

2003 DRAFTING REQUEST

Bill

Received: **01/23/2003**

Received By: **gmalaise**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 6-2843**

By/Representing: **Binau**

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:.....Binau - BB0414,

Topic:

Transfer HEAB authority to Board of Regents

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>
/?	gmalaise 01/25/2003	kgilfoy 01/28/2003		_____			State
/1			pgreensl 01/28/2003	_____	lemery 01/28/2003		State
/2	gmalaise	kgilfoy	chaskett	_____	sbasford		State

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	02/03/2003	02/03/2003	02/03/2003	_____	02/04/2003		
/3	gmalaise 02/04/2003	kgilfoy 02/04/2003	chaskett 02/04/2003	_____	mbarman 02/04/2003		State
/4	gmalaise 02/04/2003	kgilfoy 02/04/2003	jfrantze 02/04/2003	_____	sbasford 02/05/2003		State
/5	gmalaise 02/05/2003	kgilfoy 02/05/2003	pgreensl 02/06/2003	_____	lemery 02/06/2003		State
/6	gmalaise 02/10/2003	wjackson 02/10/2003	rschluet 02/10/2003	_____	mbarman 02/10/2003		State
/7	gmalaise 02/10/2003	kgilfoy 02/10/2003	jfrantze 02/11/2003	_____	sbasford 02/11/2003		

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JG/11 *JG/CPH*
2/11

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2-18-03 pb

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16 WLJ 2/10

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/?	gmalaise 01/25/2003	kgilfoy 01/28/2003		<u>H/6</u>			State
/1			pgreensl 01/28/2003	<u>PS/ra</u>	emery 01/28/2003		State
/2	gmalaise	kgilfoy	chaskett		sbasford		State

Handwritten initials: H/6, PS/ra, chaskett, sbasford

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Handwritten notes:
 1/4 - 2/4/03
 2/2/4
 2/4

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/?	gmalaise 01/25/2003	kgilfoy 01/28/2003		<u>CPH/RS</u> <u>2/4</u>			State
/1			pgreensl 01/28/2003		lemery 01/28/2003		State
/2	gmalaise	kgilfoy <i>13-2/4</i> <i>kmg</i>	chaskett <i>13 2/4</i> <i>CPH</i>		sbasford		

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/?	gmalaise 01/25/2003	kgilfoy 01/28/2003	<i>1/2 cph</i> <i>2/2</i>	<i>83/cph</i> <i>213</i>			State
/1		<i>12-2/3/03</i> <i>Kmg</i>	pgreensl 01/28/2003		lemery 01/28/2003		

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May Contact:

Addl. Drafters:

Subject: Higher Education - miscellaneous

Extra Copies: KMG

Submit via email: YES

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Binau - BB0414,

Topic:

Transfer HEAB authority to board of regents

Instructions:

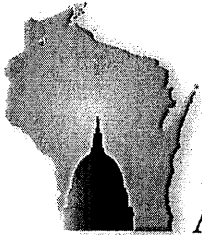
See Attached

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1?	gmalaise	1-1/27 KMG	1/28 PD	1/28 PST/GK			

FE Sent For:

<END>



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

JIM DOYLE
GOVERNOR

MARC J. MAROTTA
SECRETARY

Division of Executive Budget and Finance
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1736
Fax (608) 267-0372
TTY (608) 267-9629

January 23, 2003

To: Steve Miller
Legislative Reference Bureau

From: Robinson J. Binau *RJB*
State Budget Office

Subject: Drafting Request for 2003-05 Biennial Budget Involving the Higher Educational Aids Board and The University of Wisconsin System

Please begin drafting the following:

1. Abolish the Higher Educational Aids Board and transfer all the authority of that board to the UW Board of Regents.
2. Draft non-statutory language that abolishes all of the administrative positions in HEAB and then transfers two of the HEAB positions (incumbents included) to DOA and has them assigned to the UW system to work on and monitor the transferred aid programs and transfers two positions to UW System to operate the transferred programs
3. Make the effective date of the change January 1, 2004

Please call me if you have any questions. I can be reached at 266-2843.

RV appropriations 2003 (7) (summary)

cc: Gordon Malaise
Lonnie Lief

BBOH

Malaise, Gordon

From: Malaise, Gordon
Sent: Friday, January 24, 2003 11:49 AM
To: Binau, RJ
Subject: RE: HEAB Transfer Draft

R.J.:

Thanks for the information.

As I mentioned in my phone message, I've talked to a few people around here and I think I was a bit confused about drafting language increasing and decreasing positions. Actually, I only need to draft language if you are transferring a particular incumbent holding a position. In that case I must also transfer the position. In all other cases, s. 16.505 (1) permits the legislature "by law or in budget determinations," to create or abolish positions.

So, the question is: for the 2.0 positions in UW and the 2.0 positions in DOA, are you transferring incumbents from HEAB to fill these positions? If so, I need to describe in a position decrease provision the 4.0 positions in HEAB those incumbents are holding and make a corresponding increase in DOA and UW. If you are not transferring incumbents, then no language is necessary in the budget bill.

On the issue of what to do with the appropriations in s. 20.235 (2), there are numerous appropriations under that subsection in addition to pars. (aa), (ga), and (qb). Those other appropriations are (bb), (bc), (bd), (gb), (ia), (ja), (n), and (qa). What do you want done with these appropriations? Options include renumbering them into new s. 20.285 (7) or elsewhere in s. 20.285 or repealing them if they have outlived their usefulness.

If you repeal the continuing appropriations ((gb), (ia), (ja), (n), and (qa)), there may be an unencumbered balance left in the appropriation, which under s. 20.002 (3m) lapses to the fund from which it came unless the bill specifies otherwise. Thus, if you want the unencumbered balance to go somewhere else, e.g., to another appropriation, the bill must so specify.

Thanks for you help.

