

2009 DRAFTING REQUEST

Bill

Received: **09/18/2008**

Received By: **gmalaise**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Rhodes**

This file may be shown to any legislator: **NO**

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Higher Education - miscellaneous**

Extra Copies:

Submit via email: **NO**

Pre Topic:

DOA:.....Rhodes, BB0235 -

Topic:

Remission of fees for veterans and dependents

Instructions:

See attached--require veterans and dependents to use education assistance provided under New GI Bill

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise 09/18/2008	kfollett 09/29/2008		_____			State
/P1			phenry 09/29/2008	_____	sbasford 09/29/2008		State
/1	gmalaise 11/20/2008	kfollett 11/21/2008	jfrantze 11/21/2008	_____	cduerst 11/21/2008		State
/2	gmalaise 01/15/2009	kfollett 01/16/2009	mduchek 01/16/2009	_____	cduerst 01/16/2009		State
/3	gmalaise 01/28/2009	kfollett 01/28/2009	mduchek 01/28/2009	_____	mbarman 01/29/2009		

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

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/2	gmalaise 01/15/2009	kfollett 01/16/2009	mduchek 01/16/2009	_____	cduerst 01/16/2009		

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Handwritten notes: 13/5-f, 1/28, M, 1/28 JK

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/1	gmalaise 11/20/2008	kfollett 11/21/2008	jfrantze 11/21/2008	_____	cduerst 11/21/2008		

FE Sent For:

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1/18

MD MDJF

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1/16

2009 DRAFTING REQUEST

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Wanted: As time permits

Identical to LRB:

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By/Representing: Rhodes

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May Contact:

Addl. Drafters:

Subject: Higher Education - miscellaneous

Extra Copies:

Submit via email: NO

Pre Topic:

DOA:.....Rhodes, BB0235 -

Topic:

Remission of fees for veterans and dependents

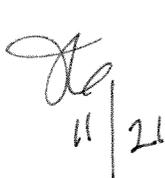
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/P1	gmalaise	11/5/08 11/21	phenry 09/29/2008	_____	sbasford 09/29/2008		State

FE Sent For:




2009-11 Budget Bill Statutory Language Drafting Request

- Topic: Remission of fees for veterans and dependents
- Tracking Code: BB0235
- SBO team: Education, Children & Families
- SBO analyst: Dennis Rhodes
 - Phone: 266-2843
 - Email: Dennis.Rhodes@Wisconsin.gov
- Agency acronym: HEAB
- Agency number: 235
- Priority (Low, Medium, High): Medium

Please convert LRB 09-0295/P1 to a DOA draft and delete the change that converts 20.235 (1) (fz) Remission of fees for veterans and dependents into a sum sufficient appropriation.

2009 DRAFTING REQUEST

Bill

Received: 09/18/2008

Received By: gmalaise

Wanted: As time permits

Identical to LRB:

For: Higher Educational Aids Board 264-6181

By/Representing: Connie Hutchison

This file may be shown to any legislator: NO

Drafter: gmalaise

May Contact:

Addl. Drafters:

Subject: Higher Education - miscellaneous

Extra Copies:

Submit via email: YES

Requester's email: connie.hutchison@wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Remission of fees for veterans and dependents

Instructions:

See attached--make appropriation for reimbursement of fees remitted for veterans and dependents sum sufficient; require veterans and dependents to use education assistance provided under New GI Bill

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/P1			phenry 09/29/2008	_____	sbasford 09/29/2008		

FE Sent For:

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2009 DRAFTING REQUEST

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Wanted: **As time permits**

Identical to LRB:

For: **Higher Educational Aids Board 264-6181**

By/Representing: **Connie Hutchison**

This file may be shown to any legislator: **NO**

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Higher Education - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **connie.hutchison@wisconsin.gov**

Carbon copy (CC:) to:

DG
MDK

Pre Topic:

No specific pre topic given

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/?	gmalaise	1P/KJF 9/29	g ph	g 9/29 ph/MD			

FE Sent For:

<END>

Malaise, Gordon

From: Hutchison, Connie L - HEAB [Connie.Hutchison@wisconsin.gov]
Sent: Tuesday, September 16, 2008 2:48 PM
To: Malaise, Gordon
Cc: Nelson, Sherrie A - HEAB
Subject: Drafting Request
Attachments: LRB Request 0911.doc; LRB Request2 0911.doc

Attached is HEAB's request for draft legislation which corresponds to our biennial budget request.

Please contact me if you have any questions.

Thanks,

Connie Hutchison, PhD
Executive Secretary
Higher Educational Aids Board
608.264.6181



State of Wisconsin Higher Educational Aids Board

P.O. Box 7885
Madison, WI 53707-7885

E-Mail: HEABmail@heab.state.wi.us

Telephone: (608) 567-2206
Fax: (608) 267-2808

Web Page: heab.wisconsin.gov

James E. Doyle
Governor

Connie L. Hutchison
Executive Secretary

To: Gordon Malaise, Legislative Reference Bureau
From: Connie Hutchison, Higher Educational Aids Board
RE: Draft Language for HEAB's Biennial Budget Request
Date: September 15, 2008

On behalf of the HEAB, I request draft language for the following proposed statutory changes. There are two attachments with this email. Thank you in advance for your assistance, and please call me at 264-6181 if you need further information.

3. Remission of Fees for Veterans and Dependents – Maximize Federal Monies Available to Wisconsin; Make Appropriation Sum Sufficient

Problem: With the passage of the federal Post 9/11 GI Bill, Wisconsin needs a statutory language change which would serve to maximize the federal education benefit dollars available to Wisconsin's Veterans. The 2005-07 budget (2005 Wisconsin Act 25) created a 50% tuition remission for certain veterans and a 100% tuition remission for certain dependents of veterans at UW System and Wisconsin Technical College System institutions. In the spring of 2006, the Governor signed the Wisconsin GI Bill, which expanded the tuition remission for veterans to a 100% remission beginning in the 2007-08 academic year.

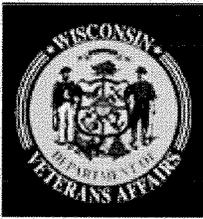
In the 2007-2009 Biennial Budget, lawmakers and the Governor provided state funding for the tuition remission program creating state statutes **36.27(3n)(c)** and **38.24(8)**. Wisconsin is one of the leaders in the nation in providing well-deserved education benefits for veterans and their dependents, however there is no provision that available federal dollars must be accessed.

Solution: Create a statutory revision to the Wisconsin GI Bill requiring veterans and their families, if the federal government enacts legislation providing veterans' educational benefits that are payable directly to educational institutions for tuition and fees, as opposed to providing lump sum benefits directly to veterans that may be used for all educational expenses including housing and books, to utilize such federal support before accessing tuition and fee remissions under the Wisconsin GI Bill. Statutory changes should be written in such a way that this does not result in

a decrease of benefits to veterans. HEAB would continue their work in cooperation with the appropriate state and federal agencies in seeking such changes.

Problem: While \$6.56 million in GPR funding will be provided in 2008-09 to reimburse University of Wisconsin and Wisconsin Technical College System institutions for the cost of remissions provided through the Wisconsin GI Bill, it is estimated that over \$23 million in remissions will be granted at University of Wisconsin System institutions alone in 2008-09. It is estimated that in academic year 2009-2010 over \$34 million in remissions will be granted at University of Wisconsin System and Technical College System institutions

Solution: Provide sum sufficient funding for tuition remissions for veterans and their dependents. Full GPR funding for these remissions will ensure that all Wisconsin students continue to have access to, and receive, a high quality Wisconsin Technical College or University of Wisconsin education.



Wisconsin Department of Veterans Affairs

"Making a difference in the lives of Wisconsin Veterans"

> Home > Public Affairs > Hot Topics > Post 9/11 Veterans Education Assistance Act 2008

Post-9/11 Veterans Educational Assistance Act of 2008

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The federal Post-9/11 Veterans Educational Assistance Act, signed into law on June 30, 2008 (PL 110-252), *effective August 1, 2009*, will provide up to 36 full-time months educational benefits for qualifying veterans for the 15 year period following discharge or release from the last period of active duty military service.

