

2003 DRAFTING REQUEST

Bill

Received: **12/06/2002**

Received By: **gmalaise**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Council - LRC 6-1308**

By/Representing: **Nick Zavos**

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

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Higher Education - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **nicholas.zavos@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

HEAB remedial legislation

Instructions:

Redraft 2001 SB 288

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>
/?	gmalaise 12/06/2002	kfollett 01/14/2003 kfollett 01/16/2003		_____			
/P1			rschluet 01/16/2003	_____	sbasford 01/16/2003		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P2	gmalaise 09/26/2003	kfollett 09/26/2003	rschluet 09/29/2003	_____	sbasford 09/29/2003		
/1	gmalaise 10/14/2003	kfollett 10/15/2003 kfollett 10/15/2003	jfrantze 10/17/2003	_____ _____ _____	mbarman 10/17/2003	sbasford 10/20/2003 sbasford 10/20/2003	

FE Sent For:

*none
needed*

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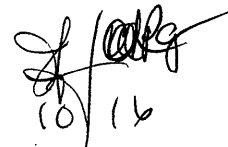
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Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

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11/15
10/15

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[Handwritten signature]
9-29-3 JF

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

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FE Sent For:

11/15/03 KJF
 1/26/04 KJF
 1-16-03 END
 pg

Malaise, Gordon

From: Lief, Madelon
Sent: Wednesday, December 04, 2002 1:00 PM
To: Zavos, Nicholas
Cc: Malaise, Gordon
Subject: RE: Law revision proposals

Gordon Malaise is now doing higher educational agencies other than UW. I'm copying him on this message.

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

From: Zavos, Nicholas
Sent: Wednesday, December 04, 2002 12:57 PM
To: Lief, Madelon
Subject: Law revision proposals

Madelon -

I am writing to request a law revision draft for next session. HEAB wants to reintroduce SB 288. Could you draft that as preliminary draft for the committee's consideration.

In addition, I am sending over the two requests from DPI. Thanks

Nicholas R. Zavos
Staff Attorney
Wisconsin Legislative Council
(608) 266-1308
nicholas.zavos@legis.state.wi.us

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

LRB-3554/P1dn
MDK:kmg:ch

September 3, 1999

Laura Rose:

In order to reduce the amount of renumbering, this bill does not make all of the numbering changes requested by HEAB. However, the bill does follow the statutory order requested by HEAB. For your convenience, the following table shows the current statutory number, the number requested by HEAB, and the number used in the bill. If the number used in the bill is the same as the number under current law, the table indicates that "no change" has been made. (Note that s. 39.435 (2) and (5) are renumbered to be ss. 39.274 (1) and 39.246 (3), respectively.)

Current number	HEAB number	Bill number
39.26	39.261	39.20
39.28	39.271	39.21
39.285	39.281	39.22
39.29	39.291	39.23
39.31	39.301	39.24
39.41	39.311	39.242
39.46	39.321	39.244
No section	39.331	39.246
39.45	39.341	39.248
39.38	39.351	39.25
39.42	39.361	39.252
39.47	39.371	39.254
39.44	39.381	39.256
39.40	39.391	39.258
39.39	39.401	39.27
39.393	39.411	39.27 2 4
No section	39.421	39.27 4 2
39.398	39.431	39.276
39.30	39.441	No change

39.418

39.278

39.272 1
X ref
20.235 (1)(cum)
39.275

39.32	39.451	No change
39.325	39.452	No change
39.33	39.461	No change
39.34	39.471	No change
39.35	39.481	No change
39.36	39.491	No change
39.37	39.501	No change
39.374	39.502	No change
39.51	39.51	No change

If you have any questions, please contact me.

Mark D. Kunkel
Legislative Attorney
Phone: (608) 266-0131
E-mail: Mark.Kunkel@legis.state.wi.us

Tues Jan 21

2001 - 2002 LEGISLATURE

DATE

1075/PI

LRB-1241/S

ML:kmg:kjf

kjf

GMM

LPS - PWF all amended & renumbered & amended

~~2001 SENATE BILL 288~~

October 23, 2001 - Introduced by LAW REVISION COMMITTEE. Referred to Committee on Universities, Housing, and Government Operations.

Regents

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AN ACT *to repeal* 49.855 (7); *to renumber* 39.26, 39.28, 39.29, 39.38 (1), 39.395, 39.398, 39.41, 39.42, 39.435 (3), 39.435 (5), 39.435 (6), 39.44 (5) and 39.46; *to renumber and amend* 39.285, 39.31, 39.38 (title), 39.38 (2), 39.38 (2), 39.39, 39.40, 39.435 (title), 39.435 (1), 39.435 (2), 39.435 (4), 39.44 (title), 39.44 (1) to (4), 39.45 and 39.47; *to amend* 20.235 (1) (cg), 20.235 (1) (cr), 20.235 (1) (cu), 20.235 (1) (cx), 20.235 (1) (d), 20.235 (1) (e), 20.235 (1) (fc), 20.235 (1) (fd), 20.235 (1) (fe), 20.235 (1) (ff), 20.235 (1) (fg), 20.235 (1) (fj), 20.235 (1) (fy), 20.235 (1) (gg), 20.235 (1) (gm), 20.235 (1) (k), 20.235 (1) (km), 36.11 (6) (c), 36.27 (3) (a), 36.27 (3) (b), 38.04 (7m), 39.30 (2) (intro.), 39.30 (2) (f), 39.30 (3) (intro.), 39.30 (3) (c), 45.25 (1), 45.25 (3) (a), 45.25 (3) (am), 45.25 (4) (a), 49.855 (7) and 71.05 (6) (b) 28. (intro.); *to repeal and recreate* 39.30 (title); and *to create* 39.246 and 39.272 of the statutes; **relating to:** administration of student financial aid

13

programs by the higher educational aid board and granting rule-making

SENATE BILL 288

1 authority (suggested as remedial legislation by the higher educational aids
2 board).

