

**From:** [Tyler Junger](#)  
**To:** [Tyler Junger](#)  
**Date:** Sat, 27 Jun 2009 12:35:42 -0500  
**Subject:** Fund 128  
**Attachment(s):** 0

Hey Everyone,

I just wanted to take a minute to review yesterday's events and give a little reminder.

Overall, I think that yesterday's meeting went well. We left with more questions than answers, but at least we knew which questions we should be asking. Just remember that when working and meeting with university leadership, you can't act in the name of ASM. That can't be done without a meeting of the Coordinating Council or Student Council. You can be investigating, looking into, anything like that, but don't pretend that you speak for ASM as a whole when interacting with others on campus.

Best of luck in your meetings. I'm always available by phone or email if necessary.

Tyler

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Tyler Junger

Chair, Associated Students of Madison

(414) 531-8425

tjunger@wisc.edu

**From:** [THOMAS CAMERON TEMPLETON](#)

**To:** Tyler Junger

**Date:** Mon, 29 Jun 2009 11:06:15 -0500

**Subject:** 128 fund info

**Attachment(s):** 1

Here is something I stumbled upon today. In particular look at numbers 14 & 15 as though the governor is asking for \$25 million from the system with no party taking the money. So my guess is that our UW administration came up with how to comply with the governor's demands. I still think that we need to investigate this to make sure my intuition is correct. Then we can proceed with the best action.

Tom

Tom Templeton  
Vice-Chair, Associated Students of Madison  
ttempleton@wisc.edu  
815.403.7724

**From:** [Erik Paulson](#)

**To:** [Tyler Junger](#)

**Date:** Wed, 1 Jul 2009 13:40:34 -0500

**Subject:** 128 stuff

**Attachment(s):** 0

OK, here's what I think is relevant. I'm using this version of the bill, because I think it's closest to being current:

<http://www.legis.state.wi.us/2009/data/acts/09enAB0075-veto2.pdf>  
(It's the version with the gov's vetoes)

I think the relevant pieces are 20.235(1)(ke) on page 39, section 232 on page 132, and section 254 on page 133.

So, I have to admit, I don't quite get it. See section 254. I think that defines the auxiliary language we're concerned about. However, section 255 immediately thereafter seems to remove the offending paragraph. The same thing happens in section 232 and 233 – section 232 creates a new part of the statues, and then section 233 repeals. I swear the whole state budget process is a racket for typists. (Clearly I'm missing something, so it's worth getting a better explanation of what the difference is between the two paragraphs, and why one seems to undo the other)

So, given that I just admitted to not knowing how to read any of this, here's my take: the state says find \$17 million for higher ed grants, and take it from your auxiliary accounts, but no one is on the hook for more than 3.5 million. I think Madison campus has latitude to decide how it wants to find it's portion of the 17 million. I think we make a good case, using System's own policy language, that ASM is not an auxiliary enterprise:

<http://www.uwsa.edu/fadmin/fppp/fppp42.htm#appendix%201>

And since we're not auxiliary, the new section of 20.285(1)(h) doesn't apply to the ASM money. Even if we were, I think we're off the hook with the one-time charge because we were told to go ahead and spend it.

**From:** [jungertyler@gmail.com](mailto:jungertyler@gmail.com)  
**To:** [Tyler Junger](#)  
**Date:** Wed, 1 Jul 2009 20:31:20 +0000  
**Subject:** Re: 128 stuff  
**Attachment(s):** 0

Now this is just me spitballing, but from this reading, doesn't it appear that seg might not be affected at all?

-----Original Message-----

**From:** Erik Paulson  
**To:** Tyler Junger  
**Subject:** 128 stuff  
**Sent:** Jul 1, 2009 13:40

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**From:** [Erik Paulson](#)

**To:** [Tyler Junger](#)

**Date:** Wed, 1 Jul 2009 16:57:23 -0500

**Subject:** Re: 128 stuff

**Attachment(s):** 0

Maybe. To me, it depends on if the "other fees" section 254 talks about includes seg fees or not. We also need to get, in writing, the admins plan for how they are going to raise their part. We need more info than the one page spreadsheet

(sorry about typos, iPhone on a bus is tricky)

On Wednesday, July 1, 2009, <jungertyler@gmail.com> wrote:

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> From: Erik Paulson

> To: Tyler Junger

> Subject: 128 stuff

> Sent: Jul 1, 2009 13:40

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> what the difference is between the two paragraphs, and why one seems

> to undo the other)

**From:** [Tom Templeton](#)

**To:**

**Date:** Thu, 02 Jul 2009 20:02:02 -0500

**Subject:** tonights meeting

**Attachment(s):** 2

I know it short notice but I just wanted to get these to you guys before we meet so you would have some opportunity to come in with what I am expecting.