Gordon

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

From: Binau, RJ
Sent: Friday, January 24, 2003 10:45 AM
To: Malaise, Gordon
Subject: RE: HEAB Transfer Draft

Gordon,

Here are my answers to your questions:

1. The positions are in 20.235 (2) (aa) 11.36 FTE
and in 20.235 (2) (qb) .64 FTE
2. For the appropriations in 20.235 (1) yes, let's drop them in as a program (7). Your other option would be program (4) where all the other UW financial aid programs are.

for program 20.235 (2) appropriations,
20.235 (2) (aa) will roll into 20.285 (3) (a).
For 20.235 (2) (ga) and
20.235 (2) (qb) Please put them into
20.285 (3) in the (i) series.

Thanks

RJ

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

From: Malaise, Gordon

Sent: Friday, January 24, 2003 10:11 AM
To: Binau, RJ
Subject: RE: HEAB Transfer Draft

R.J.:

Thanks. Now for a couple of follow-up questions:

1. What appropriations fund the positions to be abolished? I need to know because the position decrease provision will read something like "The authorized FTE positions for HEAB, *funded from the appropriation under s. 20.235 (*) (*)*, are decreased by *.* (GPR) (FED) (PR) positions . . .".
2. HEAB has numerous appropriations under s. 20.235 (1) and (2). I had envisioned that those appropriations would be renumbered into a new program under s. 20.285, which is the appropriation to the board of regents, e.g., 20.285 (7). Is that your understanding? If not, what should I do with the HEAB appropriations? What appropriations will fund the former duties of HEAB under the board of regents?

Gordon

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

From: Binau, RJ
Sent: Friday, January 24, 2003 9:32 AM
To: Malaise, Gordon
Subject: RE: HEAB Transfer Draft

Gordon,

To try and answer your question.

All 12 authorized positions in HEAB should be abolished.

two (2) FTE would be created in 20.285 (3) (a)
two (2) FTE would be created in 20.505 (1) (a)

I hope this helps. Thanks for your help on this.

RJ Binau

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

From: Malaise, Gordon
Sent: Thursday, January 23, 2003 6:08 PM
To: Binau, RJ
Subject: HEAB Transfer Draft

R.J.:

DOA BB0414 relating to abolishing HEAB and transferring its duties to the board of regents been assigned to me for drafting.

I have a question about what you want to do with the positions. The clearest and most precise way to draft the position changes is to decrease the authorized positions for HEAB by the number of positions to be decreased and then to increase the authorized positions for DOA and UW by the number of positions to be increased. To draft the position decrease/increase provisions I need to know the exact number of positions to be decreased/increased and the appropriations funding those positions.

I will go ahead and commence drafting. In the meantime, please provide the above-described information at your earliest possible convenience. If you have any questions, please do not hesitate to contact me by replying to this e-mail or by giving me a call at 6-9738.

Thanks.

Gordon

Gordon M. Malaise
Senior Legislative Attorney

Legislative Reference Bureau
266-9738

Malaise, Gordon

From: Malaise, Gordon
Sent: Friday, January 24, 2003 4:19 PM
To: Binau, RJ
Subject: HEAB Transfer

R.J.:

One more question: In certain provision in s. 39.41 relating to academic excellence scholarships, the executive secretary of HEAB is directed to take certain actions. When the program is moved to the board of regents who should take such actions? The president? The secretary? Or should the statutes simply say the board?

Gordon

Gordon M. Malaise
Senior Legislative Attorney
Legislative Reference Bureau
266-9738



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1711/10
GMM...
img

DV = 12

DOA:.....Binau - BB0414, Transfer HEAB authority to board of regents
FOR 2003-05 BUDGET - NOT READY FOR INTRODUCTION

LPS: check auto. refs. [a.n.]

1

AN ACT ^{DON'T GEN. CAT.} relating to: the budget.

the Higher Educational Aids Board

Analysis by the Legislative Reference Bureau
EDUCATION

OTHER EDUCATIONAL AND CULTURAL AGENCIES

Under current law, (HEAB) administers various student financial aid programs for state residents attending institutions of higher education, including Wisconsin higher education grants, talent incentive grants, tuition grants, handicapped student grants, Indian student assistance grants, minority undergraduate retention grants, teacher education loans, minority teacher loans, health education loans, nursing student loans, and academic excellence scholarships. HEAB also administers contracts with the Medical College of Wisconsin and the Marquette University Dental School under which a per capita amount is paid to those institutions for each state resident enrolled at those institutions and a tuition reciprocity agreement with the state of Minnesota. This bill, effective on January 1, 2004, eliminates HEAB and the executive secretary and deputy executive secretary positions in HEAB and transfers the duties of HEAB to the board of regents of the University of Wisconsin System. UW

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. 13.40 (3) (i) 1. of the statutes is repealed.

2 SECTION 2. 14.63 (11m) of the statutes is amended to read:

3 14.63 (11m) FINANCIAL AID CALCULATIONS. The value of tuition units shall not
4 be included in the calculation of a beneficiary's eligibility for state financial aid for
5 higher education if the beneficiary notifies the ~~higher educational aids board~~ and the
6 institution of higher education that the beneficiary is planning to attend that he or
7 she is a beneficiary of a contract under this section and the contract owner agrees to
8 release to the ~~higher educational aids board~~ and the institution of higher education
9 information necessary for the calculation under this subsection.

History: 1995 a. 403; 1997 a. 27, 158; 1999 a. 9 ss. 52 to 62; Stats. 1999 s. 14.63; 1999 a. 44; 2001 a. 7, 16.

10 SECTION 3. 14.64 (8) of the statutes is amended to read:

11 14.64 (8) FINANCIAL AID CALCULATIONS. The balance of a college savings account
12 shall not be included in the calculation of a beneficiary's eligibility for state financial
13 aid for higher education if the beneficiary notifies the ~~higher educational aids board~~
14 Board of Regents of the University of Wisconsin System and the eligible educational
15 institution that the beneficiary is planning to attend that he or she is a beneficiary
16 of a college savings account and if the account owner agrees to release to the ~~higher~~
17 ~~educational aids board~~ Board of Regents of the University of Wisconsin System and the
18 eligible educational institution information necessary for the calculation under this
19 subsection.

History: 1999 a. 44; 2001 a. 7, 38.

