

**2009 DRAFTING REQUEST**

**Bill**

Received: **01/19/2009**

Received By: **mkunkel**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Rhodes**

This file may be shown to any legislator: **NO**

Drafter: **mkunkel**

May Contact:

Addl. Drafters:

Subject: **Higher Education - UW System**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

---

**Pre Topic:**

DOA:.....Rhodes, BB0480 -

---

**Topic:**

Grants for UW students ineligible for WHEG grants

---

**Instructions:**

See attached

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			State
/P1	mkunkel 01/22/2009	nmatzke 01/22/2009	mduchek 01/22/2009	_____	cduerst 01/22/2009		State
/P2	mkunkel 01/23/2009	nmatzke 01/23/2009	phenry 01/23/2009	_____	sbasford 01/23/2009		State
/P3	mkunkel 01/26/2009	nmatzke 01/26/2009	phenry 01/26/2009	_____	lparisi 01/26/2009		

Vers.    Drafted    Reviewed    Typed    Proofed    Submitted    Jacketed    Required

FE Sent For:

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/P1	mkunkel 01/22/2009	nmatzke 01/22/2009 /P2 nwn 1/23	mduchek 01/22/2009		cdurst 01/22/2009		

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/?	mkunkel	/PI nwn 1/22	MD	MD NO			

FE Sent For:

<END>

## 2009-11 Budget Bill Statutory Language Drafting Request

Topic: Hold Harmless for students ineligible for WHEG-UW

- Tracking Code: BB0480
- SBO team: Education, Children & Families
- SBO analyst: Dennis Rhodes
  - Phone: 266-2843
  - Email: Dennis.Rhodes@Wisconsin.gov
- Agency acronym: UWS
- Agency number: 285
- Priority (Low, Medium, High): Medium

Create an annual GPR appropriation in the UW to support a financial aid program for postsecondary resident students enrolled at least half-time and registered as freshmen, sophomores, juniors or seniors. Provide the Regents authority to operate the program to make aid awards to students *ineligible* for WHEG-UW in order to hold those students harmless from tuition increases. The Regents will determine the level of financial need that will trigger an award under this program.

**Kunkel, Mark**


---

**From:** Rhodes, Dennis - DOA [dennis.rhodes@wisconsin.gov]  
**Sent:** Monday, January 19, 2009 4:16 PM  
**To:** Kunkel, Mark  
**Subject:** RE: new UW financial aid program at UW, not HEAB

They will receive awards equivalent to the estimated dollar amounts that tuition will increase. So, if a 5.5% tuition increase results in a \$350 dollar increase on a student's tuition bill in FY10, the student will be awarded \$350 in FY10. That's the idea.

Does that help?

Thanks,

Dennis

---

**From:** Kunkel, Mark [mailto:Mark.Kunkel@legis.wisconsin.gov]  
**Sent:** Monday, January 19, 2009 4:12 PM  
**To:** Rhodes, Dennis - DOA  
**Subject:** RE: new UW financial aid program at UW, not HEAB

The request says that the board of regents should make the awards to students ineligible for WHEG-UW "in order to hold those students harmless" from tuition increases. I'm not sure what "hold harmless" means in this context. Can you elaborate?

---

**From:** Rhodes, Dennis - DOA [mailto:dennis.rhodes@wisconsin.gov]  
**Sent:** Monday, January 19, 2009 3:32 PM  
**To:** Kunkel, Mark  
**Subject:** RE: new UW financial aid program at UW, not HEAB

Yes, that's the same initiative.

---

**From:** Kunkel, Mark [mailto:Mark.Kunkel@legis.wisconsin.gov]  
**Sent:** Monday, January 19, 2009 3:26 PM  
**To:** Rhodes, Dennis - DOA  
**Subject:** FW: new UW financial aid program at UW, not HEAB

Dennis, Peter Grant forwarded your email to me. Does this correspond to the BB0480 (hold harmless for students ineligible for WHEG-UW)?