Analysis by the Legislative Reference Bureau

Under current law, the higher educational aids board (HEAB) administers various student financial aid programs for state residents, including Wisconsin higher education grants, talent incentive grants, tuition grants, handicapped student grants, Indian student grant assistance, minority undergraduate retention grants, and minority teacher loans.

This bill makes the following changes to the above programs: 1) the bill renames the tuition grant program as the "Wisconsin tuition grant program"; 2) the bill specifies that a student must be enrolled in a degree or certificate program to be eligible for a Wisconsin higher education, talent incentive, minority undergraduate retention, Indian student assistance, or handicapped student grant; 3) the bill specifies that a student must be enrolled in a degree program to be eligible for a Wisconsin tuition grant; 4) the bill specifies that the minimum Indian assistance grant is \$250; and 5) the bill changes references in the minority undergraduate retention grant and minority teacher loan programs from "Black American" to "African American." The bill also reorders various statutory provisions based on recommendations by HEAB.

For further information, see the NOTES provided by the Law Revision Committee of the joint legislative council.

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

LAW REVISION COMMITTEE PREPARATORY NOTE: This bill is a remedial legislation proposal, requested by the higher educational aids board and introduced by the law revision committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of the bill, the law revision committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

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

20.235 (1) (cg) Nursing student loans. The amounts in the schedule for nursing student loans under s. 39.39 39.27.

NOTE: SECTIONS 1 to 24 of this bill renumber statutory provisions to place the various grant and assistance programs in a new sequence.

SECTION 2. 20.235 (1) (cr) of the statutes is amended to read:

that are administered by the Higher Educational Aids Board (HEAB)

stipend
Insert 2-5
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stipend (4) (u)

change cross-references to various

that are renumbered by this bill

SENATE BILL 288

loans

1) 20.235 (1) (cr) *Minority teacher loans*. The amounts in the schedule for ~~the~~
2) minority teacher ~~loan program~~ under s. 39.40 39.258. loans

3 SECTION 3. 20.235 (1) (cu) of the statutes is amended to read:

4) 20.235 (1) (cu) *Teacher education loan program*. The amounts in the schedule
5) for ~~the~~ teacher education ~~loan program~~ under s. 39.395 39.274.

6 SECTION 4. 20.235 (1) (cx) of the statutes is amended to read:

7) 20.235 (1) (cx) ~~Loan program for~~ loans to *teachers and orientation and mobility*
8) *instructors of visually impaired pupils*. The amounts in the schedule for ~~the~~ teachers
9) and orientation and mobility instructors of visually impaired pupils ~~loan program~~
10) under s. 39.398 39.275.

loans to

11) SECTION 5. 20.235 (1) (d) of the statutes, ~~as affected by 2001 Wisconsin Act 16,~~
12) is amended to read:

13) 20.235 (1) (d) *Dental education contract*. The amounts in the schedule for
14) support of those Wisconsin residents enrolled as full-time students in the pursuit of
15) a doctor of dental surgery (D.D.S.) degree. An amount of ~~\$11,330 in the 1993-94~~
16) ~~fiscal year and \$11,670 in the 1994-95~~ each fiscal year ~~and annually thereafter~~ shall be
17) disbursed under s. 39.46 39.244 for each Wisconsin resident enrolled as a full-time
18) student. The maximum number of Wisconsin residents to be funded under this
19) appropriation is 160 in ~~the 2001-02~~ each fiscal year ~~and thereafter~~.

20) SECTION 6. 20.235 (1) (e) of the statutes is amended to read:

21) 20.235 (1) (e) *Minnesota-Wisconsin student reciprocity agreement*. A sum
22) sufficient for the purposes of s. 39.47 39.254.

23) SECTION 7. 20.235 (1) (fc) of the statutes is amended to read:

24) 20.235 (1) (fc) *Independent student grants program*. Biennially, the amounts
25) in the schedule for ~~the~~ independent student grants ~~program~~ under s. 39.45 39.248.

SENATE BILL 288

SECTION 8

1 SECTION 8. 20.235 (1) (fd) of the statutes is amended to read:

2 20.235 (1) (fd) *Talent incentive ~~program~~ grants*. Biennially, the amounts in the
3 schedule for talent incentive ~~program~~ grants under s. 39.435 (2) 39.272.

4 SECTION 9. 20.235 (1) (fe) of the statutes is amended to read:

5 20.235 (1) (fe) *Wisconsin higher education grants; University of Wisconsin*
6 *System students*. Biennially, the amounts in the schedule for ~~the~~ Wisconsin higher
7 education ~~grant program~~ ^{grants} under s. 39.435 39.276 for University of Wisconsin System
8 students, ~~except for grants awarded under s. 39.435 (2) or (5)~~.

Insert
4-8

9 SECTION 10. 20.235 (1) (ff) of the statutes is amended to read:

10 20.235 (1) (ff) *Wisconsin higher education grants; technical college students*.
11 Biennially, the amounts in the schedule for ~~the~~ Wisconsin higher education ~~grant~~
12 ~~program~~ ^{grants} under s. 39.435 39.276 for technical college students, ~~except for grants~~
13 ~~awarded under s. 39.435 (2) or (5)~~.

14 SECTION 11. 20.235 (1) (fg) of the statutes is amended to read:

15 20.235 (1) (fg) *Minority undergraduate retention grants ~~program~~*. Biennially,
16 the amounts in the schedule for ~~the~~ minority undergraduate retention ~~grant~~
17 ~~program~~ ^{grants} under s. 39.44 39.256.

18 SECTION 12. 20.235 (1) (fj) of the statutes is amended to read:

19 20.235 (1) (fj) *Handicapped student grants*. Biennially, the amounts in the
20 schedule for handicapped student grants under s. 39.435 (5) 39.246.