20 SECTION 4. 15.07 (1) (a) 1. of the statutes is repealed.

21 SECTION 5. 15.67 of the statutes is repealed.

22 SECTION 6. 20.235 (intro.) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation, but should not be reflected in the revised schedule in s. 20.005, stats., because of a delayed effective date.

1 **SECTION 7.** 20.235 (1) (title) of the statutes is renumbered 20.285 (7) (title) and
2 amended to read:

3 **20.285 (7) (title)** ~~STUDENT SUPPORT ACTIVITIES~~ HIGHER EDUCATIONAL AIDS.

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.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 **SECTION 8.** 20.235 (1) (b) of the statutes is renumbered 20.285 (7) (b). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 **SECTION 9.** 20.235 (1) (cg) of the statutes is renumbered 20.285 (7) (cg). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6 **SECTION 10.** 20.235 (1) (cm) of the statutes is renumbered 20.285 (7) (cm). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 **SECTION 11.** 20.235 (1) (cr) of the statutes is renumbered 20.285 (7) (cr). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8 **SECTION 12.** 20.235 (1) (cu) of the statutes is renumbered 20.285 (7) (cu). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9 **SECTION 13.** 20.235 (1) (cx) of the statutes is renumbered 20.285 (7) (cx). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

10 **SECTION 14.** 20.235 (1) (d) of the statutes is renumbered 20.285 (7) (d). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

11 **SECTION 15.** 20.235 (1) (e) of the statutes is renumbered 20.285 (7) (e). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

12 **SECTION 16.** 20.235 (1) (fc) of the statutes is renumbered 20.285 (7) (fc). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

13 **SECTION 17.** 20.235 (1) (fd) of the statutes is renumbered 20.285 (7) (fd). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 SECTION 18. 20.235 (1) (fe) of the statutes, as affected by 2001 Wisconsin Act ✓
2 109, is renumbered 20.285 (7) (fe).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 SECTION 19. 20.235 (1) (ff) of the statutes is renumbered 20.285 (7) (ff). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 SECTION 20. 20.235 (1) (fg) of the statutes is renumbered 20.285 (7) (fg). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 SECTION 21. 20.235 (1) (fj) of the statutes is renumbered 20.285 (7) (fj). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6 SECTION 22. 20.235 (1) (fy) of the statutes is renumbered 20.285 (7) (fy). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 SECTION 23. 20.235 (1) (g) of the statutes is renumbered 20.285 (7) (g) and ✓
8 amended to read:

9 20.285 (7) (g) *Student loans*. The amounts in the schedule for additional loans
10 under s. 39.32, for repurchase of loans assigned, sold, or conveyed, and for repayment
11 of advances by the investment board. All moneys received from the principal repaid
12 on student loans made under s. 49.42, 1963 stats., and s. 39.32 other than principal
13 repaid on loans assigned, sold, or conveyed, and all moneys received as an advance
14 from the investment board, under s. 25.17 (3) (bf), 1977 stats., shall be credited to this
15 appropriation. Moneys credited to the ~~higher educational aids board~~ ^{Board} of regents of the
16 University of Wisconsin System as a result of investments shall be considered under
17 this appropriation, as repayments. The amount of advances to the ~~higher educational~~ ^{plain space}
18 ~~aids board~~ ^{Board} of regents of the University of Wisconsin System charged against the

1 authorization under s. 25.17 (3) (bf), 1977 stats., shall be decreased by the amount
 2 of any repayments to the investment board under this appropriation. Advances
 3 repaid to the investment board shall be reappropriated to the ~~higher educational aids~~
 4 ~~board~~ ^{Board} of regents of the University of Wisconsin System for the purpose of providing
 5 additional loans subject to s. 25.17 (3) (bf) 2., 1977 stats. Principal repayments on
 6 loans assigned, sold, or conveyed shall be repaid under this appropriation. The state
 7 auditor may annually audit the portfolio of student loans and notes thereon in the
 8 possession of the ~~higher educational aids board~~ ^{Board} of regents of the University of
 9 Wisconsin System and report his or her determination of the current condition of the
 10 student notes receivable portfolio to the investment board, the joint committee on
 11 finance, the ~~higher educational aids board~~ ^{Board} of regents of the University of Wisconsin
 12 System, and the department of administration.

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.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

13 **SECTION 24.** 20.235 (1) (gg) of the statutes is renumbered 20.285 (7) (gg). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

14 **SECTION 25.** 20.235 (1) (gm) of the statutes is renumbered 20.285 (7) (gm). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

15 **SECTION 26.** 20.235 (1) (i) of the statutes is renumbered 20.285 (7) (i). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

16 **SECTION 27.** 20.235 (1) (k) of the statutes is renumbered 20.285 (7) (k). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

17 **SECTION 28.** 20.235 (1) (km) of the statutes is renumbered 20.285 (7) (km). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 SECTION 29. 20.235 (1) (no) of the statutes is renumbered 20.285 (1) (no). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2 SECTION 30. 20.235 (1) (s) of the statutes is renumbered 20.285 (1) (s). ✓

3 SECTION 31. 20.235 (1) (t) of the statutes is renumbered 20.285 (1) (t). ✓

4 SECTION 32. 20.235 (2) (title) of the statutes is repealed. ✓

→ note: bud

SECTION 33. 20.235 (2) (aa) of the statutes is repealed. ✓

→ note: bud

SECTION 34. ~~20.235 (2) (bb) of the statutes is renumbered 20.285 (3) (bb).~~ ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 SECTION 35. 20.235 (2) (bc) of the statutes is renumbered 20.285 (3) (bc). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8 SECTION 36. 20.235 (2) (bd) of the statutes is renumbered 20.285 (3) (bd) and ✓

9 amended to read:

10 20.285 (3) (bd) *Purchase of defective student loans.* A sum sufficient for the
11 repurchase of student loans made under s. 39.32 that have been sold by the higher
12 educational aids ~~board~~ ^{Board} of regents of the University of Wisconsin System or the
13 building commission and subsequently found to be defective.