-- Mark

---

**From:** Rhodes, Dennis - DOA [mailto:dennis.rhodes@wisconsin.gov]  
**Sent:** Saturday, January 17, 2009 11:32 AM  
**To:** Malaise, Gordon; Grant, Peter

01/19/2009

**Cc:** Hanle, Bob - DOA

**Subject:** new UW financial aid program at UW, not HEAB

Hi,

I'll get this request over formerly on Tuesday. We need language to create a new GPR appropriation at the UW to support a financial aid program resident undergrads with unmet need financial need, as determined by the UW System (or Board of Regents), who are not eligible for WHEG grants. We don't want to set a specific income limit in statute. The title could be along the lines of Special Hold Harmless Aid for Resident Students.

I'll try to have more detail on Tuesday. Thanks,

Dennis Rhodes  
6-2843

**Kunkel, Mark**

---

**From:** Rhodes, Dennis - DOA [dennis.rhodes@wisconsin.gov]  
**Sent:** Wednesday, January 21, 2009 1:25 PM  
**To:** Kunkel, Mark  
**Subject:** RE: new UW financial aid program at UW, not HEAB

Mark,

Another change... we've agreed to place this funding 1a and not create a separate appropriation.

Thanks,

Dennis

---

**From:** Rhodes, Dennis - DOA  
**Sent:** Tuesday, January 20, 2009 2:28 PM  
**To:** Kunkel, Mark - LEGIS  
**Subject:** RE: new UW financial aid program at UW, not HEAB

Mark,

We don't want to explicitly say hold harmless for tuition increases. This is going to be sum certain so we need to leave wiggle room. The UW is also making a pitch to put the funding in 1a. I'll see what people think about that here.

Thanks,

Dennis

---

**From:** Kunkel, Mark [mailto:Mark.Kunkel@legis.wisconsin.gov]  
**Sent:** Monday, January 19, 2009 4:12 PM  
**To:** Rhodes, Dennis - DOA  
**Subject:** RE: new UW financial aid program at UW, not HEAB

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**Subject:** RE: new UW financial aid program at UW, not HEAB

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**Sent:** Monday, January 19, 2009 3:26 PM  
**To:** Rhodes, Dennis - DOA  
**Subject:** FW: new UW financial aid program at UW, not HEAB

01/21/2009

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**To:** Malaise, Gordon; Grant, Peter  
**Cc:** Hanle, Bob - DOA  
**Subject:** new UW financial aid program at UW, not HEAB

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Dennis Rhodes  
6-2843



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-1627/P1  
MDK:|:....  
nwn

O - Note

DOA:.....Rhodes, BB0480 - Grants for UW students ineligible for WHEG grants

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

1-22-09

SA ✓  
X-ref ✓

1 AN ACT <sup>don't gen.</sup> relating to: the budget. ✓

*Analysis by the Legislative Reference Bureau*

EDUCATION ✓

HIGHER EDUCATION ✓

HEAB

This bill allows the Board of Regents of the UW System (board) to make grants to undergraduate resident students who are not eligible for a Wisconsin higher education grant awarded by the Higher Educational Aids Board. The bill requires the grants to be made from the board's general program operations appropriation. The amount of a grant to a student must correspond to increases in tuition charged to the student. The bill generally prohibits the board from making a grant to a student whose name appears on a statewide docket indicating that the student is delinquent in child support.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

2 SECTION 1. 36.25 (49) of the statutes is created to read:



**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1627/P1dn

MDK:j:...

nwn

Date

Dennis Rhodes:

Please note the following about this draft:

1. Is it necessary to clarify what constitutes an "increase" in academic fees? For example, does an increase qualify if it occurs after a student applies, but before the student is actually charged fees, or does an increase qualify only if the student has previously paid academic fees? If you don't want to revise the draft to resolve this issue (assuming that is an issue), you could leave it to the discretion of the Board of Regents when it makes the grants.
2. One of your emails referred to a student's unmet financial need. I don't think that reference is necessary, but if you disagree, please let me know.
3. I added the prohibition regarding child support because there are similar prohibitions under current law. See ss. 36.11 (6) (b), 36.25 (14), and 36.34 (1) (b). Is that okay?

