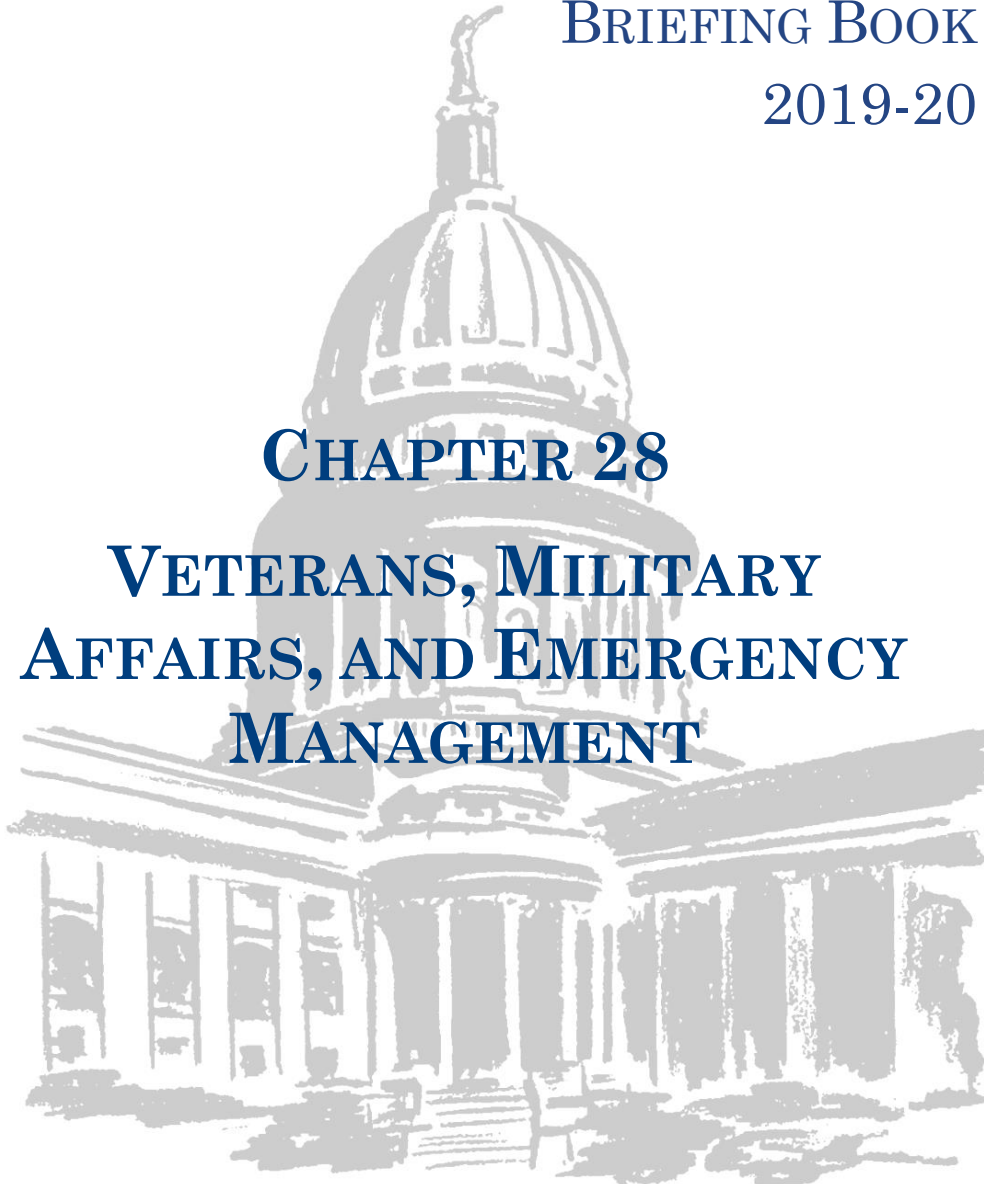


WISCONSIN LEGISLATOR  
BRIEFING BOOK  
2019-20

**CHAPTER 28**  
**VETERANS, MILITARY**  
**AFFAIRS, AND EMERGENCY**  
**MANAGEMENT**



David Moore, Senior Staff Attorney  
Wisconsin Legislative Council





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## INTRODUCTION

This chapter provides a brief overview of state programs related to veterans affairs, military affairs, and emergency management. The agencies with primary responsibility over these areas are the Department of Veterans Affairs (DVA) and the Department of Military Affairs (DMA). As will be described in greater detail below, DVA provides a variety of services to veterans of the U.S. armed forces and members of their families. These services include administering programs that provide health, educational, and economic assistance to eligible veterans and their dependents. DVA also operates three veterans homes, three veterans cemeteries, and the State Veterans Museum. DMA oversees the operations of the Wisconsin National Guard. The state mission of the Guard is to protect life and property and preserve peace, order, and public safety in times of natural and human-caused disasters and emergencies. DMA also administers Wisconsin's emergency management system through the Division of Emergency Management.

## DEPARTMENT OF VETERANS AFFAIRS

DVA operates under the direction and supervision of the Secretary of Veterans Affairs, who is required to be a veteran. The Secretary is nominated by the Governor and confirmed by the Senate. Prior to nominating the Secretary, the Governor must personally consult with the presiding officers of at least six Wisconsin veterans organizations. In addition to the position of Secretary, there is a nine-member Board of Veterans Affairs (the "Board") that is comprised entirely of veterans. Board members are appointed by the Governor for staggered four-year terms and are subject to Senate confirmation. There must be a board member from each of the state's eight Congressional districts.

The DVA Secretary, after consulting with the Board, may promulgate rules necessary to carry out the department's powers and duties and must provide a copy of any proposed rule to the Board for review. The Board may make written comments on the rule, which must be included in the rule analysis submitted by DVA. [s. 45.02 (2), Stats.]

