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State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1711/1
GMM:kmg:pg

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PMR

DOA:.....Binau - BB0414, Transfer HEAB authority to Board of Regents
FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau
EDUCATION

OTHER EDUCATIONAL AND CULTURAL AGENCIES

Under current law, the Higher Educational Aids Board (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~~ ^{July} 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 UW System.

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 of the statutes is repealed.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.

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
18 the eligible educational institution information necessary for the calculation under
19 this subsection.

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.

 ****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
16 Regents of the University of Wisconsin System as a result of investments shall be
17 considered under this appropriation as repayments. The amount of advances to the
18 ~~higher educational aids board~~ Board of Regents of the University of Wisconsin
19 System charged against the authorization under s. 25.17 (3) (bf), 1977 stats., shall

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

****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.

18 **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.

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

2 **SECTION 31.** 20.235 (1) (t) of the statutes is renumbered 20.285 (1) (t).

3 **SECTION 32.** 20.235 (2) (title) of the statutes is repealed.

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

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

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

5 **SECTION 34.** 20.235 (2) (bb) of the statutes is renumbered 20.285 (3) (bb) and
6 amended to read:

7 20.285 (3) (bb) *Student loan interest, loans sold or conveyed.* A sum sufficient
8 for interest on loans assigned, sold, or conveyed, if the amount under par. ~~(gb)~~ (ib) is
9 insufficient to provide interest due on the payment date at the interest rate stated
10 on the loan notes assigned, sold, or conveyed, interest to be computed on the unpaid
11 principal balance of the loans, computed as of January 1 and July 1 of each year and
12 payable within 90 days thereafter.

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

13 **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.

14 **SECTION 36.** 20.235 (2) (bd) of the statutes is renumbered 20.285 (3) (bd) and
15 amended to read:

16 20.285 (3) (bd) *Purchase of defective student loans.* A sum sufficient for the
17 repurchase of student loans made under s. 39.32 that have been sold by the higher
18 educational aids board Board of Regents of the University of Wisconsin System or the
19 building commission and subsequently found to be defective.

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

1 **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.

2 **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.

3 **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.

4 **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.

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

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

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

12 **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.

13 **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.

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

15 20.505 (8) (hm) 4i. The amount transferred to s. ~~20.235 (1)~~ 20.285 (7) (k) shall
16 be the amount in the schedule under s. ~~20.235 (1)~~ 20.285 (7) (k).

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

2 20.505 (8) (hm) 10. The amount transferred to s. ~~20.235 (1)~~ 20.285 (7) (km) shall
3 be the amount in the schedule under s. ~~20.235 (1)~~ 20.285 (7) (km).

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

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

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

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

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

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

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

1 fund and credited to the appropriation account under s. ~~20.235 (1)~~ 20.285 (7) (gm).
2 Grants shall be awarded to students for full-time or part-time attendance at any
3 accredited institution of higher education in this state. The board may not make a
4 grant under this section to a student whose name appears on the statewide support
5 lien docket under s. 49.854 (2) (b), unless the student provides to the board a payment
6 agreement that has been approved by the county child support agency under s. 59.53
7 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a). Grants shall
8 be renewable for up to 5 years if a recipient remains in good academic standing at
9 the institution that he or she is attending.

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

11 39.39 (2) (a) Make stipend loans from the appropriations under s. ~~20.235 (1)~~
12 20.285 (7) (cg) and (gg).

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

14 39.393 (2) ~~Beginning in the 2002-03 fiscal year, the~~ The board shall make loans
15 under this section from the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (cm). The
16 maximum amount of loan for a person during any fiscal year is \$3,000. The
17 maximum that a person may receive under this section is \$15,000. The board shall
18 ensure that the terms of the loan do not require a loan recipient to repay the loan
19 while the recipient is enrolled in a program under sub. (1).

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

21 39.395 (1) The board shall establish a loan program to defray the cost of tuition
22 for persons enrolled in a teacher education program offered by the Milwaukee
23 Teacher Education Center, a nonstock, nonprofit corporation organized under ch.
24 181. Loans shall be made from the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (cu).

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

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

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

8 39.40 (3) Loans under sub. (2) shall be made from the appropriation under s.
9 ~~20.235 (1)~~ 20.285 (7) (cr). The board shall forgive 25% of the loan and 25% of the
10 interest on the loan for each school year the recipient teaches in a school district
11 described under sub. (2) (d).

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

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

14 39.41 (1m) (b) By February 15 of each school year, the school board of each
15 school district operating one or more high schools and the governing body of each
16 private high school may, for each high school with an enrollment of less than 80
17 pupils, nominate the senior with the highest grade point average in all subjects who
18 may be designated as a scholar by the ~~executive-secretary~~ board under par. (c) 3.

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

20 39.41 (1m) (c) (intro.) The ~~executive-secretary~~ board shall:

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

22 39.41 (1m) (c) 5. For each public or private high school with an enrollment of
23 less than 80 pupils, notify the school board of the school district operating the public
24 high school or the governing body of the private high school that the school board or

1 governing body may nominate a senior under par. (b) who may be designated as a
2 scholar by the ~~executive secretary~~ board.

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

4 39.41 (1m) (cm) The ~~executive secretary~~ board may grant waivers under par.
5 (m).

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

7 39.41 (1m) (e) Except as provided under par. (em), if 2 or more seniors from the
8 same high school of less than 80 pupils have the same grade point average and,
9 except for the limitation of one nominated senior, are otherwise eligible for
10 nomination under par. (b), the faculty of the high school shall select the senior who
11 may be nominated by the school board of the school district operating the public high
12 school or the governing body of the private high school for designation under par. (b)
13 as a scholar by the ~~executive secretary~~ board. If that senior is designated as a scholar
14 by the ~~executive secretary~~ board and does not qualify for a higher education
15 scholarship under sub. (2) (a) or (3) (a), faculty of the high school shall select one or
16 more of the remaining seniors with the same grade point average for certification as
17 a scholar and the school board of the school district operating the high school or the
18 governing body of the private high school shall certify to the board one or more of
19 these seniors as eligible for a higher education scholarship as a scholar under sub.
20 (2) (a) or (3) (a) until the scholarship may be awarded by the board.

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

22 39.41 (1m) (em) If the high school weights different courses differently to
23 determine a pupil's grade point average, and the senior designated as a scholar by
24 the ~~executive secretary~~ board under par. (e) does not qualify for a higher education
25 scholarship under sub. (2) (a) or (3) (a), the faculty of the high school shall select one

1 senior with the same grade point average for certification as a scholar, or, if there is
2 no senior with the same grade point average, one senior with the next highest grade
3 point average for certification as a scholar, and the school board of the school district
4 operating the high school or the governing body of the private high school shall
5 certify to the board the selected senior as eligible for a higher education scholarship
6 as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the
7 board.

