AN ACT to amend 20.235 (1) (b), 20.235 (1) (fe), 20.235 (1) (ff), 20.235 (1) (km),
20.285 (4) (dd), 20.505 (8) (hm) 10., 36.34 (1) (c) 2. (intro.), 36.34 (1) (c) 2. am.,
36.34 (1) (c) 2. b., 36.34 (1) (c) 2. bm., 39.435 (7) (b) (intro.), 39.435 (7) (b) 2. and
39.435 (7) (b) 2m.; and to create 36.34 (1) (c) 2. ag., 36.34 (1) (c) 2. ar., 39.30 (5),
39.435 (7) (a) 3., 39.435 (7) (a) 4., 39.435 (7) (a) 5., 39.435 (7) (a) 6., 39.435 (7)
(b) 1g., 39.435 (7) (b) 1r., 39.435 (7) (c) and 39.435 (7) (d) of the statutes; relating
to: the method by which the amounts to be appropriated for higher education
grants, tuition grants, and Lawton minority undergraduate grants are
calculated and making appropriations.

Analysis by the Legislative Reference Bureau

Under current law, the Higher Educational Aids Board (HEAB) provides higher
education grants to Wisconsin residents who are enrolled in the University of
Wisconsin (UW) System, a technical college, or a tribal college and tuition grants to
Wisconsin residents who are enrolled in accredited, nonprofit post-high school,
educational institutions in this state. The Board Regents of the UW System provides
grants, known as Lawton grants, to minority undergraduates enrolled in the UW
System.
Currently, certain amounts are appropriated in each fiscal year for tuition grants and for higher education grants for technical college and tribal college students. For higher education grants for UW System students, beginning with the 2007-09 state fiscal biennium, there is appropriated a sum sufficient equal to the amount appropriated for those grants in the previous fiscal year (base amount) increased by the average percentage by which the undergraduate academic fees that will be charged for the next academic year at each institution within the UW System, as estimated by HEAB, will increase from the undergraduate academic fees charged for the current academic year. The same formula is also used to calculate the amount appropriated for Lawton grants.

This bill changes the formula used to calculate the amounts appropriated for higher education grants for UW System students and for Lawton grants. The bill also requires HEAB to use the new formula to calculate the amounts appropriated for tuition grants and for higher education grants for technical college and tribal college students. Specifically, under the bill, beginning with the 2009-11 state fiscal biennium, the amounts appropriated for tuition grants, for Lawton grants, and for higher education grants for UW System students, technical college students, and tribal college students are determined by increasing the base amount for each of those appropriations by the greater of the average percentage increase determined under current law or the amount obtained by multiplying the increase in the undergraduate academic fees that will be charged for a student to attend the UW-Madison for the next academic year, as estimated by HEAB, over the current academic year by the number of students who are receiving the respective grants for the current academic year.

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:

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

20.235 (1) (b) Tuition grants. Biennially, the amounts in the schedule A sum sufficient equal to the amount calculated under s. 39.30 (5) for the purposes of s. 39.30.

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

20.235 (1) (fe) Wisconsin higher education grants; University of Wisconsin System students. A sum sufficient equal to $45,057,200 in the 2005-06 fiscal year, equal to $39,280,600 in the 2006-07 fiscal year, and equal to the amount calculated
ASSEMBLY BILL 780

under s. 39.435 (7) (b) for the Wisconsin higher education grant program under s. 39.435 for University of Wisconsin System students, except for grants awarded under s. 39.435 (2) or (5), thereafter.

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

20.235 (1) (ff) Wisconsin higher education grants; technical college students. Biennially, the amounts in the schedule A sum sufficient equal to the amount calculated under s. 39.435 (7) (c) for the Wisconsin higher education grant program under s. 39.435 for technical college students, except for grants awarded under s. 39.435 (2) or (5).