The Council on Veterans Programs ("the Council") is comprised of representatives of organizations that have a direct interest in veterans affairs. The Council advises the Board and DVA on solutions and policy alternatives relating to the problems of veterans. The Council and DVA, jointly or separately, are required to submit a biennial report to the Legislature, including a general summary of the activities and membership of the Council and each organization represented on the Council over the past two years. [s. 45.03 (3), Stats.]

## COUNTY VETERANS SERVICE OFFICERS

Under state law, each county must have a county veterans service officer (CVSO) and provide the CVSO with office space and clerical assistance. DVA provides grants to

**A link to a listing of all CVSOs is available at:**

<http://wicvso.org/locate-your-cvso>

counties for maintaining and operating CVSO offices. The primary duties of CVSOs are to advise veterans of state and federal benefits and services to which they may be entitled and assist them in applying for those benefits and services.

CVSOs also may provide information to members of the National Guard and Reserves and their families about benefits to which they may be entitled, necessary military points of contact, and general deployment information. A number of Wisconsin tribes and bands have tribal veterans service officers, known as TVSOs. [s. 45.80, Stats.]

## STATE VETERANS PROGRAMS AND SERVICES

Wisconsin veterans may be eligible for a number of benefits and services from the state in

**Information about veterans benefits may be obtained by calling DVA at: (800) WIS-VETS [(800) 947-8387].**

addition to those provided by the U.S. Department of Veterans Affairs (U.S. DVA). State veterans programs are available in such areas as housing, education, employment, health care, subsistence aid, and transportation.

### Eligibility Requirements

To receive state veterans benefits and services, a veteran must meet eligibility requirements relating to military service and state residency. Family members of deceased or disabled veterans may also be eligible for certain benefits. Some veterans programs have additional requirements. [s. 45.02, Stats.]

### Military Service

**Information on eligibility for specific state veterans programs, and applications, is available on the DVA website at:**

<http://www.dva.state.wi.us/pages/benefitsClaims/BenefitsandClaims.aspx>  
or from the CVSO offices.

To fulfill the military service requirement for most veterans benefits, a person must have served for one of the statutorily-specified periods of active duty (other than active duty for training purposes) under honorable conditions in the U.S. Armed Forces or in forces incorporated in the Armed Forces. These statutorily-specified periods include peacetime service of the lesser of two years or initial term of enlistment. They also

include service of 90 days during a war period as defined in Wisconsin Statutes. Those who served honorably for 90 days during this time period meet the eligibility requirement. [s. 45.01 (12), Stats.]

### State Residency

With certain exceptions, to be eligible for benefits, a veteran must be a resident of Wisconsin and living in the state at the time he or she makes an application. If a family member of a deceased veteran is applying for benefits, one of the following must apply to the veteran from whom the applicant derives eligibility:

- The veteran’s selective service local board, if any, and home of record at the time of entering service (as shown on the separation-from-service or “DD-214” report) were in Wisconsin.
- The veteran was a resident of Wisconsin at the time of entry or reentry into active duty.
- The veteran was a resident for any consecutive 12-month period after entry or reentry into service and before the date of application for benefits or death.

[s. 45.02 (2), Stats.]

Veterans who are otherwise eligible and are serving on active duty do not have to be living in Wisconsin on the date of application to qualify for DVA benefits. If DVA once determines that a veteran meets the 12-month residency requirement, the veteran never has to reestablish that he or she meets the residency requirement when applying for any other benefit that requires that residency. Certain programs require that the veteran have entered service from Wisconsin. [s. 45.02 (4), Stats.]

### Funding

The Veterans Trust Fund (VTF) finances many programs and services for Wisconsin veterans including education grants, retraining grants, and state veterans cemeteries. In addition to funding these veterans programs and services, appropriations from the VTF are also used for the cost of salaries and fringe benefits, supplies, and services related to the administration of veterans programs. State taxpayers may contribute to the VTF by designating an amount on the Wisconsin individual or corporate income tax form.

## VETERANS EDUCATION BENEFITS

Wisconsin provides a number of education benefits for state veterans that are in addition to available federal benefits. The various programs have different eligibility criteria, including varying state residency requirements.

## Tuition Residency for Wisconsin Veterans

Wisconsin law provides that an eligible veteran who entered active duty from Wisconsin but who is nonetheless considered a nonresident for tuition purposes by the University of Wisconsin (UW) System is entitled to a 100% remission of nonresident tuition. The person must meet the definition of “veteran” in ch. 45, Stats., and be a resident of and living in Wisconsin at the time of registering at an institution. [s. 36.27 (3e), Stats.] Eligible veterans attending schools in the Wisconsin Technical College System (WTCS) are granted statutory residency status. State law also gives veterans and members of the armed forces priority in registering for courses at UW System and technical colleges.

**Information about the Wisconsin GI Bill and applications is available at:**

[www.dva.state.wi.us/Pages/education/Employment/Education.aspx](http://www.dva.state.wi.us/Pages/education/Employment/Education.aspx)

### Wisconsin GI Bill

The Wisconsin GI Bill provides a 100% waiver (“remission”) of tuition and fees for eligible veterans and their dependents for up to eight full-time semesters or 128 credits, whichever is longer, at any UW System or WTCS institution. The remission applies to both undergraduate and

graduate level study. The Wisconsin GI Bill applies to all degree credit courses, including distance education, online, cost recovery courses, and the UW-Madison Executive MBA program. [s. 36.27 (3p), Stats.]