Thanks

---

Tom Templeton  
Vice-Chair, Associated Students of Madison  
ttempleton@wisc.edu  
Cell: 815.403.7724

**From:** [Tom Templeton](#)

**To:**

**Date:** Thu, 02 Jul 2009 20:02:02 -0500

**Subject:** tonights meeting

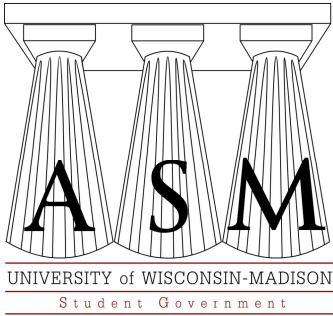
**Attachment(s):** 2

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Tom Templeton  
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Cell: 815.403.7724



# ASSOCIATED STUDENTS of MADISON

Student Activity Center Room 4301 ♦ 333 East Campus Mall ♦ Madison, WI 53715-1380  
www.asm.wisc.edu phone: 608.265.4ASM ♦ fax: 608.265.5637 ♦ asm@studentorg.wisc.edu

To: Tom Templeton et al.  
From: Tyler Junger  
Subject: Fund 128 Discussions  
Date: 7/2/2009

Dear Tom,

Since I cannot attend tonight's meeting, either in person or via telephone, I'd like to take a few minutes to send you my thoughts on the issues we've been having with 128 funds. My basic point of view is the following: while we shouldn't be entirely passive about this process, we should take caution before getting too confrontational with UW administration, System or the state government.

I feel that we have a compelling argument for reinstating segregated fee immunity from an auxiliary sweep. The newly-passed state budget (final version available at <http://www.legis.state.wi.us/2009/data/acts/09Act028.pdf>) includes the following language:'

**SECTION 255.** 20.285 (1) (h) of the statutes, as affected by 2009 Wisconsin Act .... (this act), is amended to read:

20.285 (1) (h) *Auxiliary enterprises.* Except as provided under subs. (5) (i) and (6) (g), all moneys received by the University of Wisconsin System for or on account of any housing facility, commons, dining halls, cafeteria, student union, athletic activities, stationery stand or bookstore, parking facilities or car fleet, or such other auxiliary enterprise activities as the board designates ...

This language defines what the state legislature sees as an auxiliary expense. Note that nowhere in that language are segregated fees mentioned. This language, however, includes the clause "or such other auxiliary enterprise activities as the board designates." This could be the language which leads the University to ask for segregated fee money. On this:

- According to F42 (<http://www.uwsa.edu/fadmin/fppp/fppp42.htm>), an enterprise is defined as programs that "...furnish services directly or indirectly to students, faculty, or staff, and charge fees related to, but not necessarily equal to, the cost of services. Traditionally, these services have encompassed food services, student housing, and college stores..." It seems that segregated fee funds fall under the first part of this definition (providing student services), but not the second, i.e. they are not food services, housing, or stores.
- From F42, Appendix 1:
  - *The following programs accounted for in Fund 128, Activity 8 have been assigned to auxiliaries:*
    - *Food Services*
    - *Bookstore Sales*
    - *Retail Sales (merchandise and services that are not directly related to instruction, research or public service)*
    - *Parking Services*
    - *Housing Services*



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- *Non-auxiliary programs differ in purpose, policy and (for the most part) funding source from auxiliaries. For example, segregated fee programs receive a budget allocation, are not self-supporting operations that charge a fee directly related to the cost of goods or services provided, and are often instructional and/or student service in purpose. Non-auxiliaries, for purposes of this paper, are defined as programs more appropriately assigned to other activities (e.g., student services, instruction, and academic support); or programs created to improve cost efficiencies, service and accountability (e.g., service organizations such as copy centers).*

By attempting to define ASM's reserve fund as auxiliary money (the only money which was authorized to be taken by the legislature and governor) the Administration is entering a strange dichotomy. Simply put, reserve funds cannot be auxiliary funds. If they were, they would be reviewed by the SSFC in the same manner that we review the Union or UHS budgets. That is to say, we would be allowed to make recommendations on how to spend reserve funds, but we could not actually decide what to do with the money as students.

