



2005 ASSEMBLY BILL 743

October 11, 2005 - Introduced by Representatives PARISI, BLACK, MUSSER, POCAN, TURNER, BERCEAU, GRIGSBY, SEIDEL, FIELDS, SHERIDAN and MOLEPSKE, cosponsored by Senators ERPENBACH and RISSER. Referred to Committee on Colleges and Universities.

1 **AN ACT to amend** 20.235 (1) (b), 20.235 (1) (fe), 20.235 (1) (ff), 20.235 (1) (km),
2 20.285 (4) (dd), 20.505 (8) (hm) 10., 36.34 (1) (c) 1. a., 36.34 (1) (c) 1. b., 36.34 (1)
3 (c) 2. (intro.), 36.34 (1) (c) 2. b., 39.435 (7) (a) 1., 39.435 (7) (a) 2., 39.435 (7) (b)
4 (intro.) and 39.435 (7) (b) 2.; and **to create** 36.34 (1) (c) 2. am., 39.30 (5), 39.435
5 (7) (a) 3., 39.435 (7) (a) 4., 39.435 (7) (a) 5., 39.435 (7) (a) 6., 39.435 (7) (b) 1m.,
6 39.435 (7) (c) and 39.435 (7) (d) of the statutes; **relating to:** the method by
7 which the amounts to be appropriated for higher education grants, tuition
8 grants, and Lawton minority undergraduate grants are calculated and making
9 appropriations.

Analysis by the Legislative Reference Bureau

Under current law, the Higher Educational Aids Board (HEAB) provides higher education grants to Wisconsin residents who are enrolled in the University of Wisconsin (UW) System, a technical college, or a tribal college and tuition grants to Wisconsin residents who are enrolled in accredited, nonprofit post-high school, educational institutions in this state. The Board Regents of the UW System provides grants, known as Lawton grants, to minority undergraduates enrolled in the UW System.

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Currently, sum certain amounts are appropriated in each fiscal year for tuition grants and for higher education grants for technical college and tribal college students. For higher education grants for UW System students, beginning in fiscal year 2005-06, there is appropriated a sum sufficient equal to the amount appropriated for those grants in the previous fiscal year (base amount) increased by the highest percentage increase in undergraduate academic fees among the institutions within the UW System between the current and previous academic years, except that, if the undergraduate academic fees at each institution within the UW System for the current academic year did not increase from the previous academic year, the appropriation for the current fiscal year remains the base amount. The same formula is also used to calculate the amount appropriated for Lawton grants.

This bill changes the formula used to calculate the amounts appropriated for higher education grants for UW System students and for Lawton grants. The bill also requires HEAB to use the new formula to calculate the amounts appropriated for tuition grants and for higher education grants for technical college and tribal college students. Specifically, under the bill, beginning in fiscal year 2006-07, the amounts appropriated for tuition grants, for Lawton grants, and for higher education grants for UW System students, technical college students, and tribal college students are determined by increasing the base amount for each of those appropriations by the greater of the highest percentage increase determined under current law or the amount obtained by multiplying the increase in the undergraduate academic fees charged for a student to attend the UW-Madison for the current academic year over the previous academic year by the number of students who received the respective grants for the previous academic year, except that, if the undergraduate academic fees at each institution within the UW System did not increase from the previous academic year, the appropriations for the current fiscal year remain the base amounts.

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) (b) of the statutes is amended to read:

2 20.235 (1) (b) *Tuition grants.* ~~Biennially, the amounts in the schedule A sum~~
3 sufficient equal to the amount calculated under s. 39.30 (5) for the purposes of s.
4 39.30.

5 **SECTION 2.** 20.235 (1) (fe) of the statutes is amended to read:

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1 20.235 (1) (fe) *Wisconsin higher education grants; University of Wisconsin*
2 *System students.* A sum sufficient equal to \$20,745,900 in the 2003-04 fiscal year,
3 equal to \$19,926,800 in the 2004-05 fiscal year, and equal to the amount determined
4 the amount calculated under s. 39.435 (7) (b) for the Wisconsin higher education
5 grant program under s. 39.435 for University of Wisconsin System students, except
6 for grants awarded under s. 39.435 (2) or (5), thereafter.