21 SECTION 13. 20.235 (1) (fy) of the statutes is amended to read:

22 20.235 (1) (fy) *Academic excellence higher education scholarships*. A sum
23 sufficient for payments to institutions of higher education under s. 39.41 39.242.

24 SECTION 14. 20.235 (1) (gg) of the statutes is amended to read:

SENATE BILL 288

stipend

1 20.235 (1) (gg) *Nursing student loan repayments*. All moneys received from the
2 repayment of loans made under s. ~~39.39~~ 39.27, to be used for loans under s. ~~39.39~~
3 39.27.

4 SECTION 15. 20.235 (1) (gm) of the statutes is amended to read:

5 20.235 (1) (gm) *Indian student grant assistance; contributions*. All moneys
6 received from contributions under s. ~~39.38~~ 39.25 (2), to be used for grants under s.
7 ~~39.38~~ 39.25.

8 SECTION 16. 20.235 (1) (k) of the statutes, ~~as affected by 2001 Wisconsin Act~~
9 ~~16~~, is amended to read:

10 20.235 (1) (k) *Indian student assistance*. Biennially, the amounts in the
11 schedule to carry out the purposes of s. ~~39.38~~ 39.25. All moneys transferred from the
12 appropriation account under s. 20.505 (8) (hm) 4i. shall be credited to this
13 appropriation account. Notwithstanding s. 20.001 (3) (b), the unencumbered
14 balance on June 30 of each odd-numbered year shall revert to the appropriation
15 account under s. 20.505 (8) (hm).

16 SECTION 17. 20.235 (1) (km) of the statutes, ~~as affected by 2001 Wisconsin Act~~
17 ~~16~~, is amended to read:

18 20.235 (1) (km) *Wisconsin higher education grants; tribal college students*.
19 Biennially, the amounts in the schedule for the Wisconsin higher education ~~grant~~
20 grants program under s. ~~39.435~~ 39.276 for tribal college students, ~~except for grants awarded~~
21 ~~under s. 39.435 (2) or (5) or ~~39.246~~ (3) or ~~39.272~~ (1)~~. All moneys transferred from the
22 appropriation account under s. 20.505 (8) (hm) 10. shall be credited to this
23 appropriation account. Notwithstanding s. 20.001 (3) (b), the unencumbered
24 balance on June 30 of each odd-numbered year shall revert to the appropriation
25 account under s. 20.505 (8) (hm).

SENATE BILL 288

1 SECTION 18. 36.11 (6) (c) of the statutes is amended to read:

2 36.11 (6) (c) By April 10, 1998, and annually thereafter, the board shall develop
3 and submit to the higher educational aids board for its review under s. ~~39.285~~ 39.22
4 (1) a proposed formula for the awarding of grants under s. ~~39.435~~, except for grants
5 awarded under s. ~~39.435 (2) or (5)~~ 39.276, for the upcoming academic year to students
6 enrolled in the system.

7 SECTION 19. 36.27 (3) (a) of the statutes is amended to read:

8 36.27 (3) (a) To a number of needy and worthy nonresident students upon the
9 basis of merit, to be shown by suitable tests, examinations or scholastic records and
10 continued high standards of scholastic attainment. The aggregate amount of these
11 nonresident remissions of tuition shall not exceed an amount equal to full remissions
12 for 8% of the number of nonresident students registered at that institution in the
13 preceding year, excluding those students participating in interstate agreements
14 under s. ~~39.42~~ 39.252.

15 SECTION 20. 36.27 (3) (b) of the statutes is amended to read:

16 36.27 (3) (b) To additional individual students who, in the judgment of the
17 board, are deserving of relief from the assessment of nonresident tuition because of
18 extraordinary circumstances. The aggregate amount of these nonresident
19 remissions of tuition shall not exceed an amount equal to full remissions for 2% of
20 the number of nonresident students registered in the preceding year, excluding those
21 students participating in interstate agreements under s. ~~39.42~~ 39.252.

22 SECTION 21. 38.04 (7m) of the statutes is amended to read:

23 38.04 (7m) FINANCIAL AIDS. By April 10, 1998, and annually thereafter, the
24 board shall develop and submit to the higher educational aids board for its review
25 under s. ~~39.285~~ 39.22 (1) a proposed formula for the awarding of grants under s.

SENATE BILL 288

1 39.435, ~~except for grants awarded under s. 39.435 (2) or (5)~~ [✓] 39.276, for the upcoming
2 academic year to students enrolled in the technical colleges.

3 SECTION 22. 39.246 of the statutes is created to read:

4 39.246 Handicapped student grants. (1) There is established, to be
5 administered by the board, [✓] a higher education grant program for postsecondary
6 resident students enrolled at least half-time in a degree or certificate program and
7 registered as freshmen, sophomores, juniors, or seniors in accredited institutions of
8 higher education in this state.

9 (2) Grants awarded under sub. (1) shall not be less than \$250 during any
10 academic year, unless the joint committee on finance approves an adjustment in the
11 amount of the minimum grant. Grants under sub. (1) shall not exceed \$1,800 during
12 any one academic year. The board may not award a grant to the same student for
13 more than 10 consecutive semesters or their equivalent. The board shall, by rule,
14 establish a reporting system to periodically provide student economic data and shall
15 promulgate other rules that the board finds necessary to ensure uniform
16 administration of the grants awarded under sub. (1). [✓] 49,837

17 (4) The board may not make a grant under this section to a person if the board
18 receives a certification under s. ~~49.355 (7)~~ [✓] that the person is delinquent in child
19 support or maintenance payments or owes past support, medical expenses or birth
20 expenses.

Insert
7-20

NOTE: SECTION 22 of this bill specifies that a student must be enrolled in a degree or certificate program in order to be eligible for a handicapped student grant.