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.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

14 SECTION 37. 20.235 (2) (ga) of the statutes is renumbered 20.285 (3) (i). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

15 SECTION 38. 20.235 (2) (gb) of the statutes is renumbered 20.285 (3) (ib). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

16 SECTION 39. 20.235 (2) (ia) of the statutes is renumbered 20.285 (3) (ic). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

Insert
66 6

1 SECTION 40. 20.235 (2) (ja) of the statutes is renumbered 20.285 (3) (id). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2 SECTION 41. 20.235 (2) (n) of the statutes is renumbered 20.285 (3) (nn) and
3 amended to read:

4 20.285 (3) (nn) *Federal aid; state operations.* All moneys received from the
5 federal government as authorized by the governor under s. 16.54 to carry out the
6 purpose for which made. The executive secretary ^{Board} ~~of the board~~ of regents of the
7 University of Wisconsin System may transfer not more than \$150,000 from this
8 appropriation for purposes of carrying out the functions under s. 39.33.

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.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9 SECTION 42. 20.235 (2) (qa) of the statutes is renumbered 20.285 (3) (qa). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

10 SECTION 43. 20.235 (2) (qb) of the statutes is renumbered 20.285 (3) (gb). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

11 SECTION 44. 20.505 (8) (hm) 4i. of the statutes is amended to read:

12 20.505 (8) (hm) 4i. The amount transferred to s. ~~20.235 (1)~~ 20.285 (7) (k) shall
13 be the amount in the schedule under s. ~~20.235 (1)~~ 20.285 (7) (k).

History: 1971 c. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1995 a. 27, 56, 201, 216, 225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692; 1997 a. 237, 283; 1999 a. 5, 9, 24, 52, 105, 113, 148, 185; 2001 a. 16 ss. 684d, 685d, 800 to 905; 2001 a. 104, 109.

14 SECTION 45. 20.505 (8) (hm) 10. of the statutes is amended to read:

15 20.505 (8) (hm) 10. The amount transferred to s. ~~20.235 (1)~~ 20.285 (7) (km) shall
16 be the amount in the schedule under s. ~~20.235 (1)~~ 20.285 (7) (km).

History: 1971 c. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1995 a. 27, 56, 201, 216,

225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692; 1997 a. 237, 283; 1999 a. 5, 9, 24, 52, 105, 113, 148, 185; 2001 a. 16 ss. 684d, 685d, 800 to 905; 2001 a. 104, 109.

1 SECTION 46. 20.923 (4) (c) 4. of the statutes is repealed.

2 SECTION 47. 36.11 (6) (c) of the statutes is amended to read:

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

Annually by
April 10

History: 1973 c. 335; 1975 c. 39, 41, 224, 400; 1977 c. 29, 418; 1979 c. 32 s. 92 (8); 1979 c. 221; 1981 c. 20; 1983 a. 27, 366; 1983 a. 435 s. 7; 1985 a. 484; 1985 a. 62, 120; 1985 a. 332 ss. 47, 49, 50; 1985 a. 332 s. 251 (1); 1987 a. 27, 287; 1989 a. 31, 56, 121, 177, 359; 1991 a. 39, 203, 250, 269, 285, 315; 1993 a. 16, 213, 227, 399; 1995 a. 27 ss. 1757 to 1762y, 9130 (4); 1995 a. 201, 404, 448; 1997 a. 3, 27, 128, 237; 1999 a. 9, 29; 1999 a. 150 ss. 7, 351; 2001 a. 16, 22.

8 SECTION 48. 38.04 (7m) of the statutes is amended to read:

9 38.04 (7m) FINANCIAL AIDS. ~~By April 10, 1998, and annually thereafter of each~~
10 ~~year,~~ the board shall develop and submit to the higher educational aids board of
11 regents of the University of Wisconsin System for its review under s. 39.285 (1) a
12 proposed formula for the awarding of grants under s. 39.435, except for grants
13 awarded under s. 39.435 (2) or (5), for the upcoming academic year to students
14 enrolled in the technical colleges.

History: 1971 c. 154, 211; 1973 c. 90, 333; 1975 c. 39; 1977 c. 29; 1979 c. 221; 1981 c. 20; 1981 c. 93 ss. 19m, 30m, 30o; 1981 c. 269, 314; 1983 a. 27, 379; 1985 a. 12, 29; 1985 a. 332 s. 251 (1); 1987 a. 27; 1989 a. 31, 107, 125, 169, 299, 335, 336; 1991 a. 39, 227, 250; 1993 a. 16, 223, 377, 399, 455, 491; 1995 a. 27 ss. 1800n to 1803, 9126 (19) and 9145 (1); 1995 a. 342; 1997 a. 27; 1999 a. 9, 124; 2001 a. 16, 109.

15 SECTION 49. 39.155 (1) of the statutes is amended to read:

16 39.155 (1) Subject to sub. (3), all funds appropriated to the Medical College of
17 Wisconsin, Inc., under s. 20.250 (1) (a) shall be based on a per capita formula for an
18 amount for each Wisconsin resident enrolled at the college who is paying full tuition.
19 A student's qualification as a resident of this state shall be determined by the higher
20 educational aids Board of regents of the University of Wisconsin System in
21 accordance with s. 36.27, so far as applicable.

History: 1973 c. 333; 1975 c. 39; 1975 c. 41 s. 52; 1975 c. 198, 224; 1977 c. 29; 1979 c. 34; 1981 c. 20; 1983 a. 27; 1985 a. 29; 1989 a. 56; 1991 a. 269; 1995 a. 27; 1997 a. 27; 2001 a. 103.

1 SECTION 50. Subchapter III (title) of chapter 39 [precedes 39.26] of the statutes
2 is amended to read:

3 CHAPTER 39

4 SUBCHAPTER III

5 HIGHER EDUCATIONAL AIDS BOARD

6 SECTION 51. 39.26 of the statutes is amended to read:

7 **39.26 Definition.** In this subchapter, "board" means the higher educational
8 Board aids board of regents of the University of Wisconsin System.