COVERED VETERANS:

Category	If the Veteran has Aggregate Post-9/11 Active Duty Military service of at least...	...but less than	...and... includes active duty service for entry level and skill training	...then the rate of payment for tuition and fees, living allowance, and stipend, is:
1	36 months	N/A	<i>is discharged or released due to a service-connected disability</i>	100%
2	30 continuous days	N/A	includes active duty service for entry level and skill training	100%
3	30 months	36 months	includes active duty service for entry level and skill training	90%
4	24 months	30 months	<i>excludes active duty service for entry level and skill training</i>	80%
5	18 months	24 months	<i>excludes active duty service for entry level and skill training</i>	70%
6	12 months	18 months	<i>excludes active duty service for entry level and</i>	60%

- | Site Map
- | Contact WDVA |

7	6 months	12 months	skill training <i>excludes</i> active duty service for entry level and skill training	50%
8	90 days	6 months		40%

CORE BENEFITS:

- I. **Tuition and Fees Payments:** Lump sum payment made directly to the school per quarter, semester, or term, with the maximum rate of payment equal to the full established charges for the program of study (not to exceed the maximum in-state rate for full-time study at the highest-cost in-state public institution).

For private schools participating in the *Yellow Ribbon G.I. Education Enhancement Program*, VA will match the remaining charges with the participating school.

- II. **Housing Stipend:** A maximum monthly rate of payment equal to the Basic Allowance for Housing (BAH) rate for an E-5 with dependents, based on the school's zip code. The student must be enrolled greater than half-time. (See:

<http://perdiem.hqda.pentagon.mil/perdiem/bah.html>.)

- III. **Stipend for Additional Educational Costs:** Maximum rate of payment of \$1,000 each year for books, supplies, equipment, and other educational costs, paid in a lump sum prorated by quarter, semester, or term.

ADDITIONAL BENEFITS:

- **Tutorial Assistance:** Maximum payment of \$100 per month, up to a 12-month or \$1,200 maximum.
- **Relocation Assistance:** A one-time \$500 payment for qualifying individuals.
- **Licensure or certification:** Maximum payment of \$2,000 or the actual cost of one test, whichever is less.
- **Transfer to Dependents:** An active duty service member with qualifying service with an agreement to serve additional years may transfer unused benefits to the veteran's spouse (upon 6 or more years of service) or children (transfer at 6 years of service, with use beginning at 10 or more years of service; child must be age 18 or older).

RESOURCES:

- Wisconsin Department of Veterans Affairs: [WDVA Fact Sheet: Post-9/11 Veterans Educational Assistance Act of 2008](#)
- U.S. Department of Veterans Affairs: [VA Fact Sheet: The Post-9/11 Veterans Educational Assistance Act of 2008](#)
- U.S. Department of Veterans Affairs: [Frequently Asked Questions: Post-9/11 G.I. Bill](#)
- Military.com: [New G.I. Bill Overview](#)
- The Capital Times: [New GI bill might finally deliver promise of paid college for vets](#)



Agency Budget Draft

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

DN of E

Don + Gen

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

Analysis by the Legislative Reference Bureau

EDUCATION

the Higher Educational Aids Board

OTHER EDUCATIONAL AND CULTURAL AGENCIES

X

Current law requires the Board of Regents of the UW System (board of regents) and each technical college district board (district board) to grant full remission of all academic fees charged for up to 128 credits or eight semesters, whichever is longer, to certain veterans who are residents of this state for veterans benefits purposes and to the spouse, unremarried surviving spouse, and children of a veteran who was a resident of this state at the time of entry into service and who either: 1) while a resident of this state, died on active duty, died as the result of a service-connected disability, or died in the line of duty while on active or inactive duty for training purposes; or 2) incurred at least a 30 percent service-connected disability rating. In the case of a veteran enrolled in the UW System, "academic fees" includes nonresident tuition. Current law requires HEAB to reimburse the board of regents and district boards for those academic fees remitted from a sum certain appropriation derived from general purpose revenues.

X

X

This bill converts that sum certain appropriation to a sum sufficient appropriation. The bill also directs the board of regents and a district board granting a remission of academic fees to require a veteran or a spouse, unremarried surviving spouse, or child of a veteran to apply to the payment of those academic fees all educational assistance to which that person is entitled under the federal Post-9/11 Veterans Educational Assistance Act of 2008 (P.L. 110-252 commonly referred to as

← stays

)

In

the "New GI Bill," which provides educational assistance for members of the U.S. Armed Forces who serve after September 11, 2001. In addition, the bill requires the board of regents or a district board to deduct from the amount of academic fees remitted the amount of any academic fees paid under the New GI Bill.

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

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

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

2 20.235 (1) (fz) *Remission of fees for veterans and dependents*. Biennially, the
3 amounts in the schedule A sum sufficient to reimburse the Board of Regents of the
4 University of Wisconsin System and technical college district boards under s. 39.50
5 for fee remissions made under ss. 36.27 (3n) or (3p) and 38.24 (7) or (8).

History: 1971 c. 44; 1971 c. 125 ss. 62, 63, 64, 65, 66, 522 (1); 1971 c. 211; 1973 c. 90, 243, 333; 1975 c. 39, 118, 189, 199, 224; 1977 c. 29, 418; 1979 c. 34 ss. 136 to 155, 2102 (22) (a); 1979 c. 175, 221; 1981 c. 20 ss. 156 to 162p, 2202 (22) (a); 1983 a. 27; 1985 a. 29, 120; 1987 a. 27, 399; 1987 a. 403 s. 256; 1989 a. 31, 336; 1991 a. 39, 269; 1993 a. 16, 399; 1995 a. 27 ss. 558 to 563, 9127 (1); 1997 a. 27 s. 236 to 242, 253, 267, 268; 1999 a. 9, 144; 2001 a. 16, 109; 2003 a. 33; 2005 a. 25; 2007 a. 20.

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

6 SECTION 2. 36.27 (3n) (b) (intro.) of the statutes is amended to read:

7 36.27 (3n) (b) (intro.) Except as provided in subds. 1. to 3. and par. (bm), the
8 board shall grant full remission of academic fees and segregated fees for 128 credits
9 or 8 semesters, whichever is longer, less the amount of any academic fees or
10 segregated fees paid under 38 USC 3319, to any resident student who is also any of
11 the following:

History: 1973 c. 333 ss. 68g, 68k, 201f (2); 1973 c. 335; 1975 c. 39, 199; 1977 c. 29; 1981 c. 20; 1983 a. 407; 1985 a. 51, 192; 1987 a. 399; 1989 a. 31 ss. 709p to 710, 2908; 1989 a. 67, 181, 359; 1991 a. 39, 168, 169; 1993 a. 16; 1995 a. 27, 228; 1997 a. 27, 163, 237; 1999 a. 9, 130, 154, 186; 2001 a. 16, 38; 2003 a. 33 ss. 936, 9160; 2003 a. 42, 185, 320; 2005 a. 22, 25, 320, 387, 404, 468; 2007 a. 20, 130.

12 SECTION 3. 36.27 (3n) (bm) of the statutes is created to read:

13 36.27 (3n) (bm) Before the board may grant a remission of academic fees and
14 segregated fees under par. (b), the board shall require the resident student to apply
15 to the payment of those fees all educational assistance to which the resident student
16 is entitled under 38 USC 3319.

1 SECTION 4. 36.27 (3n) (c) of the statutes is amended to read:

2 36.27 (3n) (c) The higher educational aids board shall reimburse the board of
3 regents for all academic fees and segregated fees remitted under par. (b) as provided
4 in s. 39.50 (1) and (3m).

History: 1973 c. 333 ss. 68g, 68k, 201f (2); 1973 c. 335; 1975 c. 39, 199; 1977 c. 29; 1981 c. 20; 1983 a. 407; 1985 a. 51, 192; 1987 a. 399; 1989 a. 31 ss. 709p to 710, 2908; 1989 a. 67, 181, 359; 1991 a. 39, 168, 169; 1993 a. 16; 1995 a. 27, 228; 1997 a. 27, 163, 237; 1999 a. 9, 130, 154, 186; 2001 a. 16, 38; 2003 a. 33 ss. 936, 9160; 2003 a. 42, 185, 320; 2005 a. 22, 25, 320, 387, 404, 468; 2007 a. 20, 130.