21 SECTION 23. 39.26 of the statutes is renumbered 39.20.

NOTE: SECTIONS 23, 25, 26 and 27 of this bill renumber statutory provisions to place the various grant and assistance programs in a new sequence.

22 SECTION 24. 39.272 of the statutes is created to read:

administered by HEAB

SENATE BILL 288

49.854

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39.272 Talent incentive ~~program~~ grants.

(2) The board may not make a grant under this section to a person if the board receives a certification under s. 49.855 (7) that the student is delinquent in child support or maintenance payments or owes past support, medical expenses, or birth expenses

Insert
8-5

whose name appears on the statewide support lien docket, unless the person provides to HEAB a payment agreement that has been approved by the county child support agency

NOTE: SECTION 24 of this bill creates a new statutory section for the talent incentive grant program. Currently, the talent incentive grant program and the Wisconsin higher education grant program are located in the same section of the statutes. SECTION 24 also specifies that the board may not award a talent incentive grant to a student who is delinquent in child support or maintenance payments or owes past support, medical expenses, or birth expenses.

SECTION 25. 39.28 of the statutes, as affected by 2001 Wisconsin Act 16, is renumbered 39.21.

SECTION 26. 39.285 of the statutes is renumbered 39.22 and amended to read:

39.22 Board review of proposed formulae. (1) By May 1, 1998, and annually thereafter, the board shall approve, modify, or disapprove any proposed formula for the awarding of Wisconsin higher education grants for the upcoming academic year submitted under sub. (2) or (3) or s. 36.11 (6) (c) or 38.04 (7m).

(2) By April 10, 1998, and annually thereafter, the Wisconsin Association of Independent Colleges and Universities shall develop and submit to the board for its review under sub. (1) a proposed formula for the awarding of Wisconsin tuition grants under s. 39.30 for the upcoming academic year to students enrolled at private nonprofit institutions of higher education.

in degree programs

(3) By April 10, 1998, and annually thereafter, each tribally controlled college in this state is requested to develop and submit to the board for its review under sub. (1) a proposed formula for the awarding of Wisconsin tuition grants under s. 39.435, except for grants awarded under s. 39.435 (2) or (5), 39.30 for the upcoming academic year to students enrolled at that tribally controlled college.

in degree programs

SENATE BILL 288

1 **SECTION 27.** 39.29 of the statutes is renumbered 39.23.

2 **SECTION 28.** 39.30 (title) of the statutes is repealed and recreated to read:

3 **39.30 (title) Wisconsin tuition grants.**

NOTE: SECTION 28 of this bill changes the name of the "Tuition Grant Program" to the "Wisconsin Tuition Grant Program".

4 **SECTION 29.** 39.30 (2) (intro.) of the statutes is amended to read:

5 39.30 (2) **ELIGIBILITY.** (intro.) A resident student enrolled at least half-time in
6 a degree program and registered as a freshman, sophomore, junior or senior in an
7 accredited, nonprofit, post-high school, educational institution in this state shall be

8 eligible for grants under this section for each semester of attendance, ~~but~~ ^{strike} except that

NOTE: SECTIONS 29 and 31 of this bill require under the renamed Wisconsin Tuition Grant Program that a student must be enrolled in a degree program in order to be eligible for the grant.

9 **SECTION 30.** 39.30 (2) (f) of the statutes is amended to read:

10 39.30 (2) (f) No grants may be awarded under this section unless the formula
11 submitted under s. 39.285 ~~39.22~~ ^{or (3)} (2) is approved or modified by the board under s.
12 39.285 ~~39.22~~ (1). administered by HEAB

NOTE: SECTION 30 of this bill renumbers statutory provisions to place the various grant and assistance programs in a new sequence.

13 **SECTION 31.** 39.30 (3) (intro.) of the statutes is amended to read:

14 39.30 (3) **BASIS OF GRANTS.** (intro.) The grant to be paid to a resident student
15 enrolled at least half-time in a degree program and registered as a freshman,
16 sophomore, junior or senior after August 1, 1979, shall be determined as follows:

17 **SECTION 32.** 39.30 (3) (c) of the statutes is amended to read:

18 39.30 (3) (c) Multiply the percentage calculated in par. (b) times the student's
19 expected family contribution which has been determined using the same analysis as
20 that used to determine the expected family contribution of students applying for
21 Wisconsin higher education grants under s. 39.435 ~~39.276~~.

SENATE BILL 288

~~NOTE: SECTIONS 32, 33, 34 and 35 of this bill renumber statutory provisions to place the various grant and assistance programs in a new sequence.~~

1 SECTION 33. 39.31^x of the statutes is renumbered 39.24, and 39.24 (intro.), as
2 renumbered, is amended to read:

3 **39.24 Determination of student costs.** (intro.) In determining a student's
4 total cost of attending a postsecondary institution for the purpose of calculating the
5 amount of a grant under s. 39.25, 39.256, 39.276, or 39.30, 39.38, 39.435 or 39.44, the
6 board shall include the following:

7 SECTION 34. 39.38^x (title) of the statutes is renumbered 39.25 (title) and
8 amended to read:

9 **39.25 (title) Indian student grant assistance.**

10 SECTION 35. 39.38^x (1) of the statutes is renumbered 39.25 (1).

11 SECTION 36. 39.38^x (2) of the statutes, ~~as affected by 1999 Wisconsin Act 9,~~
12 ~~section 912,~~ is renumbered 39.25 (2) and amended to read:

