

2003 DRAFTING REQUEST

Bill

Received: 01/22/2003

Received By: **gmalaise**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 6-1103**

By/Representing: **Milioto**

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:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Milioto - BB0404,

Topic:

Marquette Dental School contract

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

<END>

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1/?	gmalaise	11/19/03 1/22	1/22/03 p8	1/22/03 gms			

FE Sent For:

<END>

Drafting Request to the Legislative Reference Bureau

<u>Date:</u>	January 21, 2003
<u>Topic:</u>	Changes to Marquette Dental School's Dental Education Contract
<u>Agency:</u>	HEAB (235)
<u>Team:</u>	EDU
<u>Analyst:</u>	Steve Milioto (6-1103)

Brief Description of Intent:

Delete the highlighted sections on the attached sheet. The intent of this draft is to give the Marquette Dental School and HEAB greater flexibility in managing this appropriation given that the appropriation will be reduced by 50% in the biennial budget bill to achieve GPR spending reductions.

BB0 404

20.235 Higher educational aids board. (intro.) There is appropriated to the department of education higher educational aids board for the following programs:

SECTION 481e. 20.235 (1) (cm) of the statutes is created to read:

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

SECTION 481m. 20.235 (1) (d) of the statutes is amended to read:

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 \$11,330 in the 1993-94 fiscal year and \$11,670 in the 1994-95 fiscal year and annually thereafter 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 ~~100~~ 160 in the 1993-94 ~~2001-02~~ fiscal year and thereafter.

SECTION 483. 20.235 (1) (k) of the statutes is amended to read:

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

SECTION 484. 20.235 (1) (km) of the statutes is amended to read:

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

SECTION 486. 20.245 (1) (title) of the statutes is repealed and recreated to read:

20.245 (1) (title) HISTORY SERVICES.

SECTION 487. 20.245 (1) (a) of the statutes is amended to read:

20.245 (1) (a) *General program operations; archives and research services.* The amounts in the schedule for general program operations ~~related to archives and research services of the historical society, except as provided under par. (ag).~~

SECTION 488. 20.245 (1) (ag) of the statutes is created to read:

20.245 (1) (ag) *General program operations; historic sites and museum services.* The amounts in the schedule for the general program operations of the historic sites and the historical society museum.

SECTION 489. 20.245 (1) (am) of the statutes is repealed.

SECTION 490. 20.245 (1) (c) of the statutes is repealed and recreated to read:

20.245 (1) (c) *Energy costs.* The amounts in the schedule to pay for utilities and for fuel, heat, and air conditioning, and to pay costs incurred by or on behalf of the historical society under ss. 16.858 and 16.895.

SECTION 491. 20.245 (1) (e) of the statutes is amended to read:

20.245 (1) (e) *Principal repayment, interest, and rebates.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of facilities of the historical society; for the payment of principal and interest costs incurred in financing the acquisition and installation of systems and equipment necessary to prepare historic records for transfer to new storage facilities; and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing this acquisition and installation.

SECTION 492. 20.245 (1) (g) of the statutes is amended to read:

20.245 (1) (g) *Admissions, sales, and other receipts.* All moneys received from admissions, sales, ~~finances, and use of the main library, and other moneys received by the society for research services, except moneys that are otherwise specifically appropriated by law and other receipts and the amount transferred under 2001 Wisconsin Act ... (this act), SECTION 9125 (1mk), for general program operations related to research services.~~

SECTION 493. 20.245 (1) (h) of the statutes is amended to read:

20.245 (1) (h) *Gifts and grants.* All moneys received from gifts and grants, ~~except moneys that are otherwise specifically appropriated, for purposes related to research services and bequests, to carry out the purposes for which made or received.~~

SECTION 493d. 20.245 (1) (hm) of the statutes is created to read:

20.245 (1) (hm) *Power's Bluff County Park.* The amounts in the schedule for identifying unmarked American Indian grave sites at Power's Bluff County Park. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 18v. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall

(7) The board shall promulgate rules to administer this section, including criteria and procedures for repayment of grants awarded under this section, including interest, by certain grant recipients who no longer reside in this state or do not successfully complete requirements for a degree. The board shall deposit in the general fund as general purpose revenue—earned all repayments of grants awarded under this section and the interest on the grants.

(8) No student is eligible for an original grant under this section after the 1996-97 academic year.

History: 1989 a. 336; 1995 a. 27; 1997 a. 27.

39.46 Contract for dental education. (1) On or before July 1 of each year, the board shall initiate, investigate and formulate for procurement, a contract for dental education services in accordance with this section. Thereafter, the board shall conduct a biennial analysis of the program and include a report on its findings and recommendations in its reports under s. 15.04 (1) (d). The legislative audit bureau shall biennially postaudit expenditures under this section. Section 16.75 (1) to (5) are waived with respect to such contract.

(2) The contract under this section shall be between this state and a private nonprofit institution of higher education in this state which operates a dental school that is accredited, as defined in s. 16.75 (1), and shall relate, in all provisions, exclusively to the providing of dental education in the dental school of such institution. The contract shall require:

(a) That no courses of instruction in subject matters of a religious nature be included in any instructional program or curriculum administered in or by the dental school, and that no such courses be required for admission to or graduation from the dental school.

(b) That applicants for admission to the dental school who are residents of this state be accorded preference over other applicants having substantially equal academic qualifications and credentials.

(c) That for purposes of this section the nondiscrimination provisions of s. 16.765, expanded to prohibit discrimination on the basis of sex, be limited to apply only to the operation of the dental school and that no such prohibited discrimination be practiced with respect to admissions to the dental school.