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

9 39.41 (1m) (f) If 2 or more seniors from the school operated by the Wisconsin
10 Center for the Blind and Visually Impaired have the same grade point average and,
11 except for the limitation of one designated senior, are otherwise eligible for
12 designation under par. (c) 1., the ~~executive secretary~~ board shall make the
13 designation under par. (c) 1. of the senior who may be eligible for a higher education
14 scholarship as a scholar and, if that senior does not qualify for a higher education
15 scholarship under sub. (2) (a) or (3) (a), shall designate one or more of the remaining
16 seniors with the same grade point average as eligible for a higher education
17 scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be
18 awarded by the board.

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

20 39.41 (1m) (fm) If 2 or more seniors from the school operated by the Wisconsin
21 Educational Services Program for the Deaf and Hard of Hearing have the same grade
22 point average and, except for the limitation of one designated senior, are otherwise
23 eligible for designation under par. (c) 2., the ~~executive secretary~~ board shall make the
24 designation under par. (c) 2. of the senior who may be eligible for a higher education
25 scholarship as a scholar and, if that senior does not qualify for a higher education

1 scholarship under sub. (2) (a) or (3) (a), shall designate one or more of the remaining
2 seniors with the same grade point average as eligible for a higher education
3 scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be
4 awarded by the board.

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

6 39.41 (1m) (m) Notwithstanding pars. (a), (b) and (d), if a high school ranks its
7 seniors on the basis of grades in academic subjects, the school board of the school
8 district operating the high school or the governing body of the private high school or,
9 for purposes of par. (d), the faculty of the high school may request a waiver from the
10 ~~executive-secretary board~~ in order to fulfill its the requirements under par. (a), (b)
11 or (d) on the basis of grade point averages in academic subjects.

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

13 39.41 (4) (b) The board shall make the payments under subs. (2) (c) and (3) from
14 the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (fy).

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

16 39.41 (8) The ~~executive-secretary board~~ shall promulgate rules establishing
17 criteria for the designation of scholars under sub. (1m) (c) 3.

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

19 39.435 (7) (a) 1. For purposes of determining the appropriation under s. ~~20.235~~
20 ~~(1)~~ 20.285 (7) (fe) for fiscal year 2003–04, “base amount” means the amount shown
21 in the schedule under s. 20.005 for ~~that~~ the appropriation under s. 20.235 (1) (fe),
22 2001 stats., for fiscal year 2002–03.

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

24 39.435 (7) (a) 2. For purposes of determining the appropriation under s. ~~20.235~~
25 ~~(1)~~ 20.285 (7) (fe) for each fiscal year after fiscal year 2003–04, “base amount” means

1 the maximum appropriation amount determined under par. (b) for the previous fiscal
2 year.

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

4 39.435 (7) (b) (intro.) Annually, by February 1, the board shall determine the
5 appropriation under s. ~~20.235 (1)~~ 20.285 (7) (fe) for the next fiscal year as follows:

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

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

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

12 39.45 (6) From the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (fc), the board
13 shall use available funds to make grant awards under this section, but no award may
14 be made before March 1 for the fall semester or session of the upcoming academic
15 year.

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

17 39.46 (2) (f) That the dental school may not assess tuition for a Wisconsin
18 resident enrolled at the school in an amount that exceeds the difference between the
19 tuition assessed a nonresident student enrolled at the school and the amount
20 specified to be disbursed under s. ~~20.235 (1)~~ 20.285 (7) (d) for each Wisconsin resident
21 enrolled at the school.

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

23 **SECTION 9101. Nonstatutory provisions; administration.**

24 (1) HIGHER EDUCATIONAL AIDS. The authorized FTE positions for the department
25 of administration, funded from the appropriation under section 20.505 (1) (a) of the

1 statutes, are increased by 2.0 GPR positions on the effective date of this subsection
2 for the purpose of assisting the Board of Regents of the University of Wisconsin
3 System in administering higher educational aids under subchapter III of chapter 39
4 of the statutes, as affected by this act.

5 **SECTION 9125. Nonstatutory provisions; higher educational aids board.**

6 (1) TRANSFER OF DUTIES TO BOARD OF REGENTS.

7 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
8 liabilities of the higher educational aids board shall become the assets and liabilities
9 of the Board of Regents of the University of Wisconsin System.

10 (b) *Positions and employees.* VBS

11 1. The authorized FTE positions for the higher educational aids board, funded
12 from the appropriation under section 20.235 (2) (aa) of the statutes, as affected by
13 this act, are decreased by ~~2.0~~^{1.36} GPR positions on the effective date of this subdivision
14 for the purpose of eliminating that board. 1.36

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

19 #4 4. On the effective date of this subdivision, all incumbent employees holding
20 the positions specified in subdivision 1. are transferred to the department of
21 administration.

22 #5 5. On the effective date of this subdivision, all incumbent employees holding
23 the positions specified in subdivision 2. are transferred to the Board of Regents of the
24 University of Wisconsin System.

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Insert
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Insert
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16-18

5 and 3.5 auto ref. "KA"

LRB-1711/1
 GMM:kmg:pg
 SECTION 125
 LPS: these are already auto. inf'd; and they will change to "4. and 5."

1

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

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

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

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

(g) *Pending matters.* Any matter pending with the higher educational aids board on the effective date of this paragraph is transferred to the Board of Regents

1 of the University of Wisconsin System and all materials submitted to or actions taken
2 by the higher educational aids board with respect to the pending matter are
3 considered as having been submitted to or taken by the Board of Regents of the
4 University of Wisconsin System.

5 **SECTION 9157. Nonstatutory provisions; University of Wisconsin**
6 **System.**

Ⓟ (a)

7 (1) HIGHER EDUCATIONAL AIDS. The authorized FTE positions for the Board of
8 Regents of the University of Wisconsin System, funded from the appropriation under
9 section 20.285 (3) (a) of the statutes, are increased by 2.0 GPR positions on the
10 effective date of this subsection^{paragraph} for the purpose of administering higher educational
11 aids under subchapter III of chapter 39 of the statutes, as affected by this act.

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

13 (1) TRANSFER OF DUTIES TO BOARD OF REGENTS. On the effective date of this
14 subsection, the unencumbered balance in the appropriation account under section
15 20.235 (2) (aa) of the statutes, as affected by this act, is transferred to the
16 appropriation account under section 20.285 (3) (a) of the statutes.