### Remission for Veterans

To be eligible for the tuition remission, the veteran must be verified by DVA as being a Wisconsin resident for purposes of receiving state veterans benefits, as having been a Wisconsin resident at the time of entry into the Armed Forces, and as meeting any one of a number of service-related conditions. An eligible veteran who entered the service as a Wisconsin resident but is nonetheless considered by the UW System to be a nonresident for

**UW System has a “Frequently Asked Questions” document concerning the Wisconsin GI Bill at:**

<http://www.wisconsin.edu/veterans>

tuition purposes is also eligible to receive 100% remission of the nonresident portion of the tuition. Beginning in the fall semester of 2013, residency was expanded to veterans who lived in Wisconsin for at least five consecutive years immediately preceding the beginning of any school semester or session, even if they were not

residents of Wisconsin at the time of entry. This expanded residency does not, however, extend to family member education benefits.

The veteran must submit both an application for GI Bill benefits to the educational institution and a form requesting certification of eligibility to DVA. DVA determines the eligibility of the veteran and notifies the institution of its determination. There is no time limit within which the benefit must be used and the veteran may attend school full-time or part-time.

### Remission for Family Members

Spouses, unremarried surviving spouses, and children of veterans who entered service from Wisconsin may also receive the tuition remission if the veteran died in the line of duty while in active, National Guard, or Reserves service or received at least a 30% service-connected disability rating. These spouses and children must be resident students (interpreted as residents for tuition purposes) and must maintain a cumulative grade point average of at least 2.0. The child of an eligible veteran may receive the remission if the child is at least 17, but not yet 26, years of age.

### VetEd Tuition Reimbursement Program

The VetEd Program reimburses veterans for tuition and fees paid for courses taken as undergraduates at the UW System, the WTCS, or private higher education institutions. The maximum number of credits for which a veteran may receive reimbursement is based on the amount of time the veteran served on active duty. The maximum reimbursement cannot exceed what UW-Madison charges for the same number of credits.

VetEd reimbursement will be reduced to the extent that tuition and fees have already been paid by other grants, scholarships, and remissions, including the Wisconsin GI Bill and the federal Post 9/11 GI Bill. Veterans may apply for VetEd through their CVSO or online at the DVA website.

### Federal Post 9/11 GI Bill

The Post 9/11 GI Bill took effect on August 1, 2009. It provides funding for up to 36 months (four academic years) of tuition, books, and living expenses without contributions from the individual while in service, for veterans who served after September 11, 2001. For some qualifying veterans, this benefit can be transferred to a spouse or child, subject to certain conditions. Veterans and their qualifying dependents must use the Federal GI Bill and any other federal benefits to which they are entitled prior to using the Wisconsin GI Bill.

## VETERANS LOAN PROGRAMS

Effective December 1, 2011, there is an indefinite moratorium on DVA's loan programs. Information on certain of these programs is included in this chapter because there are a number of these loans outstanding, but the department is no longer accepting new applicants. DVA is referring those veterans needing assistance with home loans to the Wisconsin Housing and Economic Development Authority Advantage Program, which can be found at: <https://www.wheda.com/Home-Buyers/Available-Programs/>.

**Please note that the department is not currently issuing new loans under this program.**



## Veterans Primary Housing Loan Program

The Veterans Primary Housing Loan Program provided fixed-rate mortgage loans to qualifying state veterans to purchase or construct a home. Members of the National Guard and Reserves who had served for six consecutive years and who were living in the state at the time of application were also eligible for the program. DVA was the program lender, with funding for loans coming from the proceeds of state bond issuances. Veterans were required to make a down payment on the home of at least 5%, unless the veteran was totally and permanently disabled. There was no private mortgage insurance requirement. The loan principal amount was limited to 2-1/2 times the median sales price of a Wisconsin home. The outstanding loans are secured with a mortgage on the properties and the homes must be the veteran's primary or secondary residence (primary in the case of two- to four-unit residences).

## Home Improvement Loan Program

Under the Home Improvement Loan Program, veterans could borrow up to 90% of their home's equity for additions, construction of a garage, repairs, and remodeling.

## VETERANS GRANT PROGRAMS

DVA administers a number of grant programs for veterans and veterans organizations. These include the retraining grant program, the Assistance to Needy Veterans grant program, the CVSO grant program, and a program to provide grants to certain nonprofit organizations.

### Retraining Grant Program

Under the Retraining Grant Program, veterans who are underemployed or recently unemployed may apply for up to \$3,000 a year for up to two years if they demonstrate financial need while enrolled in a training program that is expected to lead to employment. DVA may pay a retraining grant directly to the veteran's employer if the veteran is in a structured on-the-job training program. [s. 45.21, Stats.]

### Assistance to Needy Veterans Grant Program

The Assistance to Needy Veterans Grant Program provides limited financial emergency assistance to financially needy veterans or their dependents who have exhausted all other sources of aid. The grants may be used for specified health care or subsistence needs or for economic emergency assistance for spouses and dependents of activated or deployed service members. There is a cumulative lifetime grant award limit of \$7,500. [s. 45.40, Stats.]

### CVSO Grant Program

DVA provides grants to counties and tribes for the improvement of service to former military personnel of the county through the CVSO. The amount available to a county

under this program depends on the county's population and whether the county's veteran services officer is full-time or part-time.

The 2015-17 Biennial Budget bill modified the system used for making CVSO grants and tribal veterans service office grants from a sum-certain amount to an expense reimbursement basis. The budget bill specified that the costs eligible for reimbursement include only the following: (a) information technology; (b) transportation for veterans and services to veterans with barriers; (c) special outreach to veterans; (d) training and services provided by DVA and U.S. DVA; and (e) certain salary and fringe benefit expenses incurred in 2016.

## Grants to Nonprofit Organizations

2015 Wisconsin Act 383 created a grant program administered by DVA, under which DVA may award up to a total of \$250,000 in grants to nonprofit organizations that provide financial assistance or other services to veterans and their families. The maximum amount that may be granted to a nonprofit organization per fiscal year is \$25,000.