7 **SECTION 3.** 20.235 (1) (ff) of the statutes is amended to read:

8 20.235 (1) (ff) *Wisconsin higher education grants; technical college students.*
9 ~~Biennially, the amounts in the schedule~~ A sum sufficient equal to the amount
10 calculated under s. 39.435 (7) (c) for the Wisconsin higher education grant program
11 under s. 39.435 for technical college students, except for grants awarded under s.
12 39.435 (2) or (5).

13 **SECTION 4.** 20.235 (1) (km) of the statutes is amended to read:

14 20.235 (1) (km) *Wisconsin higher education grants; tribal college students.*
15 ~~Biennially, the amounts in the schedule~~ A sum sufficient equal to the amount
16 calculated under s. 39.435 (7) (d) for the Wisconsin higher education grant program
17 under s. 39.435 for tribal college students, except for grants awarded under s. 39.435
18 (2) or (5). All moneys transferred from the appropriation account under s. 20.505 (8)
19 (hm) 10. shall be credited to this appropriation account. Notwithstanding s. 20.001
20 (3) (b), the unencumbered balance on June 30 of each odd-numbered year shall
21 revert to the appropriation account under s. 20.505 (8) (hm).

22 **SECTION 5.** 20.285 (4) (dd) of the statutes is amended to read:

23 20.285 (4) (dd) *Lawton minority undergraduate grants program.* A sum
24 sufficient equal to \$3,080,000 in the 2003-04 fiscal year and \$3,080,000 in the
25 2004-05 fiscal year, and in subsequent fiscal years a sum sufficient equal to the

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1 ~~amount determined~~ the amount calculated under s. 36.34 (1) (c), for the Lawton
2 minority undergraduate grant program under s. 36.34 (1).

3 **SECTION 6.** 20.505 (8) (hm) 10. of the statutes is amended to read:

4 20.505 (8) (hm) 10. The amount transferred to s. 20.235 (1) (km) shall be the
5 amount in the schedule under s. 20.235 (1) (km) calculated by the higher educational
6 aids board under s. 39.435 (7) (d).

7 **SECTION 7.** 36.34 (1) (c) 1. a. of the statutes is amended to read:

8 36.34 (1) (c) 1. a. For purposes of ~~determining the appropriation~~ calculating the
9 amount to be appropriated under s. 20.285 (4) (dd) for fiscal year ~~2005-06~~ 2006-07,
10 “base amount” means the amount shown in the schedule under s. 20.005 for that
11 appropriation for fiscal year ~~2004-05~~ 2005-06.

12 **SECTION 8.** 36.34 (1) (c) 1. b. of the statutes is amended to read:

13 36.34 (1) (c) 1. b. For purposes of ~~determining the appropriation~~ calculating the
14 amount to be appropriated under s. 20.285 (4) (dd) for each fiscal year after fiscal year
15 ~~2005-06~~ 2006-07, “base amount” means the appropriation determined under subd.
16 2. for the previous fiscal year.

17 **SECTION 9.** 36.34 (1) (c) 2. (intro.) of the statutes is amended to read:

18 36.34 (1) (c) 2. (intro.) ~~Beginning in 2005, annually~~ Annually, by February 1,
19 the board shall ~~determine the appropriation~~ calculate the amount to be appropriated
20 under s. 20.285 (4) (dd) for the next fiscal year as follows:

21 **SECTION 10.** 36.34 (1) (c) 2. am. of the statutes is created to read:

22 36.34 (1) (c) 2. am. The board shall determine the amount by which the
23 undergraduate academic fees charged for a student to attend the University of
24 Wisconsin-Madison for the current academic year has increased or decreased from
25 the amount of the undergraduate academic fees charged for a student to attend that

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1 institution for the previous academic year and multiply the amount of that increase
2 by the number of students who received grants from the appropriation account under
3 s. 20.285 (4) (dd) for the previous academic year.

4 **SECTION 11.** 36.34 (1) (c) 2. b. of the statutes is amended to read:

5 36.34 (1) (c) 2. b. The appropriation for the next fiscal year shall be the result
6 obtained by increasing, to the nearest \$100, the base amount by the highest
7 percentage increase determined under subd. 2. a. or the amount determined under
8 subd. 2. a., whichever is greater, except that, if the undergraduate academic fees
9 for the current academic year decreased or did not change from the undergraduate
10 academic fees charged for the previous academic year at each institution specified
11 in subd. 2. a., the appropriation shall be the base amount.

