2015 SENATE BILL 416

December 3, 2015 – Introduced by Senators LASSA, OLSEN, SHILLING, ERPENBACH, L. TAYLOR, MARKLEIN and RINGHAND, cosponsored by Representatives PETRYK, MILROY, ZAMARRIPA, OHNSTAD, DANOU, E. BROOKS, KRUG, C. TAYLOR, SPREITZER, SKOWRONSKI, RIPP, A. OTT and ROHRKASTE. Referred to Committee on Universities and Technical Colleges.

AN ACT to create 20.235 (1) (fr), 39.51, 59.56 (4m) and 106.34 of the statutes; relating to: creating a student loan reimbursement program for individuals who relocate to certain rural counties, authorizing non-rural counties to create a similar student loan reimbursement program, granting rule-making authority, and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill creates the Growing Rural Opportunities and Workforce in Wisconsin Program (GROW Wisconsin program), administered by the Higher Educational Aids Board (HEAB), that provides student loan reimbursement payments to individuals who relocate to certain rural counties. Under the program, an individual with an outstanding balance on a student loan may apply to HEAB for student loan reimbursement payments if 1) the individual obtained a degree, or an embedded pathway certificate or technical diploma, prior to establishing residency in a rural opportunity community and prior to applying to HEAB; and 2) the individual establishes residency in a rural opportunity community after the applicable county board adopts a resolution to participate in the GROW Wisconsin program (authorizing resolution). The authorizing resolution must include an irrevocable commitment by the county to participate in the program for at least five years and must specify the maximum total of all payments by the county toward the outstanding balance of an individual’s student loan, which payments may not exceed the lesser of $7,500 or 10 percent of the outstanding balance of the student loan. A
"rural opportunity community" is a county that has adopted an authorizing resolution and that is certified by the secretary of workforce development as an eligible rural county based on certain criteria. Under the GROW Wisconsin program, HEAB makes annual student loan payments to an individual’s lender in the amount of 10 percent of the outstanding balance of the individual’s student loan, but not exceeding a total of $7,500 or the maximum amount of payment authorized by the rural opportunity community. The rural opportunity community, under the authorizing resolution, also makes payments toward the outstanding balance of the individual’s student loan, and HEAB’s payments may not exceed the amount of the payments by the rural opportunity community. HEAB may not make payments under the program for an individual for more than five years and must cease payments if the individual relocates outside the rural opportunity community. If the amount appropriated for HEAB’s payments is insufficient, HEAB must prorate its payments.

Also under the bill, a county that is not a rural opportunity community (a non-ROC) may create a program that is similar to the program created under the bill, except that the board of such a county may set the maximum annual and total payments at whatever amount it considers appropriate. An individual who is eligible for a reimbursement payment from a program established by a non-ROC is not eligible to receive a state matching grant under the state program. In addition, a non-ROC may partner with any city, village, or town that is located wholly or partly within the county, or with any other person, to help the non-ROC fund the county program.

For further information see the state and local 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.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

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<td>Growing rural opportunities and workforce in Wisconsin program</td>
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**SECTION 2.** 20.235 (1) (fr) of the statutes is created to read:
20.235 (1) (fr) Growing rural opportunities and workforce in Wisconsin program. Biennially, the amounts in the schedule for the growing rural opportunities and workforce in Wisconsin program under s. 39.51.

SECTION 3. 39.51 of the statutes is created to read:

39.51 Growing rural opportunities and workforce in Wisconsin program. (1) In this section:

(a) “Authorizing resolution” means a resolution adopted by a county board that does all of the following:

1. Authorizes the county to participate in the program and contains an irrevocable commitment to continue participation in the program for at least 5 years.

2. Specifies the maximum total of all payments by the county toward the outstanding balance of an individual’s student loan, which payments may not exceed the lesser of $7,500 or 10 percent of the outstanding balance of the individual’s student loan.

(b) “Institution of higher education” has the meaning given in s. 39.32 (1) (a).

(c) “Lender” means any person to whom a student loan is repayable, including an agency, subdivision, or agent of the federal or state government with respect to a student loan made under a federal or state student loan program.

(d) “Program” means the growing rural opportunities and workforce in Wisconsin program under this section.

(e) “Rural opportunity community” means a county to which all of the following apply:

1. The board has received certification under s. 106.34 that the county is an eligible rural county.

2. The county board has adopted an authorizing resolution.
(f) “Student loan” means a loan made to a resident student for the purpose of providing financial assistance to attend an institution of higher education in this state.

(2) (a) An individual is eligible for student loan reimbursement payments under sub. (3) if all of the following apply:

1. The individual has submitted to the board a complete application under par. (b) and, at the time of application, has an outstanding balance on any student loan made to the individual.

2. The individual establishes residency in a rural opportunity community after the county board adopts an authorizing resolution.

3. The individual obtained an embedded pathway certificate, technical diploma, associate degree, bachelor’s degree, or graduate degree prior to establishing residency in the rural opportunity community and prior to submitting the application under subd. 1.