I feel that this is our angle when dealing with Administration. If they continue to insist that ASM will pay this money out of segregated fees, they are opening up Pandora's box. We must see this not just as the University asking students to help pay the state budget, but as a power grab by the Administration. Imagine if, six months from now, Darrell Bazzell approaches ASM, telling us that we can only make recommendations on our own internal budget and all the other budgets we oversee.

This isn't just students helping the state. This is a warning shot over the bow of allocable segregated fees.

Best,

Tyler Junger  
*Chair, Associated Students of Madison*

## Fund 128 discussion

7/2/09

### Agenda

- I. What we know and how we know it
- II. What questions do we still have
  - a. Who has the answers
  - b. Who will get them
- III. Courses of action
  - a. What are our options
  - b. What are the pro/cons and risk levels of each
- IV. What is the next step
  - a. Assign job duties
- V. Message
  - a. Within ASM
  - b. With the press
  - c. With admisinstration
  - d. With state reps.
- VI. Board of Regents Meeting (07/09/2009)
  - a. Speaking at meeting
    - i. 128 funds
    - ii. Appeal of Chancellor's budget descision

**From:** [Kurt M. Gosselin](#)

**To:** Tyler Junger

**Date:** Fri, 03 Jul 2009 02:31:16 -0500

**Subject:** 128 Situation

**Attachment(s):** 0

Tyler,

I looked at F42 and your information and the auxiliary request from the UW (that for sending it to me) and I think I have figured out what's going on a little more

1) The UW request for auxiliaries to find aid is the 1% budget reduction. It is not balances (reserves) left over. This is likely the reason Donna said we don't need by 1% (not that we have already done it).

2) The \$181,000 is still being taken (as leftovers that the state can use) not for for general budget hole-plugging.

Thus, Tyler, your approach for a challenge would be in regard to (1); however, v nothing to challenge here if I am correct. On (2), however, we will likely need to the taxi program is what we will propose to cut (although we will still look into legal alternatives as we have all discussed).

Please let me know if you have a different understanding or know anything that Kurt

---

Kurt M. Gosselin  
University of Wisconsin Madison  
Secretary, Associated Students of Madison  
L&S Representative, Associated Students of Madison  
Chair Emeritus, Student Services Finance Committee  
kgosselin@wisc.edu | 262.237.4511

**From:** [Lori Berquam](#)

**To:**

**Date:** Fri, 03 Jul 2009 13:11:30 -0500

**Subject:** Seg Fee Reductions

**Attachment(s):** 0

Chancellor Martin,

I just spoke with Kurt Gosselin, an ASM student who is working on the budget impact of the seg fee sweep. The students are reviewing a couple of different options and Kurt has agreed to copy us in their recommendations to the Board of Regents next week. They committed to letting us know by July 7th.

I appreciate the thoroughness being put forth by the students knowing any cut is difficult. One of the things we discussed was a reduction or possible total cut of the SAFE cab program. It is one of many things the students are reviewing.

Let me know if you have any questions. Thanks. lb

--

Lori M. Berquam

75 Bascom Hall

University of Wisconsin-Madison

Madison, WI 53706

Office: 608.263.5702

FAX: 608.265.5646

**From:** [Kurt M. Gosselin](#)

**To:** [Tyler Junger](#)

**Date:** Tue, 07 Jul 2009 02:23:49 -0500

**Subject:** 128

**Attachment(s):** 0

Hey Tyler,

We finished up the meeting by discussing potential media & campus backlash and developed a few action steps for moving forward.

We figured the message needs to be broken into two formats (one for the reger one for the public)

Regents Message Synopsis:

- (After evaluating F42 & F43 to determine whether or not we have a decent ar we can make)
- 1) we briefly describe the situation with 128s & reserve
- 2) argue that we do not like that we have to provide the funding being reque
- 3) if applicable, protest the request on statutorial/system policy grounds
- 4) but concede that if they do not agree with us to take the money from SAF
- 5) briefly discuss why this (under-utilized/high cost, this approach affects le ppl, etc.)

