

**2001 DRAFTING REQUEST**

**Bill**

Received: **10/12/2000**

Received By: **isagerro**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Uecker**

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

Drafter: **isagerro**

May Contact:

Alt. Drafters:

Subject: **Veterans - veterans benifits**

Extra Copies:

**Pre Topic:**

DOA:.....Uecker -

**Topic:**

Decrease durational residency requirement for veterans benefits and loans

**Instructions:**

See Attached

**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>
/1	isagerro 10/25/2000	gilfokm 11/03/2000	martykr 11/03/2000	_____	lrb_docadmin 11/03/2000		State
/2	isagerro 11/06/2000	gilfokm 11/06/2000	martykr 11/07/2000	_____	lrb_docadmin 11/07/2000		State

FE Sent For:

<END>

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**Instructions:**

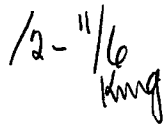

See Attached

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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	isagerro 10/25/2000	gilfokm 11/03/2000	martykr 11/03/2000	_____	lrb_docadmin 11/03/2000		State

FE Sent For:



  
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1?	isagerro	1-11/11 King	11/13	11/13			

FE Sent For:

<END>

8113

D. Reduce the durational residency requirement from 5 years to 12 months for all programs that have a durational residency requirement.

45.35(5)(a) 2.c. of the statutes is amended to read:

c. Has been a resident of this state for any consecutive ~~5-year~~ 12-month period after entry or reentry into service and before the date of his or her application or death. If a person applying for a benefit under this subchapter meets that ~~5-consecutive-year~~ 12-consecutive-month residency requirement, the department may not require the person to reestablish that he or she meets the ~~5-consecutive-year~~ 12-consecutive-month residency requirement when he or she later applies for any other benefit under this chapter that requires a ~~5-consecutive-year~~ 12-consecutive-month residency.

45.37(3) of the statutes is amended to read:

(3) **Exceptions to the basic eligibility requirements.** A veteran who was not a resident of this state at the time of enlistment or induction into service but who is otherwise qualified for membership may be admitted if the veteran has been a resident of this state for any consecutive ~~5-year~~ 12-month period after enlistment or induction into service and before the date of his or her application. If a person applying for a benefit under this subchapter meets that ~~5-consecutive-year~~ 12-consecutive-month residency requirement, the department may not require the person to reestablish that he or she meets the ~~5-consecutive-year~~ 12-

07/25

pg 2

~~consecutive-month~~ residency requirement when he or she later applies for any other benefit under this chapter that requires a ~~consecutive-year~~ 12-consecutive-month residency.

45.25(2)(d) of the statutes is amended to read:

(d) The individual is a resident at the time of application for the tuition and fee reimbursement program and was a Wisconsin resident at the time of entry or reentry into service or was a resident for any consecutive ~~5-year~~ 12-month period after entry or reentry into service and before the date of his or her application. If a person applying for a benefit under this section meets that ~~5-consecutive-year~~ 12-consecutive-month residency requirement, the department may not require the person to reestablish that he or she meets the ~~5-consecutive-year~~ 12-consecutive-month residency requirement when he or she later applies for any other benefit under this chapter that requires a ~~5-consecutive-year~~ 12-consecutive-month residency.

✓ 45.71(16)(a)2m.a of the statutes is amended to read:

a. Has been a resident of this state for any consecutive ~~5-year~~ 12-month period after enlistment or induction into service and before the date of his or her application or death. If a person applying for a benefit under this subchapter meets that ~~consecutive-year~~ 12-consecutive-month residency requirement, the department may not require the person to reestablish that he or she meets the ~~5-consecutive-year~~ 12-consecutive-month residency.

\* 45.37(6)(f)?

- spouse eligibility

\* 45.37(7)(b)

- parent eligibility

## **Sager-Rosenthal, Ivy**

---

**From:** Uecker, Deborah  
**Sent:** Thursday, October 19, 2000 3:53 PM  
**To:** Sager-Rosenthal, Ivy  
**Subject:** FW: Residency requirement

The answer to your original question on spouses and parents would be yes.

