2011 DRAFTING REQUEST

Bill

Received: **04/21/2011**

Received By: **gmalaise**

Wanted: **04/22/2011**

Companion to LRB:

For: **Janis Ringhand (608) 266-1192**

By/Representing: **Maggie Gau**

May Contact:

Drafter: **gmalaise**

Subject: **Higher Education - financial aid**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Ringhand@legis.wi.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Fee remission for veterans; restoration of prior law; sum sufficient funding

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Instructions:

Draft companion to SB 53

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	gmalaise 04/21/2011	kfollett 04/22/2011		_____ _____			S&L
/1			rschluet 04/22/2011	_____ _____	lparisi 04/22/2011	cduerst 04/27/2011	

FE Sent For:

at intro 5-17-11

<END>

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/?	gmalaise	/lgf 4/22 4/22/11		_____ _____			

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<END>

State of Wisconsin
2011 – 2012 LEGISLATURE

IN 4/21
Wanted 4/22

LRB-~~0915/1~~ 1968/1
GMM:nwn&wlj:ph
stays

2011 SENATE BILL 53

(Companion -- but see p. 2)

April 1, 2011 – ~~Introduced by Senators~~ LASSA, HANSEN, HOLPERIN, VINEHOUT, T. CULLEN, JAUCH, S. COGGS and TAYLOR, ~~cosponsored~~ by Representatives BARCA, GRIGSBY, BERCEAU, FIELDS, VRUWINK, CLARK, MASON, SINICKI, TURNER and BERNARD SCHABER. Referred ~~to Committee on Economic Development and Veterans and Military Affairs.~~

Regen

1 AN ACT ***to repeal*** 36.27 (3n) (bm) 2., 36.27 (3p) (bm) 2., 38.24 (7) (bm) 2., 38.24
2 (8) (bm) 2. and 39.50 (3m); ***to renumber*** 36.27 (3n) (bm) 1., 36.27 (3p) (bm) 1.,
3 38.24 (7) (bm) 1. and 38.24 (8) (bm) 1.; and ***to amend*** 20.235 (1) (fz), 36.27 (3n)
4 (b) (intro.), 36.27 (3n) (bg), 36.27 (3n) (c), 36.27 (3p) (b), 36.27 (3p) (c), 38.24 (7)
5 (b) (intro.), 38.24 (7) (bg), 38.24 (7) (c), 38.24 (8) (b), 38.24 (8) (c), 39.50 (1), 39.50
6 (2) and 39.50 (4) of the statutes; **relating to:** remission of fees for veterans and
7 their dependents enrolled in the University of Wisconsin System or in a
8 technical college and making an appropriation.

Analysis by the Legislative Reference Bureau

Current law requires the Board of Regents of the UW System (Board of Regents) and each technical college district board (district board) to grant remission of academic fees to certain veterans who are residents of this state for veterans benefits purposes and to the spouse, unremarried surviving spouse, and children (dependents) of a veteran who was a resident of this state at the time of entry into service and who either: 1) while a resident of this state, died on active duty, died as the result of a service–connected disability, or died in the line of duty while on active or inactive duty for training purposes; or 2) incurred at least a 30 percent service–connected disability rating. In the case of a veteran enrolled in the UW System, "academic fees" includes nonresident tuition.

and local

Current law requires the Board of Regents and a district board to grant full remission of academic fees charged for up to 128 credits or eight semesters, whichever is longer, less the amount of any academic fees paid under the federal Post–9/11 Veterans Educational Assistance Act of 2008, commonly referred to as the "New GI Bill."

This bill eliminates the deduction of academic fees paid under the New GI Bill from the number of credits or semesters for which the Board of Regents or a district board remits academic fees for veterans and their dependents.

Under current law, a sum certain is appropriated to the Higher Educational Aids Board (HEAB) to reimburse the Board of Regents and each district board for the amount of fees remitted for veterans and their dependents, and HEAB is required to prorate that reimbursement if the moneys appropriated are not sufficient to reimburse the Board of Regents and each district board for the full amount of fees remitted. This bill converts that sum certain appropriation into a sum sufficient appropriation and requires HEAB to reimburse the Board of Regents and each district board for the full amount of fees remitted for veterans and their dependents.

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:

1 **SECTION 1.** 20.235 (1) (fz) of the statutes is amended to read:

2 20.235 **(1)** (fz) *Remission of fees and reimbursement for veterans and*
3 *dependents.* ~~Biennially, the amounts in the schedule~~ A sum sufficient to reimburse
4 the Board of Regents of the University of Wisconsin System and technical college
5 district boards under s. 39.50 for fee remissions made under ss. 36.27 (3n) (b) or (3p)
6 (b) and 38.24 (7) (b) or (8) (b) and to reimburse veterans and dependents as provided
7 in ss. 36.27 (3n) (bm) or (3p) (bm) and 38.24 (7) (bm) or (8) (bm).

