



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-1075/P1  
GMM:kjf

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P2  
PNR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

LPS:  
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where indicated  
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Regen

1 AN ACT to renumber 39.26, 39.28, 39.29, 39.38 (1), 39.393, 39.395, 39.398, 39.41,  
2 39.42, 39.435 (3), 39.435 (5), 39.435 (6), 39.435 (7), 39.46 and 39.48; to  
3 renumber and amend 39.285, 39.31, 39.38 (title), 39.38 (2), 39.39, 39.40,  
4 39.435 (title), 39.435 (1), 39.435 (2), 39.435 (4), 39.44 (title), 39.44 (1) to (5),  
5 39.45 and 39.47; to amend 20.235 (1) (cg), 20.235 (1) (cm), 20.235 (1) (cr),  
6 20.235 (1) (cu), 20.235 (1) (cx), 20.235 (1) (d), 20.235 (1) (e), 20.235 (1) (fc), 20.235  
7 (1) (fd), 20.235 (1) (fe), 20.235 (1) (ff), 20.235 (1) (fg), 20.235 (1) (fj), 20.235 (1)  
8 (fy), 20.235 (1) (gg), 20.235 (1) (gm), 20.235 (1) (k), 20.235 (1) (km), 36.11 (6) (c),  
9 36.27 (3) (a), 36.27 (3) (b), 38.04 (7m), 39.30 (2) (intro.), 39.30 (2) (f), 39.30 (3)  
10 (intro.), 39.30 (3) (c), 45.25 (1), 45.25 (3) (a), 45.25 (3) (am), 45.25 (4) (a) and  
11 71.05 (6) (b) 28. (intro.); to repeal and recreate 20.235 (1) (fe) and 39.30 (title);  
12 and to create 39.246 and 39.272 of the statutes; relating to: administration  
13 of student financial aid programs by the Higher Educational Aids Board and

1 granting rule-making authority (suggested as remedial legislation by the  
2 Higher Educational Aids 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 PREFATORY 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.

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

4 20.235 (1) (cg) *Nursing student stipend loans.* The amounts in the schedule for  
5 nursing student stipend loans under s. ~~39.39~~ 39.27.

(23)

NOTE: SECTIONS 1 to 21 of this bill change cross-references to various statutory provisions that are renumbered by this bill to place the various grant and assistance programs that are administered by the Higher Educational Aids Board (HEAB) in a new sequence.

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

1           20.235 (1) (cm) *Nursing student loan program*. The amounts in the schedule  
2 for the nursing student loan ~~program~~ loans under s. ~~39.393~~ 39.271.

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

4           20.235 (1) (cr) *Minority teacher loans*. The amounts in the schedule for the  
5 minority teacher loan ~~program~~ loans under s. ~~39.40~~ 39.258.

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

7           20.235 (1) (cu) *Teacher education loan ~~program~~ loans*. The amounts in the  
8 schedule for the teacher education loan ~~program~~ loans under s. ~~39.395~~ 39.274.

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

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

14          ~~**SECTION 6.** 20.235 (1) (d) of the statutes is amended to read:~~

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

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

23          20.235 (1) (e) *Minnesota-Wisconsin student reciprocity agreement*. A sum  
24 sufficient for the purposes of s. ~~39.47~~ 39.254.

25          **SECTION 8.** 20.235 (1) (fc) of the statutes is amended to read:

3-21

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

3 SECTION 9. 20.235 (1) (fd) of the statutes is amended to read:

4 20.235 (1) (fd) *Talent incentive grants*. Biennially, the amounts in the schedule  
5 for talent incentive grants under s. ~~39.435 (2)~~ 39.272.

6 SECTION 10. 20.235 (1) (fe) of the statutes is amended to read:

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

11 SECTION 11. 20.235 (1) (fe) of the statutes, as affected by 2001 Wisconsin Act  
12 109 and 2003 Wisconsin Act .... (this act), is repealed and recreated to read:

13 20.235 (1) (fe) *Wisconsin higher education grants; University of Wisconsin*  
14 *System students*. A sum sufficient equal to the amount determined under s. 39.276  
15 (7) for Wisconsin higher education grants under s. 39.276 for University of Wisconsin  
16 System students.

Insert  
4-16

17 SECTION 12. 20.235 (1) (ff) of the statutes is amended to read:

18 20.235 (1) (ff) *Wisconsin higher education grants; technical college students*.  
19 Biennially, the amounts in the schedule for the Wisconsin higher education ~~grant~~  
20 ~~program~~ grants under s. ~~39.435~~ 39.276 for technical college students, ~~except for~~  
21 ~~grants awarded under s. 39.435 (2) or (5)~~.

22 SECTION 13. 20.235 (1) (fg) of the statutes is amended to read:

23 20.235 (1) (fg) *Minority undergraduate retention grants program*. Biennially,  
24 the amounts in the schedule for the minority undergraduate retention ~~grant~~  
25 ~~program~~ grants under s. ~~39.44~~ 39.256.

1           SECTION ~~14~~ 20.235 (1) (f) of the statutes is amended to read:

2           20.235 (1) (f) *Handicapped student grants*. Biennially, the amounts in the  
3 schedule for handicapped student grants under s. ~~39.435 (5)~~ 39.246.

4           SECTION ~~15~~ 20.235 (1) (fy) of the statutes is amended to read:

5           20.235 (1) (fy) *Academic excellence higher education scholarships*. A sum  
6 sufficient for payments to institutions of higher education under s. ~~39.41~~ 39.242.

7           SECTION ~~16~~ 20.235 (1) (gg) of the statutes is amended to read:

8           20.235 (1) (gg) *Nursing student stipend loan repayments*. All moneys received  
9 from the repayment of loans made under s. ~~39.39~~ 39.27, to be used for loans under  
10 s. ~~39.39~~ 39.27.

11          SECTION ~~17~~ 20.235 (1) (gm) of the statutes is amended to read:

12          20.235 (1) (gm) *Indian student grant assistance; contributions*. All moneys  
13 received from contributions under s. ~~39.38~~ 39.25 (2), to be used for grants under s.  
14 ~~39.38~~ 39.25.

15          SECTION ~~18~~ 20.235 (1) (k) of the statutes is amended to read:

16          20.235 (1) (k) *Indian student assistance*. Biennially, the amounts in the  
17 schedule to carry out the purposes of s. ~~39.38~~ 39.25. All moneys transferred from the  
18 appropriation account under s. 20.505 (8) (hm) 4i. shall be credited to this  
19 appropriation account. Notwithstanding s. 20.001 (3) (b), the unencumbered  
20 balance on June 30 of each odd-numbered year shall revert to the appropriation  
21 account under s. 20.505 (8) (hm).

22          SECTION ~~19~~ 20.235 (1) (km) of the statutes is amended to read:

23          20.235 (1) (km) *Wisconsin higher education grants; tribal college students*.  
24 Biennially, the amounts in the schedule for the Wisconsin higher education grant  
25 program grants under s. ~~39.435~~ 39.276 for tribal college students, except for grants

Insert  
5-21

1 awarded under s. ~~39.435 (2) or (5)~~. All moneys transferred from the appropriation  
2 account under s. 20.505 (8) (hm) 10. shall be credited to this appropriation account.  
3 Notwithstanding s. 20.001 (3) (b), the unencumbered balance on June 30 of each  
4 odd-numbered year shall revert to the appropriation account under s. 20.505 (8)  
5 (hm).