**Deborah A. Uecker**

Executive Policy and Budget Analyst  
State Budget Office  
Department of Administration  
101 E. Wilson Street, 10th Floor  
deborah.uecker@doa.state.wi.us  
Phone: (608) 267-0371  
Fax: (608) 267-0372

-----Original Message-----

**From:** Rosinski, John  
**Sent:** Thursday, October 19, 2000 2:39 PM  
**To:** Uecker, Deborah  
**Cc:** Abrahamsen, Ken  
**Subject:** RE: Residency requirement

Deborah: Not including the spouses and parents was an oversight. To the best of my knowledge, the residency requirement has always been consistent between veterans and these two groups. I should have changed the language and request that you pass this on to the LRB attorney. Thanks. JR

-----Original Message-----

**From:** Uecker, Deborah  
**Sent:** Wednesday, October 18, 2000 5:32 PM  
**To:** Rosinski, John  
**Cc:** Abrahamsen, Ken  
**Subject:** FW: Residency requirement

John, could you help clarify the exact intent DVA has with this request. My impression was that it was just for the veteran.

**Deborah A. Uecker**

Executive Policy and Budget Analyst  
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Department of Administration  
101 E. Wilson Street, 10th Floor  
deborah.uecker@doa.state.wi.us  
Phone: (608) 267-0371  
Fax: (608) 267-0372

-----Original Message-----

**From:** Sager-Rosenthal, Ivy  
**Sent:** Wednesday, October 18, 2000 4:27 PM  
**To:** Uecker, Deborah  
**Subject:** Residency requirement

Deborah:

I am working on the request regarding the residency requirement (D. on the DVA language). Does DVA intend to reduce the residency requirement for spouses and parents of veterans for purposes of membership in the home and southeastern facility under ss. 45.37 (6) (f) and (7) (b)? The residency requirement for these individuals is currently 5 years but the request does not include these sections.

Thanks,



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-0725/1

ISR: [Handwritten initials]

KG [Handwritten initials]

DOA:.....Uecker – Decrease durational residency requirement for veterans benefits and loans

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

Sevon

1 AN ACT <sup>DON'T GEN. CAT.</sup> relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**VETERANS AND MILITARY AFFAIRS**

Under current law, as a condition of eligibility for most veteran's benefit programs, including the veteran's tuition and fee reimbursement program and the veterans' housing loan program, a veteran must have been a resident of this state upon entering or reentering military service or have been a resident of this state for any period of five consecutive years. The same residency requirement applies to veterans who are applying for admission to the Wisconsin Veteran's Home at King (WVHK) or the Southern Wisconsin Veterans Retirement Center (SWVRC). In addition, the spouse of a veteran or a parent of a veteran is eligible for admission to ~~the~~ WVHK or ~~the~~ SWVRC if he or she has been a resident of this state for the five years preceding the date of his or her application for admission. ~~the~~ WVHK and ~~the~~ SWVRC provide residential treatment and nursing home care to veterans and the spouses and parents of veterans.

Under this bill, a veteran is eligible for those veteran's benefit programs that currently have a residency requirement and for admission to ~~the~~ WVHK or SWVRC if the veteran was a resident of this state upon entering or reentering military service or has been a resident of this state for any period of 12 consecutive months. Also, under the bill, a spouse or parent of a veteran is eligible for admission to ~~the~~ WVHK or SWVRC, if he or she has been a resident of this state for the 12 months preceding the date of his or her application for admission.



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.** 45.25 (2) (d) of the statutes is amended to read:

2           45.25 (2) (d) The individual is a resident at the time of application for the  
3           tuition and fee reimbursement program and was a Wisconsin resident at the time of  
4           entry or reentry into service or was a resident for any consecutive ~~5-year~~ 12-month  
5           period after entry or reentry into service and before the date of his or her application.  
6           If a person applying for a benefit under this section meets that ~~5-consecutive-year~~  
7           the residency requirement of 12 consecutive months, the department may not  
8           require the person to reestablish that he or she meets the ~~5-consecutive-year~~ that  
9           residency requirement when he or she later applies for any other benefit under this  
10          chapter that requires a ~~5-consecutive-year~~ that residency. *↓ strike space*

History: 1993 a. 254; 1995 a. 27, 255, 404; 1997 a. 27, 115, 121, 237; 1999 a. 9.