9 History: 1995 a. 27; 1997 a. 27.

SECTION 52. 39.285 (1) of the statutes is amended to read:

10 39.285 (1) ~~By May 1, 1998, and annually thereafter of each year,~~ the board shall
11 approve, modify, or disapprove any proposed formula for the awarding of grants for
12 the upcoming academic year submitted under sub. (2) or (3) or s. ~~36.11 (6) (e) or~~ 38.04
13 (7m).

14 History: 1995 a. 27; 1997 a. 27; 1999 a. 9.

SECTION 53. 39.29 of the statutes is repealed.

15 SECTION 54. 39.30 (3m) (b) of the statutes is amended to read:

16 39.30 (3m) (b) The board may not make initial awards of grants under this
17 section for an academic year in an amount that exceeds 122% of the amount
18 appropriated under s. ~~20.235 (1)~~ 20.285 (7) (b) for the fiscal year in which the grant
19 may be paid.

20 History: 1971 c. 125; 1973 c. 90; 1973 c. 335 s. 13; 1975 c. 224; 1979 c. 34; 1981 c. 20; 1985 a. 29; 1987 a. 27; 1991 a. 316; 1993 a. 437; 1995 a. 27, 404; 1997 a. 27, 222;
1999 a. 9; 2001 a. 16.

SECTION 55. 39.38 (2) of the statutes is amended to read:

21 39.38 (2) Grants under this section shall be based on financial need, as
22 determined by the board. The maximum grant shall not exceed \$2,200 per year, of

1 which not more than \$1,100 may be from the appropriation under s. ~~20.235 (1)~~ [✓] 20.285
 2 [✓] (7) (k). State aid from this appropriation may be matched by a contribution from a
 3 federally recognized American Indian tribe or band that is deposited in the general
 4 fund and credited to the appropriation account under s. ~~20.235 (1)~~ [✓] 20.285 (7) [✓] (gm).
 5 Grants shall be awarded to students for full-time or part-time attendance at any
 6 accredited institution of higher education in this state. The board may not make a
 7 grant under this section to a student whose name appears on the statewide support
 8 lien docket under s. 49.854 (2) (b), unless the student provides to the board a payment
 9 agreement that has been approved by the county child support agency under s. 59.53
 10 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a). Grants shall
 11 be renewable for up to 5 years if a recipient remains in good academic standing at
 12 the institution that he or she is attending.

History: 1971 c. 125; 1979 c. 34; 1981 c. 20; 1987 a. 27; 1991 a. 39; 1995 a. 27, 404; 1997 a. 27; 1999 a. 9.

13 **SECTION 56.** 39.39 (2) (a) of the statutes is amended to read:

14 39.39 [✓] **(2)** (a) Make stipend loans from the appropriations under s. ~~20.235 (1)~~ [✓]
 15 20.285 (7) [✓] (cg) and (gg).

History: 1987 a. 399; 1989 a. 56; 1991 a. 39; 1993 a. 399; 1995 a. 27; 1997 a. 27.

16 **SECTION 57.** 39.393 (2) of the statutes is amended to read:

17 39.393 [✓] **(2)** ~~Beginning in the 2002-03 fiscal year, the~~ The board shall make loans
 18 under this section from the appropriation under s. ~~20.235 (1)~~ [✓] 20.285 (7) [✓] (cm). The
 19 maximum amount of loan for a person during any fiscal year is \$3,000. The
 20 maximum that a person may receive under this section is \$15,000. The board shall
 21 ensure that the terms of the loan do not require a loan recipient to repay the loan
 22 while the recipient is enrolled in a program under sub. (1).

History: 2001 a. 16.

23 **SECTION 58.** 39.395 (1) of the statutes is amended to read:

1 39.395 (1) The board shall establish a loan program to defray the cost of tuition
2 for persons enrolled in a teacher education program offered by the Milwaukee
3 Teacher Education Center, a nonstock, nonprofit corporation organized under ch.
4 181. Loans shall be made from the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (cu).

History: 1997 a. 27.

5 **SECTION 59.** 39.398 (1) (b) of the statutes is amended to read:

6 39.398 (1) (b) The board shall make loans under this section from the
7 appropriation under s. ~~20.235 (1)~~ 20.285 (7) (cx). The maximum amount of a loan for
8 a person during any fiscal year is \$10,000. The maximum amount that a person may
9 receive under this section is \$40,000. The terms of the loan shall provide that a loan
10 recipient is not required to repay the loan while the loan recipient is enrolled in the
11 preparatory program described in par. (a).

History: 1999 a. 144.

12 **SECTION 60.** 39.40 (3) of the statutes is amended to read:

13 39.40 (3) Loans under sub. (2) shall be made from the appropriation under s.
14 ~~20.235 (1)~~ 20.285 (7) (cr). The board shall forgive 25% of the loan and 25% of the
15 interest on the loan for each school year the recipient teaches in a school district
16 described under sub. (2) (d).

History: 1989 a. 31; 1995 a. 27; 1997 a. 27.

17 **SECTION 61.** 39.41 (1) (ae) of the statutes is repealed.

18 **SECTION 62.** 39.41 (1m) (b) of the statutes is amended to read:

19 39.41 (1m) (b) By February 15 of each school year, the school board of each
20 school district operating one or more high schools and the governing body of each
21 private high school may, for each high school with an enrollment of less than 80
22 pupils, nominate the senior with the highest grade point average in all subjects who
23 may be designated as a scholar by the ~~executive secretary~~ board under par. (c) 3.

History: 1989 a. 31; 1991 a. 39, 269, 315; 1993 a. 16, 399, 457; 1995 a. 27; 1997 a. 27, 109, 237; 1999 a. 9; 2001 a. 57.

1 **SECTION 63.** 39.41 (1m) (c) (intro.) of the statutes is amended to read:

2 39.41 (1m) (c) (intro.) The ~~executive secretary~~ board shall:

3 History: 1989 a. 31; 1991 a. 39, 269, 315; 1993 a. 16, 399, 457; 1995 a. 27; 1997 a. 27, 109, 237; 1999 a. 9; 2001 a. 57.