8 **SECTION 2.** 36.27 (3n) (b) (intro.) of the statutes is amended to read:

9 36.27 **(3n)** (b) (intro.) Except as provided in subds. 1. to 3. and par. (bg), the
10 board shall grant full remission of academic fees and segregated fees for 128 credits
11 or 8 semesters, whichever is longer, less the number of credits or semesters for which
12 the person received remission of fees under s. 38.24 (7) ~~and less the amount of any~~

~~academic fees or segregated fees paid under 38 USC 3319~~, to any resident student who is also any of the following:

SECTION 3. 36.27 (3n) (bg) of the statutes is amended to read:

36.27 **(3n)** (bg) Before the Board of Regents may grant a remission of academic fees and segregated fees under par. (b), the Board of Regents shall require the resident student to apply to the payment of those fees all educational assistance to which the resident student is entitled under 38 USC 3319. This requirement applies notwithstanding the fact that the resident student may be entitled to educational assistance under 10 USC 16132a, 10 USC 16163a, 38 USC 3001 to 3036, or 38 USC 3500 to 3566 as well as under 38 USC 3319, unless the resident student has 12 months or less of eligibility remaining for educational assistance under 10 USC 16132a, 10 USC 16163a, 38 USC 3001 to 3036, or 38 USC 3500 to 3566.

SECTION 4. 36.27 (3n) (bm) 1. of the statutes is renumbered 36.27 (3n) (bm).

SECTION 5. 36.27 (3n) (bm) 2. of the statutes is repealed.

SECTION 6. 36.27 (3n) (c) of the statutes is amended to read:

36.27 **(3n)** (c) The higher educational aids board shall reimburse the board of regents for all academic fees and segregated fees remitted under par. (b) as provided in s. 39.50 (1) ~~and (3m)~~.

SECTION 7. 36.27 (3p) (b) of the statutes is amended to read:

36.27 **(3p)** (b) Except as provided in par. (bg), the board shall grant full remission of nonresident tuition, academic fees, and segregated fees charged for 128 credits or 8 semesters, whichever is longer, less the number of credits or semesters for which the person received remission of fees under s. 38.24 (8) and less the amount of any academic fees or segregated fees paid under 10 USC 2107 (c)~~,~~ or 38 USC 3104 (a) (7) (A), ~~or 38 USC 3313,~~ to any student who is a veteran.

1 **SECTION 8.** 36.27 (3p) (bm) 1. of the statutes is renumbered 36.27 (3p) (bm).

2 **SECTION 9.** 36.27 (3p) (bm) 2. of the statutes is repealed.

3 **SECTION 10.** 36.27 (3p) (c) of the statutes is amended to read:

4 36.27 **(3p)** (c) The higher educational aids board shall reimburse the board of
5 regents for all nonresident tuition, academic fees, and segregated fees remitted
6 under par. (b) as provided in s. 39.50 (1) ~~and (3m)~~.

7 **SECTION 11.** 38.24 (7) (b) (intro.) of the statutes is amended to read:

8 38.24 **(7)** (b) (intro.) Except as provided in subds. 1. to 3. and par. (bg), the
9 district board shall grant full remission of fees under sub. (1m) (a) to (c) for 128
10 credits or 8 semesters, whichever is longer, less the number of credits or semesters
11 for which the person received remission of fees from any other district board under
12 this subsection and from the Board of Regents under s. 36.27 (3n) (b) ~~and less the~~
13 ~~amount of any fees paid under 38 USC 3319~~, to any resident student who is also any
14 of the following:

15 **SECTION 12.** 38.24 (7) (bg) of the statutes is amended to read:

16 38.24 **(7)** (bg) Before the district board may grant a remission of fees under par.
17 (b), the district board shall require the resident student to apply to the payment of
18 those fees all educational assistance to which the resident student is entitled under
19 38 USC 3319. This requirement applies notwithstanding the fact that the resident
20 student may be entitled to educational assistance under 10 USC 16132a, 10 USC
21 16163a, <u>38 USC 3001 to 3036,</u> or 38 USC 3500 to 3566 as well as under 38 USC 3319,
22 unless the resident student has 12 months or less of eligibility remaining for
23 educational assistance under 10 USC 16132a, 10 USC 16163a, <u>38 USC 3001 to 3036,</u>
24 or 38 USC 3500 to 3566.

25 **SECTION 13.** 38.24 (7) (bm) 1. of the statutes is renumbered 38.24 (7) (bm).

1 **SECTION 14.** 38.24 (7) (bm) 2. of the statutes is repealed.

2 **SECTION 15.** 38.24 (7) (c) of the statutes is amended to read:

3 38.24 **(7)** (c) The higher educational aids board shall reimburse the district
4 board for all fees under sub. (1m) (a) to (c) remitted under par. (b) as provided in s.
5 39.50 (2) ~~and (3m)~~.