6 SECTION ~~20~~<sup>#</sup> 36.11 (6) (c) of the statutes is amended to read:

7 36.11 (6) (c) By April 10, 1998, and annually thereafter, the board shall develop  
8 and submit to the higher educational aids board for its review under s. ~~39.285~~ 39.22  
9 (1) a proposed formula for the awarding of grants under s. ~~39.435~~, except for grants  
10 awarded under s. ~~39.435 (2) or (5)~~ 39.276, for the upcoming academic year to students  
11 enrolled in the system.

12 SECTION ~~21~~<sup>#</sup> 36.27 (3) (a) of the statutes is amended to read:

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

20 SECTION ~~22~~<sup>#</sup> 36.27 (3) (b) of the statutes is amended to read:

21 36.27 (3) (b) To additional individual students who, in the judgment of the  
22 board, are deserving of relief from the assessment of nonresident tuition because of  
23 extraordinary circumstances. The aggregate amount of these nonresident  
24 remissions of tuition shall not exceed an amount equal to full remissions for 2% of

1 the number of nonresident students registered in the preceding year, excluding those  
2 students participating in interstate agreements under s. ~~39.42~~ 39.252.

3 ~~SECTION 23.~~ 38.04 (7m) of the statutes is amended to read:

4 38.04 (7m) FINANCIAL AIDS. By April 10, 1998, and annually thereafter, the  
5 board shall develop and submit to the higher educational aids board for its review  
6 under s. ~~39.285~~ 39.22 (1) a proposed formula for the awarding of grants under s.  
7 ~~39.435, except for grants awarded under s. 39.435 (2) or (5)~~ 39.276, for the upcoming  
8 academic year to students enrolled in the technical colleges.

9 ~~SECTION 24.~~ 39.246 of the statutes is created to read:

10 **39.246 Handicapped student grants.** (1) There is established, to be  
11 administered by the board, a higher education grant program for postsecondary  
12 resident students enrolled at least half-time in a degree or certificate program and  
13 registered as freshmen, sophomores, juniors, or seniors in accredited institutions of  
14 higher education in this state.

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

23 (4) The board may not make a grant under this section to a person whose name  
24 appears on the statewide support lien docket under s. 49.854 (2) (b), unless the  
25 person provides to the board a payment agreement that has been approved by the

1 county child support agency under s. 59.53 (5) and that is consistent with rules  
2 promulgated under s. 49.858 (2) (a).

NOTE: SECTION <sup>24</sup>~~24~~ 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.

3 SECTION ~~25~~ 39.26 of the statutes is renumbered 39.20.

NOTE: SECTIONS ~~24, 25, 26, and 27~~ <sup>24, 28, and 29</sup> of this bill renumber statutory provisions to place the various grant and assistance programs administered by HEAB in a new sequence.

4 SECTION ~~26~~ 39.272 of the statutes is created to read:

5 **39.272 Talent incentive grants.**

6 (2) The board may not make a grant under this section to a person whose name  
7 appears on the statewide support lien docket under s. 49.854 (2) (b), unless the  
8 person provides to the board a payment agreement that has been approved by the  
9 county child support agency under s. 59.53 (5) and that is consistent with rules  
10 promulgated under s. 49.858 (2) (a).

\* NOTE: SECTION <sup>26</sup>~~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 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.

11 SECTION ~~27~~ 39.28 of the statutes is renumbered 39.21.

12 SECTION ~~28~~ 39.285 of the statutes is renumbered 39.22 and amended to read:

13 **39.22 Board review of proposed formulae.** (1) By May 1, 1998, and  
14 annually thereafter, the board shall approve, modify, or disapprove any proposed  
15 formula for the awarding of Wisconsin higher education grants for the upcoming  
16 academic year submitted under sub. (2) or (3) or s. 36.11 (6) (c) or 38.04 (7m).

17 (2) By April 10, 1998, and annually thereafter, the Wisconsin Association of  
18 Independent Colleges and Universities shall develop and submit to the board for its  
19 review under sub. (1) a proposed formula for the awarding of Wisconsin tuition

tuition grants or  
Wisconsin



39.276

SECTION 28  
higher education

1 grants under s. 39.30 for the upcoming academic year to students enrolled in degree  
2 programs at private nonprofit institutions of higher education.

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

8 SECTION ~~29~~ 39.29 of the statutes is renumbered 39.23.

9 SECTION ~~30~~ 39.30 (title) of the statutes is repealed and recreated to read:

10 **39.30 (title) Wisconsin tuition grants.**

NOTE: SECTION ~~29~~ <sup>(30)</sup> of this bill changes the name of the "Tuition Grant Program" to the "Wisconsin Tuition Grant Program".

11 SECTION ~~31~~ 39.30 (2) (intro.) of the statutes is amended to read:

12 39.30 (2) ELIGIBILITY. (intro.) A resident student enrolled at least half-time in  
13 a degree program and registered as a freshman, sophomore, junior, or senior in an  
14 accredited, nonprofit, post-high school, educational institution in this state shall be  
15 eligible for grants under this section for each semester of attendance, but except that:

NOTE: SECTIONS ~~29, 30, and 31~~ <sup>(and 33)</sup> 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.

16 SECTION ~~32~~ 39.30 (2) (f) of the statutes is amended to read:

17 39.30 (2) (f) No grants may be awarded under this section unless the formula  
18 submitted under s. ~~39.285~~ 39.22 (2) or (3) is approved or modified by the board under  
19 s. 39.285 39.22 (1). <sup>32, 34, and 35</sup>

changes cross-references to

that are renumbered by this bill

NOTE: SECTION ~~30~~ <sup>32</sup> of this bill ~~renumbers~~ <sup>renumbers</sup> statutory provisions to place the various grant and assistance programs administered by HEAB in a new sequence.

20 SECTION ~~33~~ 39.30 (3) (intro.) of the statutes is amended to read:

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

4           ~~SECTION 34.~~ 39.30 (3) (c) of the statutes is amended to read:

5           39.30 (3) (c) Multiply the percentage calculated in par. (b) times the student's  
6 expected family contribution which has been determined using the same analysis as  
7 that used to determine the expected family contribution of students applying for  
8 Wisconsin higher education grants under s. ~~39.435~~ 39.276.

9           ~~SECTION 35.~~ 39.31 of the statutes is renumbered 39.24, and 39.24 (intro.), as  
10 renumbered, is amended to read:

11           **39.24 Determination of student costs.** (intro.) In determining a student's  
12 total cost of attending a postsecondary institution for the purpose of calculating the  
13 amount of a grant under s. 39.25, 39.256, 39.276, or 39.30, 39.38, 39.435 or 39.44, the  
14 board shall include the following:

15           ~~SECTION 36.~~ 39.38 (title) of the statutes is renumbered 39.25 (title) and  
16 amended to read:

17           **39.25 (title) Indian student grant assistance.**

18           ~~SECTION 37.~~ 39.38 (1) of the statutes is renumbered 39.25 (1).