11          **SECTION 2.** 45.35 (5) (a) 2. c. of the statutes is amended to read:

12          45.35 (5) (a) 2. c. Has been a resident of this state for any consecutive ~~5-year~~  
13          12-month period after entry or reentry into service and before the date of his or her  
14          application or death. If a person applying for a benefit under this subchapter meets  
15          that ~~5-consecutive-year~~ that residency requirement of 12 consecutive months, the  
16          department may not require the person to reestablish that he or she meets the  
17          ~~5-consecutive-year~~ that residency requirement when he or she later applies for any  
18          other benefit under this chapter that requires a ~~5-consecutive-year~~ that residency. *↓ strike space*

History: 1971 c. 125, 163, 198; 1973 c. 90, 208; 1975 c. 26, 39; 1975 c. 94 s. 91 (3), (5); 1975 c. 199; 1977 c. 26, 83; 1979 c. 34; 1979 c. 110 s. 60 (1); 1979 c. 221; 1981 c. 20, 93; 1981 c. 237 ss. 34 to 36, 38; 1983 a. 430, 447; 1985 a. 6, 29, 129; 1985 a. 332 s. 251 (6); 1985 a. 339; 1987 a. 27, 399; 1989 a. 31, 36, 56, 359; 1991 a. 2, 39, 165; 1993 a. 16, 254, 399; 1995 a. 27 ss. 1996 to 1999, 9126 (19), 9130 (4), 9145 (1); 1995 a. 255; 1997 a. 3, 27; 1999 a. 9, 59, 63, 83.

19          **SECTION 3.** 45.37 (3) of the statutes is amended to read:

1           **45.37 (3) EXCEPTIONS TO THE BASIC ELIGIBILITY REQUIREMENTS.** A veteran who  
 2 was not a resident of this state at the time of enlistment or induction into service but  
 3 who is otherwise qualified for membership may be admitted if the veteran has been  
 4 a resident of this state for any consecutive ~~5-year~~ 12-month period after enlistment  
 5 or induction into service and before the date of his or her application. If a person  
 6 applying for a benefit under this subchapter meets ~~that 5-consecutive-year~~ the  
 7 residency requirement of 12 consecutive months, the department may not require  
 8 the person to reestablish that he or she meets ~~the 5-consecutive-year~~ that residency  
 9 requirement when he or she later applies for any other benefit under this chapter  
 10 that requires <sup>St. 99.</sup> ~~a 5-consecutive-year~~ residency.

**History:** 1971 c. 40, 42, 198; 1973 c. 90, 147; 1973 c. 333 ss. 84, 85, 86, 201m; 1975 c. 39, 94, 199, 224; 1977 c. 29; 1977 c. 105 s. 59; 1977 c. 237, 309; 1977 c. 418 s. 924 (50); 1977 c. 447 s. 206; 1979 c. 34; 1979 c. 110 s. 60 (13); 1979 c. 221; 1981 c. 20 ss. 733m, 2202 (55) (a); 1981 c. 390; 1983 a. 27, 368, 430; 1985 a. 29, 135; 1985 a. 332 s. 251 (1); 1987 a. 27, 399; 1989 a. 31, 56; 1991 a. 2, 39, 102, 189; 1993 a. 16, 254; 1995 a. 123, 255; 1997 a. 27; 1999 a. 9, 63, 83, 185, 186.

11           **SECTION 4.** 45.37 (6) (f) of the statutes is amended to read:

12           **45.37 (6) (f)** Has been a resident of this state for the ~~5-years~~ 12 months  
 13 immediately preceding the date of application for membership.

**History:** 1971 c. 40, 42, 198; 1973 c. 90, 147; 1973 c. 333 ss. 84, 85, 86, 201m; 1975 c. 39, 94, 199, 224; 1977 c. 29; 1977 c. 105 s. 59; 1977 c. 237, 309; 1977 c. 418 s. 924 (50); 1977 c. 447 s. 206; 1979 c. 34; 1979 c. 110 s. 60 (13); 1979 c. 221; 1981 c. 20 ss. 733m, 2202 (55) (a); 1981 c. 390; 1983 a. 27, 368, 430; 1985 a. 29, 135; 1985 a. 332 s. 251 (1); 1987 a. 27, 399; 1989 a. 31, 56; 1991 a. 2, 39, 102, 189; 1993 a. 16, 254; 1995 a. 123, 255; 1997 a. 27; 1999 a. 9, 63, 83, 185, 186.

14           **SECTION 5.** 45.37 (7) (b) of the statutes is amended to read:

15           **45.37 (7) (b)** Has been a resident of this state for the ~~5-years next~~ 12-months  
 16 preceding the date of application for membership; and

**History:** 1971 c. 40, 42, 198; 1973 c. 90, 147; 1973 c. 333 ss. 84, 85, 86, 201m; 1975 c. 39, 94, 199, 224; 1977 c. 29; 1977 c. 105 s. 59; 1977 c. 237, 309; 1977 c. 418 s. 924 (50); 1977 c. 447 s. 206; 1979 c. 34; 1979 c. 110 s. 60 (13); 1979 c. 221; 1981 c. 20 ss. 733m, 2202 (55) (a); 1981 c. 390; 1983 a. 27, 368, 430; 1985 a. 29, 135; 1985 a. 332 s. 251 (1); 1987 a. 27, 399; 1989 a. 31, 56; 1991 a. 2, 39, 102, 189; 1993 a. 16, 254; 1995 a. 123, 255; 1997 a. 27; 1999 a. 9, 63, 83, 185, 186.