3 **SECTION 64.** 39.41 (1m) (c) 5. of the statutes is amended to read:

4 39.41 (1m) (c) 5. For each public or private high school with an enrollment of
5 less than 80 pupils, notify the school board of the school district operating the public
6 high school or the governing body of the private high school that the school board or
7 governing body may nominate a senior under par. (b) who may be designated as a
8 scholar by the ~~executive secretary~~ board.

9 History: 1989 a. 31; 1991 a. 39, 269, 315; 1993 a. 16, 399, 457; 1995 a. 27; 1997 a. 27, 109, 237; 1999 a. 9; 2001 a. 57.

9 **SECTION 65.** 39.41 (1m) (cm) of the statutes is amended to read:

10 39.41 (1m) (cm) The ~~executive secretary~~ board may grant waivers under par.
11 (m).

12 History: 1989 a. 31; 1991 a. 39, 269, 315; 1993 a. 16, 399, 457; 1995 a. 27; 1997 a. 27, 109, 237; 1999 a. 9; 2001 a. 57.

12 **SECTION 66.** 39.41 (1m) (e) of the statutes is amended to read:

13 39.41 (1m) (e) Except as provided under par. (em), if 2 or more seniors from the
14 same high school of less than 80 pupils have the same grade point average and,
15 except for the limitation of one nominated senior, are otherwise eligible for
16 nomination under par. (b), the faculty of the high school shall select the senior who
17 may be nominated by the school board of the school district operating the public high
18 school or the governing body of the private high school for designation under par. (b)
19 as a scholar by the ~~executive secretary~~ board. If that senior is designated as a scholar
20 by the ~~executive secretary~~ board and does not qualify for a higher education
21 scholarship under sub. (2) (a) or (3) (a), faculty of the high school shall select one or
22 more of the remaining seniors with the same grade point average for certification as
23 a scholar and the school board of the school district operating the high school or the
24 governing body of the private high school shall certify to the board one or more of

1 these seniors as eligible for a higher education scholarship as a scholar under sub.
2 (2) (a) or (3) (a) until the scholarship may be awarded by the board.

History: 1989 a. 31; 1991 a. 39, 269, 315; 1993 a. 16, 399, 457; 1995 a. 27; 1997 a. 27, 109, 237; 1999 a. 9; 2001 a. 57.

3 **SECTION 67.** 39.41 (1m) (em) of the statutes is amended to read:

4 39.41 (1m) (em) If the high school weights different courses differently to
5 determine a pupil's grade point average, and the senior designated as a scholar by
6 the ~~executive secretary~~ board under par. (e) does not qualify for a higher education
7 scholarship under sub. (2) (a) or (3) (a), the faculty of the high school shall select one
8 senior with the same grade point average for certification as a scholar, or, if there is
9 no senior with the same grade point average, one senior with the next highest grade
10 point average for certification as a scholar, and the school board of the school district
11 operating the high school or the governing body of the private high school shall
12 certify to the board the selected senior as eligible for a higher education scholarship
13 as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the
14 board.

History: 1989 a. 31; 1991 a. 39, 269, 315; 1993 a. 16, 399, 457; 1995 a. 27; 1997 a. 27, 109, 237; 1999 a. 9; 2001 a. 57.

15 **SECTION 68.** 39.41 (1m) (f) of the statutes is amended to read:

16 39.41 (1m) (f) If 2 or more seniors from the school operated by the Wisconsin
17 Center for the Blind and Visually Impaired have the same grade point average and,
18 except for the limitation of one designated senior, are otherwise eligible for
19 designation under par. (c) 1., the ~~executive secretary~~ board shall make the
20 designation under par. (c) 1. of the senior who may be eligible for a higher education
21 scholarship as a scholar and, if that senior does not qualify for a higher education
22 scholarship under sub. (2) (a) or (3) (a), shall designate one or more of the remaining
23 seniors with the same grade point average as eligible for a higher education

1 scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be
2 awarded by the board.

3 History: 1989 a. 31; 1991 a. 39, 269, 315; 1993 a. 16, 399, 457; 1995 a. 27; 1997 a. 27, 109, 237; 1999 a. 9; 2001 a. 57.

SECTION 69. 39.41 (1m) (fm) of the statutes is amended to read:

4 39.41 (1m) (fm) If 2 or more seniors from the school operated by the Wisconsin
5 Educational Services Program for the Deaf and Hard of Hearing have the same grade
6 point average and, except for the limitation of one designated senior, are otherwise
7 eligible for designation under par. (c) 2., the ~~executive secretary~~ board shall make the
8 designation under par. (c) 2. of the senior who may be eligible for a higher education
9 scholarship as a scholar and, if that senior does not qualify for a higher education
10 scholarship under sub. (2) (a) or (3) (a), shall designate one or more of the remaining
11 seniors with the same grade point average as eligible for a higher education
12 scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be
13 awarded by the board.

14 History: 1989 a. 31; 1991 a. 39, 269, 315; 1993 a. 16, 399, 457; 1995 a. 27; 1997 a. 27, 109, 237; 1999 a. 9; 2001 a. 57.

SECTION 70. 39.41 (1m) (m) of the statutes is amended to read:

15 39.41 (1m) (m) Notwithstanding pars. (a), (b) and (d), if a high school ranks its
16 seniors on the basis of grades in academic subjects, the school board of the school
17 district operating the high school or the governing body of the private high school or,
18 for purposes of par. (d), the faculty of the high school may request a waiver from the
19 ~~executive secretary~~ board in order to fulfill ~~its~~ requirements under par. (a), (b) or (d)
20 on the basis of grade point averages in academic subjects.

21 History: 1989 a. 31; 1991 a. 39, 269, 315; 1993 a. 16, 399, 457; 1995 a. 27; 1997 a. 27, 109, 237; 1999 a. 9; 2001 a. 57.

SECTION 71. 39.41 (4) (b) of the statutes is amended to read:

22 39.41 (4) (b) The board shall make the payments under subs. (2) (c) and (3) from
23 the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (fy).