5 SECTION 5. 36.27 (3p) (b) of the statutes is amended to read:

6 36.27 (3p) (b) The Except as provided in par. (bm), the board shall grant full
7 remission of nonresident tuition, academic fees, and segregated fees charged for 128
8 credits or 8 semesters, whichever is longer, less the amount of any academic fees or
9 segregated fees paid under 10 USC 2107 (c) or, 38 USC 3104 (a) (7) (A), or 38 USC
10 3313, to any student who is a veteran.

History: 1973 c. 333 ss. 68g, 68k, 201f (2); 1973 c. 335; 1975 c. 39, 199; 1977 c. 29; 1981 c. 20; 1983 a. 407; 1985 a. 51, 192; 1987 a. 399; 1989 a. 31 ss. 709p to 710, 2908; 1989 a. 67, 181, 359; 1991 a. 39, 168, 169; 1993 a. 16; 1995 a. 27, 228; 1997 a. 27, 163, 237; 1999 a. 9, 130, 154, 186; 2001 a. 16, 38; 2003 a. 33 ss. 936, 9160; 2003 a. 42, 185, 320; 2005 a. 22, 25, 320, 387, 404, 468; 2007 a. 20, 130.

11 SECTION 6. 36.27 (3p) (bm) of the statutes is created to read:

12 36.27 (3p) (bm) Before the board may grant a remission of nonresident tuition,
13 academic fees, and segregated fees under par. (b), the board shall require the student
14 to apply to the payment of that tuition and those fees all educational assistance to
15 which the student is entitled under 38 USC 3313.

16 SECTION 7. 36.27 (3p) (c) of the statutes is amended to read:

17 36.27 (3p) (c) The higher educational aids board shall reimburse the board of
18 regents for all nonresident tuition, academic fees, and segregated fees remitted
19 under par. (b) as provided in s. 39.50 (1) and (3m).

History: 1973 c. 333 ss. 68g, 68k, 201f (2); 1973 c. 335; 1975 c. 39, 199; 1977 c. 29; 1981 c. 20; 1983 a. 407; 1985 a. 51, 192; 1987 a. 399; 1989 a. 31 ss. 709p to 710, 2908; 1989 a. 67, 181, 359; 1991 a. 39, 168, 169; 1993 a. 16; 1995 a. 27, 228; 1997 a. 27, 163, 237; 1999 a. 9, 130, 154, 186; 2001 a. 16, 38; 2003 a. 33 ss. 936, 9160; 2003 a. 42, 185, 320; 2005 a. 22, 25, 320, 387, 404, 468; 2007 a. 20, 130.

20 SECTION 8. 38.24 (7) (b) (intro.) of the statutes is amended to read:

21 38.24 (7) (b) (intro.) Except as provided in subs. 1. to 3. and par. (bm), the
22 district board shall grant full remission of fees under sub. (1m) (a) to (c) for 128

1 credits or 8 semesters, whichever is longer, less the amount of any fees paid under
2 38 USC 3319, to any resident student who is also any of the following:

History: 1971 c. 154, 211, 228; 1975 c. 39, 224; 1977 c. 29, 418; 1981 c. 20; 1983 a. 27; 1985 a. 29; 1987 a. 27; 1989 a. 31, 107, 336; 1991 a. 39 ss. 1103 to 1108m, 1117; 1993 a. 16, 223, 491; 1995 a. 27 s. 9126 (19); 1995 a. 77, 228; 1997 a. 27, 163, 292; 1999 a. 32 s. 97; 1999 a. 130, 154; 2003 a. 42; 2005 a. 22, 25, 253, 320, 468; 2007 a. 20 ss. 738mr to 741, 9121 (6) (a); 2007 a. 130.

3 SECTION 9. 38.24 (7) (bm) of the statutes is created to read:

4 district 38.24 (7) (bm) Before the district board may grant a remission of fees under par.

5 (b), the board shall require the resident student to apply to the payment of those fees
6 all educational assistance to which the resident student is entitled under 38 USC
7 3319.

8 SECTION 10. 38.24 (7) (c) of the statutes is amended to read:

9 38.24 (7) (c) The higher educational aids board shall reimburse the district
10 board for all fees under sub. (1m) (a) to (c) remitted under par. (b) as provided in s.
11 39.50 (2) and ~~(3m)~~.

History: 1971 c. 154, 211, 228; 1975 c. 39, 224; 1977 c. 29, 418; 1981 c. 20; 1983 a. 27; 1985 a. 29; 1987 a. 27; 1989 a. 31, 107, 336; 1991 a. 39 ss. 1103 to 1108m, 1117; 1993 a. 16, 223, 491; 1995 a. 27 s. 9126 (19); 1995 a. 77, 228; 1997 a. 27, 163, 292; 1999 a. 32 s. 97; 1999 a. 130, 154; 2003 a. 42; 2005 a. 22, 25, 253, 320, 468; 2007 a. 20 ss. 738mr to 741, 9121 (6) (a); 2007 a. 130.

12 SECTION 11. 38.24 (8) (b) of the statutes is amended to read:

13 38.24 (8) (b) The Except as provided in par. (bm), the district board shall grant
14 full remission of the fees charged under sub. (1m) (a) to (c) for 128 credits or 8
15 semesters, whichever is longer, less the amount of any fees paid under 10 USC 2107

16 (c) ~~or~~, 38 USC 3104 (a) (7) (A), or 38 USC 3313, to any student who is a veteran.

History: 1971 c. 154, 211, 228; 1975 c. 39, 224; 1977 c. 29, 418; 1981 c. 20; 1983 a. 27; 1985 a. 29; 1987 a. 27; 1989 a. 31, 107, 336; 1991 a. 39 ss. 1103 to 1108m, 1117; 1993 a. 16, 223, 491; 1995 a. 27 s. 9126 (19); 1995 a. 77, 228; 1997 a. 27, 163, 292; 1999 a. 32 s. 97; 1999 a. 130, 154; 2003 a. 42; 2005 a. 22, 25, 253, 320, 468; 2007 a. 20 ss. 738mr to 741, 9121 (6) (a); 2007 a. 130.

17 SECTION 12. 38.24 (8) (bm) of the statutes is created to read:

18 district 38.24 (8) (bm) Before the district board may grant a remission of fees under par.

19 (b), the board shall require the student to apply to the payment of those fees all
20 educational assistance to which the student is entitled under 38 USC 3313.

21 SECTION 13. 38.24 (8) (c) of the statutes is amended to read:

stat

1 38.24 (8) (c) The higher educational aids board shall reimburse the district
2 board for all fees under sub. (1m) (a) to (c) remitted under par. (b) as provided in s.
3 39.50 (2) and ~~(3m)~~.

History: 1971 c. 154, 211, 228; 1975 c. 39, 224; 1977 c. 29, 418; 1981 c. 20; 1983 a. 27; 1985 a. 29; 1987 a. 27; 1989 a. 31, 107, 336; 1991 a. 39 ss. 1103 to 1108m, 1117; 1993 a. 16, 223, 491; 1995 a. 27 s. 9126 (19); 1995 a. 77, 228; 1997 a. 27, 163, 292; 1999 a. 32 s. 97; 1999 a. 130, 154; 2003 a. 42; 2005 a. 22, 25, 253, 320, 468; 2007 a. 20 ss. 738mr to 741, 9121 (6) (a); 2007 a. 130.

4 **SECTION 14.** 39.50 (1) of the ~~statutes~~ is amended to read:

5 39.50 (1) UNIVERSITY OF WISCONSIN SYSTEM. At the end of each semester, the
6 Board of Regents of the University of Wisconsin System shall certify to the board the
7 number of students enrolled in the University of Wisconsin System to whom any fees
8 or nonresident tuition has been remitted under s. 36.27 (3n) or (3p), the number of
9 credits for which those fees or that nonresident tuition has been remitted, and the
10 amount of fees and nonresident tuition remitted. ~~Subject to sub. (3m), if~~ If the board
11 approves the information certified under this subsection, the board, from the
12 appropriation account under s. 20.235 (1) (fz), shall reimburse the board of regents
13 for the full amount of fees and nonresident tuition remitted. The board of regents
14 shall credit any amounts received under this subsection to the appropriation under
15 s. 20.285 (1) (k) and shall expend those amounts received for degree credit
16 instruction.