13 ~~39.25 (2) Grants under this section shall be based on financial need, as~~
14 ~~determined by the board. The minimum grant shall not be less than \$250 and the~~
15 ~~maximum grant shall not exceed \$2,200 per year, of which not more than \$1,100 may~~
16 ~~be from the appropriation under s. 20.235 (1) (k). State aid from this appropriation~~
17 ~~may be matched by a contribution from a federally recognized American Indian tribe~~
18 ~~or band that is deposited in the general fund and credited to the appropriation~~
19 ~~account under s. 20.235 (1) (gm). Grants shall be awarded to students for full-time~~
20 ~~or part-time attendance in a degree or certificate program at any accredited~~
21 ~~institution of higher education in this state. The board may not make a grant under~~
22 ~~this section to a student if the board receives a certification under s. 49.855 (7) that~~
23 ~~the student is delinquent in child support or maintenance payments or owes past~~

SENATE BILL 288

~~THIS SECTION~~

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support, medical expenses or birth expenses. Grants shall be renewable for up to 5 years if a recipient remains in good academic standing at the institution that he or she is attending.

stet

NOTE: SECTIONS 36 and 37 of this bill specify that a student must be enrolled in a degree or certificate program in order to be eligible for an Indian student assistance grant. These sections also create a minimum Indian assistance grant of \$250. Currently, the maximum grant may not exceed \$2,200 per year and there is no minimum grant.

~~SECTION 37. 39.38 (2) of the statutes, as affected by 1999 Wisconsin Act 9, section 912c, is renumbered 39.25 (2) and amended to read:~~

39.25 (2) Grants under this section shall be based on financial need, as determined by the board. The minimum grant shall not be less than \$250 and the maximum grant shall not exceed \$2,200 per year, of which not more than \$1,100 may be from the appropriation under s. 20.235 (1) (k). State aid from this appropriation may be matched by a contribution from a federally recognized American Indian tribe or band that is deposited in the general fund and credited to the appropriation account under s. 20.235 (1) (gm). Grants shall be awarded to students for full-time or part-time attendance in a degree or certificate program at any accredited institution of higher education in this state. The board may not make a grant under this section to a student whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the student provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a). Grants shall be renewable for up to 5 years if a recipient remains in good academic standing at the institution that he or she is attending.

SECTION 38. 39.39 of the statutes is renumbered 39.27, and 39.27 (2) (b), as renumbered, is amended to read:

SENATE BILL 288

SEC RNs 39.393, 39.271

1 39.27 (2) (b) Promulgate rules to administer this section, including rules
2 establishing loan amounts and the criteria and procedures for loan forgiveness and
3 for selecting loan recipients. Loan recipients shall be selected on the basis of
4 financial need, as determined by the board, using the needs analysis methodology
5 used under s. 39.435 ~~39.276~~. *(add)* **administered by HEAB** *not in c*

NOTE: SECTIONS 38, ~~39~~ and 40 of this bill renumber statutory provisions to place the various grant and assistance programs in a new sequence.

6 **SECTION 39.** 39.395 of the statutes is renumbered 39.274.

7 **SECTION 40.** 39.398 of the statutes is renumbered 39.275.

8 **SECTION 41.** 39.40 of the statutes is renumbered 39.258, and 39.258 (1) (a), as
9 renumbered, is amended to read:

10 39.258 (1) (a) ~~-A Black~~ An African American.

NOTE: SECTION 41 of this bill changes a reference in the minority teacher loan program from "Black American" to "African American".

11 **SECTION 42.** 39.41 of the statutes is renumbered 39.242.

NOTE: SECTIONS ~~42, 43~~ and ~~44~~ of this bill renumber statutory provisions to place the various grant and assistance programs in a new sequence.

12 **SECTION 43.** 39.42 of the statutes is renumbered 39.252.

13 **SECTION 44.** 39.435 (title) of the statutes is renumbered 39.276 (title) and
14 amended to read:

15 **39.276 (title) Wisconsin higher education grants and talent incentive**
16 **grants.**

17 **SECTION 45.** 39.435 (1) of the statutes is renumbered 39.276 (1) and amended
18 to read:

19 39.276 (1) There is established, to be administered by the board, a higher
20 education grant program for postsecondary resident students enrolled at least
21 half-time in a degree or certificate program and registered as freshmen, sophomores,

SENATE BILL 288

① juniors^{or} or seniors in accredited institutions of higher education or in tribally
 2 controlled colleges in this state. ~~Except as authorized under sub. (5), such~~ [✓] Such
 3 grants shall be made only to students enrolled in nonprofit public institutions or
 4 tribally controlled colleges in this state.

NOTE: SECTION 45^{with stet} of this bill specifies that a student must be enrolled in a degree
 or certificate program in order to be eligible for a Wisconsin higher education grant.

5 SECTION 46. 39.435 (2) of the statutes is renumbered 39.272 (1) and amended
 6 to read:

⑦ 39.272 (1) The board shall award talent incentive ~~program~~ grants to uniquely
 8 needy students enrolled at least half-time in a degree or certificate program as
 9 first-time freshmen at public and private nonprofit institutions located in this state
 10 and to sophomores, juniors^{and} and seniors who received such grants as freshmen. No
 11 grant under this subsection may exceed be less than \$250 or more than \$1,800 for
 12 any academic year. The board may not award a grant to the same student for more
 13 than 10 consecutive semesters or their equivalent. The board shall promulgate rules
 14 establishing eligibility criteria for grants under this subsection.

NOTE: SECTION 46^{with stet} of this bill specifies that a student must be enrolled in a degree
 or certificate program in order to be eligible for a talent incentive grant. SECTION 46 also
 creates a minimum talent incentive grant of \$250. Currently, the maximum grant may
 not exceed \$1,800 per year and there is no minimum grant.

15 SECTION 47. 39.435 (3) of the statutes is renumbered 39.276 (3). administered by HEAB

NOTE: SECTIONS 47, 48, 49^{and} and 50 of this bill renumber statutory provisions to place
 the various grant and assistance programs in a new sequence.

16 SECTION 48. 39.435 (4) of the statutes is renumbered 39.276 (4), and 39.276 (4)
 17 (d), as renumbered, is amended to read:

18 39.276 (4) (d) The awarding of grants under this section is subject to any
 19 formula approved or modified by the board under s. 39.285 39.22 (1).