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

18 (1) TRANSFER OF DUTIES TO BOARD OF REGENTS. The treatment of sections 13.40
19 (3) (i) 1., 14.63 (11m), 14.64 (8), 15.07 (1) (a) 1., 15.67, 20.235 (intro.), (1) (title), (b),
20 (cg), (cm), (cr), (cu), (cx), (d), (e), (fc), (fd), (fe), (ff), (fg), (fj), (fy), (g), (gg), (gm), (i), (k),
21 (km), (no), (s), and (t), and (2) (title), (aa), (bb), (bc), (bd), (ga), (gb), (ia), (ja), (n), (qa),
22 and (qb), 20.505 (8) (hm) 4i. and 10., 20.923 (4) (c) 4., 36.11 (6) (c), 38.04 (7m), 39.155
23 (1), 39.26, 39.285 (1), 39.29, 39.30 (3m) (b), 39.38 (2), 39.39 (2) (a), 39.393 (2), 39.395
24 (1), 39.398 (1) (b), 39.40 (3), 39.41 (1) (ae), (1m) (b), (c) (intro.) and 5., (cm), (e), (em),
25 (f), (fm), and (m), (4) (b), and (8), 39.435 (7) (a) 1. and 2. and (b) (intro.), 39.44 (2), 39.45

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18-111

July ✓

1 (6), 39.46 (2) (f), and 230.08 (2) (L) 4. and subchapter III (title) of chapter 39 of the
2 statutes and SECTIONS 9101 (1), 9125 (1), 9157 (1), and 9225 (1) of this act take effect
3 on ~~January~~ ^{July} 1, 2004, or on the day after publication, whichever is later.

4

(END)

Insert ~~#6-14~~ 16-18

#1 → auto ref. "KA"

3. The authorized FTE positions for the higher educational aids board, funded from the appropriation under section 20.235 (2) (gb) of the statutes, as affected by this act, ^{are} decreased by ~~not~~ 0.64 (SEG) SEG positions on the effective date of this subdivision for the purpose of eliminating that board.

(ed & insert)

Insect 18-11

monetary

(b) The authorized FTE positions for the Board of Regents of the University of Wisconsin System, funded from the appropriation under section 20.285 (3)(b) of the statutes, as affected by this act, are increased by 0.64 SEG position on the effective date of this ~~section~~ paragraph for the purpose of administering higher educational aids under subchapter III of chapter 39 of the statutes, as affected by this act.

(cont)

Malaise, Gordon

From: Binau, RJ
Sent: Tuesday, February 04, 2003 9:32 AM
To: Malaise, Gordon
Subject: LRB Draft 1711/2

Gordon,

Thank you for making the changes to this draft. One question though.

On page 18 of the draft Section 9157 Line 14, should the 2.0 GPR positions be ".36" to go along with paragraph "b"?

RJ

Yes



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1711/2
GMM:kmg:eph

3
MR

MR

DOA:.....Binau – BB0414, Transfer HEAB authority to Board of Regents
FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

1

AN ACT ... <sup>DON'T
G-EN. CAT.</sup> relating to: the budget.

Analysis by the Legislative Reference Bureau
EDUCATION

OTHER EDUCATIONAL AND CULTURAL AGENCIES

Under current law, the Higher Educational Aids Board (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 July 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 UW System.

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.

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
18 the eligible educational institution information necessary for the calculation under
19 this subsection.

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.

 ****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
16 Regents of the University of Wisconsin System as a result of investments shall be
17 considered under this appropriation as repayments. The amount of advances to the
18 ~~higher educational aids board~~ Board of Regents of the University of Wisconsin
19 System charged against the authorization under s. 25.17 (3) (bf), 1977 stats., shall

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

****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.

18 **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.

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

2 **SECTION 31.** 20.235 (1) (t) of the statutes is renumbered 20.285 (1) (t).

3 **SECTION 32.** 20.235 (2) (title) of the statutes is repealed.

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

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

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

5 **SECTION 34.** 20.235 (2) (bb) of the statutes is renumbered 20.285 (3) (bb) and
6 amended to read:

7 20.285 (3) (bb) *Student loan interest, loans sold or conveyed.* A sum sufficient
8 for interest on loans assigned, sold, or conveyed, if the amount under par. ~~(gb)~~ (ib) is
9 insufficient to provide interest due on the payment date at the interest rate stated
10 on the loan notes assigned, sold, or conveyed, interest to be computed on the unpaid
11 principal balance of the loans, computed as of January 1 and July 1 of each year and
12 payable within 90 days thereafter.

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

13 **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.

14 **SECTION 36.** 20.235 (2) (bd) of the statutes is renumbered 20.285 (3) (bd) and
15 amended to read:

16 20.285 (3) (bd) *Purchase of defective student loans.* A sum sufficient for the
17 repurchase of student loans made under s. 39.32 that have been sold by the higher
18 educational aids board Board of Regents of the University of Wisconsin System or the
19 building commission and subsequently found to be defective.

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

1 **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.

2 **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.

3 **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.

4 **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.

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

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

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

12 **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.

13 **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.

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

15 20.505 (8) (hm) 4i. The amount transferred to s. ~~20.235 (1)~~ 20.285 (7) (k) shall
16 be the amount in the schedule under s. ~~20.235 (1)~~ 20.285 (7) (k).

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

2 20.505 (8) (hm) 10. The amount transferred to s. ~~20.235 (1)~~ 20.285 (7) (km) shall
3 be the amount in the schedule under s. ~~20.235 (1)~~ 20.285 (7) (km).

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

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

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

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

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

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

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

1 fund and credited to the appropriation account under s. ~~20.235 (1)~~ 20.285 (7) (gm).
2 Grants shall be awarded to students for full-time or part-time attendance at any
3 accredited institution of higher education in this state. The board may not make a
4 grant under this section to a student whose name appears on the statewide support
5 lien docket under s. 49.854 (2) (b), unless the student provides to the board a payment
6 agreement that has been approved by the county child support agency under s. 59.53
7 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a). Grants shall
8 be renewable for up to 5 years if a recipient remains in good academic standing at
9 the institution that he or she is attending.

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

11 39.39 (2) (a) Make stipend loans from the appropriations under s. ~~20.235 (1)~~
12 20.285 (7) (cg) and (gg).

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

14 39.393 (2) ~~Beginning in the 2002-03 fiscal year, the~~ The board shall make loans
15 under this section from the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (cm). The
16 maximum amount of loan for a person during any fiscal year is \$3,000. The
17 maximum that a person may receive under this section is \$15,000. The board shall
18 ensure that the terms of the loan do not require a loan recipient to repay the loan
19 while the recipient is enrolled in a program under sub. (1).

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

21 39.395 (1) The board shall establish a loan program to defray the cost of tuition
22 for persons enrolled in a teacher education program offered by the Milwaukee
23 Teacher Education Center, a nonstock, nonprofit corporation organized under ch.
24 181. Loans shall be made from the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (cu).

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

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

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

8 39.40 (3) Loans under sub. (2) shall be made from the appropriation under s.
9 ~~20.235 (1)~~ 20.285 (7) (cr). The board shall forgive 25% of the loan and 25% of the
10 interest on the loan for each school year the recipient teaches in a school district
11 described under sub. (2) (d).

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

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

14 39.41 (1m) (b) By February 15 of each school year, the school board of each
15 school district operating one or more high schools and the governing body of each
16 private high school may, for each high school with an enrollment of less than 80
17 pupils, nominate the senior with the highest grade point average in all subjects who
18 may be designated as a scholar by the ~~executive secretary~~ board under par. (c) 3.