History: 2007 a. 20.

17 **SECTION 15.** 39.50 (2) of the ~~statutes~~ is amended to read:

18 39.50 (2) TECHNICAL COLLEGES. At the end of each semester, each technical
19 college district board shall certify to the board the number of students enrolled in the
20 technical college governed by the district board to whom any fees have been remitted
21 under s. 38.24 (7) or (8), the number of credits for which those fees have been
22 remitted, and the amount of those fees remitted. ~~Subject to sub. (3m), if~~ If the board
23 approves the information certified under this subsection, the board, from the

1 appropriation account under s. 20.235 (1) (fz), shall reimburse the district board for
2 the full amount of fees remitted.

3 History: 2007 a. 20.

3 **SECTION 16.** 39.50 (3) of the statutes is repealed.

4 (END)

D- Note

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

LRB-0295/P1dn

GMM... *GF*

Date

(g)

Connie: *✓*

X Section 3313 *(g)* of the federal Post 9/11 Veterans Educational Assistance Act of 2008 (P.L. 110-252), which was signed into law on June 30, 2008, requires the educational assistance paid under that section to be paid directly to the educational institution concerned. Accordingly, it appears that the federal legislation that you referred to in your drafting instructions in the hypothetical has become a reality. Accordingly, this draft requires a veteran or dependent to first apply any benefits to which he or she is entitled under that act to the academic fees remitted and reduces the academic fees remitted by the amount of those benefits. *✓*

Gordon M. Malaise
Senior Legislative Attorney
Phone: (608) 266-9738
E-mail: gordon.malaise@legis.wisconsin.gov

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

LRB-0295/P1dn
GMM:kjf:ph

September 29, 2008

Connie:

Section 3313 (g) of the federal Post 9/11 Veterans Educational Assistance Act of 2008 (P.L. 110-252), which was signed into law on June 30, 2008, requires the educational assistance paid under that section to be paid directly to the educational institution concerned. Accordingly, it appears that the federal legislation that you referred to in your drafting instructions in the hypothetical has become a reality. Accordingly, this draft requires a veteran or dependent to first apply any benefits to which he or she is entitled under that act to the academic fees remitted and reduces the academic fees remitted by the amount of those benefits.

Gordon M. Malaise
Senior Legislative Attorney
Phone: (608) 266-9738
E-mail: gordon.malaise@legis.wisconsin.gov



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0295/P1

GMM:kjf:ph

EN 11/20

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

Don + Gen

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

Analysis by the Legislative Reference Bureau

EDUCATION

OTHER EDUCATIONAL AND CULTURAL AGENCIES

Current law requires the Board of Regents of the UW System (Board of Regents) and each technical college district board (district board) to grant full remission of all academic fees charged for up to 128 credits or eight semesters, whichever is longer, to certain veterans who are residents of this state for veterans benefits purposes and to the spouse, unremarried surviving spouse, and children of a veteran who was a resident of this state at the time of entry into service and who either: 1) while a resident of this state, died on active duty, died as the result of a service-connected disability, or died in the line of duty while on active or inactive duty for training purposes; or 2) incurred at least a 30 percent service-connected disability rating. In the case of a veteran enrolled in the UW System, "academic fees" includes nonresident tuition. ~~Current law requires the Higher Educational Aids Board (HEAB) to reimburse the Board of Regents and district boards for those academic fees remitted from a sum certain appropriation derived from general purpose revenues.~~

This bill ~~converts that sum certain appropriation to a sum sufficient appropriation.~~ The bill also directs the Board of Regents and a district board granting a remission of academic fees to require a veteran or a spouse, unremarried, surviving spouse, or child of a veteran to apply to the payment of those academic fees all educational assistance to which that person is entitled under the federal

Post-9/11 Veterans Educational Assistance Act of 2008 (P.L. 110-252), commonly referred to as the "New GI Bill," which provides educational assistance for members of the U.S. armed forces who serve after September 11, 2001. In addition, the bill requires the Board of Regents or a district board to deduct from the amount of academic fees remitted the amount of any academic fees paid under the New GI Bill.

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

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

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

2 ~~20.235 (1) (fz) Remission of fees for veterans and dependents. Biennially, the~~
3 ~~amounts in the schedule A sum sufficient~~ to reimburse the Board of Regents of the
4 University of Wisconsin System and technical college district boards under s. 39.50
5 for fee remissions made under ss. 36.27 (3n) or (3p) and 38.24 (7) or (8).

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

6 **SECTION 2.** 36.27 (3n) (b) (intro.) of the statutes is amended to read:

7 36.27 (3n) (b) (intro.) Except as provided in subds. 1. to 3. and par. (bm), the
8 board shall grant full remission of academic fees and segregated fees for 128 credits
9 or 8 semesters, whichever is longer, less the amount of any academic fees or
10 segregated fees paid under 38 USC 3319, to any resident student who is also any of
11 the following:

12 **SECTION 3.** 36.27 (3n) (bm) of the statutes is created to read:

13 36.27 (3n) (bm) Before the board may grant a remission of academic fees and
14 segregated fees under par. (b), the board shall require the resident student to apply
15 to the payment of those fees all educational assistance to which the resident student
16 is entitled under 38 USC 3319.

17 ~~**SECTION 4.** 36.27 (3n) (e) of the statutes is amended to read:~~

1 ~~36.27 (3n) (c) The higher educational aids board shall reimburse the board of~~
2 ~~regents for all academic fees and segregated fees remitted under par. (b) as provided~~
3 ~~in s. 39.50 (1) and (3m).~~

4 SECTION 5. 36.27 (3p) (b) of the statutes is amended to read:

5 36.27 (3p) (b) The Except as provided in par. (bm), the board shall grant full
6 remission of nonresident tuition, academic fees, and segregated fees charged for 128
7 credits or 8 semesters, whichever is longer, less the amount of any academic fees or
8 segregated fees paid under 10 USC 2107 (c) or, 38 USC 3104 (a) (7) (A), or 38 USC
9 3313, to any student who is a veteran.

10 SECTION 6. 36.27 (3p) (bm) of the statutes is created to read:

11 36.27 (3p) (bm) Before the board may grant a remission of nonresident tuition,
12 academic fees, and segregated fees under par. (b), the board shall require the student
13 to apply to the payment of that tuition and those fees all educational assistance to
14 which the student is entitled under 38 USC 3313.

15 ~~SECTION 7. 36.27 (3p) (c) of the statutes is amended to read:~~

16 ~~36.27 (3p) (c) The higher educational aids board shall reimburse the board of~~
17 ~~regents for all nonresident tuition, academic fees, and segregated fees remitted~~
18 ~~under par. (b) as provided in s. 39.50 (1) and (3m).~~

19 SECTION 8. 38.24 (7) (b) (intro.) of the statutes is amended to read:

20 38.24 (7) (b) (intro.) Except as provided in subs. 1. to 3. and par. (bm), the
21 district board shall grant full remission of fees under sub. (1m) (a) to (c) for 128
22 credits or 8 semesters, whichever is longer, less the amount of any fees paid under
23 38 USC 3319, to any resident student who is also any of the following:

24 SECTION 9. 38.24 (7) (bm) of the statutes is created to read:

1 38.24 (7) (bm) Before the district board may grant a remission of fees under par.
2 (b), the district board shall require the resident student to apply to the payment of
3 those fees all educational assistance to which the resident student is entitled under
4 38 USC 3319.

5 ~~SECTION 10. 38.24 (7) (c) of the statutes is amended to read:~~

6 38.24 (7) (e) The higher educational aids board shall reimburse the district
7 board for all fees under sub. (1m) (a) to (c) remitted under par. (b) as provided in s.
8 39.50 (2) and (3m).