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

20.235 (1) (km) Wisconsin higher education grants; tribal college students. Biennially, the amounts in the schedule A sum sufficient equal to the amount calculated under s. 39.435 (7) (d) for the Wisconsin higher education grant program under s. 39.435 for tribal college students, except for grants awarded under s. 39.435 (2) or (5). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 10. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (b), the unencumbered balance on June 30 of each odd-numbered year shall revert to the appropriation account under s. 20.505 (8) (hm).

**SECTION 5.** 20.285 (4) (dd) of the statutes is amended to read:

20.285 (4) (dd) Lawton minority undergraduate grants program. A sum sufficient equal to $5,218,300 in the 2005-06 fiscal year and $5,531,400 in the 2006-07 fiscal year, and in subsequent fiscal years a sum sufficient equal to the amount calculated under s. 36.34 (1) (c), for the Lawton minority undergraduate grant program under s. 36.34 (1).

**SECTION 6.** 20.505 (8) (hm) 10. of the statutes is amended to read:
20.505 (8) (hm) 10. The amount transferred to s. 20.235 (1) (km) shall be the amount in the schedule under s. 20.235 (1) (km) as calculated by the higher educational aids board under s. 39.435 (7) (d).

SECTION 7. 36.34 (1) (c) 2. (intro.) of the statutes is amended to read:

36.34 (1) (c) 2. (intro.) Beginning in 2007, biennially, by February 1, 2009, and biennially thereafter, the board shall calculate the amounts to be appropriated under s. 20.285 (4) (dd) for the next biennium as follows:

SECTION 8. 36.34 (1) (c) 2. ag. of the statutes is created to read:

36.34 (1) (c) 2. ag. The board shall determine the amount by which the undergraduate academic fees that will be charged for a student to attend the University of Wisconsin-Madison for the next academic year, as estimated by the board, will increase or decrease from the amount of the undergraduate academic fees charged for a student to attend that institution for the current academic year and multiply the amount of that increase by the number of students who are receiving grants from the appropriation account under s. 20.285 (4) (dd) for the current academic year.

SECTION 9. 36.34 (1) (c) 2. am. of the statutes is amended to read:

36.34 (1) (c) 2. am. The board shall determine the percentage by which the undergraduate academic fees that will be charged for the academic year after the next academic year at each institution within the University of Wisconsin System, as estimated by the board, will increase or decrease from the estimated undergraduate academic fees that will be charged for the next academic year.

SECTION 10. 36.34 (1) (c) 2. ar. of the statutes is created to read:

36.34 (1) (c) 2. ar. The board shall determine the amount by which the undergraduate academic fees that will be charged for a student to attend the
University of Wisconsin–Madison for the academic year after the next academic year, as estimated by the board, will increase or decrease from the estimated undergraduate academic fees that will be charged for a student to attend that institution for the next academic year and multiply the amount of that increase by the number of students who will be receiving grants from the appropriation account under s. 20.285 (4) (dd) for the next academic year, as estimated by the board.

SECTION 11. 36.34 (1) (c) 2. b. of the statutes is amended to read:

36.34 (1) (c) 2. b. The appropriation for the first fiscal year of the next biennium shall be the result obtained by increasing, to the nearest $100, the base amount by the average of the percentage increases determined under subd. 2. a. or the amount determined under subd. 2. ag., whichever is greater, except that, if the undergraduate academic fees for the next academic year are estimated to decrease or not change from the undergraduate academic fees charged for the current academic year at each institution specified in subd. 2. a., the appropriation shall be the base amount.

SECTION 12. 36.34 (1) (c) 2. bm. of the statutes is amended to read:

36.34 (1) (c) 2. bm. The appropriation for the 2nd fiscal year of the next biennium shall be the result obtained by increasing, to the nearest $100, the base amount by the average of the percentage increases determined under subd. 2. am. or the amount determined under subd. 2. ar., whichever is greater, except that, if the undergraduate academic fees for the academic year after the next academic year are estimated to decrease or not change from the estimated undergraduate academic fees charged for the next academic year at each institution specified under subd. 2. am., the appropriation shall be the base amount.