## OTHER VETERANS PROGRAMS AND SERVICES

### Veterans and Surviving Spouse Property Tax Credit

Wisconsin law provides a property tax credit to veterans with a 100% disability or their surviving spouses and the surviving spouses of service members who died while on active duty. The credit is equal to the amount of property taxes paid during the year on a principal dwelling.

A veteran must be at least 65 years of age and meet all of the following conditions to qualify for the tax credit:

- Served on active duty under honorable conditions in the U.S. Armed Forces or in forces incorporated in the U.S. Armed Forces.
- Was a resident of Wisconsin at the time of entry into active service or was a resident of Wisconsin for any consecutive five-year period after entry into that service.
- Is currently a resident of Wisconsin for purposes of receiving veterans benefits under ch. 45, Stats.
- Either has a service-connected disability rating of 100% from U.S. DVA or is considered individually unemployable and is rated 100% disabled on that basis.

To qualify for the tax credit as a surviving spouse, a person must be the unremarried surviving spouse of **one** of the following, as verified by DVA:

- A veteran who met all of the above conditions.

- An individual who died in the line of duty while on active or inactive duty for training purposes as a member of the National Guard or a reserve component of the U.S. Armed Forces and who was a resident of this state at the time of entry into that service or who had been a resident of Wisconsin for any consecutive five-year period after entry into that service, and died in the line of duty as a Wisconsin resident. [s. 71.07 (6e), Stats.]

## Assistance With Filing U.S. DVA Claims

**The claims assistance office may be reached at (414) 902-5757.**

DVA maintains a claims assistance office at the U.S. DVA Regional Office in Milwaukee and develops and files all federal disability and pension claims for veterans in Milwaukee County, in addition to assisting the county

veterans services officers in most other counties in developing those claims.

## Post-Traumatic Stress Disorder (PTSD) Outreach and Referral Services

DVA is required to provide services related to PTSD to service members and veterans, including at least one of the following: (1) outreach services to service members and veterans who may be experiencing PTSD; or (2) information on the availability of PTSD medical services and referrals to those services. DVA works with the UW System and provides grants to the Center for Veterans Issues, in Milwaukee, to fulfill this requirement. [s. 45.03 (13) (f), Stats.]

**2017 Wisconsin Act 295 directed DVA to administer a pilot program to provide outreach, mental health services, and support to certain individuals who are serving or who have served in the armed forces and who have a mental health condition or substance abuse disorder.**

## Veterans Assistance Program

The Veterans Assistance Program provides assistance to veterans who have a need for assistance based on homelessness, incarceration, or other circumstances determined by DVA. This program provides eligible veterans with job training, education, counseling, and rehabilitative services (such as alcohol and other drug abuse (AODA) counseling) in order to become employed, find affordable housing, and develop living skills.

Veterans with a characterization of service other than a dishonorable discharge are eligible to participate in the program and there is no state residency requirement for the program. The program assists veterans' families to obtain housing, but cannot feed or house a veteran's spouse (unless also a veteran) or children. [s. 45.43, Stats.]

## Employment and Training Services

### Vow to Hire Heroes Act

The federal Vow to Hire Heroes Act created the Veterans Retraining Assistance Program (VRAP), which offers up to 12 months of retraining assistance to qualified unemployed veterans between the ages of 35 and 60. To be eligible, a veteran must not be eligible for any other VA education benefit programs, not be in receipt of VA compensation due to individual unemployability, and not be enrolled in a federal or state job training program.

2017 Wisconsin Act 195 created a state program called Hire Heroes. Under this program, an employer can be reimbursed for the wages it pays to a veteran, up to a certain amount.

### Military Training Credit for Credentialing

State law provides consideration of equivalent military training in satisfying credentialing requirements for licenses and affiliated credentials administered by state agencies such as the Department of Safety and Professional Services, the Department of Children and Families, the Department of Health Services, the Office of the Commissioner of Insurance, the Department of Public Instruction, Division for Libraries, Technology and Community Learning, and the Department of Transportation.

### Employment Assistance

DVA provides a wide array of employment and training services for veterans, including transition assistance to veterans leaving active service, job placement, coordinating approvals for training courses, entrepreneurial training, recruiting veterans to return to Wisconsin following military service, and reducing barriers to licensure necessary for employment. Also, the Office of Veterans Services in the Department of Workforce Development (DWD) provides an employment service placement program and a job training placement service program for veterans through 22 Wisconsin job centers and 65 additional outreach locations, including correctional facilities and CVSOs.

DVA also works with the Employer Support of the Guard and Reserve Program in providing resources for employers on the benefits of hiring veterans.

### Veteran Employment Grants

2015 Wisconsin Act 385 created a program under which DVA may, beginning in the 2016-17 fiscal year, award up to \$500,000 annually in grants to veterans, employers, and nonprofit organizations to improve employment outcomes for veterans in Wisconsin. Under the Act, DVA may award grants for the following purposes: (1) to assist veteran entrepreneurs; (2) to give employers in Wisconsin incentives to hire veterans, especially disabled veterans; (3) to help fund employment training for veterans, especially disabled veterans; or (4) other programs or purposes as determined by DVA by rule. [s. 45.437, Stats.]

## Military Funeral Honors Program

DVA administers the Military Funeral Honors Program to honor veterans who served in the U.S. Armed Forces, National Guard, or Reserves with assistance from veterans service

**For information about military funeral honors, call: (877) 944-6667.**

organizations (VSOs) and active and reserve components of the U.S. Armed Forces. The VSOs may be reimbursed up to \$50 for providing honor guard details at a veteran's funeral. The Adjutant General of the Wisconsin National Guard may

activate Guard members to provide military funeral honors. Depending on availability of personnel, various types of honors may be rendered, including firing rifle volleys, sounding Taps, and folding the flag for presentation to the veteran's next-of-kin. [s. 45.60, Stats.]