6 **SECTION 16.** 38.24 (8) (b) of the statutes is amended to read:

7 38.24 **(8)** (b) Except as provided in par. (bg), the district board shall grant full
8 remission of the fees charged under sub. (1m) (a) to (c) for 128 credits or 8 semesters,
9 whichever is longer, less the number of credits or semesters for which the person
10 received remission of fees from any other district board under this subsection and
11 from the Board of Regents under s. 36.27 (3p) and less the amount of any fees paid
12 under 10 USC 2107 (c)~~,~~ <u>or</u> 38 USC 3104 (a) (7) (A), ~~or 38 USC 3313,~~ to any student
13 who is a veteran.

14 **SECTION 17.** 38.24 (8) (bm) 1. of the statutes is renumbered 38.24 (8) (bm).

15 **SECTION 18.** 38.24 (8) (bm) 2. of the statutes is repealed.

16 **SECTION 19.** 38.24 (8) (c) of the statutes is amended to read:

17 38.24 **(8)** (c) The higher educational aids board shall reimburse the district
18 board for all fees under sub. (1m) (a) to (c) remitted under par. (b) as provided in s.
19 39.50 (2) ~~and (3m)~~.

20 **SECTION 20.** 39.50 (1) of the statutes is amended to read:

21 39.50 **(1)** UNIVERSITY OF WISCONSIN SYSTEM. At the end of each semester, the
22 Board of Regents of the University of Wisconsin System shall certify to the board the
23 number of students enrolled in the University of Wisconsin System to whom any fees
24 or nonresident tuition has been remitted under s. 36.27 (3n) or (3p), the number of
25 credits for which those fees or that nonresident tuition has been remitted, and the

amount of fees and nonresident tuition remitted. ~~Subject to sub. (3m), if~~ If the board approves the information certified under this subsection, the board, from the appropriation account under s. 20.235 (1) (fz), shall reimburse the board of regents for the full amount of fees and nonresident tuition remitted. The board of regents shall credit any amounts received under this subsection to the appropriation under s. 20.285 (1) (k) and shall expend those amounts received for degree credit instruction.

SECTION 21. 39.50 (2) of the statutes is amended to read:

39.50 **(2)** TECHNICAL COLLEGES. At the end of each semester, each technical college district board shall certify to the board the number of students enrolled in the technical college governed by the district board to whom any fees have been remitted under s. 38.24 (7) or (8), the number of credits for which those fees have been remitted, and the amount of those fees remitted. ~~Subject to sub. (3m), if~~ If the board approves the information certified under this subsection, the board, from the appropriation account under s. 20.235 (1) (fz), shall reimburse the district board for the full amount of fees remitted.

SECTION 22. 39.50 (3m) of the statutes is repealed.

SECTION 23. 39.50 (4) of the statutes is amended to read:

39.50 **(4)** REIMBURSEMENT OF VETERANS AND DEPENDENTS~~; PRORATED REIMBURSEMENT~~. In each fiscal year, the higher educational aids board shall determine the total amount of reimbursement due to students under ss. 36.27 (3n) (bm) ~~1.~~ and (3p) (bm) ~~1.~~ and 38.24 (7) (bm) ~~1.~~ and (8) (bm) ~~1. If~~ and, from the moneys appropriated under s. 20.235 (1) (fz) ~~are not sufficient to provide full reimbursement to those students, the higher educational aids board shall prorate the reimbursement paid to those students under ss. 36.27 (3n) (bm) 1. and (3p) (bm) 1.~~

~~and 38.24 (7) (bm) 1. and (8) (bm) 1. in the proportion that the moneys available bears to the total amount eligible for reimbursement under ss. 36.27 (3n) (bm) 1. and (3p) (bm) 1. and 38.24 (7) (bm) 1. and (8) (bm) 1. If the higher educational aids board prorates reimbursement under this subsection, the Board of Regents shall reimburse a student who is eligible for reimbursement under s. 36.27 (3n) (bm) 1. or (3p) (bm) 1., and the appropriate technical college district board,~~ shall reimburse a student who is eligible for that reimbursement ~~under s. 38.24 (7) (bm) 1. or (8) (bm) 1.,~~ in an amount that is equal to ~~the difference between~~ the amount of reimbursement for which the student is eligible ~~and the amount of reimbursement paid by the higher educational aids board~~.

SECTION 24. Initial applicability.

(1) FEE REMISSION. This act first applies to a student who is enrolled in the spring 2010 semester.

SECTION 25. Effective date.

(1) FEE REMISSION. This act takes effect retroactively on January 1, 2010.

(END)

Basford, Sarah

From: Gau, Maggie

Sent: Wednesday, April 27, 2011 1:55 PM

To: LRB.Legal

Subject: Draft Review: LRB 11-1968/1 Topic: Fee remission for veterans; restoration of prior law; sum sufficient funding

Please Jacket LRB 11-1968/1 for the ASSEMBLY.