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

20 39.41 (1m) (c) (intro.) The ~~executive secretary~~ board shall:

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

22 39.41 (1m) (c) 5. For each public or private high school with an enrollment of
23 less than 80 pupils, notify the school board of the school district operating the public
24 high school or the governing body of the private high school that the school board or

1 governing body may nominate a senior under par. (b) who may be designated as a
2 scholar by the ~~executive secretary~~ board.

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

4 39.41 (1m) (cm) The ~~executive secretary~~ board may grant waivers under par.
5 (m).

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

7 39.41 (1m) (e) Except as provided under par. (em), if 2 or more seniors from the
8 same high school of less than 80 pupils have the same grade point average and,
9 except for the limitation of one nominated senior, are otherwise eligible for
10 nomination under par. (b), the faculty of the high school shall select the senior who
11 may be nominated by the school board of the school district operating the public high
12 school or the governing body of the private high school for designation under par. (b)
13 as a scholar by the ~~executive secretary~~ board. If that senior is designated as a scholar
14 by the ~~executive secretary~~ board and does not qualify for a higher education
15 scholarship under sub. (2) (a) or (3) (a), faculty of the high school shall select one or
16 more of the remaining seniors with the same grade point average for certification as
17 a scholar and the school board of the school district operating the high school or the
18 governing body of the private high school shall certify to the board one or more of
19 these seniors as eligible for a higher education scholarship as a scholar under sub.
20 (2) (a) or (3) (a) until the scholarship may be awarded by the board.

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

22 39.41 (1m) (em) If the high school weights different courses differently to
23 determine a pupil's grade point average, and the senior designated as a scholar by
24 the ~~executive secretary~~ board under par. (e) does not qualify for a higher education
25 scholarship under sub. (2) (a) or (3) (a), the faculty of the high school shall select one

1 senior with the same grade point average for certification as a scholar, or, if there is
2 no senior with the same grade point average, one senior with the next highest grade
3 point average for certification as a scholar, and the school board of the school district
4 operating the high school or the governing body of the private high school shall
5 certify to the board the selected senior as eligible for a higher education scholarship
6 as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the
7 board.

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

9 39.41 (1m) (f) If 2 or more seniors from the school operated by the Wisconsin
10 Center for the Blind and Visually Impaired have the same grade point average and,
11 except for the limitation of one designated senior, are otherwise eligible for
12 designation under par. (c) 1., the ~~executive-secretary~~ board shall make the
13 designation under par. (c) 1. of the senior who may be eligible for a higher education
14 scholarship as a scholar and, if that senior does not qualify for a higher education
15 scholarship under sub. (2) (a) or (3) (a), shall designate one or more of the remaining
16 seniors with the same grade point average as eligible for a higher education
17 scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be
18 awarded by the board.

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

20 39.41 (1m) (fm) If 2 or more seniors from the school operated by the Wisconsin
21 Educational Services Program for the Deaf and Hard of Hearing have the same grade
22 point average and, except for the limitation of one designated senior, are otherwise
23 eligible for designation under par. (c) 2., the ~~executive-secretary~~ board shall make the
24 designation under par. (c) 2. of the senior who may be eligible for a higher education
25 scholarship as a scholar and, if that senior does not qualify for a higher education

1 scholarship under sub. (2) (a) or (3) (a), shall designate one or more of the remaining
2 seniors with the same grade point average as eligible for a higher education
3 scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be
4 awarded by the board.

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

6 39.41 (1m) (m) Notwithstanding pars. (a), (b) and (d), if a high school ranks its
7 seniors on the basis of grades in academic subjects, the school board of the school
8 district operating the high school or the governing body of the private high school or,
9 for purposes of par. (d), the faculty of the high school may request a waiver from the
10 ~~executive secretary board~~ board in order to fulfill its the requirements under par. (a), (b)
11 or (d) on the basis of grade point averages in academic subjects.

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

13 39.41 (4) (b) The board shall make the payments under subs. (2) (c) and (3) from
14 the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (fy).

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

16 39.41 (8) The ~~executive secretary board~~ board shall promulgate rules establishing
17 criteria for the designation of scholars under sub. (1m) (c) 3.

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

19 39.435 (7) (a) 1. For purposes of determining the appropriation under s. ~~20.235~~
20 ~~(1)~~ 20.285 (7) (fe) for fiscal year 2003–04, “base amount” means the amount shown
21 in the schedule under s. 20.005 for ~~that the~~ the appropriation under s. 20.235 (1) (fe),
22 2001 stats., for fiscal year 2002–03.

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

24 39.435 (7) (a) 2. For purposes of determining the appropriation under s. ~~20.235~~
25 ~~(1)~~ 20.285 (7) (fe) for each fiscal year after fiscal year 2003–04, “base amount” means

1 the maximum appropriation amount determined under par. (b) for the previous fiscal
2 year.

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

4 39.435 (7) (b) (intro.) Annually, by February 1, the board shall determine the
5 appropriation under s. ~~20.235 (1)~~ 20.285 (7) (fe) for the next fiscal year as follows:

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

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

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

12 39.45 (6) From the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (fc), the board
13 shall use available funds to make grant awards under this section, but no award may
14 be made before March 1 for the fall semester or session of the upcoming academic
15 year.

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

17 39.46 (2) (f) That the dental school may not assess tuition for a Wisconsin
18 resident enrolled at the school in an amount that exceeds the difference between the
19 tuition assessed a nonresident student enrolled at the school and the amount
20 specified to be disbursed under s. ~~20.235 (1)~~ 20.285 (7) (d) for each Wisconsin resident
21 enrolled at the school.

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

23 **SECTION 9101. Nonstatutory provisions; administration.**

24 (1) HIGHER EDUCATIONAL AIDS. The authorized FTE positions for the department
25 of administration, funded from the appropriation under section 20.505 (1) (a) of the

1 statutes, are increased by 2.0 GPR positions on the effective date of this subsection
2 for the purpose of assisting the Board of Regents of the University of Wisconsin
3 System in administering higher educational aids under subchapter III of chapter 39
4 of the statutes, as affected by this act.

5 **SECTION 9125. Nonstatutory provisions; higher educational aids board.**

6 (1) TRANSFER OF DUTIES TO BOARD OF REGENTS.

7 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
8 liabilities of the higher educational aids board shall become the assets and liabilities
9 of the Board of Regents of the University of Wisconsin System.

10 (b) *Positions and employees.* 2001 stats.

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

15 2. The authorized FTE positions for the higher educational aids board, funded
16 from the appropriation under section 20.235 (2) (aa) ~~of the statutes, as affected by~~
17 ~~this act,~~ are decreased by 1.36 GPR positions on the effective date of this subdivision
18 for the purpose of eliminating that board.

19 3. The authorized FTE positions for the higher educational aids board, funded
20 from the appropriation under section 20.235 (2) (qb) ~~of the statutes, as affected by~~
21 ~~this act,~~ are decreased by 0.64 SEG position on the effective date of this subdivision
22 for the purpose of eliminating that board.