9 ~~SECTION 11. 38.24 (8) (b) of the statutes is amended to read:~~

10 38.24 (8) (b) The Except as provided in par. (bm), the district board shall grant
11 full remission of the fees charged under sub. (1m) (a) to (c) for 128 credits or 8
12 semesters, whichever is longer, less the amount of any fees paid under 10 USC 2107
13 (c) ~~or~~, 38 USC 3104 (a) (7) (A), or 38 USC 3313, to any student who is a veteran.

14 ~~SECTION 12. 38.24 (8) (bm) of the statutes is created to read:~~

15 38.24 (8) (bm) Before the district board may grant a remission of fees under par.
16 (b), the district board shall require the student to apply to the payment of those fees
17 all educational assistance to which the student is entitled under 38 USC 3313.

18 ~~SECTION 13. 38.24 (8) (c) of the statutes is amended to read:~~

19 38.24 (8) (c) The higher educational aids board shall reimburse the district
20 board for all fees under sub. (1m) (a) to (c) remitted under par. (b) as provided in s.
21 39.50 (2) and (3m).

22 ~~SECTION 14. 39.50 (1) of the statutes is amended to read:~~

23 39.50 (1) UNIVERSITY OF WISCONSIN SYSTEM At the end of each semester, the
24 Board of Regents of the University of Wisconsin System shall certify to the board the
25 number of students enrolled in the University of Wisconsin System to whom any fees

1 or nonresident tuition has been remitted under s. 36.27 (3n) or (3p), the number of
2 credits for which those fees or that nonresident tuition has been remitted, and the
3 amount of fees and nonresident tuition remitted. Subject to sub. (3m), if If the board
4 approves the information certified under this subsection, the board, from the
5 appropriation account under s. 20.235 (1) (fz), shall reimburse the board of regents
6 for the full amount of fees and nonresident tuition remitted. The board of regents
7 shall credit any amounts received under this subsection to the appropriation under
8 s. 20.285 (1) (k) and shall expend those amounts received for degree credit
9 instruction.

10 **SECTION 15.** 39.50 (2) of the statutes is amended to read:

11 39.50 (2) TECHNICAL COLLEGES. At the end of each semester, each technical
12 college district board shall certify to the board the number of students enrolled in the
13 technical college governed by the district board to whom any fees have been remitted
14 under s. 38.24 (7) or (8), the number of credits for which those fees have been
15 remitted, and the amount of those fees remitted. Subject to sub. (3m), if If the board
16 approves the information certified under this subsection, the board, from the
17 appropriation account under s. 20.235 (1) (fz), shall reimburse the district board for
18 the full amount of fees remitted.

19 **SECTION 16.** 39.50 (3) of the statutes is repealed.

20 (END)

Malaise, Gordon

From: Rhodes, Dennis - DOA [dennis.rhodes@wisconsin.gov]
Sent: Wednesday, January 14, 2009 4:00 PM
To: Malaise, Gordon
Subject: RE: LRB 09-0295/P1

Hi Gordon,

There are some significant changes needed to this draft as of today. We want Vets who are eligible for Post 9/11 and the old Montgomery Bill to be required to use Post 9/11. For Vets who are not Webb eligible, or who are not eligible for Montgomery or Webb, there is no change from current law.

The major change—we want to use the existing remission appropriation in HEAB to be able to support “hold harmless” payments to Vets who are disadvantaged by Webb relative to Montgomery. Financial aid offices will make the determination if one federal benefit is superior to the other and calculate the hold harmless payment.

Let me know what host of issues this change might suggest.

Thanks,

Dennis



2
RVR

DOA:.....Rhodes, BB0235 - Remission of fees for veterans and dependents
FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

Don't Get

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

Analysis by the Legislative Reference Bureau
EDUCATION

(dependents)

OTHER EDUCATIONAL AND CULTURAL AGENCIES

Current law requires the Board of Regents of the UW System (Board of Regents) and each technical college district board (district board) to grant full remission of all academic fees charged for up to 128 credits or eight semesters, whichever is longer, to certain veterans who are residents of this state for veterans benefits purposes and to the spouse, unremarried surviving spouse, and children of a veteran who was a resident of this state at the time of entry into service and who either: 1) while a resident of this state, died on active duty, died as the result of a service-connected disability, or died in the line of duty while on active or inactive duty for training purposes; or 2) incurred at least a 30 percent service-connected disability rating. In the case of a veteran enrolled in the UW System, "academic fees" includes nonresident tuition.

This bill directs the Board of Regents and a district board granting a remission of academic fees to require a veteran or a ~~spouse, unremarried surviving spouse, or child~~ of a veteran to apply to the payment of those academic fees all educational assistance to which that person is entitled under the federal Post-9/11 Veterans Educational Assistance Act of 2008 (P.L. 110-252), commonly referred to as the "New GI Bill," which provides educational assistance for members of the U.S. armed forces who serve after September 11, 2001. ~~In addition, the bill requires the Board of~~

dependent

Insert A

~~Regents or a district board to deduct from the amount of academic fees remitted the amount of any academic fees paid under the New GI Bill.~~

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

Insert
2-1
↓

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

1 SECTION 1. 36.27 (3n) (b) (intro.) of the statutes is amended to read:

2 36.27 (3n) (b) (intro.) Except as provided in subds. 1. to 3. and par. (bm), the
3 board shall grant full remission of academic fees and segregated fees for 128 credits
4 or 8 semesters, whichever is longer, less the amount of any academic fees or
5 segregated fees paid under 38 USC 3319, to any resident student who is also any of
6 the following: Insert 2-11 of regents

7 SECTION 2. 36.27 (3n) (bm) of the statutes is created to read:

8 36.27 (3n) (bm) Before the board, may grant a remission of academic fees and
9 segregated fees under par. (b), the board shall require the resident student to apply
10 to the payment of those fees all educational assistance to which the resident student
11 is entitled under 38 USC 3319.

12 SECTION 3. 36.27 (3p) (b) of the statutes is amended to read:

13 36.27 (3p) (b) The Except as provided in par. (bm), the board shall grant full
14 remission of nonresident tuition, academic fees, and segregated fees charged for 128
15 credits or 8 semesters, whichever is longer, less the amount of any academic fees or
16 segregated fees paid under 10 USC 2107 (c) ~~or~~, 38 USC 3104 (a) (7) (A), or 38 USC
17 3313, to any student who is a veteran. of regents

18 SECTION 4. 36.27 (3p) (bm) of the statutes is created to read:

19 36.27 (3p) (bm) Before the board, may grant a remission of nonresident tuition,
20 academic fees, and segregated fees under par. (b), the board shall require the student

Insert 3-21

1 to apply to the payment of that tuition and those fees all educational assistance to
2 which the student is entitled under 38 USC 3313. ↖

3 SECTION 5. 38.24 (7) (b) (intro.) of the statutes is amended to read:

4 38.24 (7) (b) (intro.) Except as provided in subds. 1. to 3. and par. (bm), the
5 district board shall grant full remission of fees under sub. (1m) (a) to (c) for 128
6 credits or 8 semesters, whichever is longer, less the amount of any fees paid under
7 38 USC 3319, to any resident student who is also any of the following:

8 SECTION 6. 38.24 (7) (bm) of the statutes is created to read:

9 38.24 (7) (bm) Before the district board may grant a remission of fees under par.
10 (b), the district board shall require the resident student to apply to the payment of
11 those fees all educational assistance to which the resident student is entitled under
12 38 USC 3319. ↖

Insert 3-12

13 SECTION 7. 38.24 (8) (b) of the statutes is amended to read:

14 38.24 (8) (b) ~~The~~ Except as provided in par. (bm), the district board shall grant
15 full remission of the fees charged under sub. (1m) (a) to (c) for 128 credits or 8
16 semesters, whichever is longer, less the amount of any fees paid under 10 USC 2107
17 (c) ~~or~~, 38 USC 3104 (a) (7) (A), or 38 USC 3313, to any student who is a veteran.

18 SECTION 8. 38.24 (8) (bm) of the statutes is created to read:

19 38.24 (8) (bm) Before the district board may grant a remission of fees under par.
20 (b), the district board shall require the student to apply to the payment of those fees
21 all educational assistance to which the student is entitled under 38 USC 3313. ↖

22 (END)

Insert 3-21

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0295/2ins
GMM.....