19           ~~SECTION 38.~~ 39.38 (2) of the statutes is renumbered 39.25 (2) and amended to  
20 read:

21           39.25 (2) Grants under this section shall be based on financial need, as  
22 determined by the board. The minimum grant shall not be less than \$250 and the  
23 maximum grant shall not exceed \$2,200 per year, of which not more than \$1,100 may  
24 be from the appropriation under s. 20.235 (1) (k). State aid from this appropriation  
25 may be matched by a contribution from a federally recognized American Indian tribe

NOTE: Sections 34, 35, 36, and 37 of this bill renumber statutory provisions to place the various grant and assistance programs administered by YEARS in a new sequence.

1 or band that is deposited in the general fund and credited to the appropriation  
 2 account under s. 20.235 (1) (gm). Grants shall be awarded to students for full-time  
 3 or part-time attendance in a degree or certificate program at any accredited  
 4 institution of higher education in this state. The board may not make a grant under  
 5 this section to a student whose name appears on the statewide support lien docket  
 6 under s. 49.854 (2) (b), unless the student provides to the board a payment agreement  
 7 that has been approved by the county child support agency under s. 59.53 (5) and that  
 8 is consistent with rules promulgated under s. 49.858 (2) (a). Grants shall be  
 9 renewable for up to 5 years if a recipient remains in good academic standing at the  
 10 institution that he or she is attending.

~~SECTION 36~~

NOTE: ~~SECTIONS 36 and 37~~ of this bill <sup>stays</sup> 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 38 SPECIFICS

11 ~~SECTION 39.~~ 39.39 of the statutes is renumbered 39.27, and 39.27 (2) (b), as  
 12 renumbered, is amended to read:

13 39.27 (2) (b) Promulgate rules to administer this section, including rules  
 14 establishing loan amounts and the criteria and procedures for loan forgiveness and  
 15 for selecting loan recipients. Loan recipients shall be selected on the basis of  
 16 financial need, as determined by the board, using the needs analysis methodology  
 17 used under s. ~~39.435~~ 39.276.

, 41, and 42

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

18 ~~SECTION 40.~~ 39.393 of the statutes is renumbered 39.271.

19 ~~SECTION 41.~~ 39.395 of the statutes is renumbered 39.274.

20 ~~SECTION 42.~~ 39.398 of the statutes is renumbered 39.275.

1 SECTION ~~43~~ 39.40 of the statutes is renumbered 39.258, and 39.258 (1) (a), as  
 2 renumbered, is amended to read:

3 39.258 (1) (a) ~~A Black~~ An African American.

NOTE: SECTION <sup>(43)</sup>~~43~~ of this bill changes a reference in the Minority Teacher Loan Program from “Black American” to “African American”.

4 SECTION ~~44~~ 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 administered by HEAB in a new sequence.

5 SECTION ~~45~~ 39.42 of the statutes is renumbered 39.252.

6 SECTION ~~46~~ 39.435 (title) of the statutes is renumbered 39.276 (title) and  
 7 amended to read:

8 **39.276 (title) Wisconsin higher education grants and talent incentive**  
 9 **grants.**

10 SECTION ~~47~~ 39.435 (1) of the statutes is renumbered 39.276 (1) and amended  
 11 to read:

12 39.276 (1) There is established, to be administered by the board, a higher  
 13 education grant program for postsecondary resident students enrolled at least  
 14 half-time in a degree or certificate program and registered as freshmen, sophomores,  
 15 juniors, or seniors in accredited institutions of higher education or in tribally  
 16 controlled colleges in this state. ~~Except as authorized under sub. (5), such~~ Such  
 17 grants shall be made only to students enrolled in nonprofit public institutions or  
 18 tribally controlled colleges in this state.

NOTE: SECTION <sup>(47)</sup>~~47~~ 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.

19 SECTION ~~48~~ 39.435 (2) of the statutes is renumbered 39.272 (1) and amended  
 20 to read:

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

NOTE: SECTION ~~44~~<sup>(48)</sup> 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~~<sup>(48)</sup> 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.

as affected by 2003 Wisconsin Act 33,  
 SECTION ~~49~~<sup>(9)</sup> 39.435 (3) of the statutes is renumbered 39.276 (3).

NOTE: SECTIONS ~~47, 48, 49, and 50~~<sup>(51, 52, 53, and 54)</sup> of this bill renumber statutory provisions to place the various grant and assistance programs administered by HEAB in a new sequence.

10 SECTION ~~50~~<sup>(16)</sup> 39.435 (4) of the statutes is renumbered 39.276 (4), and 39.276 (4)  
 11 (d), as renumbered, is amended to read:

12           39.276 (4) (d) The awarding of grants under this section is subject to any  
 13 formula approved or modified by the board under s. ~~39.285~~ 39.22 (1).

14 SECTION ~~51~~<sup>(16)</sup> 39.435 (5) of the statutes is renumbered 39.246 (3).

15 SECTION ~~52~~<sup>(16)</sup> 39.435 (6) of the statutes is renumbered 39.276 (6).

16 SECTION ~~53~~<sup>(16)</sup> 39.435 (7) of the statutes is renumbered 39.276 (7).

17 SECTION ~~54~~<sup>(16)</sup> 39.44 (title) of the statutes is renumbered 39.256 (title) and  
 18 amended to read:

19           **39.256 (title) Minority undergraduate retention grants.**

NOTE: SECTION ~~51~~<sup>(52)</sup> of this bill changes the name of the "minority undergraduate grant" to the "minority undergraduate retention grant".

SECTION ~~51~~, 39, 435 (4), as created by 2003 Wisconsin Act 33, 39.276 (4)

1 SECTION ~~55~~<sup>H</sup> 39.44 (1) to (5) of the statutes are renumbered 39.256 (1) to (5), and  
2 39.256 (1) (a) 1. and (b), as renumbered, are amended to read:

3 39.256 (1) (a) 1. Is ~~a Black~~ an African American.

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

(S6) ~~52~~  
NOTE: SECTION ~~52~~ of this bill changes a reference in the renamed Minority Undergraduate Retention Grant Program from "Black American" to "African American".

8 SECTION ~~56~~<sup>H</sup> 39.45 of the statutes is renumbered 39.248, and 39.248 (1) (a), as  
9 renumbered, is amended to read:

(S7 to 60)

10 39.248 (1) (a) "Institution of higher education" means a public or private  
11 nonprofit educational institution meeting the requirements of s. 39.276 or 39.30 ~~or~~  
12 39.435 for the purpose of awarding grants under those sections.

(S7 to 65)  
NOTE: SECTIONS ~~56 to 64~~ renumber statutory provisions to place the various grant and assistance programs administered by HEAB in a new sequence.

13 SECTION ~~57~~<sup>H</sup> 39.46 of the statutes is renumbered 39.244.

14 SECTION ~~58~~<sup>H</sup> 39.47 of the statutes is renumbered 39.254, and 39.254 (2), as  
15 renumbered, is amended to read:

16 39.254 (2) The agreement under this section shall provide for the waiver of  
17 nonresident tuition for a resident of either state who is enrolled in a public vocational  
18 school located in the other state. The agreement shall also establish a reciprocal fee  
19 structure for residents of either state who are enrolled in public institutions of higher  
20 education, other than vocational schools, located in the other state. The reciprocal  
21 fee may not exceed the higher of the resident tuition that would be charged the  
22 student at the public institution of higher education in which the student is enrolled

1 or the resident tuition that would be charged the student at comparable public  
2 institutions of higher education located in his or her state of residence, as specified  
3 in the annual administrative memorandum under sub. (2g). The agreement shall  
4 take effect on July 1, 1998. The agreement is subject to the approval of the joint  
5 committee on finance under s. ~~39.42~~ 39.252.