17           **SECTION 6.** 45.71 (16) (a) 2m. a. of the statutes is amended to read:

18           **45.71 (16) (a) 2m. a.** Has been a resident of this state for any consecutive ~~5-year~~  
 19 12-month period after enlistment or induction into service and before the date of his  
 20 or her application or death. If a person applying for a benefit under this subchapter  
 21 meets ~~that 5-consecutive-year~~ the residency requirement of 12 consecutive months,  
 22 the department may not require the person to reestablish that he or she meets the

*strike space*

1 ~~5 consecutive year~~ that residency requirement when he or she applies for any other  
2 benefit under this chapter that requires ~~a 5 consecutive year~~ that residency.

History: 1973 c. 208, 333; 1975 c. 26, 199; 1977 c. 4; 1979 c. 102, 155, 221; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 430; 1985 a. 29; 1987 a. 399; 1989 a. 31, 56; 1991 a. 2, 39, 165, 189; 1993 a. 16, 254; 1995 a. 255; 1997 a. 27, 39; 1999 a. 9, 63.

3 **SECTION 9357. Initial applicability; veterans affairs.**

4 (1) RESIDENCY REQUIREMENT FOR VETERANS PROGRAMS. The treatment of sections  
5 45.25 (2) (d), 45.35 (5) (a) 2. c., 45.37 (3), ~~45.37~~ (6) (f) and (7) (b) and 45.71 (16) (a) 2m.  
6 a. of the statutes first applies to applications for benefit programs administered  
7 under chapter 45 of the statutes, and applications for admission to the Wisconsin  
8 Veteran's Home at King and the Southern Wisconsin Veterans Retirement Center  
9 that are received on the effective date of this subsection.

10

(END)

RMR

DOA:.....Uecker - Decrease durational residency requirement for veterans benefits and loans

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

NOTE  
SOM  
in 11/6/00

DON'T  
GEN. CAT.

1 AN ACT relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**VETERANS AND MILITARY AFFAIRS**

Under current law, as a condition of eligibility for most veterans benefit programs, including the veterans' tuition and fee reimbursement program and the veteran's housing loan program, a veteran must have been a resident of this state upon entering or reentering military service or have been a resident of this state for any period of five consecutive years. The same residency requirement applies to veterans who are applying for admission to the Wisconsin Veterans Home at King (WVHK) or the Southern Wisconsin Veterans Retirement Center (SWVRC). In addition, the spouse of a veteran or a parent of a veteran is eligible for admission to WVHK or SWVRC if he or she has been a resident of this state for the five years preceding the date of his or her application for admission. WVHK and SWVRC provide residential treatment and nursing home care to veterans and the spouses and parents of veterans.

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

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6 If a person applying for a benefit under this section meets ~~that 5-consecutive-year~~  
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9 residency requirement when he or she later applies for any other benefit under this  
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11           **SECTION 2.** 45.35 (5) (a) 2. c. of the statutes is amended to read:

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18 other benefit under this chapter that requires ~~a 5-consecutive-year~~ that residency.

19           **SECTION 3.** 45.37 (3) of the statutes is amended to read:

20           45.37 (3) EXCEPTIONS TO THE BASIC ELIGIBILITY REQUIREMENTS. A veteran who  
21 was not a resident of this state at the time of enlistment or induction into service but

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6 the person to reestablish that he or she meets ~~the 5-consecutive-year~~ that residency  
7 requirement when he or she later applies for any other benefit under this chapter  
8 that requires ~~a 5-consecutive-year~~ residency.

9 **SECTION 4.** 45.37 (6) (f) of the statutes is amended to read:

10 45.37 (6) (f) Has been a resident of this state for the ~~5-years~~ 12 months  
11 immediately preceding the date of application for membership.