(b) The board shall prescribe the form of the application for student loan reimbursement under the program. Each application shall identify all of the following:

1. All student loans made to the applicant for which there remains an outstanding balance as of the date of the application.

2. For each student loan identified under subd. 1., the outstanding balance of the loan as of the date of the application, the payment schedule for the loan, and the scheduled maturity date of the loan.

3. For each student loan identified under subd. 1., the name of the lender and the address for sending student loan payments to the lender.
(3) (a) Subject to pars. (b) to (g), for each eligible individual under sub. (2) (a) from whom the board receives an application, the board shall make an annual student loan payment to the individual’s lender as identified under sub. (2) (b) 3. Subject to pars. (b) to (g), the amount of the payment under this paragraph shall be equal to 10 percent of the outstanding balance of the individual’s student loan, as calculated at the time the payment is made.

(b) If the individual for whose benefit payments are to be made under par. (a) has identified more than one student loan under sub. (2) (b) 1., the board shall prorate its payments among all student loans identified by the individual.

(c) The total amount of all payments by the board under this subsection for the benefit of an individual may not exceed $7,500, or the amount specified in the authorizing resolution as provided in sub. (1) (a) 2., whichever is less. The board may not make payments under this subsection for the benefit of an individual for more than 5 years.

(d) The board may not make a payment under this subsection for the benefit of an individual unless the rural opportunity community, by itself or in conjunction with a municipality or any other person, makes a payment that is equal to or greater than the board’s payment.

(e) If an individual pays the entire outstanding balance of a student loan prior to the board making payments to the lender under this subsection, the board shall pay directly to the individual the amounts that the board would have paid to the lender.

(f) The board may not make any payment under this subsection for the benefit of an individual who submitted an application under sub. (2) (a) 1. after the
individual has relocated and established residency outside the rural opportunity community.

(g) All payments made by the board under this subsection shall be made from the appropriation account under s. 20.235 (1) (fr). In each fiscal year, the board shall determine the projected total amount of student loan reimbursement payments eligible to be made under this subsection. If the moneys appropriated under s. 20.235 (1) (fr) are not sufficient to provide full reimbursement payments under this subsection, the board shall prorate the reimbursement payments under this subsection in the proportion that the moneys available bears to the total amount eligible for payments and shall notify the joint committee on finance that the appropriation under s. 20.235 (1) (fr) is insufficient to fully fund payments under this subsection.

(4) Nothing in this section relieves an individual of any contractual duty to a lender to make scheduled payments on a student loan.

SECTION 4. 59.56 (4m) of the statutes is created to read:

59.56 (4m) STUDENT LOAN REIMBURSEMENT PROGRAM. (a) The board of any county that is not a rural opportunity community, as defined in s. 39.51 (1) (e), may create a program that is similar to the growing rural opportunities and workforce in Wisconsin program under s. 39.51.

(b) If the board creates such a program, it shall base its program on the program under s. 39.51, except that a board acting under this subsection may set the maximum annual and total payments at whatever amount the board considers appropriate. No individual who is eligible for a student loan reimbursement payment under a program established under this subsection may be eligible for a
state matching grant which may be available to an individual who is eligible for, and
participates in, the program under s. 39.51.

(c) A county that creates a program under this subsection may partner with any
city, village, or town that is located wholly or partly within the county, or with any
other person, on whatever terms the parties agree, under which the county’s partner
helps fund the costs of the payments the county makes under the program.

SECTION 5. 106.34 of the statutes is created to read:

106.34 Certification of rural counties as eligible for participation in
the growing rural opportunities and workforce in Wisconsin program. (1)

In this section:

(a) “Board” has the meaning given in s. 39.26.

(b) “Urbanized area” has the meaning given in 23 USC 134 (b) (7).

(2) (a) Within 90 days after application by a county, the secretary shall
determine whether the county meets the criteria for being an eligible rural county
under sub. (3). If the county meets these criteria, the secretary shall certify the
county as an eligible rural county for purposes of s. 39.51 and provide a copy of the
certification to the board.

(b) After a county is certified under par. (a), the secretary shall biennially
reexamine the certification and, if the county continues to meet the criteria for being
an eligible rural county under sub. (3), recertify the county as an eligible rural county
for purposes of s. 39.51 and provide a copy of the recertification to the board.

(3) The secretary shall certify a county as an eligible rural county, for purposes
of s. 39.51, if any of the following applies:

(a) The county satisfies all of the following:

1. The county does not include any urbanized area.
2. Less than 25 percent of persons residing in the county are employed in another county that includes an urbanized area.

3. Less than 25 percent of persons employed in the county reside in another county that includes an urbanized area.

(b) The county satisfies all criteria established by rule under sub. (4).

(4) The department may promulgate rules under this section specifying criteria for certifying a county as an eligible rural county, based on the following factors:

(a) The county's estimated and actual population size and population growth or decline.

(b) The employment demand in the county for individuals to fill market or industry openings.

(c) Any other factor considered significant by the department and identified as a result of input received from the University of Wisconsin System, the technical college system, or any local workforce investment board established under 29 USC 2832.