(d) That the dental school administer and operate its courses and programs in dentistry in conformity with academic and professional standards, rules and requirements and seek progressively to enrich and improve its courses of dental education, research and public service by full and efficient use of budgetary and other resources available to it. In monitoring compliance with this paragraph the board may rely on 3rd-party evaluations conducted by appropriate and recognized accrediting bodies.

(e) That all sums to be received by the dental school under the contract be used exclusively in providing undergraduate education in dentistry.

(f) That the dental school may not assess tuition for a Wisconsin resident enrolled at the school in an amount that exceeds the difference between the tuition assessed a nonresident student enrolled at the school and the amount specified to be disbursed under s. 20.235 (1) (d) for each Wisconsin resident enrolled at the school.

(g) That the dental school make every effort to ensure that at least 5% of the total enrollment of the school consists of minority students.

(3) (a) In the contract under this section, the state shall agree, subject to availability of appropriations for such purpose, that it will pay to the dental school of the contracting institution, on account of its furnishing of such dental education, research and public service courses and programs, an amount for each resident of this state who is regularly enrolled as a full-time undergraduate student in dentistry in the school.

(b) The state shall remit payments directly to the dental school of the contracting institution in monthly instalments upon submis-

sion of instalment bills or statements. The state shall audit these bills or statements semiannually.

(4) A student's qualification under this section as a resident of this state shall be determined in accordance with s. 36.27, so far as applicable. No amount may be computed based upon the enrollment of any student who is not a full-time dental student. The number of full-time resident students shall be determined 2 weeks following the late registration period each semester.

History: 1973 c. 90; 1973 c. 335 s. 13; 1975 c. 39; 1977 c. 29; 1977 c. 196 s. 131; 1985 a. 29; 1989 a. 31, 349; 1995 a. 27; 1997 a. 27.

39.47 Minnesota-Wisconsin student reciprocity agreement. (1) There is established, to be administered by the board, a Minnesota-Wisconsin student reciprocity agreement, the purpose of which shall be to ensure that neither state shall profit at the expense of the other and that the determination of any amounts owed by either state under the agreement shall be based on an equitable formula which reflects the educational costs incurred by the 2 states. The board, representing this state, shall enter into an agreement meeting the requirements of this section with the designated body representing the state of Minnesota.

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

(2g) Prior to each academic year, the board and the designated body representing the state of Minnesota shall prepare an administrative memorandum that establishes policies and procedures for implementation of the agreement for the upcoming academic year, including a description of how the reciprocal fee structure shall be determined for purposes of sub. (2), and the board shall submit the administrative memorandum to the joint committee on finance. If the cochairpersons of the committee do not notify the board that the committee has scheduled a meeting for the purpose of reviewing the administrative memorandum within 14 working days after the date of the submittal, the administrative memorandum may be implemented as proposed by the board. If, within 14 working days after the date of the submittal, the cochairpersons of the committee notify the board that the committee has scheduled a meeting for the purpose of reviewing the administrative memorandum, the administrative memorandum may be implemented only upon approval of the committee.

(2m) No resident of this state whose name appears on the statewide support lien docket under s. 49.854 (2) (b) may receive a waiver of nonresident tuition under this section, unless the resident 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).

NOTE: Sub. (2m) is shown as amended eff. the date stated in the notice published by the Department of Workforce Development in the Wisconsin Administrative Register under s. 49.854 (2) (e) by 1999 Wis. Act 9. Prior to the date stated in the notice published by the Department of Workforce Development in the Wisconsin Administrative Register under s. 49.854 (2) (e) it reads:

(2m) No resident of this state may receive a waiver of nonresident tuition under this section if the board receives a certification under s. 49.855 (7) that the resident is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses.

(3) Annually, each state shall determine the number of students for whom nonresident tuition has been waived under the agreement. Each state shall certify to the other state, in addition



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1676/??

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DOA:.....Milioto – BB0404, Marquette Dental School contract

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

Do Not Gen

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

Analysis by the Legislative Reference Bureau

EDUCATION

the Higher Educational Aids Board

OTHER EDUCATIONAL AND CULTURAL AGENCIES

Under current law, there is appropriated to ~~(HEAB)~~ certain GPR for the support of Wisconsin residents who are pursuing doctor of dental surgery (D.D.S.) degrees. From that appropriation, \$11,670 must be disbursed in each fiscal year for each Wisconsin resident who is enrolled as a full-time D.D.S. student at a private nonprofit institution of higher education that operates an accredited dental school (Marquette University Dental School). Current law caps the number of Wisconsin residents who may be funded under that appropriation at 160. Current law also caps the tuition that the Marquette University Dental School may assess for a Wisconsin resident at an amount that is no more than the difference between \$11,670 and the tuition assessed a nonresident.

This bill eliminates the amount that must be disbursed in each fiscal year from the GPR appropriation to HEAB for each Wisconsin resident who is enrolled as a full-time D.D.S. student at the Marquette University Dental School, the cap on the number of Wisconsin residents who may be funded under that appropriation, and the cap on the tuition that the Marquette University Dental School may assess for a Wisconsin resident.

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

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

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

2 20.235 (1) (d) *Dental education contract.* The amounts in the schedule for
3 support of those Wisconsin residents enrolled as full-time students in the pursuit of
4 a doctor of dental surgery (D.D.S.) degree. ~~An amount of \$11,330 in the 1993-94~~
5 ~~fiscal year and \$11,670 in the 1994-95 fiscal year and annually thereafter shall be~~
6 ~~disbursed under s. 39.46 for each Wisconsin resident enrolled as a full-time student.~~
7 ~~The maximum number of Wisconsin residents to be funded under this appropriation~~
8 ~~is 160 in the 2001-02 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.

9 SECTION 2. 39.46 (2) (f) of the statutes is repealed.

10

(END)



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1676/1
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DOA:.....Milioto – BB0404, Marquette Dental School contract

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