Public (Press) Message:

- Doyle's budget caused us these financial problems (desparate times, despar: measures)
- We recognized no options were positive
- We considered thoroughly a wide variety of options (increased fees, asking g reduce their budgets, etc.)
- We wanted to go with a cost-effective option that impacted the least ppl and the impact ppl felt
- Discuss why not other options
- Safety is not jeopardized by this option (SAFE Walk, SAFE Bus, Taxis still avai Transportation Services Program)
- There has been ongoing problem with state not providing funding to the uni this trend has forced our hand
- ASM will be exploring options to prevent this loss of funding in the future
- If you would like to see this program restored and prevent future program lc contact your legislator and ask them to support state funding for higher educat

### Unanswered Q's

- Is the \$181,000 the right number? (Tom is going to keep pressuring Donna answer)

### Roles

- You (if possible): Draft memo, info/talking points for Regent presentation (p include something tangible to hand them)
- Me: Draft public press release
- Tom: Sign up you, Carl and me to speak at the Regents meeting this Thursday
- Carl & Tom: Assist in editing wording, tone, etc.

### Media

- Until the press release goes out, our plan is "we are still exploring the option gathering information. We will have information for the public by Thursday"
- Before issuing the press release, Erik thought it would be appropriate to give a 1 hour early heads up or so (include them before the knowledge is public). I think this would be a good idea. I would suggest adding a paragraph or two about why the decision was made in the manner in which it was and assuring Council that we took the necessary steps to ensure participation by as many necessary individuals as possible while still arriving at a satisfactory conclusion.

### Other

- I will be working with WSL to begin gauging the tone that the state legis might be concerning a potential bill
- Someone should tell ODOS & the Chancellor what our recommendation will be. I'm committed to letting them know by the end of tomorrow, but made it clear to L that this is a call to be made by you & Brandon)
- I'll let you take care of this one as it would probably be best coming from your Chair; however, if you need me to take care of this or want me to look over anything before you send it I'd be happy to do so.

I think I have covered just about everything. Let me know if you have any questions or concerns,

Kurt

---

Kurt M. Gosselin

University of Wisconsin Madison  
Secretary, Associated Students of Madison  
L&S Representative, Associated Students of Madison  
Chair Emeritus, Student Services Finance Committee  
kgosselin@wisc.edu | 262.237.4511

**From:** [Erik Paulson](#)

**To:**

**Date:** Tue, 07 Jul 2009 12:36:18 -0500

**Subject:** Re: [Fwd: 128 fund info]

**Attachment(s):** 0

OK. FYI, the original home for this was here:

<http://www.legis.wisconsin.gov/lfb/2009-11Budget/Governor/uw.pdf>

It's part of a number of summaries the LFB did on the budget, which can be helpful:

[http://www.legis.wisconsin.gov/lfb/LFBPublications\\_ButtonPages/2009-11\\_buc](http://www.legis.wisconsin.gov/lfb/LFBPublications_ButtonPages/2009-11_buc)

-Erik

On Tue, Jul 7, 2009 at 12:11 PM, Kurt M. Gosselin <[kgosselin@wisc.edu](mailto:kgosselin@wisc.edu)> wrote

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> Kurt M. Gosselin

> University of Wisconsin Madison

> Secretary, Associated Students of Madison

> L&S Representative, Associated Students of Madison

> Chair Emeritus, Student Services Finance Committee

> [kgosselin@wisc.edu](mailto:kgosselin@wisc.edu) | 262.237.4511

>

>

> ----- Forwarded message -----

> From: Tom Templeton <[ttempleton@wisc.edu](mailto:ttempleton@wisc.edu)>

> To: Kurt Gosselin <[kgosselin@wisc.edu](mailto:kgosselin@wisc.edu)>

> Date: Fri, 03 Jul 2009 01:43:05 -0500

> Subject: [Fwd: 128 fund info]

> This is what i sent originally to you. Here it is again if you lost or deleted it.

>

> Enjoy,

>

> Tom

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>  
> Tom Templeton  
> Vice-Chair, Associated Students of Madison  
> ttempleton@wisc.edu  
> Cell: 815.403.7724

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> Tom Templeton  
> Vice-Chair, Associated Students of Madison  
> ttempleton@wisc.edu  
> 815.403.7724

>  
>

**From:** [Tyler Junger](#)  
**To:** [Tyler Junger](#)  
**Date:** Fri, 10 Jul 2009 17:59:34 -0500  
**Subject:** Fund 128  
**Attachment(s):** 1

Charles,

In response to your open records request, here is the document.

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Tyler Junger

Chair, Associated Students of Madison

(414) 531-8425

[jungertyler@gmail.com](mailto:jungertyler@gmail.com)