6 SECTION ~~59~~ <sup>#</sup> 39.48 of the statutes is renumbered 39.376.

7 SECTION ~~60~~ <sup>#</sup> 45.25 (1) <sup>m</sup> of the statutes is amended to read:

8 45.25 (1) <sup>m</sup> ADMINISTRATION. The department shall administer a tuition ~~and fee~~  
9 reimbursement program for eligible veterans enrolling as undergraduates in any  
10 institution of higher education, as defined in s. 45.396 (1) (a), in this state, enrolling  
11 in a school that is approved under s. 45.35 (9m), enrolling in a proprietary school that  
12 is approved under s. 45.54, or receiving a waiver of nonresident tuition under s. ~~39.47~~  
13 39.254.

NOTE: SECTIONS ~~57 to 65~~ 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.

14 SECTION ~~61~~ <sup>#</sup> 45.25 (3) (a) of the statutes is amended to read:

15 45.25 (3) (a) Except as provided in par. (am), an individual who meets the  
16 requirements under sub. (2), upon satisfactory completion of a full-time  
17 undergraduate semester in any institution of higher education, as defined in s.  
18 45.396 (1) (a), in this state, any school that is approved under s. 45.35 (9m), any  
19 proprietary school that is approved under s. 45.54, or any institution from which the  
20 individual receives a waiver of nonresident tuition under s. ~~39.47~~ 39.254, may be  
21 reimbursed an amount not to exceed the total cost of the individual's tuition ~~and fees~~  
22 minus any grants or scholarships, including those made under s. 21.49, that the  
23 individual receives specifically for the payment of the tuition ~~or fees~~ or ~~both~~ of the

as affected by 2003 Wisconsin Act 33,

61 to 65

as affected by 2003 Wisconsin Act 33,

PWF

PWF

*of tuition ← plain*

*semester*

1 standard cost for a state resident for an equivalent undergraduate ~~course~~ at the  
2 University of Wisconsin–Madison ~~per course~~, whichever is less. Reimbursement is  
3 available only for tuition ~~and fees~~ that ~~are~~ <sup>is</sup> part of a curriculum that is relevant to a  
4 degree in a particular course of study at the institution.

5 SECTION ~~62~~ 45.25 (3) (am) of the statutes is amended to read:

6 45.25 (3) (am) A disabled individual who meets the requirements under sub.  
7 (2) and whose disability is rated at 30% or more under 38 USC 1114 or 1134, upon  
8 satisfactory completion of an undergraduate semester in any institution of higher  
9 education, as defined in s. 45.396 (1) (a), in this state or any institution from which  
10 the individual receives a waiver of nonresident tuition under s. ~~39.47~~ 39.254, may  
11 be reimbursed for up to 100% of the individual’s tuition and fees. The reimbursement  
12 under this paragraph is limited to 100% of the standard cost for a state resident for  
13 an equivalent undergraduate course at the University of Wisconsin–Madison per  
14 course, or the difference between the individual’s tuition and fees and the grants or  
15 scholarships, including those made under s. 21.49, that the individual receives  
16 specifically for the payment of the tuition or fees, whichever is less. Reimbursement  
17 is available only for tuition and fees that are part of a curriculum that is relevant to  
18 a degree in a particular course of study at the institution.

19 SECTION ~~63~~ 45.25 (4) (a) of the statutes is amended to read:

20 45.25 (4) (a) An individual is not eligible for reimbursement under sub. (2) for  
21 more than 120 credits or 8 full semesters of full–time study at any institution of  
22 higher education, as defined in s. 45.396 (1) (a), in this state, 60 credits or 4 full  
23 semesters of full–time study at any institution of higher education, as defined in s.  
24 45.396 (1) (a), in this state that offers a degree upon completion of 60 credits, or an  
25 equivalent amount of credits at a school that is approved under s. 45.35 (9m), at a



1 proprietary school that is approved under s. 45.54, or at an institution where he or  
2 she is receiving a waiver of nonresident tuition under s. ~~39.47~~ 39.254.

3 SECTION ~~64~~ <sup>✓</sup> 71.05 (6) (b) 28. (intro.) of the statutes is amended to read:

4 71.05 (6) (b) 28. (intro.) An amount paid by a claimant for tuition expenses for  
5 a student who is the claimant or who is the claimant's child and the claimant's  
6 dependent who is claimed under section 151 (c) of the Internal Revenue Code, to  
7 attend any university, college, technical college, or a school approved under s. 45.54,  
8 that is located in Wisconsin or to attend a public vocational school or public  
9 institution of higher education in Minnesota under the Minnesota–Wisconsin  
10 reciprocity agreement under s. ~~39.47~~ 39.254, calculated as follows:

11 ~~SECTION 65. Effective dates. This act takes effect on the day after publication,~~  
12 ~~except as follows:~~

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

15 (END)

Insert 3-21

was affected by 2003 Wisconsin Act 33,

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

39,244

20.235 (1) (d) *Dental education contract*. The amounts in the schedule for support of those Wisconsin residents enrolled as full-time students in the pursuit of a doctor of dental surgery (D.D.S.) degree. An amount of \$8,753 in each fiscal year shall be disbursed under s. ~~39.46~~ for each Wisconsin resident enrolled as a full-time student. The maximum number of Wisconsin residents to be funded under this appropriation is 145 in the 2003-04 fiscal year and 160 in the 2004-05 fiscal year and thereafter.

**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; 2003 a. 33.

(enrollment)

Insert 4-16

was affected by 2003 Wisconsin Act 33,

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

39.276

20.235 (1) (fe) *Wisconsin higher education grants; University of Wisconsin System students.* A sum sufficient equal to \$20,745,900 in the 2003-04 fiscal year, equal to \$19,926,800 in the 2004-05 fiscal year, and equal to the amount determined under s. ~~39.435~~ (7) 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),~~ thereafter.

**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; 2003 a. 33.

(end of insert)

Enst 5-21

was created by 2003 Wisconsin Act 33,

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

grants

39.276

20.235 (1) (ke) Wisconsin higher education grants for University of Wisconsin System students; auxiliary enterprises. 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). All moneys transferred to this appropriation from the appropriation under s. 20.285 (1) (h) shall be credited to this appropriation account.

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; 2003 a. 33.

Ced direct)

## Malaise, Gordon

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**From:** Zavos, Nicholas  
**Sent:** Tuesday, October 14, 2003 11:55 AM  
**To:** Malaise, Gordon  
**Subject:** law revision

Hi Gordon,

Last week the law revision committee voted to introduce the Higher Educational Aids Board's legislation. Could you draft LRB-1075/P2 for introduction. Thanks.

