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## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

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**2003 Assembly Bill 869**

**Assembly Amendments 1 and 2**

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Under **current law**, an adult student enrolled in the University of Wisconsin (UW) System is exempt from paying nonresident tuition if the student has been a bona fide Wisconsin resident for at least 12 months prior to enrollment. In determining bona fide residence, the person's intent to establish and maintain a permanent home in Wisconsin is determinative, but a student who enters and remains in Wisconsin principally to obtain an education is presumed to continue to reside outside Wisconsin.

Assembly Bill 869, as originally drafted, grants a nonresident tuition exemption to a person who has served on active duty under honorable conditions in the U.S. armed forces or forces incorporated in the armed forces (except active duty for training purposes) in one of specified war periods or crises, who is a resident of Wisconsin for purposes of receiving state veterans benefits, and whose military home of record at the time of entry or reentry into active service was Wisconsin. The tuition exemption would first apply to the academic year that begins after the bill is enacted.

**Assembly Amendment 1** instead provides that the tuition exemption would apply to qualifying students enrolled in the UW System in the 2003-04 Spring semester. The amendment also would require the UW System board of regents to reimburse any qualifying student the difference between nonresident tuition paid and resident tuition (referred to as "academic fees").

**Assembly Amendment 2** deletes the requirement that the student's military home of record had to be Wisconsin at the time of entry or reentry into the service.

### **LEGISLATIVE HISTORY**

On February 18, 2004, the Assembly Committee on Veterans and Military Affairs held a public hearing on LRB-4284/1, which was later introduced as 2003 Assembly Bill 869 and referred back to the committee. In executive session on February 26, 2004, the committee adopted Assembly Amendment 1 on a vote of Ayes, 13; Noes, 0. By unanimous consent, the committee introduced LRBa2413/1 as a committee amendment (which became Assembly Amendment 2) and adopted that amendment and recommended passage of the bill, as amended, also on votes of Ayes, 13; Noes, 0.

On March 4, 2004, the Assembly adopted Assembly Amendments 1 and 2 on voice votes, and passed the bill on a vote of Ayes, 97; Noes, 0. The bill has been messaged to the Senate and referred to the Senate Committee on Veterans and Military Affairs and Government Reform.

PS:jal