## STATE VETERANS FACILITIES

### Veterans Homes

There are currently three veterans homes in Wisconsin, located in King in Waupaca

**Information and resources for women veterans is available at:**

[www.dva.state.wi.us/Pages/aboutWdva/WomenVeterans.aspx](http://www.dva.state.wi.us/Pages/aboutWdva/WomenVeterans.aspx)

County, Union Grove in Racine County, and Chippewa Falls in Chippewa County.

Wisconsin veterans are eligible to become residents of a veterans home if they have served on active duty for two or more years or the full period of their initial service obligation, whichever is less. They are also eligible if they

served on active duty for at least 90 days, one day of which must be within a wartime period. The veteran must also be permanently incapacitated due to physical disability or age. Spouses of eligible veterans may also live at the home. [s. 45.51, Stats.]

The Veterans Home at King provides residential care, nursing and medical services, food services, and social and counseling services to its resident veterans and eligible dependents. There are currently four licensed skilled nursing care buildings, 14 cottages for married couples who are able to care for themselves, and other support facilities.

The Veterans Home at Union Grove has two community-based residential facilities for veterans and their spouses who require limited nursing care, a residential care apartment complex, a skilled nursing care facility, and a campus activities center.

The Veterans Home at Chippewa Falls is a 72-bed skilled nursing facility.

### Veterans Cemeteries

There are three state-run veterans cemeteries in Wisconsin (in addition to the Wood National Cemetery in Milwaukee, which reached capacity in 1996): (1) the Central Wisconsin Veterans Memorial Cemetery at King; (2) the Southern Wisconsin Veterans Memorial Cemetery at Union Grove; and (3) the Northern Wisconsin Veterans Memorial

Cemetery at Spooner. Veterans who meet specified requirements are eligible for burial at a Wisconsin veterans cemetery. A veteran must have been discharged or released from active duty under any conditions other than dishonorable or must have died while on active duty. In addition, the veteran must either have entered military service from Wisconsin, have been a resident of Wisconsin at death, or have entered military service from another state but been a Wisconsin resident at some point for at least 12 consecutive months after entering service.

A person who was a Wisconsin resident at the time of death and served at least 20 years in the National Guard or Reserves and qualified for retirement pay (or would have qualified had death not occurred before age 60) is also eligible for burial at a Wisconsin veterans cemetery. Veterans and their spouses may preregister for burial at one of the three state cemeteries on a form available on the DVA website or from a CVSO or the cemetery. Currently, no fee is charged for burial of an eligible veteran, but a fee is charged for family members. DVA may assess funeral directors involved in interments the amount necessary to reimburse DVA for the average cost of providing specified services and items. [s. 45.61, Stats.]

## State Veterans Museum

DVA operates the Wisconsin Veterans Museum on the Capitol Square in Madison. The Museum's mission is to acknowledge, commemorate, and affirm the role of Wisconsin veterans in the United States' military past by means of instructive exhibits and other educational programs. In addition to state funding, the private, nonprofit Wisconsin Veterans Museum Foundation contributes funds to the museum. [s. 45.07, Stats.]

## DEPARTMENT OF MILITARY AFFAIRS

DMA is headed by the state Adjutant General, who is appointed by the Governor for a five-year term and may be reappointed. The Adjutant General reports to the Governor, who is designated by the Wisconsin Constitution as the commander-in-chief of the Wisconsin National Guard. [Wis. Const. art, V, s. 4.] Chapter 321, Stats., sets forth statutory provisions governing the Wisconsin National Guard, the Adjutant General, and the Governor's military staff. Chapter 322, Stats., sets forth the Wisconsin Code of Military Justice. Statutes regarding emergency management and response requirements, disaster assistance programs, and continuity of government are found in ch. 323, Stats.

## MILITARY AFFAIRS

### Wisconsin National Guard

The Wisconsin National Guard is the organized militia of the state and is headed by the state Adjutant General. It consists of the Army National Guard and the Air National Guard, each of which is headed by a deputy Adjutant General. A third deputy Adjutant General serves the Guard for civil authority support. This person may be a member of



either the Army or Air National Guard and may serve as joint chief of staff, responsible for overseeing the joint staff functions between the Army and Air National Guard. [ss. 321.10 and 321.30, Stats.]

The Guard is an armed military force which is organized, trained, equipped, and available for deployment under official orders in both state and national emergencies. The Guard has dual missions: a federal mission; and a state mission. Its federal mission is to provide trained units to the U.S. Army and Air Force in time of war or national emergency. Its state mission is to help civil authorities protect life and property and preserve peace, order, and public safety in times of natural or human-caused emergencies.

**Information on current Wisconsin Army and Air National Guard mobilizations is available at:**

<http://dma.wi.gov/DMA/about/ng>

**Additional information about Department of Defense-wide news is located at:**

<http://www.defense.gov/news>

The composition of Wisconsin Army and Air National Guard units is authorized by the U.S. Secretary of Defense through the Department of Defense's National Guard Bureau. All Guard officers and enlisted personnel must meet the same physical, educational, and other eligibility requirements as members of the active duty Army or Air Force.

### Role of Governor and Duties of Adjutant General

As commander-in-chief of the Wisconsin National Guard, the Governor may order the Guard or a portion of the Guard into active duty in the following circumstances:

- In the event of any of the following:
  - War, insurrection, rebellion, riot, invasion, terrorism, or resistance to execution of the laws of the state or of the United States.
  - A public disaster resulting from flood, fire, tornado, or other natural disaster.
  - A declared public health emergency.
- In order to assess damage or potential damage as a result of and to recommend responsive action to natural or man-made events.
- Upon application of a U.S. marshal, village president, mayor, town board chair, or county sheriff.