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



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-1075/P2

GMM:kjf

Soon

(See pp 8 & 118)  
15/16

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

Regen

1 AN ACT *to renumber* 39.26, 39.28, 39.29, 39.38 (1), 39.393, 39.395, 39.398, 39.41,  
2 39.42, 39.435 (3), 39.435 (5), 39.435 (6), 39.435 (7), 39.435 (8), 39.46 and 39.48;  
3 *to renumber and amend* 39.285, 39.31, 39.38 (title), 39.38 (2), 39.39, 39.40,  
4 39.435 (title), 39.435 (1), 39.435 (2), 39.435 (4), 39.44 (title), 39.44 (1) to (5),  
5 39.45 and 39.47; *to amend* 20.235 (1) (cg), 20.235 (1) (cm), 20.235 (1) (cr),  
6 20.235 (1) (cu), 20.235 (1) (cx), 20.235 (1) (d), 20.235 (1) (e), 20.235 (1) (fe), 20.235  
7 (1) (fd), 20.235 (1) (fe), 20.235 (1) (ff), 20.235 (1) (fg), 20.235 (1) (fj), 20.235 (1)  
8 (fy), 20.235 (1) (gg), 20.235 (1) (gm), 20.235 (1) (k), 20.235 (1) (ke), 20.235 (1)  
9 (km), 36.11 (6) (c), 36.27 (3) (a), 36.27 (3) (b), 38.04 (7m), 39.30 (2) (intro.), 39.30  
10 (2) (f), 39.30 (3) (intro.), 39.30 (3) (c), 45.25 (1m), 45.25 (3) (a), 45.25 (3) (am),  
11 45.25 (4) (a) and 71.05 (6) (b) 28. (intro.); *to repeal and recreate* 39.30 (title);  
12 and *to create* 39.246 and 39.272 of the statutes; **relating to:** administration  
13 of student financial aid programs by the Higher Educational Aids Board and

1 granting rule-making authority (suggested as remedial legislation by the  
2 Higher Educational Aids 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 PREFATORY 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.

3 **SECTION 1.** 20.235 (1) (cg) of the statutes is amended to read:  
4 20.235 (1) (cg) *Nursing student stipend loans.* The amounts in the schedule for  
5 nursing student stipend loans under s. ~~39.39~~ 39.27.

NOTE: SECTIONS 1 to 23 of this bill change cross-references to various statutory provisions that are renumbered by this bill to place the various grant and assistance programs that are administered by the Higher Educational Aids Board (HEAB) in a new sequence.

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

1           20.235 (1) (cm) *Nursing student loan program*. The amounts in the schedule  
2 for the nursing student loan ~~program~~ loans under s. ~~39.393~~ 39.271.

3           **SECTION 3.** 20.235 (1) (cr)<sup>✓</sup> of the statutes is amended to read:

4           20.235 (1) (cr) *Minority teacher loans*. The amounts in the schedule for the  
5 minority teacher loan ~~program~~ loans under s. ~~39.40~~ 39.258.

6           **SECTION 4.** 20.235 (1) (cu)<sup>✓</sup> of the statutes is amended to read:

7           20.235 (1) (cu) *Teacher education loan ~~program~~ loans*. The amounts in the  
8 schedule for the teacher education loan ~~program~~ loans under s. ~~39.395~~ 39.274.

9           **SECTION 5.** 20.235 (1) (cx)<sup>✓</sup> of the statutes is amended to read:

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

14          **SECTION 6.** 20.235 (1) (d)<sup>✓</sup> of the statutes, as affected by 2003 Wisconsin Act 33,  
15 is amended to read:

16          20.235 (1) (d) *Dental education contract*. The amounts in the schedule for  
17 support of those Wisconsin residents enrolled as full-time students in the pursuit of  
18 a doctor of dental surgery (D.D.S.) degree. An amount of \$8,753 in each fiscal year  
19 shall be disbursed under s. ~~39.46~~ 39.244 for each Wisconsin resident enrolled as a  
20 full-time student. The maximum number of Wisconsin residents to be funded under  
21 this appropriation is 145 in the 2003–04 fiscal year and 160 in the 2004–05 fiscal year  
22 and thereafter.

23          **SECTION 7.** 20.235 (1) (e)<sup>✓</sup> of the statutes is amended to read:

24          20.235 (1) (e) *Minnesota–Wisconsin student reciprocity agreement*. A sum  
25 sufficient for the purposes of s. ~~39.47~~ 39.254.



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

2           20.235 (1) (fc) *Independent student grants program*. Biennially, the amounts  
3 in the schedule for the independent student grants ~~program~~ under s. ~~39.45~~ 39.248.

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

5           20.235 (1) (fd) *Talent incentive grants*. Biennially, the amounts in the schedule  
6 for talent incentive grants under s. ~~39.435 (2)~~ 39.272.

7           SECTION 10. 20.235 (1) (fe) of the statutes, as affected by 2003 Wisconsin Act  
8 33, is amended to read:

9           20.235 (1) (fe) *Wisconsin higher education grants; University of Wisconsin*  
10 *System students*. A sum sufficient equal to \$20,745,900 in the 2003–04 fiscal year,  
11 equal to \$19,926,800 in the 2004–05 fiscal year, and equal to the amount determined  
12 under s. ~~39.435~~ 39.276 (7) for the Wisconsin higher education grant program under  
13 s. ~~39.435~~ 39.276 for University of Wisconsin System students, ~~except for grants~~  
14 ~~awarded under s. 39.435 (2) or (5),~~ thereafter.

15           SECTION 11. 20.235 (1) (ff) of the statutes is amended to read:

16           20.235 (1) (ff) *Wisconsin higher education grants; technical college students*.  
17 Biennially, the amounts in the schedule for the Wisconsin higher education grant  
18 ~~program grants~~ under s. ~~39.435~~ 39.276 for technical college students, ~~except for~~  
19 ~~grants awarded under s. 39.435 (2) or (5).~~

20           SECTION 12. 20.235 (1) (fg) of the statutes is amended to read:

21           20.235 (1) (fg) *Minority undergraduate retention grants program*. Biennially,  
22 the amounts in the schedule for the minority undergraduate retention grant  
23 ~~program grants~~ under s. ~~39.44~~ 39.256.

24           SECTION 13. 20.235 (1) (fj) of the statutes is amended to read:

1           20.235 (1) (f) *Handicapped student grants*. Biennially, the amounts in the  
2 schedule for handicapped student grants under s. ~~39.435 (5)~~ 39.246.

3           **SECTION 14.** 20.235 (1) (fy) of the statutes is amended to read:

4           20.235 (1) (fy) *Academic excellence higher education scholarships*. A sum  
5 sufficient for payments to institutions of higher education under s. ~~39.41~~ 39.242.

6           **SECTION 15.** 20.235 (1) (gg) of the statutes is amended to read:

7           20.235 (1) (gg) *Nursing student stipend loan repayments*. All moneys received  
8 from the repayment of loans made under s. ~~39.39~~ 39.27, to be used for loans under  
9 s. ~~39.39~~ 39.27.

10          **SECTION 16.** 20.235 (1) (gm) of the statutes is amended to read:

11          20.235 (1) (gm) *Indian student grant assistance; contributions*. All moneys  
12 received from contributions under s. ~~39.38~~ 39.25 (2), to be used for grants under s.  
13 ~~39.38~~ 39.25.