12 **SECTION 12.** 39.30 (5) of the statutes is created to read:

13 39.30 (5) APPROPRIATION CALCULATION. (a) In this subsection:

14 1. For purposes of calculating the amount to be appropriated under s. 20.235
15 (1) (b) for fiscal year 2006-07, "base amount" means the amount shown in the
16 schedule under s. 20.005 (3) for that appropriation for fiscal year 2005-06.

17 2. For purposes of calculating the amount to be appropriated under s. 20.235
18 (1) (b) for each fiscal year after fiscal year 2006-07, "base amount" means the
19 appropriation amount calculated under par. (b) for the previous fiscal year.

20 (b) Annually, by February 1, the board shall calculate the amount to be
21 appropriated under s. 20.235 (1) (b) for the next fiscal year as follows:

22 1. The board shall determine the percentage by which the undergraduate
23 academic fees charged for the current academic year at each institution within the
24 University of Wisconsin System has increased or decreased from the undergraduate
25 academic fees charged for the previous academic year.

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1 2. The board shall determine the amount by which the undergraduate
2 academic fees charged for a student to attend the University of Wisconsin-Madison
3 for the current academic year has increased or decreased from the amount of
4 undergraduate academic fees charged for a student to attend that institution for the
5 previous academic year and multiply the amount of that increase by the number of
6 students who received grants from the appropriation account under s. 20.235 (1) (b)
7 for the previous academic year.

8 3. The appropriation for the next fiscal year shall be the result obtained by
9 increasing, to the nearest \$100, the base amount by the highest percentage increase
10 determined under subd. 1. or the amount determined under subd. 2., whichever is
11 greater, except that, if the undergraduate academic fees for the current academic
12 year decreased or did not change from the undergraduate academic fees charged for
13 the previous academic year at each institution specified in subd. 1., the appropriation
14 shall be the base amount.

15 **SECTION 13.** 39.435 (7) (a) 1. of the statutes is amended to read:

16 39.435 (7) (a) 1. For purposes of ~~determining the appropriation~~ calculating the
17 amount to be appropriated under s. 20.235 (1) (fe) for fiscal year ~~2005-06~~ 2006-07,
18 “base amount” means the amount shown in the schedule under s. 20.005 for that
19 appropriation for fiscal year ~~2004-05~~ 2005-06.

20 **SECTION 14.** 39.435 (7) (a) 2. of the statutes is amended to read:

21 39.435 (7) (a) 2. For purposes of ~~determining the appropriation~~ calculating the
22 amount to be appropriated under s. 20.235 (1) (fe) for each fiscal year after fiscal year
23 ~~2005-06~~ 2006-07, “base amount” means the ~~maximum~~ appropriation amount
24 determined under par. (b) for the previous fiscal year.

25 **SECTION 15.** 39.435 (7) (a) 3. of the statutes is created to read:

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1 39.435 (7) (a) 3. For purposes of calculating the amount to be appropriated
2 under s. 20.235 (1) (ff) for fiscal year 2006-07, “base amount” means the amount
3 shown in the schedule under s. 20.005 for that appropriation for fiscal year 2005-06.

4 **SECTION 16.** 39.435 (7) (a) 4. of the statutes is created to read:

5 39.435 (7) (a) 4. For purposes of calculating the amount to be appropriated
6 under s. 20.235 (1) (ff) for each fiscal year after fiscal year 2006-07, “base amount”
7 means the appropriation amount calculated under par. (c) for the previous fiscal
8 year.

9 **SECTION 17.** 39.435 (7) (a) 5. of the statutes is created to read:

10 39.435 (7) (a) 5. For purposes of calculating the amount to be appropriated
11 under s. 20.235 (1) (km) for fiscal year 2006-07, “base amount” means the amount
12 shown in the schedule under s. 20.005 for that appropriation for fiscal year 2005-06.

13 **SECTION 18.** 39.435 (7) (a) 6. of the statutes is created to read:

14 39.435 (7) (a) 6. For purposes of calculating the amount to be appropriated
15 under s. 20.235 (1) (km) for each fiscal year after fiscal year 2006-07, “base amount”
16 means the appropriation amount calculated under par. (d) for the previous fiscal
17 year.