(INSERT 2-1)

1 **SECTION 1.** 20.235 (1) (fz) of the statutes is amended to read:
2 20.235 (1) (fz) *Remission of fees and reimbursement for veterans and*
3 *dependents.* Biennially, the amounts in the schedule to reimburse the Board of
4 Regents of the University of Wisconsin System and technical college district boards
5 under s. 39.50 for fee remissions made under ss. 36.27 (3n) (b) or (3p) (b) and 38.24
6 (7) (b) or (8) (b) and to reimburse veterans and dependents as provided in ss. 36.27
7 (3n) (b) or (3p) (b) and 38.24 (7) (b) or (8) (b).

History: 1971 c. 44; 1971 c. 125 ss. 62, 63, 64, 65, 66, 522 (1); 1971 c. 211; 1973 c. 90, 243, 333; 1975 c. 39, 118, 189, 199, 224; 1977 c. 29, 418; 1979 c. 34 ss. 136 to 155, 2102 (22) (a); 1979 c. 175, 221; 1981 c. 20 ss. 156 to 162p, 2202 (22) (a); 1983 a. 27; 1985 a. 29, 120; 1987 a. 27, 399; 1987 a. 403 s. 256; 1989 a. 31, 336; 1991 a. 39, 269; 1993 a. 16, 399; 1995 a. 27 ss. 558 to 563, 9127 (1); 1997 a. 27 s. 236 to 242, 253, 267, 268; 1999 a. 9, 144; 2001 a. 16, 109; 2003 a. 33; 2005 a. 25; 2007 a. 20.

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

(END INSERT)

(INSERT 2-11)

8 *no #* This requirement applies notwithstanding the fact that the resident student
9 may be entitled to educational assistance under 38 USC 3500 to 3566 as well as
10 under 38 USC 3319. For a resident student who is entitled to educational assistance
11 under both 38 USC 3500 to 3566 and 38 USC 3319, if the amount of educational
12 assistance to which the resident student is entitled under 38 USC 3500 to 3566 is
13 greater than the amount of educational assistance to which the resident student is
14 entitled under 38 USC 3319, as determined by the board of regents, the higher
15 educational aids board shall reimburse the resident student for the difference in
16 those amounts of educational assistance, as calculated by the board of regents.

(END INSERT)

(INSERT 3-2)

1 *no #* This requirement applies notwithstanding the fact that the student may be
 2 entitled to educational assistance under 38 USC 3001 to 3036 as well as under 38
 3 USC 3313. For a *resident* student who is entitled to educational assistance under
 4 both 38 USC 3001 to 3036 and 38 USC 3313, if the amount of educational assistance
 5 to which the *resident* student is entitled under 38 USC 3001 to 3036 is greater than
 6 the amount of educational assistance to which the *resident* student is entitled under
 7 38 USC 3313, as determined by the board of regents, the higher educational aids
 8 board shall reimburse the *resident* student for the difference in those amounts of
 9 educational assistance, as calculated by the board of regents.

(END INSERT)

(INSERT 3-12)

10 *no #* This requirement applies notwithstanding the fact that the resident student
 11 may be entitled to educational assistance under 38 USC 3500 to 3566 as well as
 12 under 38 USC 3319. For a resident student who is entitled to educational assistance
 13 under both 38 USC 3500 to 3566 and 38 USC 3319, if the amount of educational
 14 assistance to which the resident student is entitled under 38 USC 3500 to 3566 is
 15 greater than the amount of educational assistance to which the resident student is
 16 entitled under 38 USC 3319, as determined by the district board of the higher
 17 educational aids board shall reimburse the resident student for the difference in
 18 those amounts of educational assistance, as calculated by the district board.

(END INSERT)

(INSERT 3-21)

19 *no #* This requirement applies notwithstanding the fact that the student may be
 20 entitled to educational assistance under 38 USC 3001 to 3036 as well as under 38

1 USC 3313. For a ~~resident~~ student who is entitled to educational assistance under
 2 both 38 USC 3001 to 3036 and 38 USC 3313, if the amount of educational assistance
 3 to which the ~~resident~~ student is entitled under 38 USC 3001 to 3036 is greater than
 4 the amount of educational assistance to which the ~~resident~~ student is entitled under
 5 38 USC 3313, as determined by the district board, the higher educational aids board
 6 shall reimburse the ~~resident~~ student for the difference in those amounts of
 7 educational assistance, as calculated by the district board.

(END INSERT)

(INSERT A)

no p

← This requirement applies notwithstanding the fact that the veteran or dependent may be entitled to educational assistance under the federal Montgomery GI Bill Act of 1984 or the federal Survivors' and Dependents' Educational Assistance Program (collectively referred to as the "Old GI Bill") as well as under the New GI Bill. For a veteran or dependent who is entitled to educational assistance under both the Old GI Bill and the New GI Bill, if the amount of educational assistance to which the veteran or dependent is entitled under the Old GI Bill is greater than the amount of educational assistance to which the veteran or dependent is entitled under the New GI Bill, HEAB must reimburse the veteran or dependent for the difference in those amounts of educational assistance.

(END INSERT)

the Higher Educational Aids Board

Malaise, Gordon

From: Rhodes, Dennis - DOA [dennis.rhodes@wisconsin.gov]
Sent: Wednesday, January 28, 2009 2:12 PM
To: Malaise, Gordon
Subject: FW: LRB Draft: 09-0295/2 Remission of fees for veterans and dependents

Gordon,

Another large change: we'd like HEAB to make the determination of benefits in consultation the Regents; WTCS district boards and the WTCS Board.

Thanks,

Dennis

From: Rhodes, Dennis - DOA
Sent: Wednesday, January 28, 2009 1:07 PM
To: Malaise, Gordon - LEGIS
Subject: RE: LRB Draft: 09-0295/2 Remission of fees for veterans and dependents

Gordon,

Sorry to be late with these changes; this draft has been the subject of some intense discussion.

1) The idea is we want to compare housing, book and any other ancillary benefits ~~against~~ under Post 9/11 to what a vet would get under Montgomery. If Educational Benefits under this draft could be interpreted to include tuition, the Post 9/11 bill would be superior for a vet every time; but tuition is "off the table" so to speak because of the existing Wisconsin GI Bill. Perhaps we could have a definition section that defines educational benefits as tuition payments and non-educational benefits as housing, books and other miscellaneous benefits? We then compare only non-educational benefits under Post 9/11 to Montgomery.

2) We also want to be clear that if a vet is eligible for both Post 9/11 and Montgomery they must choose Post 9/11 if they ever want to access Wisconsin GI Bill benefits.

Let me know if this information is incomprehensible.

Dennis

From: Duchek, Michael [mailto:Michael.Duchek@legis.wisconsin.gov]
Sent: Friday, January 16, 2009 10:28 AM
To: Rhodes, Dennis - DOA
Cc: Hanle, Bob - DOA; Hanaman, Cathlene - LEGIS; Beadles, Kathleen - DOA
Subject: LRB Draft: 09-0295/2 Remission of fees for veterans and dependents

Following is the PDF version of draft 09-0295/2.

Malaise, Gordon

From: Rhodes, Dennis - DOA [dennis.rhodes@wisconsin.gov]
Sent: Wednesday, January 28, 2009 1:07 PM
To: Malaise, Gordon
Subject: RE: LRB Draft: 09-0295/2 Remission of fees for veterans and dependents

Gordon,

Sorry to be late with these changes; this draft has been the subject of some intense discussion.

1) The idea is we want to compare housing, book and any other ancillary benefits against under Post 9/11 to what a vet would get under Montgomery. If Educational Benefits under this draft could be interpreted to include tuition, the Post 9/11 bill would be superior for a vet every time; but tuition is "off the table" so to speak because of the existing Wisconsin GI Bill. Perhaps we could have a definition section that defines educational benefits as tuition payments and non-educational benefits as housing, books and other miscellaneous benefits? We then compare only non-educational benefits under Post 9/11 to Montgomery.

2) We also want to be clear that if a vet is eligible for both Post 9/11 and Montgomery they must choose Post 9/11 if they ever want to access Wisconsin GI Bill benefits.