14          **SECTION 17.** 20.235 (1) (k) of the statutes is amended to read:

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

21          **SECTION 18.** 20.235 (1) (ke) of the statutes, as created by 2003 Wisconsin Act  
22 33, is amended to read:

23          20.235 (1) (ke) *Wisconsin higher education grants for University of Wisconsin*  
24 *System students; auxiliary enterprises*. The amounts in the schedule for the  
25 Wisconsin higher education ~~grant program~~ grants under s. ~~39.435~~ 39.276 for

1 University of Wisconsin System students, ~~except for grants awarded under s. 39.435~~  
2 ~~(2) or (5)~~. All moneys transferred to this appropriation from the appropriation under  
3 s. 20.285 (1) (h) shall be credited to this appropriation account.

4 **SECTION 19.** 20.235 (1) (km) <sup>✓</sup> of the statutes is amended to read:

5 20.235 (1) (km) *Wisconsin higher education grants; tribal college students.*

6 Biennially, the amounts in the schedule for the Wisconsin higher education grant  
7 ~~program grants~~ under s. ~~39.435~~ 39.276 for tribal college students, ~~except for grants~~  
8 ~~awarded under s. 39.435 (2) or (5)~~. All moneys transferred from the appropriation  
9 account under s. 20.505 (8) (hm) 10. shall be credited to this appropriation account.

10 Notwithstanding s. 20.001 (3) (b), the unencumbered balance on June 30 of each  
11 odd-numbered year shall revert to the appropriation account under s. 20.505 (8)  
12 (hm).

13 **SECTION 20.** 36.11 (6) (c) <sup>✓</sup> of the statutes is amended to read:

14 36.11 (6) (c) By April 10, 1998, and annually thereafter, the board shall develop  
15 and submit to the higher educational aids board for its review under s. ~~39.285~~ 39.22  
16 (1) a proposed formula for the awarding of grants under s. ~~39.435~~, ~~except for grants~~  
17 ~~awarded under s. 39.435 (2) or (5)~~ 39.276, for the upcoming academic year to students  
18 enrolled in the system.

19 **SECTION 21.** 36.27 (3) (a) <sup>✓</sup> of the statutes is amended to read:

20 36.27 (3) (a) To a number of needy and worthy nonresident students upon the  
21 basis of merit, to be shown by suitable tests, examinations or scholastic records and  
22 continued high standards of scholastic attainment. The aggregate amount of these  
23 nonresident remissions of tuition shall not exceed an amount equal to full remissions  
24 for 8% of the number of nonresident students registered at that institution in the

1 preceding year, excluding those students participating in interstate agreements  
2 under s. ~~39.42~~ 39.252.

3 SECTION 22. 36.27 (3) (b) of the statutes is amended to read:

4 36.27 (3) (b) To additional individual students who, in the judgment of the  
5 board, are deserving of relief from the assessment of nonresident tuition because of  
6 extraordinary circumstances. The aggregate amount of these nonresident  
7 remissions of tuition shall not exceed an amount equal to full remissions for 2% of  
8 the number of nonresident students registered in the preceding year, excluding those  
9 students participating in interstate agreements under s. ~~39.42~~ 39.252.

10 SECTION 23. 38.04 (7m) of the statutes is amended to read:

11 38.04 (7m) FINANCIAL AIDS. By April 10, 1998, and annually thereafter, the  
12 board shall develop and submit to the higher educational aids board for its review  
13 under s. ~~39.285~~ 39.22 (1) a proposed formula for the awarding of grants under s.  
14 ~~39.435, except for grants awarded under s. 39.435 (2) or (5)~~ 39.276, for the upcoming  
15 academic year to students enrolled in the technical colleges.

16 SECTION 24. 39.246 of the statutes is created to read:

17 **39.246 Handicapped student grants.** (1) There is established, to be  
18 administered by the board, a higher education grant program for postsecondary  
19 resident students enrolled at least half-time in a degree or certificate program and  
20 registered as freshmen, sophomores, juniors, or seniors in accredited institutions of  
21 higher education in this state.

22 (2) Grants awarded under sub. (1) shall not be less than \$250 during any  
23 academic year, unless the joint committee on finance approves an adjustment in the  
24 amount of the minimum grant. Grants under sub. (1) shall not exceed \$1,800 during  
25 any one academic year. The board may not award a grant to the same student for

1 more than 10 consecutive semesters or their equivalent. The board shall, by rule,  
2 establish a reporting system to periodically provide student economic data and shall  
3 promulgate other rules that the board finds necessary to ensure uniform  
4 administration of the grants awarded under sub. (1).

5 (4) The board may not make a grant under this section to a person whose name  
6 appears on the statewide support lien docket under s. 49.854 (2) (b), unless the  
7 person provides to the board a payment agreement that has been approved by the  
8 county child support agency under s. 59.53 (5) and that is consistent with rules  
9 promulgated under s. 49.858 (2) (a).

NOTE: SECTION 24 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.

10 **SECTION 25.** 39.26 of the statutes is renumbered 39.20.

NOTE: SECTIONS 25, 27, 28, and 29 of this bill renumber statutory provisions to place  
the various grant and assistance programs administered by HEAB in a new sequence.

11 **SECTION 26.** 39.272 of the statutes is created to read:

12 **39.272 Talent incentive grants.**

13 (2) The board may not make a grant under this section to a person whose name  
14 appears on the statewide support lien docket under s. 49.854 (2) (b), unless the  
15 person provides to the board a payment agreement that has been approved by the  
16 county child support agency under s. 59.53 (5) and that is consistent with rules  
17 promulgated under s. 49.858 (2) (a). 26

NOTE: SECTION 26 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 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.

18 **SECTION 27.** 39.28 of the statutes is renumbered 39.21.

19 **SECTION 28.** 39.285 of the statutes is renumbered 39.22 and amended to read:

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

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

11           (3) By April 10, 1998, and annually thereafter, each tribally controlled college  
12 in this state is requested to develop and submit to the board for its review under sub.  
13 (1) a proposed formula for the awarding of Wisconsin higher education grants under  
14 s. ~~39.435, except for grants awarded under s. 39.435 (2) or (5), 39.276~~ for the  
15 upcoming academic year to students enrolled in degree programs at that tribally  
16 controlled college.

17           **SECTION 29.** 39.29<sup>✓</sup> of the statutes is renumbered 39.23.

18           **SECTION 30.** 39.30<sup>✓</sup> (title) of the statutes is repealed and recreated to read:

19           **39.30 (title) Wisconsin tuition grants.**

NOTE: SECTION 30 of this bill changes the name of the "Tuition Grant Program" to  
the "Wisconsin Tuition Grant Program".

20           **SECTION 31.** 39.30<sup>✓</sup> (2) (intro.) of the statutes is amended to read:

21           **39.30 (2) ELIGIBILITY.** (intro.) A resident student enrolled at least half-time in  
22 a degree program and registered as a freshman, sophomore, junior, or senior in an

1 accredited, nonprofit, post-high school, educational institution in this state shall be  
2 eligible for grants under this section for each semester of attendance, but except that:

NOTE: SECTIONS 31 and 33 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.