20 SECTION 49. 39.435 (5) of the statutes is renumbered 39.246 (3).

SENATE BILL 288 X 39.276 (7)
SEC RN; 39.435 (7); 39.276 (7)

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SECTION 50. 39.435 (6) of the statutes is renumbered 39.276 (6).

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SECTION 51. 39.44 (title) of the statutes is renumbered 39.256 (title) and amended to read:

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39.256 (title) Minority undergraduate retention grants.

NOTE: SECTION 51 of this bill changes the name of the "minority undergraduate grant" to the "minority undergraduate retention grant".

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SECTION 52. 39.44 (1) to (4) of the statutes are renumbered 39.256 (1) to (4), and 39.256 (1) (a) 1. and (b), as renumbered, are amended to read:

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39.256 (1) (a) 1. Is ~~a Black~~ an African American.

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(b) There is established, to be administered by the board, ~~the~~ minority undergraduate retention grant program for minority undergraduates enrolled at least half-time in a degree or certification program in private, nonprofit higher educational institutions in this state or in technical colleges in this state.

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NOTE: SECTION 52 of this bill changes a reference in the renamed minority undergraduate retention grant program from "Black American" to "African American".

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~~SECTION 53. 39.44 (5) of the statutes, as created by 2001 Wisconsin Act 16, is renumbered 39.256 (5).~~

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SECTION 54. 39.45 of the statutes is renumbered 39.248, and 39.248 (1) (a), as renumbered, is amended to read:

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39.248 (1) (a) "Institution of higher education" means a public or private nonprofit educational institution meeting the requirements of s. 39.276 or 39.30 or 39.435 for the purpose of awarding grants under those sections.

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NOTE: SECTIONS 54 to 63 renumber statutory provisions to place the various grant and assistance programs in a new sequence. administered by HEAB

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SECTION 55. 39.46 of the statutes is renumbered 39.244.

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SECTION 56. 39.47 of the statutes is renumbered 39.254, and 39.254 (2), as

21

renumbered, is amended to read:

SENATE BILL 288

SEC. RN; 39.48, 39.376

1 39.254 (2) The agreement under this section shall provide for the waiver of
 2 nonresident tuition for a resident of either state who is enrolled in a public vocational
 3 school located in the other state. The agreement shall also establish a reciprocal fee
 4 structure for residents of either state who are enrolled in public institutions of higher
 5 education, other than vocational schools, located in the other state. The reciprocal
 6 fee may not exceed the higher of the resident tuition that would be charged the
 7 student at the public institution of higher education in which the student is enrolled
 8 or the resident tuition that would be charged the student at comparable public
 9 institutions of higher education located in his or her state of residence, as specified
 10 in the annual administrative memorandum under sub. (2g). The agreement shall
 11 take effect on July 1, 1998. The agreement is subject to the approval of the joint
 12 committee on finance under s. ~~39.42~~ 39.252.

13 **SECTION 57.** 45.25 (1) of the statutes, ~~as affected by 2001 Wisconsin Act 16,~~
 14 amended to read:

15 45.25 (1) ADMINISTRATION. The department ~~of higher education~~ shall administer
 16 a tuition and fee reimbursement program for eligible veterans enrolling as
 17 undergraduates in any institution of higher education, as defined in s. 45.396 (1) (a),
 18 in this state, enrolling in a school that is approved under s. 45.35 (9m), enrolling in
 19 a proprietary school that is approved under s. 45.54, or receiving a waiver of
 20 nonresident tuition under s. ~~39.47~~ 39.254.

21 **SECTION 58.** 45.25 (3) (a) of the statutes, ~~as affected by 2001 Wisconsin Act 16,~~
 22 is amended to read:

23 45.25 (3) (a) Except as provided in par. (am), an individual who meets the
 24 requirements under sub. (2), upon satisfactory completion of a full-time
 25 undergraduate semester in any institution of higher education, as defined in s.

Note: std →
NOTE: SECTIONS 57 to 63 of the bill change cross-references to various statutory provisions that are renumbered by the bill to place the various grant and assistance programs that are administered by HEAB in a new sequence.

SENATE BILL 288

1 45.396 (1) (a), in this state, any school that is approved under s. 45.35 (9m), any
2 proprietary school that is approved under s. 45.54, or any institution from which the
3 individual receives a waiver of nonresident tuition under s. ~~39.47~~ 39.254, may be
4 reimbursed an amount not to exceed the total cost of the individual's tuition and fees
5 minus any grants or scholarships, including those made under s. 21.49, that the
6 individual receives specifically for the payment of the tuition or fees, or 85% of the
7 standard cost for a state resident for an equivalent undergraduate course at the
8 University of Wisconsin–Madison per course, whichever is less. Reimbursement is
9 available only for tuition and fees that are part of a curriculum that is relevant to a
10 degree in a particular course of study at the institution.

11 **SECTION 59.** 45.25 (3) (am) of the statutes is amended to read:

12 45.25 (3) (am) A disabled individual who meets the requirements under sub.
13 (2) and whose disability is rated at 30% or more under 38 USC 1114 or 1134, upon
14 satisfactory completion of an undergraduate semester in any institution of higher
15 education, as defined in s. 45.396 (1) (a), in this state or any institution from which
16 the individual receives a waiver of nonresident tuition under s. ~~39.47~~ 39.254, may
17 be reimbursed for up to 100% of the individual's tuition and fees. The reimbursement
18 under this paragraph is limited to 100% of the standard cost for a state resident for
19 an equivalent undergraduate course at the University of Wisconsin–Madison per
20 course, or the difference between the individual's tuition and fees and the grants or
21 scholarships, including those made under s. 21.49, that the individual receives
22 specifically for the payment of the tuition or fees, whichever is less. Reimbursement
23 is available only for tuition and fees that are part of a curriculum that is relevant to
24 a degree in a particular course of study at the institution.