23 4. On the effective date of this subdivision, all incumbent employees holding
24 the positions specified in subdivision 1. are transferred to the department of
25 administration.

1 5. On the effective date of this subdivision, all incumbent employees holding
2 the positions specified in subdivisions 2. and 3. are transferred to the Board of
3 Regents of the University of Wisconsin System.

4 (c) *Employee status.* Employees transferred under paragraph (b) 4. and 5. have
5 all the rights and the same status under subchapter V of chapter 111 and chapter 230
6 of the statutes in the department of administration and the Board of Regents of the
7 University of Wisconsin System that they enjoyed in the higher educational aids
8 board immediately before the transfer. Notwithstanding section 230.28 (4) of the
9 statutes, no transferred employee who has attained permanent status in class is
10 required to serve a probationary period.

11 (d) *Tangible personal property.* On the effective date of this paragraph, all
12 tangible personal property, including records, of the higher educational aids board
13 is transferred to the Board of Regents of the University of Wisconsin System.

14 (e) *Contracts.* All contracts entered into by the higher educational aids board
15 in effect on the effective date of this paragraph remain in effect and are transferred
16 to the Board of Regents of the University of Wisconsin System. The Board of Regents
17 of the University of Wisconsin System shall carry out any such contractual
18 obligations until modified or rescinded by that board to the extent allowed under the
19 contract.

20 (f) *Rules and orders.* All rules promulgated by the higher educational aids
21 board that are in effect on the effective date of this paragraph remain in effect until
22 their specified expiration date or until amended or repealed by the Board of Regents
23 of the University of Wisconsin System. All orders issued by the higher educational
24 aids board that are in effect on the effective date of this paragraph remain in effect

1 until their specified expiration date or until modified or rescinded by the Board of
2 Regents of the University of Wisconsin System.

3 (g) *Pending matters.* Any matter pending with the higher educational aids
4 board on the effective date of this paragraph is transferred to the Board of Regents
5 of the University of Wisconsin System and all materials submitted to or actions taken
6 by the higher educational aids board with respect to the pending matter are
7 considered as having been submitted to or taken by the Board of Regents of the
8 University of Wisconsin System.

9 **SECTION 9157. Nonstatutory provisions; University of Wisconsin**
10 **System.**

11 (1) HIGHER EDUCATIONAL AIDS.

1,36

12 (a) The authorized FTE positions for the Board of Regents of the University of
13 Wisconsin System, funded from the appropriation under section 20.285 (3) (a) of the
14 statutes, are increased by ~~4.74~~ 1.36 GPR positions on the effective date of this paragraph
15 for the purpose of administering higher educational aids under subchapter III of
16 chapter 39 of the statutes, as affected by this act.

17 (b) The authorized FTE positions for the Board of Regents of the University of
18 Wisconsin System, funded from the appropriation under the section 20.285 (3) (qb)
19 of the statutes, as affected by this act, are increased by 0.64 SEG position on the
20 effective date of this paragraph for the purpose of administering higher educational
21 aids under subchapter III of chapter 39 of the statutes, as affected by this act.

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

23 (1) TRANSFER OF DUTIES TO BOARD OF REGENTS. On the effective date of this
24 subsection, the unencumbered balance in the appropriation account under section

2001 stats.

① 20.235 (2) (aa) ~~of the statutes, as affected by this act,~~ is transferred to the
2 appropriation account under section 20.285 (3) (a) of the statutes.

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

4 (1) TRANSFER OF DUTIES TO BOARD OF REGENTS. The treatment of sections 13.40
5 (3) (i) 1., 14.63 (11m), 14.64 (8), 15.07 (1) (a) 1., 15.67, 20.235 (intro.), (1) (title), (b),
6 (cg), (cm), (cr), (cu), (cx), (d), (e), (fc), (fd), (fe), (ff), (fg), (fj), (fy), (g), (gg), (gm), (i), (k),
7 (km), (no), (s), and (t), and (2) (title), (aa), (bb), (bc), (bd), (ga), (gb), (ia), (ja), (n), (qa),
8 and (qb), 20.505 (8) (hm) 4i. and 10., 20.923 (4) (c) 4., 36.11 (6) (c), 38.04 (7m), 39.155
9 (1), 39.26, 39.285 (1), 39.29, 39.30 (3m) (b), 39.38 (2), 39.39 (2) (a), 39.393 (2), 39.395
10 (1), 39.398 (1) (b), 39.40 (3), 39.41 (1) (ae), (1m) (b), (c) (intro.) and 5., (cm), (e), (em),
11 (f), (fm), and (m), (4) (b), and (8), 39.435 (7) (a) 1. and 2. and (b) (intro.), 39.44 (2), 39.45
12 (6), 39.46 (2) (f), and 230.08 (2) (L) 4. and subchapter III (title) of chapter 39 of the
13 statutes and SECTIONS 9101 (1), 9125 (1), 9157 (1), and 9225 (1) of this act take effect
14 on July 1, 2004, or on the day after publication, whichever is later.

(END)

DN 312

R.J.
G.S.:

This redraft changes the GPR position increase authorized
for the Board of Regents from 200 positions to 136 positions.
GMM

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

LRB-1711/3dn
GMM:kmg:cph

February 4, 2003

R.J.:

This redraft changes the GPR position increase authorized for the Board of Regents from 2.0 positions to 1.36 positions.

Gordon M. Malaise
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R.S. 2/4/03

14

RS 36.31(3) (ref to HEAB)

Bd. of Regents doesn't prom. rules; instead
establishes board policies

∴ Throughout Subch III of ch 39:

change "prom rules" to "establish policies"



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1711/3
GMM:kmg:cph

4
MR

DOA:.....Binau - BB0414, Transfer HEAB authority to Board of Regents

FOR 2003-05 BUDGET - NOT READY FOR INTRODUCTION

Current law requires
~~In certain instances~~ HEAB
is required to promulgate rules
to administer certain financial
aid programs.

The bill also permits the Board of Regents of the UW System
to establish policies, rather than promulgate rules,
to administer the financial aid programs for
which rules are required under current law.
AN ACT relating to: the budget.
DON'T GEN. CAT.

1

Analysis by the Legislative Reference Bureau
EDUCATION

OTHER EDUCATIONAL AND CULTURAL AGENCIES

Under current law, the Higher Educational Aids Board (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 July 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 UW System.

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.

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
18 the eligible educational institution information necessary for the calculation under
19 this subsection.

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.

 ****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
16 Regents of the University of Wisconsin System as a result of investments shall be
17 considered under this appropriation as repayments. The amount of advances to the
18 ~~higher educational aids board~~ Board of Regents of the University of Wisconsin
19 System charged against the authorization under s. 25.17 (3) (bf), 1977 stats., shall

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

****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.

18 **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.