3 **SECTION 32.** 39.30 (2) (f) of the statutes is amended to read:

4 39.30 (2) (f) No grants may be awarded under this section unless the formula  
5 submitted under s. ~~39.285~~ 39.22 (2) or (3) is approved or modified by the board under  
6 s. ~~39.285~~ 39.22 (1).

NOTE: SECTIONS 32, 34, and 35 of this bill changes cross-references to statutory provisions that are renumbered by this bill to place the various grant and assistance programs administered by HEAB in a new sequence.

7 **SECTION 33.** 39.30 (3) (intro.) of the statutes is amended to read:

8 39.30 (3) BASIS OF GRANTS. (intro.) The grant to be paid to a resident student  
9 enrolled at least half-time in a degree program and registered as a freshman,  
10 sophomore, junior, or senior after August 1, 1979, shall be determined as follows:

11 **SECTION 34.** 39.30 (3) (c) of the statutes is amended to read:

12 39.30 (3) (c) Multiply the percentage calculated in par. (b) times the student's  
13 expected family contribution which has been determined using the same analysis as  
14 that used to determine the expected family contribution of students applying for  
15 Wisconsin higher education grants under s. ~~39.435~~ 39.276.

16 **SECTION 35.** 39.31 of the statutes is renumbered 39.24, and 39.24 (intro.), as  
17 renumbered, is amended to read:

18 **39.24 Determination of student costs.** (intro.) In determining a student's  
19 total cost of attending a postsecondary institution for the purpose of calculating the  
20 amount of a grant under s. 39.25, 39.256, 39.276, or 39.30, ~~39.38, 39.435 or 39.44,~~ the  
21 board shall include the following:

1           **SECTION 36.** 39.38 (title) of the statutes is renumbered 39.25 (title) and  
2 amended to read:

3           **39.25 (title) Indian student grant assistance.**

4           **SECTION 37.** 39.38 (1) of the statutes is renumbered 39.25 (1).

\*           NOTE: SECTIONS ~~34~~ 35, 36, and 37 of this bill renumber statutory provisions to place  
the various grant and assistance programs administered by HEAB in a new sequence.

5           **SECTION 38.** 39.38 (2) of the statutes is renumbered 39.25 (2) and amended to  
6 read:

7           39.25 (2) Grants under this section shall be based on financial need, as  
8 determined by the board. The minimum grant shall not be less than \$250 and the  
9 maximum grant shall not exceed \$2,200 per year, of which not more than \$1,100 may  
10 be from the appropriation under s. 20.235 (1) (k). State aid from this appropriation  
11 may be matched by a contribution from a federally recognized American Indian tribe  
12 or band that is deposited in the general fund and credited to the appropriation  
13 account under s. 20.235 (1) (gm). Grants shall be awarded to students for full-time  
14 or part-time attendance in a degree or certificate program at any accredited  
15 institution of higher education in this state. The board may not make a grant under  
16 this section to a student whose name appears on the statewide support lien docket  
17 under s. 49.854 (2) (b), unless the student provides to the board a payment agreement  
18 that has been approved by the county child support agency under s. 59.53 (5) and that  
19 is consistent with rules promulgated under s. 49.858 (2) (a). Grants shall be  
20 renewable for up to 5 years if a recipient remains in good academic standing at the  
21 institution that he or she is attending.

NOTE: SECTION 38 of this bill specifies that a student must be enrolled in a degree or certificate program in order to be eligible for an Indian student assistance grant. SECTION 38 also creates a minimum Indian assistance grant of \$250. Currently, the maximum grant may not exceed \$2,200 per year and there is no minimum grant.



1           **SECTION 39.** 39.39<sup>✓</sup> of the statutes is renumbered 39.27, and 39.27 (2) (b), as  
2 renumbered, is amended to read:

3           39.27 (2) (b) Promulgate rules to administer this section, including rules  
4 establishing loan amounts and the criteria and procedures for loan forgiveness and  
5 for selecting loan recipients. Loan recipients shall be selected on the basis of  
6 financial need, as determined by the board, using the needs analysis methodology  
7 used under s. ~~39.435~~ 39.276.

NOTE: SECTIONS 39, 40, 41, and 42 of this bill renumber statutory provisions to place  
the various grant and assistance programs administered by HEAB in a new sequence.

8           **SECTION 40.** 39.393<sup>✓</sup> of the statutes is renumbered 39.271.

9           **SECTION 41.** 39.395<sup>✓</sup> of the statutes is renumbered 39.274.

10          **SECTION 42.** 39.398<sup>✓</sup> of the statutes is renumbered 39.275.

11          **SECTION 43.** 39.40<sup>✓</sup> of the statutes is renumbered 39.258, and 39.258 (1) (a), as  
12 renumbered, is amended to read:

13          39.258 (1) (a) ~~A Black~~ An African American.

NOTE: SECTION 43 of this bill changes a reference in the Minority Teacher Loan  
Program from “Black American” to “African American”.

14          **SECTION 44.** 39.41<sup>✓</sup> of the statutes is renumbered 39.242.

NOTE: SECTIONS 44, 45, and 46 of this bill renumber statutory provisions to place  
the various grant and assistance programs administered by HEAB in a new sequence.

15          **SECTION 45.** 39.42<sup>✓</sup> of the statutes is renumbered 39.252.

16          **SECTION 46.** 39.435<sup>✓</sup> (title) of the statutes is renumbered 39.276 (title) and  
17 amended to read:

18          **39.276 (title) Wisconsin higher education grants and talent incentive**  
19 **grants.**

20          **SECTION 47.** 39.435<sup>✓</sup> (1) of the statutes is renumbered 39.276 (1) and amended  
21 to read:

1           39.276 (1) There is established, to be administered by the board, a higher  
2 education grant program for postsecondary resident students enrolled at least  
3 half-time in a degree or certificate program and registered as freshmen, sophomores,  
4 juniors, or seniors in accredited institutions of higher education or in tribally  
5 controlled colleges in this state. ~~Except as authorized under sub. (5), such~~ Such  
6 grants shall be made only to students enrolled in nonprofit public institutions or  
7 tribally controlled colleges in this state.

NOTE: SECTION 47 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.

8           **SECTION 48.** 39.435 (2) of the statutes is renumbered 39.272 (1) and amended  
9 to read:

10           39.272 (1) The board shall award talent incentive grants to uniquely needy  
11 students enrolled at least half-time in a degree or certificate program as first-time  
12 freshmen at public and private nonprofit institutions located in this state and to  
13 sophomores, juniors, and seniors who received such grants as freshmen. No grant  
14 under this subsection may ~~exceed~~ be less than \$250 or more than \$1,800 for any  
15 academic year. The board may not award a grant to the same student for more than  
16 10 consecutive semesters or their equivalent. The board shall promulgate rules  
17 establishing eligibility criteria for grants under this subsection.

NOTE: SECTION 48 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 48 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.

18           **SECTION 49.** 39.435 (3) of the statutes, as affected by 2003 Wisconsin Act 33,  
19 is renumbered 39.276 (3).

NOTE: SECTIONS 49, 50, 51, 52, 53, and 54 of this bill renumber statutory provisions  
to place the various grant and assistance programs administered by HEAB in a new  
sequence.

