eckert**, Blackhawk's president;
- **Ed Lukasek**, Sparta, the elected official member of the Western Board, a City of Sparta alderman, military veteran, and a sales and marketing executive in private business;
- **John Lukas**, Manitowoc, Chairperson of the Lakeshore Board, past-president of the District Boards Association, and vice president of LDI Industries, family-owned manufacturing companies with more than 200 employees; and
- **Paul Gabriel** for the Boards Association.

*The group was on the committee witness stand for more than 60 minutes. Each member offered wide-ranging testimony on the excellent representation and responsiveness of district boards. The group highlighted the competitive and public "merit selection" appointment process, the background of valuable board members who do not fit the bill definition of private "businessperson," the benefits of local plans of representation that are adjusted annually, the colleges' strong relationships with business, industry and other employers, the use of advisory committees for every program at every college, and the nature of board operations including the fact that members meet in public and follow Ethics Board financial disclosures and conflict of interest rules. Effectively, the long hearing presence was a chance to offer a positive primer on technical college responsiveness and community connectedness, in addition to demonstrating the misguided nature of these bills.*

*Other college representatives attended the hearings from Madison College and MATC Milwaukee. Many board members and presidents contacted legislators in advance of the hearings. All of these contacts helped to slow down these bills. At this time, no amended bills have been circulated and no vote is scheduled in either committee.*

These bills 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 "business persons,"
- One elected state or local official,
- One school district administrator, and
- One additional member.

"Business person" is limited to an employee, owner, director or manager or retiree of a:

- for-profit business;
- non-profit hospital, clinic or healthcare organization or facility; or,
- state or federal credit union.

This definition of business person is broader than the original Senate bill draft, which covered only for-profit businesses (and not healthcare or credit unions).

Under this bill, other aspects of the appointment process including plans of representation would remain unchanged.

If passed, one-third (48 of 144) of current board members would be ineligible to serve except as the board's single additional member. This includes up to 5 members on some existing district boards.

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:

- 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;
- 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;
- Groups such as employees of the Boy and Girl Scouts, Boys and Girls Clubs, and YMCA/YWCA;
- Charitable organizations and foundations such as the United Way, foundations, and other charitable and philanthropic groups;
- Religious orders and organizations;
- The State of Wisconsin, including public health, veterans, workforce development, human services, UW (all institutions including Extension), natural resources, corrections, transportation, State Patrol, agriculture, and other agencies;
- Federal government 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;
- Cooperatives including those in farm, agri-business and dairy production and others such as public cooperative electric, water, sewer and telecommunications utilities;
- 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);
- Not-for-profit child care organizations, pre-schools and child welfare entities;
- Not-for-profit 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.

The types of employees and retirees no longer able to serve include those representing large and important district employers with employees trained by technical colleges. They also represent community partners, service groups and professions like police, fire, public safety, nursing, health occupations, education, childcare, and utility workers.

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 university or corrections facility would not qualify for the six “business” board seats, but the manager of a private restaurant

would. Both hire and supervise technical college graduates from the same culinary programs. 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:

AB 353: <https://docs.legis.wisconsin.gov/2011/proposals/ab353>

SB 275: <https://docs.legis.wisconsin.gov/2011/proposals/sb275>

### **SB 316 (also AB 431) – Expanding Eligible Uses and the Definition of Small Business for Workforce Advancement Training (WAT) Grants**

*See AB 431, above.*

### **UPDATED – SB 335 (also AB 447) – Vocational High School Diplomas**

*These bills were introduced in mid and late December, 2011. The Senate bill received a December hearing and was voted out of committee with a unanimous recommendation supporting passage on January 12, 2012. It is now available for action by the full Senate. The Assembly version received a hearing on January 10<sup>th</sup>, 2012, but remains in committee awaiting a vote.*

*These bills replace Special Session bills AB 18 and SB 18, above, that expired in December when the September 2011 Special Session was adjourned. They represent greatly improved versions of the prior bills.*

SB 335 and AB 447 would create authority for a school board to approve a curriculum and offer a “vocational high school diploma” to students who complete it. Non-controversial amendments are pending to call these diplomas “technical” diplomas rather than “vocational” diplomas. Unlike prior bills, however, these bills are greatly improved because they *would require the student to complete the same minimum core credit requirements as all other students in total credits for graduation and in math, science, English, social studies and physical education.* The bills also allow a school board to link the technical diploma opportunity to industry-wide skills certifications and to list any such certifications on the diploma.

