

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 - miscellaneous

Extra Copies:

Pre Topic:

DOA:.....Uecker -

Topic:

GI bill approval transfer to department of veterans affairs

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 11/08/2000 | gilfokm 11/09/2000 | martykr 11/10/2000 | _____ | barmamj 11/10/2000 | | State |
| /2 | isagerro 02/12/2001 | gilfokm 02/12/2001 | jfrantze 02/12/2001 | _____ | lrp docadmin 02/12/2001 | | State |

FE Sent For:

<END>

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| /1 | isagerro 11/08/2000 | gilfokm 11/09/2000 | martykr 11/10/2000 | _____ | barmamj 11/10/2000 | | State |

FE Sent For:

12-2/Kmg
12-01

Jb 2/12

Jb/pg
2/12

<END>

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|--------------|----------------|-----------------|--------------|------------------|------------------|-----------------|-----------------|
| 1? | isagerro | 1-11/9 kmg | 11/10 | 2/11/10 11/10 | | | |

FE Sent For:

<END>

S.
10-19-10

Transfer the G.I. Bill school approval function from the EAB to the department. This includes repealing an existing appropriation and statutory language related to the program, and amending statutory language related to the purpose of the EAB.

20.485(5)(m) of the statutes is repealed.

0002366

without it.
fund for
fund.
fund.

20.485(2)(m) of the statutes is amended to read:

m) *Federal aid projects*. All moneys received from the federal government for specific ~~limited-term~~ projects to be expended for the purposes specified.

45.54(6) of the statutes is repealed.

45.54(2) of the statutes is amended to read:

(2) **Purpose.** The purpose of the board is to approve schools and courses of instruction for the training of veterans of the armed forces and war orphans receiving assistance from the federal government, protect the general public by inspecting and approving private trade, correspondence, business and technical schools doing business within this state whether located within or outside this state, changes of ownership or control of these schools, teaching locations used by these schools and courses of instruction offered by these schools and to regulate the soliciting of students for correspondence or classroom courses and courses of instruction offered by these schools.

* Add duty to s 45.35(14)(c)?

Sager-Rosenthal, Ivy

From: Uecker, Deborah
Sent: Monday, November 06, 2000 10:01 AM
To: Sager-Rosenthal, Ivy
Subject: RE: Transfer of GI Bill school approval

I agree with you on the transfer of assets language not being necessary. I thought it might be because we're going from an attachment to being part of DVA. All EAB employees are listed under DVA's department number 485. EAB hires its own employees now from my understanding because they are only attached to DVA and not part of it. I am assuming this totally on the fact that EAB is only attached to DVA for administrative support purposes but runs its own agency. When the 3.0 FED positions are transferred to DVA, that department will have hiring authority, etc.

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: Sager-Rosenthal, Ivy
Sent: Friday, November 03, 2000 4:43 PM
To: Uecker, Deborah
Subject: RE: Transfer of GI Bill school approval

After taking a look at things again, I don't think there is any reason to do a statutory transfer of assets, contracts, matters, etc. from EAB to DVA because EAB is attached under s. 15.03 to DVA. The assets, etc. are already a part of DVA so it doesn't make much sense to transfer them from DVA to DVA. The only concern is if EAB is authorized to hire employees for approval of veterans training. Are the 3 FED positions hired by EAB, or are they DVA positions? I couldn't find anything in the statutes authorizing EAB to hire its own employees so I am assuming that the 3 FED positions are already DVA positions. If this is in fact the case, there is no reason to include any position transfer language.

Let me know. Have a good weekend.
Ivy

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

From: Uecker, Deborah
Sent: Tuesday, October 31, 2000 2:30 PM
To: Sager-Rosenthal, Ivy
Subject: RE: Transfer of GI Bill school approval

I forgot to reply to the second part of your question. I am fine with your suggested language. There are no projects beyond the fact that EAB provides oversight of the G.I. Bill in Wisconsin.