1           **SECTION 50.** 39.435 (4) of the statutes is renumbered 39.276 (4), and 39.276 (4)  
2 (d), as renumbered, is amended to read:

3           39.276 (4) (d) The awarding of grants under this section is subject to any  
4 formula approved or modified by the board under s. ~~39.285~~ 39.22 (1).

5           **SECTION 51.** 39.435 (5) of the statutes is renumbered 39.246 (3).

6           **SECTION 52.** 39.435 (6) of the statutes is renumbered 39.276 (6).

7           **SECTION 53.** 39.435 (7) of the statutes, as affected by 2003 Wisconsin Act 33,  
8 is renumbered 39.276 (7).

9           **SECTION 54.** 39.435 (8) of the statutes, as created by 2003 Wisconsin Act 33, is  
10 renumbered 39.276 (8).

11           **SECTION 55.** 39.44 (title) of the statutes is renumbered 39.256 (title) and  
12 amended to read:

13           **39.256 (title) Minority undergraduate retention grants.**

NOTE: SECTION 55 of this bill changes the name of the “minority undergraduate grant” to the “minority undergraduate retention grant”.

14           **SECTION 56.** 39.44 (1) to (5) of the statutes are renumbered 39.256 (1) to (5), and  
15 39.256 (1) (a) 1. and (b), as renumbered, are amended to read:

16           39.256 (1) (a) 1. Is ~~a Black~~ an African American.

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

NOTE: SECTION 56 of this bill changes a reference in the renamed Minority Undergraduate Retention Grant Program from “Black American” to “African American”.

21           **SECTION 57.** 39.45 of the statutes is renumbered 39.248, and 39.248 (1) (a), as  
22 renumbered, is amended to read:

1           39.248 (1) (a) “Institution of higher education” means a public or private  
2 nonprofit educational institution meeting the requirements of s. 39.276 or 39.30 or  
3 ~~39.435~~ for the purpose of awarding grants under those sections.

NOTE: SECTIONS 57 to 60 renumber statutory provisions to place the various grant and assistance programs administered by HEAB in a new sequence.

4           **SECTION 58.** 39.46<sup>✓</sup> of the statutes<sup>is</sup> is renumbered 39.244. *was affected by 2003*

5           **SECTION 59.** 39.47<sup>✓</sup> of the statutes is renumbered 39.254, and 39.254 (2), as  
6 renumbered, is amended to read:

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

19           **SECTION 60.** 39.48<sup>✓</sup> of the statutes<sup>is</sup> is renumbered 39.376. *as affected by 2003 Assembly Bill 19,*

20           **SECTION 61.** 45.25 (1m)<sup>✓</sup> of the statutes, as affected by 2003 Wisconsin Act 33,  
21 is amended to read:

22           45.25 (1m) ADMINISTRATION. The department shall administer a tuition  
23 reimbursement program for eligible veterans enrolling as undergraduates in any

1 institution of higher education, as defined in s. 45.396 (1) (a), in this state, enrolling  
 2 in a school that is approved under s. 45.35 (9m), enrolling in a proprietary school that  
 3 is approved under s. 45.54, or receiving a waiver of nonresident tuition under s. ~~39.47~~  
 4 39.254.

(64)

NOTE: SECTIONS 61 to 64 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.

5 SECTION 62. 45.25 (3) (a) of the statutes, as affected by 2003 Wisconsin Act 33,  
 6 is amended to read:

7 45.25 (3) (a) Except as provided in par. (am), an individual who meets the  
 8 requirements under sub. (2), upon satisfactory completion of a full-time  
 9 undergraduate semester in any institution of higher education, as defined in s.  
 10 45.396 (1) (a), in this state, any school that is approved under s. 45.35 (9m), any  
 11 proprietary school that is approved under s. 45.54, or any institution from which the  
 12 individual receives a waiver of nonresident tuition under s. ~~39.47~~ 39.254, may be  
 13 reimbursed an amount not to exceed the total cost of the individual's tuition minus  
 14 any grants or scholarships, including those made under s. 21.49, that the individual  
 15 receives specifically for the payment of the tuition, or the standard cost of tuition for  
 16 a state resident for an equivalent undergraduate semester at the University of  
 17 Wisconsin-Madison, whichever is less. Reimbursement is available only for tuition  
 18 that is part of a curriculum that is relevant to a degree in a particular course of study  
 19 at the institution.

as affected by 2003 Wisconsin Act 33,

~~SECTION 63. 45.25 (3) (am) of the statutes is amended to read:~~

~~21 45.25 (3) (am) A disabled individual who meets the requirements under sub.  
 22 (2) and whose disability is rated at 30% or more under 38 USC 1114 or 1134, upon  
 23 satisfactory completion of an undergraduate semester in any institution of higher~~

1 education, as defined in s. 45.396 (1) (a), in this state or any institution from which  
2 the individual receives a waiver of nonresident tuition under s. ~~39.47~~ 39.254, may  
3 be reimbursed for up to 100% of the individual's tuition and fees. The reimbursement  
4 under this paragraph is limited to 100% of the standard cost for a state resident for  
5 an equivalent undergraduate course at the University of Wisconsin-Madison per  
6 course, or the difference between the individual's tuition and fees and the grants or  
7 scholarships, including those made under s. 21.49, that the individual receives  
8 specifically for the payment of the tuition or fees, whichever is less. Reimbursement  
9 is available only for tuition and fees that are part of a curriculum that is relevant to  
10 a degree in a particular course of study at the institution.

11 SECTION ~~64~~ <sup>#</sup> 45.25 (4) (a) <sup>✓</sup> of the statutes is amended to read:

12 45.25 (4) (a) An individual is not eligible for reimbursement under sub. (2) for  
13 more than 120 credits or 8 full semesters of full-time study at any institution of  
14 higher education, as defined in s. 45.396 (1) (a), in this state, 60 credits or 4 full  
15 semesters of full-time study at any institution of higher education, as defined in s.  
16 45.396 (1) (a), in this state that offers a degree upon completion of 60 credits, or an  
17 equivalent amount of credits at a school that is approved under s. 45.35 (9m), at a  
18 proprietary school that is approved under s. 45.54, or at an institution where he or  
19 she is receiving a waiver of nonresident tuition under s. ~~39.47~~ 39.254.

20 SECTION ~~65~~ <sup>#</sup> 71.05 (6) (b) <sup>✓</sup> 28. (intro.) of the statutes is amended to read:

21 71.05 (6) (b) 28. (intro.) An amount paid by a claimant for tuition expenses for  
22 a student who is the claimant or who is the claimant's child and the claimant's  
23 dependent who is claimed under section 151 (c) of the Internal Revenue Code, to  
24 attend any university, college, technical college, or a school approved under s. 45.54,  
25 that is located in Wisconsin or to attend a public vocational school or public

1 institution of higher education in Minnesota under the Minnesota–Wisconsin  
2 reciprocity agreement under s. ~~39.47~~ 39.254, calculated as follows:

3 (END)

**Basford, Sarah**

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**From:** Zavos, Nicholas  
**Sent:** Monday, October 20, 2003 11:13 AM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB 03-1075/1 Topic: HEAB remedial legislation

It has been requested by <Zavos, Nicholas> that the following draft be jacketed for the SENATE:

Draft review: LRB 03-1075/1 Topic: HEAB remedial legislation