SECTION 13. 39.30 (5) of the statutes is created to read:
39.30 (5) APPROPRIATION CALCULATION. (a) In this subsection:

1. For purposes of calculating the amount to be appropriated under s. 20.235 (1) (b) for fiscal year 2009–10, “base amount” means the amount shown in the schedule under s. 20.005 (3) for that appropriation for fiscal year 2008–09.

2. For purposes of calculating the amount to be appropriated under s. 20.235 (1) (b) for each fiscal year after fiscal year 2009–10, “base amount” means the appropriation amount calculated under par. (b) for the previous fiscal year.

(b) By February 1, 2009, and biennially thereafter, the board shall calculate the amount to be appropriated under s. 20.235 (1) (b) for the next biennium as follows:

1. The board shall determine the percentage by which the undergraduate academic fees that will be charged for the next academic year at each institution within the University of Wisconsin System, as estimated by the board, will increase or decrease from the undergraduate academic fees charged for the current academic year.

2. The board shall determine the amount by which the undergraduate academic fees that will be charged for a student to attend the University of Wisconsin–Madison for the next academic year, as estimated by the board, will increase or decrease from the amount of undergraduate academic fees charged for a student to attend that institution for the current academic year and multiply the amount of that increase by the number of students who are receiving grants from the appropriation account under s. 20.235 (1) (b) for the current academic year.

3. The board shall determine the percentage by which the undergraduate academic fees that will be charged for the academic year after the next academic year at each institution within the University of Wisconsin System, as estimated by the
board, will increase or decrease from the estimated undergraduate academic fees that will be charged for the next academic year.

4. The board shall determine the amount by which the undergraduate academic fees that will be charged for a student to attend the University of Wisconsin–Madison for the academic year after the next academic year, as estimated by the board, will increase or decrease from the estimated undergraduate academic fees that will be charged for a student to attend that institution for the next academic year and multiply the amount of that increase by the number of students who will be receiving grants from the appropriation account under s. 20.235 (1) (b) for the next academic year, as estimated by the board.

5. The appropriation for the first fiscal year of the next biennium shall be the result obtained by increasing, to the nearest $100, the base amount by the average of the percentage increases determined under subd. 1. or the amount determined under subd. 2., whichever is greater, except that, if the undergraduate academic fees for the next academic year are estimated to decrease or not change from the undergraduate academic fees charged for the current academic year at each institution specified in subd. 1., the appropriation shall be the base amount.

6. The appropriation for the 2nd fiscal year of the next biennium shall be the result obtained by increasing, to the nearest $100, the base amount by the average of the percentage increases determined under subd. 3. or the amount determined under subd. 4., whichever is greater, except that, if the undergraduate academic fees for the academic year after the next academic year are estimated to decrease or not change from the estimated undergraduate academic fees charged for the next academic year at each institution specified under subd. 3., the appropriation shall be the base amount.
SECTION 14. 39.435 (7) (a) 3. of the statutes is created to read:

39.435 (7) (a) 3. For purposes of calculating the amount to be appropriated under s. 20.235 (1) (ff) for fiscal year 2009–10, “base amount” means the amount shown in the schedule under s. 20.005 for that appropriation for fiscal year 2008–09.

SECTION 15. 39.435 (7) (a) 4. of the statutes is created to read:

39.435 (7) (a) 4. For purposes of calculating the amount to be appropriated under s. 20.235 (1) (ff) for each fiscal year after fiscal year 2009–10, “base amount” means the appropriation amount calculated under par. (c) for the previous fiscal year.

SECTION 16. 39.435 (7) (a) 5. of the statutes is created to read:

39.435 (7) (a) 5. For purposes of calculating the amount to be appropriated under s. 20.235 (1) (km) for fiscal year 2009–10, “base amount” means the amount shown in the schedule under s. 20.005 for that appropriation for fiscal year 2008–09.