18 **SECTION 19.** 39.435 (7) (b) (intro.) of the statutes is amended to read:

19 39.435 (7) (b) (intro.) ~~Annually, beginning on~~ by February 1, 2005, the board
20 ~~shall determine the appropriation~~ calculate the amount to be appropriated under s.
21 20.235 (1) (fe) for the next fiscal year as follows:

22 **SECTION 20.** 39.435 (7) (b) 1m. of the statutes is created to read:

23 39.435 (7) (b) 1m. The board shall determine the amount by which the
24 undergraduate academic fees charged for a student to attend the University of
25 Wisconsin-Madison for the current academic year has increased or decreased from

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1 the amount of the undergraduate academic fees charged for a student to attend that
2 institution for the previous academic year and multiply the amount of that increase
3 by the number of students who received grants from the appropriation account under
4 s. 20.235 (1) (fe) for the previous academic year.

5 **SECTION 21.** 39.435 (7) (b) 2. of the statutes is amended to read:

6 39.435 (7) (b) 2. The appropriation for the next fiscal year shall be the result
7 obtained by increasing, to the nearest \$100, the base amount by the highest
8 percentage increase determined under subd. 1. or the amount determined under
9 subd. 1m., whichever is greater, except that, if the undergraduate academic fees for
10 the current academic year decreased or did not change from the undergraduate
11 academic fees charged for the previous academic year at each institution specified
12 in subd. 1., the appropriation shall be the base amount.

13 **SECTION 22.** 39.435 (7) (c) of the statutes is created to read:

14 39.435 (7) (c) Annually, by February 1, the board shall calculate the amount
15 to be appropriated under s. 20.235 (1) (ff) for the next fiscal year as follows:

16 1. The board shall determine the percentage by which the undergraduate
17 academic fees charged for the current academic year at each institution within the
18 University of Wisconsin System has increased or decreased from the undergraduate
19 academic fees charged for the previous academic year.

20 2. The board shall determine the amount by which the undergraduate
21 academic fees charged for a student to attend the University of Wisconsin-Madison
22 for the current academic year has increased or decreased from the amount of
23 undergraduate academic fees charged for a student to attend that institution for the
24 previous academic year and multiply the amount of that increase by the number of

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1 students who received grants from the appropriation account under s. 20.235 (1) (ff)
2 for the previous academic year.

3 3. The appropriation for the next fiscal year shall be the result obtained by
4 increasing, to the nearest \$100, the base amount by the highest percentage increase
5 determined under subd. 1. or the amount determined under subd. 2., whichever is
6 greater, except that, if the undergraduate academic fees for the current academic
7 year decreased or did not change from the undergraduate academic fees charged for
8 the previous academic year at each institution specified under subd. 1., the
9 appropriation shall be the base amount.

10 **SECTION 23.** 39.435 (7) (d) of the statutes is created to read:

11 39.435 (7) (d) Annually, by February 1, the board shall calculate the amount
12 to be appropriated under s. 20.235 (1) (km) for the next fiscal year as follows:

13 1. The board shall determine the percentage by which the undergraduate
14 academic fees charged for the current academic year at each institution within the
15 University of Wisconsin System has increased or decreased from the undergraduate
16 academic fees charged for the previous academic year.

17 2. The board shall determine the amount by which the undergraduate
18 academic fees charged for a student to attend the University of Wisconsin-Madison
19 for the current academic year has increased or decreased from the amount of
20 undergraduate academic fees charged for a student to attend that institution for the
21 previous academic year and multiply the amount of that increase by the number of
22 students who received grants from the appropriation account under s. 20.235 (1)
23 (km) for the previous academic year.

24 3. The appropriation for the next fiscal year shall be the result obtained by
25 increasing, to the nearest \$100, the base amount by the highest percentage increase

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1 determined under subd. 1. or the amount determined under subd. 2., whichever is
2 greater, except that, if the amount of the undergraduate academic fees for the current
3 academic year decreased or did not change from the undergraduate academic fees
4 charged for the previous academic year at each institution specified in subd. 1., the
5 appropriation shall be the base amount.

6 **SECTION 24. Effective dates.** This act takes effect on the day after publication,
7 except as follows:

8 (1) TUITION, HIGHER EDUCATION, AND LAWTON GRANTS. The treatment of sections
9 20.235 (1) (b), (fe), (ff), and (km), 20.285 (4) (dd), and 20.505 (8) (hm) 10. of the
10 statutes takes effect on July 1, 2006.

11 (END)