[s. 321.39, Stats.]

The Adjutant General serves as the military chief-of-staff to the Governor. The Adjutant General has numerous duties, including the following:

- Advising the Governor on military issues and transmitting military correspondence to and from the Governor.

**The federal government currently provides approximately 90% of the funding for the Wisconsin National Guard.**

- Drawing from the state treasury money necessary for paying National Guard members on state active duty, under orders from the Governor.
- Providing necessary medical supplies and services to the National Guard during periods of state active duty.
- Having custody of all military property, records, correspondence, and other documents relating to the National Guard.

[s. 321.04, Stats.]

## Funding

The Wisconsin National Guard is funded and maintained by both the federal and state governments. The federal government provides arms and ammunition, equipment and uniforms, outdoor training facilities, pay for military and support personnel, and training and supervision. The state provides personnel, conducts training, and shares the cost of constructing, maintaining, and operating armories and other military facilities.

## Army National Guard and Air National Guard

The Wisconsin Army National Guard has approximately 7,500 members. Its headquarters are located in Madison. The four other major commands are: the 32<sup>nd</sup> Infantry Brigade Combat Team with headquarters in Camp Douglas; the 157<sup>th</sup> Maneuver Enhancement Brigade with headquarters in Milwaukee; the 64<sup>th</sup> Troop Command with headquarters in Madison; and the 426<sup>th</sup> Regiment Regional Training Institution, located at Fort McCoy. Subordinate units are located throughout the state.

## Air National Guard

The Wisconsin Air National Guard is comprised of more than 2,200 members and includes the Air National Guard Headquarters at the Office of the Adjutant General and the 115<sup>th</sup> Fighter Wing at Truax Field, Madison; the 128<sup>th</sup> Air Refueling Wing at General Mitchell Field, Milwaukee; and the 128<sup>th</sup> Air Control Squadron and Combat Readiness Training Center located at Volk Field, Camp Douglas.

## Service Member Support Division Programs

**Further information about service member and family support programs is available online at:**

[www.wisconsinmilitary.org](http://www.wisconsinmilitary.org)

The Wisconsin National Guard's Service Member Support Division provides pre-, during-, and post-mobilization support to commanders and service members by establishing a centralized connection to the many public and private agencies that provide benefits, programs, and services to Wisconsin military service members and their families.

Support programs include the following:

- **National Guard Family Program:** establishes and facilitates ongoing communication, involvement, and support between service members and their families.



- **Child and Youth Program:** provides youth with opportunities to form bonds with other military youth, building support networks that are essential in times of deployment, as well as reintegration.
- **The Sexual Assault Response Program:** provides prevention training to all service members and resource and referral services to victims of sexual assault and domestic violence.
- **Suicide Prevention Program:** provides suicide prevention and intervention and training on the risk factors and warning signs of suicide and connects service members with resources.
- **Military Family Assistance Centers:** provide family members with information on entitlements and benefits available during the service member’s deployment cycle.
- **Transition Assistance Advisor:** assists service members in accessing federal and state veterans benefits, programs, and services, as well as public and private programs and services.
- **Director of Psychological Health:** provides assistance and direction to service members who are having transitional difficulties in adjusting to redeployment or life challenges.
- **Employer Support of the Guard and Reserve:** provides service members with education and awareness regarding employer relations, employment and re-employment rights, as well as programs and services to help strengthen employer support for the Guard and Reserve.

**The Service Member Support Division manages the administration of benefits, programs, and support services for Wisconsin service members and their families.**

## Other Programs and Services

### National Guard Tuition Grant Program

DMA administers the Tuition Grant Reimbursement Program for qualified members of the Wisconsin National Guard. All National Guard enlisted members and warrant officers in good standing in the Guard who do not have a bachelor’s degree are eligible for tuition reimbursement at an eligible school. Eligible schools include a University of Wisconsin (UW)-System campus, a technical college, or an institution of higher education as defined by federal law for student financial assistance purposes. The program will reimburse 100% of actual tuition or 100% of the maximum resident undergraduate tuition at UW-Madison for a comparable academic load, whichever is less. Qualified students may receive reimbursement for up to eight full semesters of undergraduate courses or 120 credits of part-time study. [s. 321.40, Stats.]

## Student Loan Repayment Program

National Guard members in good standing with pre-existing student loans may be eligible for the Federal Student Loan Repayment Program, if they re-enlist or extend their service for a six-year period and meet other requirements. The program repays loans up to \$50,000.

## Exemption From Nonresident Tuition

The 2017-18 Biennial Budget Bill provided an exemption from nonresident tuition for any student who is a member of the Wisconsin National Guard or a reserve unit of the U.S. armed forces and: (1) has been a member of the Guard or a reserve unit for the six months preceding the semester in which the student enrolls; (2) has resided in Wisconsin for the six months preceding the semester in which he or she enrolls; and (3) continues to be a member of the Guard or a reserve unit or is honorably discharged or released under honorable conditions.

## Legal Protections for National Guard Members

### Federal and State Employment and Re-Employment Rights

The federal Uniformed Services Employment and Re-Employment Rights Act (USERRA) provides re-employment protection and other benefits to persons returning from federal military service. This includes service in the National Guard under a federal call-up and service in the Reserves. Under USERRA, a person who leaves a civilian job for military service is generally entitled to return to the job with accrued seniority if the person meets several eligibility criteria, including, among others, having notified the employer of the departure for military service, being honorably discharged, and reporting back to the employer in a timely manner following military service. USERRA applies to virtually all civilian employers regardless of size, including the federal government and state and local governments. Service in the National Guard under a state call-up by the Governor is not covered by USERRA; however, state law provides the same re-employment rights for persons called to state service in the National Guard. [s. 321.65, Stats.]