Mark D. Kunkel  
Senior Legislative Attorney  
Phone: (608) 266-0131  
E-mail: mark.kunkel@legis.wisconsin.gov

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1627/P1dn  
MDK:nwn:md

January 22, 2009

Dennis Rhodes:

Please note the following about this draft:

1. Is it necessary to clarify what constitutes an "increase" in academic fees? For example, does an increase qualify if it occurs after a student applies, but before the student is actually charged fees, or does an increase qualify only if the student has previously paid academic fees? If you don't want to revise the draft to resolve this issue (assuming that is an issue), you could leave it to the discretion of the Board of Regents when it makes the grants.
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3. I added the prohibition regarding child support because there are similar prohibitions under current law. See ss. 36.11 (6) (b), 36.25 (14), and 36.34 (1) (b). Is that okay?

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Senior Legislative Attorney  
Phone: (608) 266-0131  
E-mail: [mark.kunkel@legis.wisconsin.gov](mailto:mark.kunkel@legis.wisconsin.gov)

**Kunkel, Mark**

---

**From:** Rhodes, Dennis - DOA [dennis.rhodes@wisconsin.gov]  
**Sent:** Friday, January 23, 2009 10:35 AM  
**To:** Kunkel, Mark  
**Subject:** RE: LRB Draft: 09-1627/P1 Grants for UW students ineligible for WHEG grants

We would prefer that change. Thanks Mark.

---

**From:** Kunkel, Mark [mailto:Mark.Kunkel@legis.wisconsin.gov]  
**Sent:** Friday, January 23, 2009 10:33 AM  
**To:** Rhodes, Dennis - DOA  
**Subject:** RE: LRB Draft: 09-1627/P1 Grants for UW students ineligible for WHEG grants

You could say, "that corresponds to any increase, *or any portion of an increase*,...."

---

**From:** Rhodes, Dennis - DOA [mailto:dennis.rhodes@wisconsin.gov]  
**Sent:** Friday, January 23, 2009 10:22 AM  
**To:** Kunkel, Mark  
**Subject:** RE: LRB Draft: 09-1627/P1 Grants for UW students ineligible for WHEG grants

My remaining concern would be if the word "corresponds" on page 2 obligates the Regents to award a grant that corresponds exactly, on a dollar for dollar basis, with a tuition increase. After some discussions here we don't want to be that specific.

---

**From:** Kunkel, Mark [mailto:Mark.Kunkel@legis.wisconsin.gov]  
**Sent:** Friday, January 23, 2009 10:11 AM  
**To:** Rhodes, Dennis - DOA  
**Subject:** RE: LRB Draft: 09-1627/P1 Grants for UW students ineligible for WHEG grants

So it looks like it's okay as drafted, then?

---

**From:** Rhodes, Dennis - DOA [mailto:dennis.rhodes@wisconsin.gov]  
**Sent:** Friday, January 23, 2009 9:22 AM  
**To:** Kunkel, Mark  
**Subject:** RE: LRB Draft: 09-1627/P1 Grants for UW students ineligible for WHEG grants

Mark,

On this initiative we are increasingly tending towards the general rather than the specific, so on clarifying an increase in academic fees I will say let's not specify it; and I would prefer not to talk about unmet financial need. Also, it's OK to talk about child support.

Thanks,

Dennis  
6-2843

**From:** Duchek, Michael [mailto:Michael.Duchek@legis.wisconsin.gov]  
**Sent:** Thursday, January 22, 2009 4:34 PM  
**To:** Rhodes, Dennis - DOA  
**Cc:** Hanle, Bob - DOA; Hanaman, Cathlene - LEGIS; Beadles, Kathleen - DOA  
**Subject:** LRB Draft: 09-1627/P1 Grants for UW students ineligible for WHEG grants

Following is the PDF version of draft 09-1627/P1.



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-1627/P1  
MDK:nwn:md

1-23-09

stays (RM Has been suw) P2

DOA:.....Rhodes, BB0480 - Grants for UW students ineligible for WHEG grants

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

5 or portions of increases

don't gen.