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

2 **SECTION 31.** 20.235 (1) (t) of the statutes is renumbered 20.285 (1) (t).

3 **SECTION 32.** 20.235 (2) (title) of the statutes is repealed.

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

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

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

5 **SECTION 34.** 20.235 (2) (bb) of the statutes is renumbered 20.285 (3) (bb) and
6 amended to read:

7 20.285 (3) (bb) *Student loan interest, loans sold or conveyed.* A sum sufficient
8 for interest on loans assigned, sold, or conveyed, if the amount under par. ~~(gb)~~ (ib) is
9 insufficient to provide interest due on the payment date at the interest rate stated
10 on the loan notes assigned, sold, or conveyed, interest to be computed on the unpaid
11 principal balance of the loans, computed as of January 1 and July 1 of each year and
12 payable within 90 days thereafter.

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

13 **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.

14 **SECTION 36.** 20.235 (2) (bd) of the statutes is renumbered 20.285 (3) (bd) and
15 amended to read:

16 20.285 (3) (bd) *Purchase of defective student loans.* A sum sufficient for the
17 repurchase of student loans made under s. 39.32 that have been sold by the higher
18 educational aids board Board of Regents of the University of Wisconsin System or the
19 building commission and subsequently found to be defective.

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

1 **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.

2 **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.

3 **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.

4 **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.

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

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

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

12 **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.

13 **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.

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

15 20.505 (8) (hm) 4i. The amount transferred to s. ~~20.235 (1)~~ 20.285 (7) (k) shall
16 be the amount in the schedule under s. ~~20.235 (1)~~ 20.285 (7) (k).

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

2 20.505 (8) (hm) 10. The amount transferred to s. ~~20.235 (1)~~ 20.285 (7) (km) shall
3 be the amount in the schedule under s. ~~20.235 (1)~~ 20.285 (7) (km).

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

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

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

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

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

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

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

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1 fund and credited to the appropriation account under s. ~~20.235 (1)~~ 20.285 (7) (gm).
 2 Grants shall be awarded to students for full-time or part-time attendance at any
 3 accredited institution of higher education in this state. The board may not make a
 4 grant under this section to a student whose name appears on the statewide support
 5 lien docket under s. 49.854 (2) (b), unless the student provides to the board a payment
 6 agreement that has been approved by the county child support agency under s. 59.53
 7 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a). Grants shall
 8 be renewable for up to 5 years if a recipient remains in good academic standing at
 9 the institution that he or she is attending.

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

39.39 (2) (a) Make stipend loans from the appropriations under s. ~~20.235 (1)~~
~~20.285 (7)~~ (cg) and (gg).

11
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13 SECTION 57. 39.393 (2) of the statutes is amended to read:

14 39.393 (2) ~~Beginning in the 2002-03 fiscal year, the~~ The board shall make loans
 15 under this section from the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (cm). The
 16 maximum amount of loan for a person during any fiscal year is \$3,000. The
 17 maximum that a person may receive under this section is \$15,000. The board shall
 18 ensure that the terms of the loan do not require a loan recipient to repay the loan
 while the recipient is enrolled in a program under sub. (1).

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

21 39.395 (1) The board shall establish a loan program to defray the cost of tuition
 22 for persons enrolled in a teacher education program offered by the Milwaukee
 23 Teacher Education Center, a nonstock, nonprofit corporation organized under ch.
 24 181. Loans shall be made from the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (cu).

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

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

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

8 39.40 (3) Loans under sub. (2) shall be made from the appropriation under s.
9 ~~20.235 (1)~~ 20.285 (7) (cr). The board shall forgive 25% of the loan and 25% of the
10 interest on the loan for each school year the recipient teaches in a school district
11 described under sub. (2) (d).

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

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

14 39.41 (1m) (b) By February 15 of each school year, the school board of each
15 school district operating one or more high schools and the governing body of each
16 private high school may, for each high school with an enrollment of less than 80
17 pupils, nominate the senior with the highest grade point average in all subjects who
18 may be designated as a scholar by the ~~executive secretary~~ board under par. (c) 3.

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

20 39.41 (1m) (c) (intro.) The ~~executive secretary~~ board shall:

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

22 39.41 (1m) (c) 5. For each public or private high school with an enrollment of
23 less than 80 pupils, notify the school board of the school district operating the public
24 high school or the governing body of the private high school that the school board or

1 governing body may nominate a senior under par. (b) who may be designated as a
2 scholar by the ~~executive secretary~~ board.

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

4 39.41 (1m) (cm) The ~~executive secretary~~ board may grant waivers under par.
5 (m).

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

7 39.41 (1m) (e) Except as provided under par. (em), if 2 or more seniors from the
8 same high school of less than 80 pupils have the same grade point average and,
9 except for the limitation of one nominated senior, are otherwise eligible for
10 nomination under par. (b), the faculty of the high school shall select the senior who
11 may be nominated by the school board of the school district operating the public high
12 school or the governing body of the private high school for designation under par. (b)
13 as a scholar by the ~~executive secretary~~ board. If that senior is designated as a scholar
14 by the ~~executive secretary~~ board and does not qualify for a higher education
15 scholarship under sub. (2) (a) or (3) (a), faculty of the high school shall select one or
16 more of the remaining seniors with the same grade point average for certification as
17 a scholar and the school board of the school district operating the high school or the
18 governing body of the private high school shall certify to the board one or more of
19 these seniors as eligible for a higher education scholarship as a scholar under sub.
20 (2) (a) or (3) (a) until the scholarship may be awarded by the board.

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

22 39.41 (1m) (em) If the high school weights different courses differently to
23 determine a pupil's grade point average, and the senior designated as a scholar by
24 the ~~executive secretary~~ board under par. (e) does not qualify for a higher education
25 scholarship under sub. (2) (a) or (3) (a), the faculty of the high school shall select one

1 senior with the same grade point average for certification as a scholar, or, if there is
2 no senior with the same grade point average, one senior with the next highest grade
3 point average for certification as a scholar, and the school board of the school district
4 operating the high school or the governing body of the private high school shall
5 certify to the board the selected senior as eligible for a higher education scholarship
6 as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the
7 board.

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

9 39.41 (1m) (f) If 2 or more seniors from the school operated by the Wisconsin
10 Center for the Blind and Visually Impaired have the same grade point average and,
11 except for the limitation of one designated senior, are otherwise eligible for
12 designation under par. (c) 1., the ~~executive-secretary~~ board shall make the
13 designation under par. (c) 1. of the senior who may be eligible for a higher education
14 scholarship as a scholar and, if that senior does not qualify for a higher education
15 scholarship under sub. (2) (a) or (3) (a), shall designate one or more of the remaining
16 seniors with the same grade point average as eligible for a higher education
17 scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be
18 awarded by the board.