SENATE BILL 288

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SECTION 60. 45.25 (4) (a) of the statutes, ⁴as affected by 2001 Wisconsin Act 16, is amended to read:

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45.25 (4) (a) An individual is not eligible for reimbursement under sub. (2) for more than 120 credits or 8 full semesters of full-time study at any institution of higher education, as defined in s. 45.396 (1) (a), in this state, 60 credits or 4 full semesters of full-time study at any institution of higher education, as defined in s. 45.396 (1) (a), in this state that offers a degree upon completion of 60 credits, or an equivalent amount of credits at a school that is approved under s. 45.35 (9m), at a proprietary school that is approved under s. 45.54, or at an institution where he or she is receiving a waiver of nonresident tuition under s. ~~39.47~~ 39.254.

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~~**SECTION 61.** 49.855 (7) of the statutes is amended to read:~~

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~~49.855 (7) The department of workforce development may provide a certification under sub. (1) to a state agency or authority under s. 21.49 (2) (e), 36.11 (6) (b), 36.25 (14), 36.34 (1), 39.246 (4), 39.25 (2), 39.256 (4), 39.254 (2m), 39.272 (2), 39.276 (6), 39.30 (2) (e), 39.38 (2), 39.435 (6), 39.44 (4), 39.47 (2m), 45.356 (6), 45.396 (6), 45.74 (6), 145.245 (5m) (b), 234.04 (2), 234.49 (1) (c), 234.59 (3) (c), 234.65 (3) (f), 234.83 (2) (a) 3., 234.90 (3) (d) or (3g) (c), 234.905 (3) (d), 281.65 (8) (L) or 949.08 (2) (g).~~

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~~**SECTION 62.** 49.855 (7) of the statutes, as affected by 2001 Wisconsin Act (this act), is repealed.~~

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⁴**SECTION 63.** 71.05 (6) (b) 28. (intro.) of the statutes is amended to read:

71.05 (6) (b) 28. (intro.) An amount paid by a claimant for tuition expenses for a student who is the claimant or who is the claimant's child and the claimant's dependent who is claimed under section 151 (c) of the Internal Revenue Code, to attend any university, college, technical college or a school approved under s. 45.54,

②

SENATE BILL 288

1 that is located in Wisconsin or to attend a public vocational school or public
2 institution of higher education in Minnesota under the Minnesota-Wisconsin
3 reciprocity agreement under s. ~~39.47~~ 39.254, calculated as follows:

4 ~~SECTION 64. Effective dates. This act takes effect on January 2, 2002, or on~~
5 ~~the day after publication, whichever is later, except as follows:~~

6 (1) The treatment of section 39.38 (2) (by SECTION 37) of the statutes and the
7 repeal of section 49.855 (7) of the statutes take effect on the date stated in the notice
8 published by the department of workforce development in the Wisconsin
9 Administrative Register under section 49.854 (2) of the statutes or on the effective
10 date of this subsection, whichever is later.

(END)

11 SECTION #. Effective dates

This act takes effect on

the day after publication, except as follows:

(#) The repeal and recreation of section 20.235 (1)(fe)
of the statutes takes effect on July 1, 2003, or on
July 1, 2003, or on the
day after publication, whichever is later.

D-Note

Insert 2-5

Section #. 20.235 (1) (cm) of the statutes is amended to read:

loans

39.271

20.235 (1) (cm) *Nursing student loan program*. The amounts in the schedule for ~~the~~ nursing student loan program under s. ~~39.399~~.

History: 1971 c. 44; 1971 c. 125 ss. 62, 63, 64, 65, 66, 522 (1); 1971 c. 211; 1973 c. 90, 243, 333; 1975 c. 39, 118, 189, 199, 224; 1977 c. 29, 418; 1979 c. 34 ss. 136 to 155, 2102 (22) (a); 1979 c. 175, 221; 1981 c. 20 ss. 156 to 162p, 2202 (22) (a); 1983 a. 27; 1985 a. 29, 120; 1987 a. 27, 399; 1987 a. 403 s. 256; 1989 a. 31, 336; 1991 a. 39, 269; 1993 a. 16, 399; 1995 a. 27 ss. 558 to 563, 9127 (1); 1997 a. 27 s. 236 to 242, 253, 267, 268; 1999 a. 9, 144; 2001 a. 16, 109.

Cedf, nswt

Insert 4-8

and 2003 Wisconsin Act ... (this act)

was affected by 2001 Wisconsin Act 109, is repealed and recreated

Change component to RCT

Section #. 20.235 (1) (fe) of the statutes is amended to read:

20.235 (1) (fe) ~~Wisconsin higher education grants; University of Wisconsin System students.~~

~~Biennially, the amounts in the schedule for the Wisconsin higher education grant program under s. 39.435 for University of Wisconsin System students, except for grants awarded under s. 39.435 (2) or (5).~~

NOTE: Par. (fe) is amended eff. 7-1-03 by 2001 Wis. Act 109 to read:

plain 39.276 (for title)

(fe) ~~Wisconsin higher education grants; University of Wisconsin System students.~~ A sum sufficient equal to the amount determined under s. ~~39.435~~ (7) for ~~the~~ Wisconsin higher education ~~grant~~ ^{grants} program under s. ~~39.435~~ for University of Wisconsin System students, ~~except for grants awarded under s. 39.435 (2) or (5).~~

History: 1971 c. 44; 1971 c. 125 ss. 62, 63, 64, 65, 66, 522 (1); 1971 c. 211; 1973 c. 90, 243, 333; 1975 c. 39, 118, 189, 199, 224; 1977 c. 29, 418; 1979 c. 34 ss. 136 to 155, 2102 (22) (a); 1979 c. 175, 221; 1981 c. 20 ss. 156 to 162p, 2202 (22) (a); 1983 a. 27; 1985 a. 29, 120; 1987 a. 27, 399; 1987 a. 403 s. 256; 1989 a. 31, 336; 1991 a. 39, 269; 1993 a. 16, 399; 1995 a. 27 ss. 558 to 563, 9127 (1); 1997 a. 27 s. 236 to 242, 253, 267, 268; 1999 a. 9, 144; 2001 a. 16, 109.