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*  
**EDUCATION**

**HIGHER EDUCATION**

This bill allows the Board of Regents of the UW System (board) to make grants to undergraduate resident students who are not eligible for a Wisconsin higher education grant awarded by HEAB. The bill requires the grants to be made from the board's general program operations appropriation. The amount of a grant to a student must correspond to increases in tuition charged to the student. The bill generally prohibits the board from making a grant to a student whose name appears on a statewide docket indicating that the student is delinquent in child support.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

2 SECTION 1. 36.25 (49) of the statutes is created to read:

3 36.25 (49) ACADEMIC FEE INCREASE GRANTS. The board may make grants from  
4 the appropriation under s. 20.285 (1) (a) to resident undergraduate students who are

1 not eligible for grants under s. 39.435 that are payable from the appropriation under  
2 s. 20.235 (1) (fe). A grant to a student under this subsection shall be in an amount  
3 determined by the board that corresponds to any increase in academic fees charged  
4 to the student. The board may not make a grant under this subsection to a student  
5 whose name appears on the statewide support lien docket under s. 49.854 (2) (b),  
6 unless the student provides to the board a payment agreement that has been  
7 approved by the county child support agency under s. 59.53 (5) and that is consistent  
8 with rules promulgated under s. 49.858 (2) (a).

9 (END)

5 or any portion  
of an increase 5

**Kunkel, Mark**


---

**From:** Rhodes, Dennis - DOA [dennis.rhodes@wisconsin.gov]  
**Sent:** Monday, January 26, 2009 11:11 AM  
**To:** Kunkel, Mark  
**Subject:** RE: LRB Draft: 09-1627/P2 Grants for UW students ineligible for WHEG grants

Yes, please do make the change. Thanks again Mark.

---

**From:** Kunkel, Mark [mailto:Mark.Kunkel@legis.wisconsin.gov]  
**Sent:** Monday, January 26, 2009 11:10 AM  
**To:** Rhodes, Dennis - DOA  
**Subject:** RE: LRB Draft: 09-1627/P2 Grants for UW students ineligible for WHEG grants

I'm not sure why "eligible" was chosen, as I think that was the term used in the request. However, the UW's change below looks okay and would address the concern described below. I'll redraft the bill, unless you say otherwise.

---

**From:** Rhodes, Dennis - DOA [mailto:dennis.rhodes@wisconsin.gov]  
**Sent:** Monday, January 26, 2009 11:07 AM  
**To:** Kunkel, Mark  
**Subject:** FW: LRB Draft: 09-1627/P2 Grants for UW students ineligible for WHEG grants

Against our better judgment we shared this draft with the UW, and they came back with this comment. I thought we had picked 'eligible' rather than 'received' intentionally, but now I do not know why.

---

**From:** Kris Frederick [mailto:kfrederick@uwsa.edu]  
**Sent:** Monday, January 26, 2009 11:00 AM  
**To:** Rhodes, Dennis - DOA  
**Cc:** 'Freda Harris'; Lynn Paulson  
**Subject:** Re: FW: LRB Draft: 09-1627/P2 Grants for UW students ineligible for WHEG grants

Dennis,

Freda and I discussed this. Rather than using "are not eligible for grants under s. 39.435", we'd recommend "do not receive grants under s. 39.435". This would prevent a student from receiving a grant from both HEAB and UW, but would allow a WHEG-eligible student to receive a hold harmless grant through UW if he/she does not receive one from HEAB. For example, a student may be WHEG-eligible, but HEAB may have exhausted its WHEG funds. Under the current language, this student could not receive a hold harmless through UW, since he/she is eligible for a grant under s. 39.435. Changing the bill to "do not receive" would allow this student to still receive a hold harmless through UW.

Hope that this helps. Any questions, please let me know.

Kris Frederick

Kristofer Frederick  
 Budget and Policy Analyst  
 Office of Budget and Planning

01/26/2009

University of Wisconsin System Administration  
1512 Van Hise Hall  
(608) 262-8939



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-1627/P2

MDK:nwn:ph

↑  
stays

ep3

1-25-09

DOA:.....Rhodes, BB0480 - Grants for UW students ineligible for WHEG grants

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

RM HAS BEEN RUN

1

don't gen.  
AN ACT ...; relating to: the budget.

do not receive

*Analysis by the Legislative Reference Bureau*

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**HIGHER EDUCATION**

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10 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

11

(END)



DOA:.....Rhodes, BB0480 - Grants for UW students ineligible for WHEG grants

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

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