These bill versions remove the fundamental problem in the earlier bills by requiring completion of all core requirements. The earlier bills would have allowed vocational diplomas to not meet the minimum accomplishments in math, science and other core subjects as traditional graduates. It is not clear whether this improved approach will remove all concerns in the K-12 and higher education communities. It is possible that *any* parallel diploma will be seen as inferior to the standard diploma.

It is also unclear if any school board would implement this option if it becomes law. It is already possible for a school board to promote an emphasis on technical education and to develop courses that lead to industry-wide skill standards certification.

*Recommended position: None/monitor.*

Bill history and text:

SB 335: <https://docs.legis.wisconsin.gov/2011/proposals/sb335>

AB 447: <https://docs.legis.wisconsin.gov/2011/proposals/ab447>

### **SB 375 (also AB 473) – Extending the Time Before Prohibiting Sale of “WiscNet” Telecommunication Services by the UW System**

*See AB 473, above.*

### **SJR 39 – Gateway Technical College Centennial**

*“Joint Resolutions” are used by each house to commemorate, recognize or celebrate milestones, people, and events important to the state. SJR 39 passed the Senate and Assembly on unanimous voice votes on September 13, 2011.*

This Senate Joint Resolution (SJR) was introduced by a bipartisan group including all Gateway-area legislators and other legislators. It commends Gateway Technical college on its centennial as the nation’s first publicly-funded Continuation School and for its legacy of service, its program offerings and facilities, its transfer relationships, its “integral role in developing a skilled workforce,” and its promotion of economic development.

*Recommended position: Support!*

Bill history and text: <https://docs.legis.wisconsin.gov/2011/proposals/sjr39>

## **NEW – SJR 52 – Western Technical College Centennial**

*“Joint Resolutions” are used by each house to commemorate, recognize or celebrate milestones, people, and events important to the state. SJR 52 was introduced January 10, 2012, and has not yet come to the floor.*

This Senate Joint Resolution (SJR) was introduced by a bipartisan group including Western-area and other legislators. It commends Western Technical College on its centennial and commemorates the district’s achievements and contributions.

*Recommended position: Support!*

Bill history and text: <https://docs.legis.wisconsin.gov/2011/proposals/sjr52>

## **NEW – Governor’s College and Workforce Readiness Council (Executive Order 56)**

In January, 2012, Governor Walker announced a series of steps and projects comprising the “Wisconsin Working Jobs Plan.” Part of this effort was contained in Executive Order 56, creating a new “College and Workforce Readiness Council.” The Council will consist of 15 members:

The Governor or designee, who shall serve as chair; the Senate Majority Leader or designee; the Senate Minority Leader or designee; the Speaker of the Assembly or designee; the Assembly Minority Leader or designee; the State Superintendent of the Department of Public Instruction or designee; the Secretary of the Department of Children and Families or designee; the Secretary of the Department of Workforce Development or designee; the President of the University of Wisconsin System or designee; the President of the Wisconsin Technical College System or designee; the President of the Wisconsin Association of Independent Colleges and Universities or designee; a member representing Wisconsin’s federally recognized tribes and appointed by and serving at the pleasure of the Governor; a member representing Wisconsin workers and appointed by and serving at the pleasure of the Governor; a member representing Wisconsin employers and appointed by and serving at the pleasure of the Governor; and, a member representing Wisconsin’s small business community and appointed by and serving at the pleasure of the Governor.

According to the Governor’s staff, the “...Council will report to the Governor on:

- Reducing dropout and remediation rates as well as income and racial achievement gaps therein;
- Increasing the number of degrees and certificates awarded by educational institutions;
- Designing shorter, less costly degree programs aimed at filling high need positions while promoting and supporting technical career pathways for students beginning at a young age;
- Encouraging students to pursue trades and professions in high demand or of particular importance to the State of Wisconsin;

- Easing transitions between systems and institutions, specifically through the transfer of credits and the awarding of credit for prior work or other experience; and
- Expanding dual enrollment and dual credit opportunities to elementary and secondary students statewide.”

Further, “...the Council will base its recommendations on credible data relating to current and future workforce needs.” “All recommendations must focus on immediate job creating strategies.”

(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.