(ed Ant)

LPS; use this version - Change font to New Century no bold

Inset 7-20

no P

lien
whose name appears on the statewide support lien
docket under s. 49.854 (2) (b), unless the person
provides to the board a payment agreement that
has been approved by the county child support agency
under s. 59.53 (5) and that is consistent with
rules promulgated under s. 49.858 (2) (a)

(ced & inset)

Inset 8-5

Same as inset 7-20

10.18

lien
whose name appears on the statewide support lien
docket under s. 49.854 (2) (b), unless the person
provides to the board a payment agreement that
has been approved by the county child support agency
under s. 59.53 (5) and that is consistent with
rules promulgated under s. 49.858 (2) (a)

(ed & inset)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1075/P1dn
GMM. *Kjf*

Date

Nick:

During the 2001 session, the legislature created ss. 39.393 and 39.48 relating, respectively, to a nursing student loan program and to permitting students who are called into active service in the U.S. armed forces to complete their course work. This draft rennumbers s. 39.393 as s. 39.271 so as to keep the Nursing Student Loan Program in sequence immediately after the Nursing Student Stipend Loan Program, which is rennumbered from ^{to} 39.39 to 39.27. The draft also rennumbers s. 39.48 to 39.276 to keep that provision last in the HEAB subchapter, but to place the provision in close proximity to the penultimate provision in that subchapter, s. 39.374.

Beginning with the 2003 session, the LRB has changed its policy to require references in the statutes to the official names of programs to be capitalized. Excessive capitalization, however, is distracting to the reader and impedes the natural flow of the printed text to the reader's eye. There are numerous references to various programs in s. 20.235(1). Rather than capitalize those references, this draft eliminates the word "program" in those references so that the official names of the various programs are not used in those references and, therefore, do not need to be capitalized.

The bill section numbers in the Notes need to be updated.

Gordon M. Malaise ^{CS}
Senior Legislative Attorney
Phone: (608) 266-9738
E-mail: gordon.malaise@legis.state.wi.us

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

LRB-1075/P1dn
GMM:kjf:rs

January 16, 2003

Nick:

During the 2001 session, the legislature created ss. 39.393 and 39.48 relating, respectively, to a nursing student loan program and to permitting students who are called into active service in the U.S. armed forces to complete their course work. This draft renumbers s. 39.393 to s. 39.271 so as to keep the Nursing Student Loan Program in sequence immediately after the Nursing Student Stipend Loan Program, which is renumbered from s. 39.39 to s. 39.27. The draft also renumbers s. 39.48 to s. 39.376 to keep that provision last in the HEAB subchapter, but to place the provision in close proximity to the penultimate provision in that subchapter, s. 39.374.

Beginning with the 2003 session, the LRB has changed its policy to require references in the statutes to the official names of programs to be capitalized. Excessive capitalization, however, is distracting to the reader and impedes the natural flow of the printed text to the reader's eye. There are numerous references to various programs in s. 20.235 (1). Rather than capitalize those references, this draft eliminates the word "program" in those references so that the official names of the various programs are not used in those references and, therefore, do not need to be capitalized.

The bill SECTION numbers in the NOTES need to be updated.

Gordon M. Malaise
Senior Legislative Attorney
Phone: (608) 266-9738
E-mail: gordon.malaise@legis.state.wi.us

Malaise, Gordon

From: Letzing, Rachel
Sent: Thursday, September 25, 2003 3:37 PM
To: Malaise, Gordon
Subject: FW: law revision

Hi Gordon,

Below is a message from Sherrie Nelson at the Higher Educational Aids Board regarding their law revision draft, 1075/p1. Do you think you can draft a /p2 in time for the October 7 meeting? If you have questions regarding the changes I suggest talking to Sherrie directly. Thanks.

Rachel

Rachel E. Letzing
Legislative Council Staff
(608) 266-3370
rachel.letzing@legis.state.wi.us

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

From: Nelson, Sherrie
Sent: Thursday, September 25, 2003 3:12 PM
To: Letzing, Rachel
Subject: RE: law revision

Hi Rachel -

There is an error in the bill under Section 26⁸(3) By April 10, 1998, and annually thereafter, each tribally controlled college in this state is requested to develop and submit to the board for its review under sub.(1) a proposed formula for the awarding of Wisconsin tuition (should be Wisconsin higher education) grants under s.39.435, ~~except for grants awarded under s. 39.435 (2) or (5) 39.30~~ (should be 39.276) for the upcoming academic year to students enrolled at that tribally controlled college.

I don't know if there is anything that we can do about it, but just thought I would bring it to your attention.

Thanks
Sherrie

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

From: Letzing, Rachel
Sent: Friday, September 12, 2003 11:18 AM
To: Nelson, Sherrie
Cc: Zavos, Nicholas
Subject: law revision

Sherrie,

The law revision committee reviews remedial legislation requests submitted by state agencies. Last fall, Jane Hojan-Clark and Jim Buske submitted a request asking that the law revision committee review 2001 Senate Bill 288, which was the proposal approved by the committee and introduced as a law revision bill last session. Due to time constraints, that bill did not pass. So, they asked the committee to review that proposal again this session, which is why HEAB is scheduled to appear at the October 7 hearing. Attached is the letter about the hearing sent to Jane yesterday. Someone from HEAB will need to be at the hearing to explain the reasons and need for the requested legislation.