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

20 39.41 (1m) (fm) If 2 or more seniors from the school operated by the Wisconsin
21 Educational Services Program for the Deaf and Hard of Hearing have the same grade
22 point average and, except for the limitation of one designated senior, are otherwise
23 eligible for designation under par. (c) 2., the ~~executive-secretary~~ board shall make the
24 designation under par. (c) 2. of the senior who may be eligible for a higher education
25 scholarship as a scholar and, if that senior does not qualify for a higher education

1 scholarship under sub. (2) (a) or (3) (a), shall designate one or more of the remaining
2 seniors with the same grade point average as eligible for a higher education
3 scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be
4 awarded by the board.

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

6 39.41 (1m) (m) Notwithstanding pars. (a), (b) and (d), if a high school ranks its
7 seniors on the basis of grades in academic subjects, the school board of the school
8 district operating the high school or the governing body of the private high school or,
9 for purposes of par. (d), the faculty of the high school may request a waiver from the
10 ~~executive secretary board~~ in order to fulfill its the requirements under par. (a), (b)
11 or (d) on the basis of grade point averages in academic subjects.

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

13 39.41 (4) (b) The board shall make the payments under subs. (2) (c) and (3) from
14 the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (fy).

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

16 39.41 (8) The ~~executive secretary board~~ shall ~~promulgate rules~~ establishing
17 criteria for the designation of scholars under sub. (1m) (c) 3.

enact policies

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

19 39.435 (7) (a) 1. For purposes of determining the appropriation under s. ~~20.235~~
20 ~~(1)~~ 20.285 (7) (fe) for fiscal year 2003–04, “base amount” means the amount shown
21 in the schedule under s. 20.005 for ~~that~~ the appropriation under s. 20.235 (1) (fe),
22 2001 stats., for fiscal year 2002–03.

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

24 39.435 (7) (a) 2. For purposes of determining the appropriation under s. ~~20.235~~
25 ~~(1)~~ 20.285 (7) (fe) for each fiscal year after fiscal year 2003–04, “base amount” means

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1 the maximum appropriation amount determined under par. (b) for the previous fiscal
2 year.

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

4 39.435 (7) (b) (intro.) Annually, by February 1, the board shall determine the
5 appropriation under s. ~~20.235 (1)~~ 20.285 (7) (fe) for the next fiscal year as follows:

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

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

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

12 39.45 (6) From the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (fc), the board
13 shall use available funds to make grant awards under this section, but no award may
14 be made before March 1 for the fall semester or session of the upcoming academic
15 year.

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

17 39.46 (2) (f) That the dental school may not assess tuition for a Wisconsin
18 resident enrolled at the school in an amount that exceeds the difference between the
19 tuition assessed a nonresident student enrolled at the school and the amount
20 specified to be disbursed under s. ~~20.235 (1)~~ 20.285 (7) (d) for each Wisconsin resident
21 enrolled at the school.

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

23 **SECTION 9101. Nonstatutory provisions; administration.**

24 (1) HIGHER EDUCATIONAL AIDS. The authorized FTE positions for the department
25 of administration, funded from the appropriation under section 20.505 (1) (a) of the

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1 statutes, are increased by 2.0 GPR positions on the effective date of this subsection
2 for the purpose of assisting the Board of Regents of the University of Wisconsin
3 System in administering higher educational aids under subchapter III of chapter 39
4 of the statutes, as affected by this act.

5 **SECTION 9125. Nonstatutory provisions; higher educational aids board.**

6 (1) TRANSFER OF DUTIES TO BOARD OF REGENTS.

7 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
8 liabilities of the higher educational aids board shall become the assets and liabilities
9 of the Board of Regents of the University of Wisconsin System.

10 (b) *Positions and employees.*

11 1. The authorized FTE positions for the higher educational aids board, funded
12 from the appropriation under section 20.235 (2) (aa), 2001 stats., are decreased by
13 2.0 GPR positions on the effective date of this subdivision for the purpose of
14 eliminating that board.

15 2. The authorized FTE positions for the higher educational aids board, funded
16 from the appropriation under section 20.235 (2) (aa), 2001 stats., are decreased by
17 1.36 GPR positions on the effective date of this subdivision for the purpose of
18 eliminating that board.

19 3. The authorized FTE positions for the higher educational aids board, funded
20 from the appropriation under section 20.235 (2) (qb), 2001 stats., are decreased by
21 0.64 SEG position on the effective date of this subdivision for the purpose of
22 eliminating that board.

23 4. On the effective date of this subdivision, all incumbent employees holding
24 the positions specified in subdivision 1. are transferred to the department of
25 administration.

1 5. On the effective date of this subdivision, all incumbent employees holding
2 the positions specified in subdivisions 2. and 3. are transferred to the Board of
3 Regents of the University of Wisconsin System.

4 (c) *Employee status.* Employees transferred under paragraph (b) 4. and 5. have
5 all the rights and the same status under subchapter V of chapter 111 and chapter 230
6 of the statutes in the department of administration and the Board of Regents of the
7 University of Wisconsin System that they enjoyed in the higher educational aids
8 board immediately before the transfer. Notwithstanding section 230.28 (4) of the
9 statutes, no transferred employee who has attained permanent status in class is
10 required to serve a probationary period.

11 (d) *Tangible personal property.* On the effective date of this paragraph, all
12 tangible personal property, including records, of the higher educational aids board
13 is transferred to the Board of Regents of the University of Wisconsin System.

14 (e) *Contracts.* All contracts entered into by the higher educational aids board
15 in effect on the effective date of this paragraph remain in effect and are transferred
16 to the Board of Regents of the University of Wisconsin System. The Board of Regents
17 of the University of Wisconsin System shall carry out any such contractual
18 obligations until modified or rescinded by that board to the extent allowed under the
19 contract.

20 (f) *Rules and orders.* All rules promulgated by the higher educational aids
21 board that are in effect on the effective date of this paragraph remain in effect until
22 their specified expiration date or until amended or repealed by the Board of Regents
23 of the University of Wisconsin System. All orders issued by the higher educational
24 aids board that are in effect on the effective date of this paragraph remain in effect

1 until their specified expiration date or until modified or rescinded by the Board of
2 Regents of the University of Wisconsin System.

3 (g) *Pending matters.* Any matter pending with the higher educational aids
4 board on the effective date of this paragraph is transferred to the Board of Regents
5 of the University of Wisconsin System and all materials submitted to or actions taken
6 by the higher educational aids board with respect to the pending matter are
7 considered as having been submitted to or taken by the Board of Regents of the
8 University of Wisconsin System.

9 **SECTION 9157. Nonstatutory provisions; University of Wisconsin**
10 **System.**

11 (1) HIGHER EDUCATIONAL AIDS.

12 (a) The authorized FTE positions for the Board of Regents of the University of
13 Wisconsin System, funded from the appropriation under section 20.285 (3) (a) of the
14 statutes, are increased by 1.36 GPR positions on the effective date of this paragraph
15 for the purpose of administering higher educational aids under subchapter III of
16 chapter 39 of the statutes, as affected by this act.