History: 1989 a. 31; 1991 a. 39, 269, 315; 1993 a. 16, 399, 457; 1995 a. 27; 1997 a. 27, 109, 237; 1999 a. 9; 2001 a. 57.

1 **SECTION 72.** 39.41 (8) of the statutes is amended to read:

2 39.41 (8) The ~~executive secretary~~ board shall promulgate rules establishing
3 criteria for the designation of scholars under sub. (1m) (c) 3.

History: 1989 a. 31; 1991 a. 39, 269, 315; 1993 a. 16, 399, 457; 1995 a. 27; 1997 a. 27, 109, 237; 1999 a. 9; 2001 a. 57.

4 **SECTION 73.** 39.435 (7) (a) 1. of the statutes is amended to read:

5 39.435 (7) (a) 1. For purposes of determining the appropriation under s. ~~20.235~~
6 ~~(1)~~ 20.285 (7) (fe) for fiscal year 2003–04, “base amount” means the amount shown
7 in the schedule under s. 20.005 for that the appropriation under s. 20.235 (1) (fe),
8 2001 stats., for fiscal year 2002–03.

History: 1973 c. 90; 1973 c. 335 s. 13; 1975 c. 39, 189, 224; 1977 c. 26 s. 75; 1979 c. 34; 1983 a. 27 ss. 926d to 926t, 2202 (22); 1985 a. 332 s. 251 (1); 1987 a. 27; 1989 a. 31; 1993 a. 399; 1995 a. 27, 404; 1997 a. 27; 1999 a. 9, 185; 2001 a. 109.

9 **SECTION 74.** 39.435 (7) (a) 2. of the statutes is amended to read:

10 39.435 (7) (a) 2. For purposes of determining the appropriation under s. ~~20.235~~
11 ~~(1)~~ 20.285 (7) (fe) for each fiscal year after fiscal year 2003–04, “base amount” means
12 the maximum appropriation amount determined under par. (b) for the previous fiscal
13 year.

History: 1973 c. 90; 1973 c. 335 s. 13; 1975 c. 39, 189, 224; 1977 c. 26 s. 75; 1979 c. 34; 1983 a. 27 ss. 926d to 926t, 2202 (22); 1985 a. 332 s. 251 (1); 1987 a. 27; 1989 a. 31; 1993 a. 399; 1995 a. 27, 404; 1997 a. 27; 1999 a. 9, 185; 2001 a. 109.

14 **SECTION 75.** 39.435 (7) (b) (intro.) of the statutes is amended to read:

15 39.435 (7) (b) (intro.) Annually, by February 1, the board shall determine the
16 appropriation under s. ~~20.235 (1)~~ 20.285 (7) (fe) for the next fiscal year as follows:

17 **SECTION 76.** 39.44 (2) of the statutes is amended to read:

18 39.44 (2) Funds for the grants under this section shall be distributed from the
19 appropriation under s. ~~20.235 (1)~~ 20.285 (7) (fg), with 50% distributed to the eligible
20 private institutions and 50% distributed to the eligible technical colleges. The board
21 shall audit the enrollment statistics annually.

History: 1985 a. 29; 1987 a. 27; 1993 a. 399; 1995 a. 27, 404; 1997 a. 27; 1999 a. 9; 2001 a. 16.

22 **SECTION 77.** 39.45 (6) of the statutes is amended to read:

1 39.45 (6) From the appropriation under s. ~~20.235 (1)~~ [✓] 20.285 (7) [✓] (fc), the board
 2 shall use available funds to make grant awards under this section, but no award may
 3 be made before March 1 for the fall semester or session of the upcoming academic
 4 year.

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

5 **SECTION 78.** 39.46 (2) (f) of the statutes is amended to read:

6 39.46 (2) (f) That the dental school may not assess tuition for a Wisconsin
 7 resident enrolled at the school in an amount that exceeds the difference between the
 8 tuition assessed a nonresident student enrolled at the school and the amount
 9 specified to be disbursed under s. ~~20.235 (1)~~ [✓] 20.285 (7) [✓] (d) for each Wisconsin resident
 10 enrolled at the school.

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.

11 **SECTION 79.** 230.08 (2) (L) 4. of the statutes is repealed.

12 **SECTION 9101. Nonstatutory provisions; administration.**
auto ref "KA"

13 (1) HIGHER EDUCATIONAL AIDS. The authorized FTE positions for the department
 14 of administration, funded from the appropriation under section 20.505 (1) (a) [✓] of the
 15 statutes, are increased by 2.0 GPR positions on the effective date of this subsection
 16 for the purpose of assisting the board of regents of the University of Wisconsin
 17 System in administering higher educational aids under subchapter III of chapter 39
 18 of the statutes, as affected by this act.

19 **SECTION 9125.** [✓] **Nonstatutory provisions; higher educational aids board.**

20 *auto ref "KB"*
 (1) TRANSFER OF DUTIES TO BOARD OF REGENTS.

21 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
 22 liabilities of the higher educational aids board shall become the assets and liabilities
 23 of the board of regents of the University of Wisconsin System.

24 (b) *Positions and employees.*

1 1. The authorized FTE positions for the higher educational aids board, funded
2/ from the appropriation under section 20.235 (2) (aa) of the statutes, as affected by
3 this act, are decreased by 2.0 GPR positions on the effective date of this subdivision
4 for the purpose of eliminating that board.

5 2. The authorized FTE positions for the higher educational aids board, funded
6/ from the appropriation under section 20.235 (2) (aa) of the statutes, as affected by
7 this act, are decreased by 2.0 GPR positions on the effective date of this subdivision
8 for the purpose of eliminating that board.

9 3. On the effective date of this subdivision, all incumbent employees holding
10 the positions specified in subdivision 1. ^{a.r.} are transferred to the department of
11 administration.

12 4. On the effective date of this subdivision, all incumbent employees holding
13 the positions specified in subdivision 2. ^{a.r.} are transferred to the board of regents of the
14 University of Wisconsin System.