### Differential Pay for Activated State Employees

Wisconsin law requires that all state employees who are activated to military duty be paid their state salaries while on military duty, minus any military pay and housing allowances they receive, unless the military pay and housing allowances equal or exceed the person's state salary. An activated employee may also accumulate sick leave and paid annual leave as though no interruption in state service occurred. In order to qualify for payment, certain criteria must be satisfied. [s. 230.315, Stats.]

### Other Legal Protections for National Guard Members

Wisconsin law provides National Guard members, including Wisconsin residents who serve in the National Guard of another state, certain legal protections, including:

- Providing legal representation and payment of expenses and judgments at state expense, in specified circumstances, to a member who is prosecuted for a civil or criminal action for an act committed while performing military duty.
- Staying civil court proceedings during the period of active service.
- Capping interest rates at 6% per year on debts incurred prior to entering the service.
- Protecting the member from eviction or mortgage foreclosure.
- Extending a member’s professional or occupational license that would otherwise come up for renewal while the person is on duty and, if certain conditions are met, extending the license until the next date on which the license is usually renewed.
- Providing college student members opportunities to complete course work and re-enroll in the school, if called to active duty while in school.

[subch. V, ch. 321, Stats.]

## WISCONSIN EMERGENCY MANAGEMENT SYSTEM

### Overview of System

**WEM’s 24-hour emergency hotline number is: (800) 943-0003.**

**The WEM website is:**  
<http://emergencymanagement.wi.gov>

DMA administers Wisconsin’s emergency management system through the Division of Emergency Management, more commonly referred to as “Wisconsin Emergency Management” or “WEM.” WEM is headed by a division administrator appointed by the Governor. The purpose of the system is to prepare the state

and its subdivisions and American Indian tribes to plan for, respond to, recover from, and mitigate emergencies resulting from enemy action and natural or human-caused disasters.

[s. 323.01, Stats.]

### Duties of Various Officials

The Governor is required to review state emergency management plans and to utilize WEM during a state of emergency. When the Governor declares a state of emergency for the state or a portion of the state, DMA, through WEM, is generally the lead state agency to respond to the emergency. If the Governor determines that a public health emergency exists, however, he or she may proclaim a state of emergency related to public health and designate the Department of Health Services (DHS) as the lead state agency to respond to that emergency. If the Governor determines that an emergency is related to computer and telecommunications systems, the Governor may designate the Department of Administration (DOA) as the lead agency. [s. 323.10, Stats.]

The state is divided into six emergency management regions, each headed by a WEM regional director. The regional directors work directly with the counties in coordinating WEM's programs and serve as on-site representatives of WEM during emergencies. WEM also provides an Emergency Police Services (EPS) Director and an Emergency Fire Services Coordinator to assist the state, its subdivisions, and tribes during emergencies.

At the local level, county sheriffs have various statutory powers in the event of an emergency. In addition, there are mutual assistance agreements between law enforcement agencies as well as firefighting agencies, both regionally and statewide. In an emergency, a sheriff may call upon the mutual aid authorized by these agreements before requesting assistance from the state. If the sheriff deems it necessary, he or she may ask the Governor, through the WEM administrator, to call the National Guard into state service to assist in the response. Local officials and other designated local personnel are also authorized to declare a state of emergency at the local level. [ss. 323.11 and 323.14, Stats.]

## Emergency Management Planning

The Adjutant General, through WEM, is required to develop a comprehensive state plan of emergency management for the security of people and property, which is mandatory during a state of emergency, subject to approval by the Governor. The plan, known as the Wisconsin Emergency Response Plan

**The Adjutant General carries out statewide training programs and exercises and serves as the principal assistant to the Governor in directing emergency management activities.**

(ERP), sets forth the responsibilities of state and local officials to take specific actions. The Adjutant General must seek advice from DHS regarding emergency medical aspects of the ERP and from DOA regarding computer or telecommunications aspects of the ERP. [s. 323.13, Stats.]

Counties, towns, villages, and cities are required to adopt emergency management plans and programs that are compatible with the state ERP. [s. 323.14, Stats.] WEM provides assistance to local governments in the development of their plans. Each local government may appropriate funds and levy taxes for its emergency management program. Grants awarded by the U.S. Department of Homeland Security through WEM are a major source of funding to both state and local governments.

## Disaster Assistance

### Wisconsin Major Disaster Assistance Program

This state program makes payments to local units of government for damages and costs incurred as a result of a disaster. A disaster is a severe or prolonged, natural or human-caused, occurrence that threatens or negatively impacts life, health, property, infrastructure, the environment, the security of this state or a portion of this state, or

critical systems, including computer, telecommunications, or agricultural systems. Funds from the Wisconsin Major Disaster Assistance Program may be used for costs including debris removal, emergency protective measures, and road damage. Local governments must provide a 30% match. [s. 323.31, Stats.]

### Federal Disaster Assistance

Various types of federal disaster assistance are available to both the public and private sectors as a result of a Presidential disaster declaration. Local, tribal, and state

**More information on disaster recovery programs may be found at:**

<http://emergencymanagement.wi.gov/recovery/government.asp>

governments and certain private not-for-profit agencies may receive grants through the public assistance program (75% federal funds, 12.5% state funds, and 12.5% local cost-sharing) to replace uninsured publicly owned facilities and equipment damaged in a disaster.

The public assistance program also provides funding to reduce the potential of future disaster

damages through the hazard mitigation program.

Funding is available to individuals, farmers, and businesses in the form of disaster housing grants, Small Business Administration loans, other needs assistance grants, and Farm Service Agency loans.

### Hazardous Materials

The Emergency Planning and Community Right-to-Know Act (EPCRA) is a federal law created to help communities plan for emergencies involving hazardous substances. The law requires each state to establish a state emergency response commission and local emergency planning committees to develop emergency plans in case of an accidental release and to look for ways to prevent chemical accidents. WEM and local emergency planning committees in each county implement this requirement. [s. 323.60, Stats.]