17 (b) The authorized FTE positions for the Board of Regents of the University of
18 Wisconsin System, funded from the appropriation under the section 20.285 (3) (qb)
19 of the statutes, as affected by this act, are increased by 0.64 SEG position on the
20 effective date of this paragraph for the purpose of administering higher educational
21 aids under subchapter III of chapter 39 of the statutes, as affected by this act.

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

23 (1) TRANSFER OF DUTIES TO BOARD OF REGENTS. On the effective date of this
24 subsection, the unencumbered balance in the appropriation account under section

39,280,

1 20.235 (2) (aa), 2001 stats., is transferred to the appropriation account under section
2 20.285 (3) (a) of the statutes.

39,325 (3),

36,31 (3),

SECTION 9425. Effective dates; higher educational aids board.

4 (1) TRANSFER OF DUTIES TO BOARD OF REGENTS. The treatment of sections 13.40
5 (3) (i) 1., 14.63 (11m), 14.64 (8), 15.07 (1) (a) 1., 15.67, 20.235 (intro.), (1) (title), (b),
6 (cg), (cm), (cr), (cu), (cx), (d), (e), (fc), (fd), (fe), (ff), (fg), (fj), (fy), (g), (gg), (gm), (i), (k),
7 (km), (no), (s), and (t), and (2) (title), (aa), (bb), (bc), (bd), (ga), (gb), (ia), (ja), (n), (qa),
8 and (qb), 20.505 (8) (hm) 4i. and 10., 20.923 (4) (c) 4., 36.11 (6) (c), 38.04 (7m), 39.155

and (b)

and (4)

and (2) (b)

9 (1), 39.26, 39.285 (1), 39.29, 39.30 (3m) (b), 39.38 (2), 39.39 (2) (a), 39.393 (2), 39.395

(a) and (2) (b)

10 (1), 39.398 (1) (b), 39.40 (3), 39.41 (1) (ae), (1m) (b), (c) (intro.) and 5., (cm), (e), (em),
11 (f), (fm), and (m), (4) (b), and (8), 39.435 (7) (a) 1. and 2. and (b) (intro.), 39.44 (2), 39.45
12 (6), 39.46 (2) (f), and 230.08 (2) (L) 4. and subchapter III (title) of chapter 39 of the
13 statutes and SECTIONS 9101 (1), 9125 (1), 9157 (1), and 9225 (1) of this act take effect
14 on July 1, 2004, or on the day after publication, whichever is later.

and (7)

(END)

227, 01 (13) (2v)

(2), (3) and

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(INSERT 8-10) ✓

SECTION 1. 36.31 (3) of the statutes is repealed.

(END OF INSERT)

(INSERT 9-8) ✓

SECTION 2. 39.28 (1) of the statutes is amended to read:

39.28 (1) The board shall administer the programs under this subchapter and may ~~promulgate such rules~~ establish such policies as are necessary to carry out its functions. The board may accept and use any funds ~~which it~~ that the board receives from participating institutions, lenders, or agencies. The board may enter into such contracts as are necessary to carry out its functions under this subchapter.

History: 1971 c. 125, 211; 1973 c. 90; 1975 c. 198, 224; 1977 c. 29; 1977 c. 196 s. 131; 1977 c. 418; 1981 c. 20; 1983 a. 27; 1985 a. 332 s. 251 (3); 1989 a. 31, 56; 1991 a. 316; 1995 a. 27; 1997 a. 27; 2001 a. 16.

(END OF INSERT)

(INSERT 9-19) ✓

SECTION 3. 39.325 (3) of the statutes is amended to read:

39.325 (3) The board shall ~~promulgate rules and establish~~ enact policies establishing standards and methods of determining the amounts of loans, rates of interest, and other administrative procedures consistent with P.L. 94-484, on July 29, 1979. The rates of interest shall be set as low as possible, but shall remain sufficient to cover all costs of the program under this section.

History: 1979 c. 34; 1981 c. 20; 1983 a. 27; 1995 a. 27; 1997 a. 27.

(END OF INSERT)

(INSERT 10-12) ✓

SECTION 4. 39.39 (2) (b) of the statutes is amended to read:

39.39 (2) (b) ~~Promulgate rules~~ Establish policies to administer this section, including ~~rules~~ policies establishing loan amounts and the criteria and procedures

for loan forgiveness and for selecting loan recipients. Loan recipients shall be selected on the basis of financial need, as determined by the board, using the needs analysis methodology used under s. 39.435.

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

(END OF INSERT)

(INSERT 10-19) ✓

SECTION 5. 39.393 (4) ✓ of the statutes is amended to read:

39.393 (4) The board shall ~~promulgate rules~~ establish policies to implement and administer this section.

History: 2001 a. 16.

(END OF INSERT)

(INSERT 10-24) ✓

SECTION 6. 39.395 (2) (b) ✓ of the statutes is amended to read:

39.395 (2) (b) The board shall ~~promulgate rules~~ establish policies to administer this section.

History: 1997 a. 27.

SECTION 7. 39.398 (1) (a) ✓ of the statutes is amended to read:

39.398 (1) (a) The board shall establish a loan program to defray the cost of tuition, fees, and expenses for residents of this state enrolled in a program that prepares persons to be licensed as teachers of visually impaired pupils or as orientation and mobility instructors, as defined by the board ~~by rule~~, at an accredited institution of higher education in this state or in a physically adjacent state, as defined in s. 175.46 (1) (d). To the extent possible, the board shall give preference,

strike →

to persons who are likely to return to this state to work with visually impaired persons.

History: 1999 a. 144.

(END OF INSERT)

(INSERT 11-6) ✓

SECTION 8. 39.398 (2) (b) of the statutes is amended to read:

39.398 (2) (b) The board shall ~~promulgate rules~~ establish policies to administer this section.

History: 1999 a. 144.

(END OF INSERT)

(INSERT 14-17) ✓

SECTION 9. 39.435 (2) of the statutes is amended to read:

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

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.

SECTION 10. 39.435 (3) of the statutes is amended to read:

39.435 (3) Grants under sub. (1) shall not be less than \$250 during any one academic year, unless the joint committee on finance approves an adjustment in the amount of the minimum grant. Grants under sub. (1) shall not exceed \$1,800 during

any one academic year. The board shall, ~~by rule, establish~~ enact policies establishing a reporting system to periodically provide student economic data and shall ~~promulgate other rules~~ enact other policies that the board ~~deems~~ considers necessary to assure uniform administration of the program.

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.

(END OF INSERT)

(INSERT 15-15) ✓

SECTION 11. 39.45 (7) of the statutes is amended to read:

39.45 (7) The board shall ~~promulgate rules~~ establish policies to administer this section, including policies establishing 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.

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

(END OF INSERT)

(INSERT 15-21) ✓

SECTION 12. 227.01 (13) (zv) of the statutes is created to read:

227.01 (13) (zv) Establishes policies under subch. III of ch. 39. ✓

(END OF INSERT)

(END)