15 (c) *Employee status.* Employees transferred under paragraph (b) 3. and 4. have
16 all the rights and the same status under subchapter V of chapter 111 and chapter 230
17 of the statutes in the department of administration and the board of regents of the
18 University of Wisconsin System that ^{they} ~~the~~ enjoyed in the higher educational aids
19 board immediately before the transfer. Notwithstanding section 230.28 (4) of the
20 statutes, no transferred employee who has attained permanent status in class is
21 required to serve a probationary period.

22 (d) *Tangible personal property.* On the effective date of this paragraph, all
23 tangible personal property, including records, of the higher educational aids board
24 is transferred to the board of regents of the University of Wisconsin System.

1 (e) *Contracts.* All contracts entered into by the higher educational aids board
 2 in effect on the effective date of this paragraph remain in effect and are transferred
 3 to the board of regents of the University of Wisconsin System. The board of regents
 4 of the University of Wisconsin System shall carry out any such contractual
 5 obligations until modified or rescinded by that board to the extent allowed under the
 6 contract.

7 (f) *Rules and orders.* All rules promulgated by the higher educational aids
 8 board that are in effect on the effective date of this paragraph remain in effect until
 9 their specified expiration date or until amended or repealed by the board of regents
 10 of the University of Wisconsin System. All orders issued by the higher educational
 11 aids board that are in effect on the effective date of this paragraph remain in effect
 12 until their specified expiration date or until modified or rescinded by the board of
 13 regents of the University of Wisconsin System.

14 (g) *Pending matters.* Any matter pending with the higher educational aids
 15 board on the effective date of this paragraph is transferred to the board of regents
 16 of the University of Wisconsin System and all materials submitted to or actions taken
 17 by the higher educational aids board with respect to the pending matter are
 18 considered as having been submitted to or taken by the board of regents of the
 19 University of Wisconsin System.

20 **SECTION 9157. Nonstatutory provisions; University of Wisconsin**
 21 **System.** *auto ref. "KC"*

22 (1) HIGHER EDUCATIONAL AIDS. The authorized FTE positions for the board of
 23 regents of the University of Wisconsin System, funded from the appropriation under
 24 section 20.285 (3) (a) of the statutes, are increased by 2.0 GPR positions on the

1 effective date of this subsection for the purpose of administering higher educational
2 aids under subchapter III of chapter 39 of the statutes, as affected by this act.

3 **SECTION 9225. Appropriation changes; higher educational aids board.**

4 (1) ^{auto ref. "KD"}TRANSFER OF DUTIES TO BOARD OF REGENTS. On the effective date of this
5 subsection, the unencumbered balance in the appropriation account under section
6 20.235 (2) (aa) of the statutes, as affected by this act, is transferred to the
7 appropriation account under section 20.285 (3) (a) of the statutes.

8 **SECTION 9425. Effective dates; higher educational aids board.**

9 (1) TRANSFER OF DUTIES TO BOARD OF REGENTS. The treatment of sections 13.40
10 (3) (i) 1., 14.63 (11m), 14.64 (8), 15.07 (1) (a) 1., 15.67, 20.235 (intro.), (1) (title), (b),
11 (cg), (cm), (cr), (cu), (cx), (d), (e), (fc), (fd), (fe), (ff), (fg), (fj), (fy), (g), (gg), (gm), (i), (k),
12 (km), (no), (s), and (t), and (2) (title), (aa), (bb), (bc), (bd), (ga), (gb), (ia), (ja), (n), (qa),
13 and (qb), 20.505 (8) (hm) 4i. and 10., 20.923 (4) (c) 4., 36.11 (6) (c), 38.04 (7m), 39.155
14 (1), ~~subchapter III, (title) of chapter 39~~ 39.26, 39.285 (1), 39.29, 39.30 (3m) (b), 39.38
15 (2), 39.39 (2) (a), 39.393 (2), 39.395 (1), 39.398 (1) (b), 39.40 (3), 39.41 (1) (ae), (1m)
16 (b), (c) (intro.) and 5., (cm), (e), (em), (f), (fm), and (m), (4) (b), and (8), 39.435 (7) (a)
17 1. and 2. and (b) (intro.), 39.44 (2), 39.45 (6), 39.46 (2) (f), and 230.08 (2) (L) 4. of the
18 statutes and SECTIONS 9101 (8), 9125 (8) ^{a.r. "KA"} and 9157 (8) ^{a.r. "KB"} of this act take effect on
19 January 1, 2004, or on the day after publication, whichever is later. ^{a.r. "KC"}

20 (END)

and 9225(1)

auto ref. "KD"

and subchapter III (title)
of chapter 39

Case 6-6

3

Section #. 20.235 (2) (bb) of the statutes is renumbered 20.285 (1) (bb) and amended to read:

20.285 ³ ~~(1)~~ (bb) ⁽¹⁾ *Student loan interest, loans sold or conveyed.* A sum sufficient for interest on loans assigned, sold/or conveyed, if the amount under par. ⁽¹⁾ ~~(1)~~ is insufficient to provide interest due on the payment date at the interest rate stated on the loan notes assigned, sold/or conveyed, interest to be computed on the unpaid principal balance of the loans, computed as of January 1 and July 1 of each year and payable within 90 days 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.

(end of insert)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1711/1dn

GMM.....

King

R.J.

In reviewing this draft, please note all of the following:

1. I went ahead and renumbered *all* of the appropriations under s. 20.235 (2) into s. 20.285 (3). If you want to do anything else with any of those appropriations, e.g., repeal or otherwise renumber any of them, please advise. ✓
2. I went ahead and substituted "board" for "secretary" in various paragraphs under s. 39.41 (1m). ✓ If you want any particular person, e.g., the president or secretary of the board, rather than the board as a whole to designate students as academic excellence scholars, please advise.

If after reviewing the draft you have any questions, please do not hesitate to contact me at the phone number or e-mail address listed below.

✓
Gordon M. Malaise
Senior Legislative Attorney
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E-mail: gordon.malaise@legis.state.wi.us

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

LRB-1711/1dn
GMM:kmg:pg

January 28, 2003

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In reviewing this draft, please note all of the following:

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