Let me know if this information is incomprehensible.

Dennis

From: Duchek, Michael [mailto:Michael.Duchek@legis.wisconsin.gov]
Sent: Friday, January 16, 2009 10:28 AM
To: Rhodes, Dennis - DOA
Cc: Hanle, Bob - DOA; Hanaman, Cathlene - LEGIS; Beadles, Kathleen - DOA
Subject: LRB Draft: 09-0295/2 Remission of fees for veterans and dependents

Following is the PDF version of draft 09-0295/2.



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0295/2

GMM:kjf.md

3
RMR

EN 1128

DOA:.....Rhodes, BB0235 - Remission of fees for veterans and dependents

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

Don't Gen

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

Analysis by the Legislative Reference Bureau

EDUCATION

OTHER EDUCATIONAL AND CULTURAL AGENCIES

Current law requires the Board of Regents of the UW System (Board of Regents) and each technical college district board (district board) to grant full remission of all academic fees charged for up to 128 credits or eight semesters, whichever is longer, to certain veterans who are residents of this state for veterans benefits purposes and to the spouse, unremarried surviving spouse, and children (dependents) of a veteran who was a resident of this state at the time of entry into service and who either: 1) while a resident of this state, died on active duty, died as the result of a service-connected disability, or died in the line of duty while on active or inactive duty for training purposes; or 2) incurred at least a 30 percent service-connected disability rating. In the case of a veteran enrolled in the UW System, "academic fees" includes nonresident tuition.

This bill directs the Board of Regents and a district board granting a remission of academic fees to require a veteran or a dependent of a veteran to apply to the payment of those academic fees all educational assistance to which that person is entitled under the federal Post-9/11 Veterans Educational Assistance Act of 2008 (P.L. 110-252), commonly referred to as the "New GI Bill," which provides educational assistance for members of the U.S. armed forces who serve after September 11, 2001. This requirement applies notwithstanding the fact that the

(inserted)
, other than educational assistance for tuition,

veteran or dependent may be entitled to educational assistance under the federal Montgomery GI Bill Act of 1984 or the federal Survivors' and Dependents' Educational Assistance Program (collectively referred to as the "Old GI Bill") as well as under the New GI Bill. For a veteran or dependent who is entitled to educational assistance under both the Old GI Bill and the New GI Bill, if the amount of educational assistance to which the veteran or dependent is entitled under the Old GI Bill is greater than the amount of educational assistance to which the veteran or dependent is entitled under the New GI Bill, the Higher Educational Aids Board must reimburse the veteran or dependent for the difference in those amounts of educational assistance.

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

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

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

2 20.235 (1) (fz) *Remission of fees and reimbursement for veterans and*
 3 *dependents.* Biennially, the amounts in the schedule to reimburse the Board of
 4 Regents of the University of Wisconsin System and technical college district boards
 5 under s. 39.50 for fee remissions made under ss. 36.27 (3n) (b) or (3p) (b) and 38.24
 6 (7) (b) or (8) (b) and to reimburse veterans and dependents as provided in ss. 36.27
 7 (3n) (bm) or (3p) (bm) and 38.24 (7) (bm) or (8) (bm).

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

8 **SECTION 2.** 36.27 (3n) (b) (intro.) of the statutes is amended to read:

9 36.27 **(3n)** (b) (intro.) Except as provided in subds. 1. to 3. and par. (bm), the
 10 board shall grant full remission of academic fees and segregated fees for 128 credits
 11 or 8 semesters, whichever is longer, less the amount of any academic fees or
 12 segregated fees paid under 38 USC 3319, to any resident student who is also any of
 13 the following:

14 **SECTION 3.** 36.27 (3n) (bm) of the statutes is created to read:

The higher education aids board shall make that determination and calculation in consultation with the Board of Regents

higher educational aids boards

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36.27 (3n) (bm) Before the Board of Regents may grant a remission of academic fees and segregated fees under par. (b), the Board of Regents shall require the resident student to apply to the payment of those fees all educational assistance to which the resident student is entitled under 38 USC 3319. This requirement applies notwithstanding the fact that the resident student may be entitled to educational assistance under 38 USC 3500 to 3566 as well as under 38 USC 3319. For a resident student who is entitled to educational assistance under both 38 USC 3500 to 3566 and 38 USC 3319, if the amount of educational assistance to which the resident student is entitled under 38 USC 3500 to 3566 is greater than the amount of educational assistance to which the resident student is entitled under 38 USC 3319, as determined by the Board of Regents, the higher educational aids board shall reimburse the resident student for the difference in those amounts of educational assistance, as calculated by the Board of Regents.

SECTION 4. 36.27 (3p) (b) of the statutes is amended to read:

36.27 (3p) (b) The Except as provided in par. (bm), the board shall grant full remission of nonresident tuition, academic fees, and segregated fees charged for 128 credits or 8 semesters, whichever is longer, less the amount of any academic fees or segregated fees paid under 10 USC 2107 (c) or 38 USC 3104 (a) (7) (A), or 38 USC 3313, to any student who is a veteran.

SECTION 5. 36.27 (3p) (bm) of the statutes is created to read:

36.27 (3p) (bm) Before the Board of Regents may grant a remission of nonresident tuition, academic fees, and segregated fees under par. (b), the board shall require the student to apply to the payment of that tuition and those fees all educational assistance to which the student is entitled under 38 USC 3313. This requirement applies notwithstanding the fact that the student may be entitled to

1 educational assistance under 38 USC 3001 to 3036 as well as under 38 USC 3313.

2 For a student who is entitled to educational assistance under both 38 USC 3001 to

3 3036 and 38 USC 3313, if the amount of educational assistance ^(not including educational assistance for tuition) to which the student

4 is entitled under 38 USC 3001 to 3036 is greater than the amount of educational

5 ^(not including educational assistance for tuition) assistance to which the student is entitled under 38 USC 3313, as determined by the

6 ^{higher educational aids board} Board of Regents, the higher educational aids board shall reimburse the student for

7 the difference in those amounts of educational assistance, as calculated by the Board

8 of Regents. ^{higher educational aids board. The higher educational aids board shall make that determination and calculation in consultation with}

9 SECTION 6. 38.24 (7) (b) (intro.) of the statutes is amended to read: ^{the Board of}

10 38.24 (7) (b) (intro.) Except as provided in subds. 1. to 3. and par. (bm), the ^{Regents}

11 district board shall grant full remission of fees under sub. (1m) (a) to (c) for 128

12 credits or 8 semesters, whichever is longer, less the amount of any fees paid under

13 38 USC 3319, to any resident student who is also any of the following:

14 SECTION 7. 38.24 (7) (bm) of the statutes is created to read:

15 38.24 (7) (bm) Before the district board may grant a remission of fees under par.

16 (b), the district board shall require the resident student to apply to the payment of

17 those fees all educational assistance to which the resident student is entitled under

18 38 USC 3319. This requirement applies notwithstanding the fact that the resident

19 student may be entitled to educational assistance under 38 USC 3500 to 3566 as well

20 as under 38 USC 3319. For a resident student who is entitled to educational

21 assistance under both 38 USC 3500 to 3566 and 38 USC 3319, if the amount of

22 ^{other than educational assistance for tuition} educational assistance to which the resident student is entitled under 38 USC 3500

23 ^{other than the educational assistance for tuition} to 3566 is greater than the amount of educational assistance to which the resident

24 student is entitled under 38 USC 3319, as determined by the ^{higher educational aids} district board, the

The higher educational aids board shall make that determination and calculation in consultation with the board and district board.

1 higher educational aids board shall reimburse the resident student for the difference
2 in those amounts of educational assistance, as calculated by the ^{higher educational aids,} district board.

3 SECTION 8. 38.24 (8) (b) of the statutes is amended to read:

4 38.24 (8) (b) The Except as provided in par. (bm), the district board shall grant
5 full remission of the fees charged under sub. (1m) (a) to (c) for 128 credits or 8
6 semesters, whichever is longer, less the amount of any fees paid under 10 USC 2107
7 (c) ~~or~~, 38 USC 3104 (a) (7) (A), or 38 USC 3313, to any student who is a veteran.