WEM also contracts with a number of municipal fire departments around the state to provide regional coverage for hazardous materials (HAZMAT) incidents that require the highest level of respiratory and skin protection. There are currently 25 HAZMAT teams strategically located throughout the state.

## CONTINUITY OF LEGISLATIVE OPERATIONS

Wisconsin law provides a mechanism for choosing interim successors for legislators if specified criteria are met. The provision takes effect if there are nine or more vacancies in the Senate at the same time or if there are 25 or more vacancies in the Assembly at the same time. [s. 13.41, Stats.]

The Wisconsin Constitution, Article V, Section 4 provides that the Governor may convene the Legislature at a place other than the State Capitol building in the case of invasion or

prevalence of contagious disease. State law further provides that whenever, during a state of emergency, it becomes imprudent, inexpedient, or impossible to conduct the affairs of state government at the state capital, the Governor is required to designate an emergency temporary location for the seat of government and to take such action and issue such orders as are necessary for an orderly transition of the affairs of state government to that location. While the seat of government remains at a temporary location, all official acts required by law to be performed at the seat of government are as valid and binding when performed at the temporary location as if performed at the normal location. [s. 323.51 (1) and (2), Stats.]

Wisconsin law also allows the Legislature, by joint rule, to provide a process for designating an emergency temporary seat of government for the Legislature that is different than the location designated by the Governor. Specifically, the statutes provide that, whenever, as the result of a disaster or the imminent threat of a disaster, it becomes imprudent, inexpedient, or impossible to conduct the business of the Legislature at the state capital, the Legislature may meet either at the location designated by the Governor or the location designated by the Legislature itself. Information about this location is not subject to inspection or copying under the Open Records Law. The Legislature may meet for up to one week per session in a location other than the state capital or the temporary seat of government designated by the Governor, in order to practice meeting in a temporary location. [s. 323.51 (1m), Stats.]

## ADDITIONAL REFERENCES

1. The Wisconsin DVA website: <http://dva.state.wi.us/Pages/home.aspx>.
2. The U.S. DVA website: <http://www.va.gov/>.
3. A list of CVSOs can be found at: <http://dva.state.wi.us/CVSO.asp>.
4. At the beginning of each biennial legislative session, the Legislative Fiscal Bureau publishes Informational Papers on various state programs, including programs for veterans. These Informational Papers are available at: <http://www.legis.wisconsin.gov/lfb>.
5. The DMA website describes the activities of the Wisconsin Army National Guard and Air National Guard, as well as the WEM system, at: <http://dma.wi.gov/>.
6. Wisconsin's Homeland Security website is a comprehensive source of information on homeland security issues. The website is: <http://www.hsc.wi.gov>.
7. WEM's website is: <http://emergencymanagement.wi.gov>.
8. Information on emergency preparedness is available at: <http://ready.wi.gov>.
9. Information about the rights and responsibilities of employees and employers under the federal USERRA is available at:
  - <http://www.dol.gov/vets/whatsnew/userraguide0903.rtf>.
  - Employer Support of the Guard and Reserve, (608) 242-3169.



10. Information about re-employment rights for military personnel called to state service may be obtained from the Office of the Staff Judge Advocate DMA, (608) 242-3071.

## GLOSSARY

**CVSO:** County Veterans Service Officer. Each county has a CVSO who is responsible for providing information and assistance to individuals seeking state and federal benefits, programs, and services.

**DD-214:** Department of Defense Form 214, or “Certificate of Release or Discharge from Active Duty.” One of the most commonly-used documents by veterans to support a determination of eligibility for benefits.

**Disaster:** Wisconsin law defines “disaster” as a severe or prolonged, natural or human-caused, occurrence that threatens or negatively impacts life, health, property, infrastructure, the environment, the security of this state or a portion of this state, or critical systems, including computer, telecommunications, or agricultural systems.

**DVA:** Wisconsin Department of Veterans Affairs.

**ICS:** Incident Command System. Wisconsin law defines ICS as a functional management system established to control, direct, and manage the roles, responsibilities, and operations of all of the agencies involved in a multi-jurisdictional or multi-agency emergency response.

**Post-9/11 GI Bill:** Federal program providing education benefits to veterans who have served on active duty since September 11, 2001. Largely replaced the Montgomery GI Bill, though veterans entitled to Montgomery GI Bill benefits in some cases can choose between the two.

**PMI:** Private Mortgage Insurance. This insurance is typically required by the lender and paid by the borrower on mortgages obtained with less than 20% down.

**PTSD:** Post-Traumatic Stress Disorder.

**Veteran with service-connected disability:** A veteran who has an illness or injury incurred in or aggravated by military service as determined by the U.S. DVA.

**TVSO:** Tribal Veterans Service Office.

**U.S. DVA:** U.S. Department of Veterans Affairs.

**Veterans Trust Fund (VTF):** A fund designed to provide services to veterans including assistance for employment, housing, health care, education, and transportation.

**VRAP:** Veterans Retraining Assistance Program. A program created under the VOW to Hire Heroes Act of 2011 offering 12 months of training assistance to unemployed veterans who are at least 35 years old but no older than 60.

**WEM:** Wisconsin Emergency Management. WEM is the informal name of the Division of Emergency Management in DMA.

**WERP:** Wisconsin Emergency Response Plan. The ERP is the state’s comprehensive emergency management plan.

**WI GI Bill:** Tuition remission program established in Wisconsin Statutes providing tuition remission for Wisconsin veterans.

**WTCS:** Wisconsin Technical College System.

**Wisconsin Legislative Council**

One East Main Street, Suite 401

Madison, WI 53703-3382

Phone: (608) 266-1304