SECTION 17. 39.435 (7) (a) 6. of the statutes is created to read:

39.435 (7) (a) 6. For purposes of calculating the amount to be appropriated under s. 20.235 (1) (km) for each fiscal year after fiscal year 2009–10, “base amount” means the appropriation amount calculated under par. (d) for the previous fiscal year.

SECTION 18. 39.435 (7) (b) (intro.) of the statutes is amended to read:

39.435 (7) (b) (intro.) Biennially, beginning on By February 1, 2007 2009, and biennially thereafter, the board shall calculate the amounts to be appropriated under s. 20.235 (1) (fe) for the next biennium as follows:

SECTION 19. 39.435 (7) (b) 1g. of the statutes is created to read:

39.435 (7) (b) 1g. The board shall determine the amount by which the undergraduate academic fees that will be charged for a student to attend the
ASSEMBLY BILL 780

SECTION 19

University of Wisconsin-Madison for the next academic year, as estimated by the board, will increase or decrease from the amount of the undergraduate academic fees charged for a student to attend that institution for the current academic year and multiply the amount of that increase by the number of students who are receiving grants from the appropriation account under s. 20.235 (1) (fe) for the current academic year.

SECTION 20. 39.435 (7) (b) 1r. of the statutes is created to read:

39.435 (7) (b) 1r. The board shall determine the amount by which the undergraduate academic fees that will be charged for a student to attend the University of Wisconsin-Madison for the academic year after the next academic year, as estimated by the board, will increase or decrease from the estimated undergraduate academic fees that will be charged for a student to attend that institution for the next academic year and multiply the amount of that increase by the number of students who will be receiving grants from the appropriation account under s. 20.235 (1) (fe) for the next academic year, as estimated by the board.

SECTION 21. 39.435 (7) (b) 2. of the statutes is amended to read:

39.435 (7) (b) 2. The appropriation for the first fiscal year of the next biennium shall be the result obtained by increasing, to the nearest $100, the base amount by the average of the percentage increases determined under subd. 1. or the amount determined under subd. 1g., whichever is greater, except that, if the undergraduate academic fees for the next academic year are estimated to decrease or not change from the undergraduate academic fees charged for the current academic year at each institution specified in subd. 1., the appropriation shall be the base amount.

SECTION 22. 39.435 (7) (b) 2m. of the statutes is amended to read:
39.435 (7) (b) 2m. The appropriation for the 2nd fiscal year of the next biennium shall be the result obtained by increasing, to the nearest $100, the base amount by the average of the percentage increases determined under subd. 1m. or the amount determined under subd. 1r., whichever is greater, except that, if the undergraduate academic fees for the academic year after the next academic year are estimated to decrease or not change from the estimated undergraduate academic fees charged for the next academic year at each institution specified in subd. 1m., the appropriation shall be the base amount.

SECTION 23. 39.435 (7) (c) of the statutes is created to read:

39.435 (7) (c) By February 1, 2009, and biennially thereafter, the board shall calculate the amount to be appropriated under s. 20.235 (1) (ff) for the next fiscal year as follows:

1. The board shall determine the percentage by which the undergraduate academic fees that will be charged for the next academic year at each institution within the University of Wisconsin System, as estimated by the board, will increase or decrease from the undergraduate academic fees charged for the current academic year.

2. The board shall determine the amount by which the undergraduate academic fees that will be charged for a student to attend the University of Wisconsin–Madison for the next academic year, as estimated by the board, will increase or decrease from the amount of undergraduate academic fees charged for a student to attend that institution for the current academic year and multiply the amount of that increase by the number of students who are receiving grants from the appropriation account under s. 20.235 (1) (ff) for the current academic year.
3. The board shall determine the percentage by which the undergraduate academic fees that will be charged for the academic year after the next academic year at each institution within the University of Wisconsin System, as estimated by the board, will increase or decrease from the estimated undergraduate academic fees that will be charged for the next academic year.