8 SECTION 9. 38.24 (8) (bm) of the statutes is created to read:

9 38.24 (8) (bm) Before the district board may grant a remission of fees under par.
10 (b), the district board shall require the student to apply to the payment of those fees
11 all educational assistance to which the student is entitled under 38 USC 3313. This
12 requirement applies notwithstanding the fact that the student may be entitled to
13 educational assistance under 38 USC 3001 to 3036 as well as under 38 USC 3313.

14 For a student who is entitled to educational assistance under both 38 USC 3001 to
15 3036 and 38 USC 3313, other than educational assistance for tuition, if the amount of educational assistance to which the student
16 is entitled under 38 USC 3001 to 3036 is greater than the amount of educational
17 other than educational assistance for tuition, assistance to which the student is entitled under 38 USC 3313, as determined by the

18 ^{higher educational aids} district board, the higher educational aids board shall reimburse the student for the
19 difference in those amounts of educational assistance, as calculated by the ^{higher educational aids,} district
20 board.

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(END)



DOA:.....Rhodes, BB0235 - Remission of fees for veterans and dependents
FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

EDUCATION

OTHER EDUCATIONAL AND CULTURAL AGENCIES

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veteran or dependent may be entitled to educational assistance under the federal Montgomery GI Bill Act of 1984 or the federal Survivors' and Dependents' Educational Assistance Program (collectively referred to as the "Old GI Bill") as well as under the New GI Bill. For a veteran or dependent who is entitled to educational assistance under both the Old GI Bill and the New GI Bill, if the amount of educational assistance, other than educational assistance for tuition, to which the veteran or dependent is entitled under the Old GI Bill is greater than the amount of educational assistance, other than educational assistance for tuition, to which the veteran or dependent is entitled under the New GI Bill, the Higher Educational Aids Board must reimburse the veteran or dependent for the difference in those amounts of educational assistance.

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4 Regents of the University of Wisconsin System and technical college district boards
5 under s. 39.50 for fee remissions made under ss. 36.27 (3n) (b) or (3p) (b) and 38.24
6 (7) (b) or (8) (b) and to reimburse veterans and dependents as provided in ss. 36.27
7 (3n) (bm) or (3p) (bm) and 38.24 (7) (bm) or (8) (bm).

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

8 **SECTION 2.** 36.27 (3n) (b) (intro.) of the statutes is amended to read:

9 36.27 (3n) (b) (intro.) Except as provided in subs. 1. to 3. and par. (bm), the
10 board shall grant full remission of academic fees and segregated fees for 128 credits
11 or 8 semesters, whichever is longer, less the amount of any academic fees or
12 segregated fees paid under 38 USC 3319, to any resident student who is also any of
13 the following:

14 **SECTION 3.** 36.27 (3n) (bm) of the statutes is created to read:

1 36.27 (3n) (bm) Before the Board of Regents may grant a remission of academic
2 fees and segregated fees under par. (b), the Board of Regents shall require the
3 resident student to apply to the payment of those fees all educational assistance to
4 which the resident student is entitled under 38 USC 3319. This requirement applies
5 notwithstanding the fact that the resident student may be entitled to educational
6 assistance under 38 USC 3500 to 3566 as well as under 38 USC 3319. For a resident
7 student who is entitled to educational assistance under both 38 USC 3500 to 3566
8 and 38 USC 3319, if the amount of educational assistance, not including educational
9 assistance for tuition, to which the resident student is entitled under 38 USC 3500
10 to 3566 is greater than the amount of educational assistance, not including
11 educational assistance for tuition, to which the resident student is entitled under 38
12 USC 3319, as determined by the higher educational aids board, the higher
13 educational aids board shall reimburse the resident student for the difference in
14 those amounts of educational assistance, as calculated by the higher educational
15 aids board. The higher educational aids board shall make that determination and
16 calculation in consultation with the Board of Regents.

17 **SECTION 4.** 36.27 (3p) (b) of the statutes is amended to read:

18 36.27 (3p) (b) The Except as provided in par. (bm), the board shall grant full
19 remission of nonresident tuition, academic fees, and segregated fees charged for 128
20 credits or 8 semesters, whichever is longer, less the amount of any academic fees or
21 segregated fees paid under 10 USC 2107 (c) or, 38 USC 3104 (a) (7) (A), or 38 USC
22 3313, to any student who is a veteran.

23 **SECTION 5.** 36.27 (3p) (bm) of the statutes is created to read:

24 36.27 (3p) (bm) Before the Board of Regents may grant a remission of
25 nonresident tuition, academic fees, and segregated fees under par. (b), the board

1 shall require the student to apply to the payment of that tuition and those fees all
2 educational assistance to which the student is entitled under 38 USC 3313. This
3 requirement applies notwithstanding the fact that the student may be entitled to
4 educational assistance under 38 USC 3001 to 3036 as well as under 38 USC 3313.
5 For a student who is entitled to educational assistance under both 38 USC 3001 to
6 3036 and 38 USC 3313, if the amount of educational assistance, not including
7 educational assistance for tuition, to which the student is entitled under 38 USC
8 3001 to 3036 is greater than the amount of educational assistance, not including
9 educational assistance for tuition, to which the student is entitled under 38 USC
10 3313, as determined by the higher educational aids board, the higher educational
11 aids board shall reimburse the student for the difference in those amounts of
12 educational assistance, as calculated by the higher educational aids board. The
13 higher educational aids board shall make that determination and calculation in
14 consultation with the Board of Regents.

15 **SECTION 6.** 38.24 (7) (b) (intro.) of the statutes is amended to read:

16 38.24 (7) (b) (intro.) Except as provided in subds. 1. to 3. and par. (bm), the
17 district board shall grant full remission of fees under sub. (1m) (a) to (c) for 128
18 credits or 8 semesters, whichever is longer, less the amount of any fees paid under
19 38 USC 3319, to any resident student who is also any of the following:

20 **SECTION 7.** 38.24 (7) (bm) of the statutes is created to read:

21 38.24 (7) (bm) Before the district board may grant a remission of fees under par.
22 (b), the district board shall require the resident student to apply to the payment of
23 those fees all educational assistance to which the resident student is entitled under
24 38 USC 3319. This requirement applies notwithstanding the fact that the resident
25 student may be entitled to educational assistance under 38 USC 3500 to 3566 as well

1 as under 38 USC 3319. For a resident student who is entitled to educational
2 assistance under both 38 USC 3500 to 3566 and 38 USC 3319, if the amount of
3 educational assistance, other than educational assistance for tuition, to which the
4 resident student is entitled under 38 USC 3500 to 3566 is greater than the amount
5 of educational assistance, other than educational assistance for tuition, to which the
6 resident student is entitled under 38 USC 3319, as determined by the higher
7 educational aids board, the higher educational aids board shall reimburse the
8 resident student for the difference in those amounts of educational assistance, as
9 calculated by the higher educational aids board. The higher educational aids board
10 shall make that determination and calculation in consultation with the board and
11 district board.

12 **SECTION 8.** 38.24 (8) (b) of the statutes is amended to read:

13 38.24 (8) (b) The Except as provided in par. (bm), the district board shall grant
14 full remission of the fees charged under sub. (1m) (a) to (c) for 128 credits or 8
15 semesters, whichever is longer, less the amount of any fees paid under 10 USC 2107
16 (c) ~~or~~, 38 USC 3104 (a) (7) (A), or 38 USC 3313, to any student who is a veteran.

17 **SECTION 9.** 38.24 (8) (bm) of the statutes is created to read:

18 38.24 (8) (bm) Before the district board may grant a remission of fees under par.
19 (b), the district board shall require the student to apply to the payment of those fees
20 all educational assistance to which the student is entitled under 38 USC 3313. This
21 requirement applies notwithstanding the fact that the student may be entitled to
22 educational assistance under 38 USC 3001 to 3036 as well as under 38 USC 3313.
23 For a student who is entitled to educational assistance under both 38 USC 3001 to
24 3036 and 38 USC 3313, if the amount of educational assistance, other than
25 educational assistance for tuition, to which the student is entitled under 38 USC