12 **SECTION 5.** 45.37 (7) (b) of the statutes is amended to read:

13 45.37 (7) (b) Has been a resident of this state for the ~~5-years-next~~ 12-months  
14 preceding the date of application for membership; and

15 **SECTION 6.** 45.71 (16) (a) 2m. a. of the statutes is amended to read:

16 45.71 (16) (a) 2m. a. Has been a resident of this state for any consecutive ~~5-year~~  
17 12-month period after enlistment or induction into service and before the date of his  
18 or her application or death. If a person applying for a benefit under this subchapter  
19 meets ~~that 5-consecutive-year~~ the residency requirement of 12 consecutive months,  
20 the department may not require the person to reestablish that he or she meets ~~the~~  
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25 45.25 (2) (d), 45.35 (5) (a) 2. c., 45.37 (3), (6) (f), and (7) (b), and 45.71 (16) (a) 2m. a.

1 of the statutes first applies to applications for benefit programs administered under  
2 chapter 45 of the statutes, and applications for admission to the Wisconsin Veterans  
3 Home at King and the Southern Wisconsin Veterans Retirement Center that are  
4 received on the effective date of this subsection.

5

(END)

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

LRB-0725/2dn

ISR:.....

*kg*

November 6, 2000

Deborah Uecker:

This "/2" version corrects a technical error on page 4, line 3.

If you have any questions, please feel free to contact me.

*of the bill*  
↑

Ivy G. Sager-Rosenthal  
Legislative Attorney  
Phone: (608) 261-4455  
E-mail: ivy.sager-rosenthal@legis.state.wi.us



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

LRB-0725/2dn  
ISR:kg:km

November 7, 2000

Deborah Uecker:

This "2" version corrects a technical error on page 4, line 3, of the bill.

If you have any questions, please feel free to contact me.

Ivy G. Sager-Rosenthal  
Legislative Attorney  
Phone: (608) 261-4455  
E-mail: [ivy.sager-rosenthal@legis.state.wi.us](mailto:ivy.sager-rosenthal@legis.state.wi.us)



DOA:.....Uecker – Decrease durational residency requirement for veterans benefits and loans

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

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

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*Analysis by the Legislative Reference Bureau*

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4 entry or reentry into service or was a resident for any consecutive ~~5-year~~ 12-month  
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19           **SECTION 3.** 45.37 (3) of the statutes is amended to read:

20           45.37 (3) EXCEPTIONS TO THE BASIC ELIGIBILITY REQUIREMENTS. A veteran who  
21 was not a resident of this state at the time of enlistment or induction into service but

1 who is otherwise qualified for membership may be admitted if the veteran has been  
2 a resident of this state for any consecutive ~~5-year~~ 12-month period after enlistment  
3 or induction into service and before the date of his or her application. If a person  
4 applying for a benefit under this subchapter meets ~~that 5-consecutive-year~~ the  
5 residency requirement of 12 consecutive months, the department may not require  
6 the person to reestablish that he or she meets ~~the 5-consecutive-year~~ that residency  
7 requirement when he or she later applies for any other benefit under this chapter  
8 that requires ~~a 5-consecutive-year~~ residency.

9 **SECTION 4.** 45.37 (6) (f) of the statutes is amended to read:

10 45.37 (6) (f) Has been a resident of this state for the ~~5-years~~ 12 months  
11 immediately preceding the date of application for membership.

12 **SECTION 5.** 45.37 (7) (b) of the statutes is amended to read:

13 45.37 (7) (b) Has been a resident of this state for the ~~5-years next~~ 12-months  
14 preceding the date of application for membership; and

15 **SECTION 6.** 45.71 (16) (a) 2m. a. of the statutes is amended to read:

16 45.71 (16) (a) 2m. a. Has been a resident of this state for any consecutive ~~5-year~~  
17 12-month period after enlistment or induction into service and before the date of his  
18 or her application or death. If a person applying for a benefit under this subchapter  
19 meets ~~that 5-consecutive-year~~ the residency requirement of 12 consecutive months,  
20 the department may not require the person to reestablish that he or she meets ~~the~~  
21 ~~5-consecutive-year~~ that residency requirement when he or she applies for any other  
22 benefit under this chapter that requires ~~a 5-consecutive-year~~ that residency.

23 **SECTION 9357. Initial applicability; veterans affairs.**

24 (1) RESIDENCY REQUIREMENT FOR VETERANS PROGRAMS. The treatment of sections  
25 45.25 (2) (d), 45.35 (5) (a) 2. c., 45.37 (3), (6) (f), and (7) (b), and 45.71 (16) (a) 2m. a.

1 of the statutes first applies to applications for benefit programs administered under  
2 chapter 45 of the statutes, and applications for admission to the Wisconsin Veterans  
3 Home at King and the Southern Wisconsin Veterans Retirement Center, that are  
4 received on the effective date of this subsection.

5 (END)