4. The board shall determine the amount by which the undergraduate academic fees that will be charged for a student to attend the University of Wisconsin–Madison for the academic year after the next academic year, as estimated by the board, will increase or decrease from the estimated undergraduate academic fees that will be charged for a student to attend that institution for the next academic year and multiply the amount of that increase by the number of students who will be receiving grants from the appropriation account under s. 20.235 (1) (ff) for the next academic year, as estimated by the board.

5. The appropriation for the next fiscal year shall be the result obtained by increasing, to the nearest $100, the base amount by the highest percentage increase determined under subd. 1. or the amount determined under subd. 2., whichever is greater, except that, if the undergraduate academic fees for the current academic year decreased or did not change from the undergraduate academic fees charged for the previous academic year at each institution specified under subd. 1., the appropriation shall be the base amount.

6. The appropriation for the 2nd fiscal year of the next biennium shall be the result obtained by increasing, to the nearest $100, the base amount by the average of the percentage increases determined under subd. 3. or the amount determined under subd. 4., whichever is greater, except that, if the undergraduate academic fees for the academic year after the next academic year are estimated to decrease or not...
change from the estimated undergraduate academic fees charged for the next
academic year at each institution specified under subd. 3., the appropriation shall
be the base amount.

SECTION 24. 39.435 (7) (d) of the statutes is created to read:

39.435 (7) (d) By February 1, 2009, and biennially thereafter, the board shall
calculate the amount to be appropriated under s. 20.235 (1) (km) for the next
biennium as follows:

1. The board shall determine the percentage by which the undergraduate
academic fees charged for the next academic year at each institution within the
University of Wisconsin System, as estimated by the board, will increase or decrease
from the undergraduate academic fees charged for the current academic year.

2. The board shall determine the amount by which the undergraduate
academic fees that will be charged for a student to attend the University of
Wisconsin–Madison for the next academic year, as estimated by the board, will
increase or decrease from the amount of undergraduate academic fees charged for
a student to attend that institution for the current academic year and multiply the
amount of that increase by the number of students who are receiving grants from the
appropriation account under s. 20.235 (1) (km) for the current academic year.

3. The board shall determine the percentage by which the undergraduate
academic fees that will be charged for the academic year after the next academic year
at each institution within the University of Wisconsin System, as estimated by the
board, will increase or decrease from the estimated undergraduate academic fees
that will be charged for the next academic year.

4. The board shall determine the amount by which the undergraduate
academic fees that will be charged for a student to attend the University of
Wisconsin-Madison for the academic year after the next academic year, as estimated by the board, will increase or decrease from the estimated undergraduate academic fees that will be charged for a student to attend that institution for the next academic year and multiply the amount of that increase by the number of students who will be receiving grants from the appropriation account under s. 20.235 (1) (km) for the next academic year, as estimated by the board.

5. The appropriation for the next fiscal year shall be the result obtained by increasing, to the nearest $100, the base amount by the highest percentage increase determined under subd. 1. or the amount determined under subd. 2., whichever is greater, except that, if the amount of the undergraduate academic fees for the current academic year decreased or did not change from the undergraduate academic fees charged for the previous academic year at each institution specified in subd. 1., the appropriation shall be the base amount.

6. The appropriation for the 2nd fiscal year of the next biennium shall be the result obtained by increasing, to the nearest $100, the base amount by the average of the percentage increases determined under subd. 3. or the amount determined under subd. 4., whichever is greater, except that, if the undergraduate academic fees for the academic year after the next academic year are estimated to decrease or not change from the estimated undergraduate academic fees charged for the next academic year at each institution specified under subd. 3., the appropriation shall be the base amount.

**SECTION 25. Effective dates.** This act takes effect on the day after publication, except as follows:
(1) Tuition, Higher Education, and Lawton Grants. The treatment of sections 20.235 (1) (b), (ff), and (km), and 20.505 (8) (hm) 10. of the statutes takes effect on July 1, 2009.