Deborah A. Uecker

Executive Policy and Budget Analyst
State Budget Office
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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: Monday, October 30, 2000 9:03 AM
To: Uecker, Deborah

Subject: Transfer of GI Bill school approval

Deborah:

For the request regarding transfer of GI bill school approval from EAB to DVA, are there positions that must be transferred? Anything else that must be transferred, such as assets, personal property?

Also, DVA asks that the appropriation under s. 20.485 (5) (m) be repealed and the appropriation under s. 20.485 (2) (m) be amended to take out "limited term." I am not sure that just amending (2) (m) is enough to give DVA authority to expend money for school approval. The use of "projects" worries me. If possible, I would strike the phrase "specific limited term projects" so that the appropriation reads "All moneys received from the federal government for the purposes specified." What is (2) (m) currently used for now? Is there a reason to keep "projects?"

Ivy

Ivy G. Sager-Rosenthal
Legislative Attorney
Legislative Reference Bureau
P.O. Box 2037
Madison, WI 53701-2037
(608) 261-4455



DOA:.....Uecker - GI bill approval transfer to department of veterans affairs

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

NOTE

SOON
in 11/8/00

LPS: check auto refs.

DON'T
GEN. CAT.

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

Analysis by the Legislative Reference Bureau

to cover the costs of **VETERANS AND MILITARY AFFAIRS**

* Under current federal law, veterans and war orphans may receive federal benefits for training and education at certain approved schools or ~~as part of~~ certain approved courses of instruction. Federal law delegates the authority to approve these schools and courses of instruction to state agencies. Under current state law, the educational approval board (EAB), which is attached to DVA, approves these schools and courses of instruction.

This bill eliminates the authority of EAB to approve the schools and courses of instruction for the training and education of veterans and war orphans and authorizes DVA to approve these schools and courses ~~of instruction.~~

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:

→ *INS. 1-1*

2

SECTION 1. 20.485 (2) (m) of the statutes is amended to read:

1 20.485 (2) (m) Federal aid projects; veterans training. All moneys received from
 2 the federal government ^{plan} ~~for specific limited term projects to be expended for the~~
 3 ~~purposes specified~~ the education and training of war orphans

History: 1971 c. 93, 123, 198, 215, 1973 c. 4, 90; 1973 c. 208 ss. 2, 3, 17; 1973 c. 333 s. 201m; 1973 c. 340; 1975 c. 26, 39, 198, 200, 224; 1977 c. 4, 29, 237; 1977 c. 418 s. 929 (55); 1977 c. 447; 1979 c. 4, 34, 155; 1981 c. 20 ss. 377g to 399, 2202 (55) (a); 1981 c. 93, 237; 1983 a. 27; 1983 a. 333 s. 6; 1985 a. 6, 29; 1987 a. 27, 399; 1989 a. 31; 1991 a. 39, 44, 165, 269; 1993 a. 16, 254, 490; 1995 a. 27, 225; 1997 a. 27; 1999 a. 2; 1999 a. 9 ss. 245m, 498t to 504; 1999 a. 63, 136.

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

SECTION 2. 20.485 (5) (m) of the statutes is repealed.

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

SECTION 3. 45.01 of the statutes is renumbered 45.014.

SECTION 4. 45.35 (2) of the statutes is renumbered 45.012 and amended to read:

45.012 ^{(3) No CS} (DEFINITION) In this chapter subchapter, "board" means the board of veterans affairs.

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.

SECTION 5. 45.35 (2) of the statutes is created to read:

45.35 (2) ^{CS} (DEFINITION). In this section, "department" means the department of veterans affairs.

SECTION 6. 45.35 (3d) (a) of the statutes is amended to read:

45.35 (3d) (a) The council on veterans programs created under s. 15.497 shall advise the board ~~of veterans affairs~~ and the department of ~~veterans affairs~~ on solutions and policy alternatives relating to the problems of veterans.

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.

SECTION 7. 45.35 (3d) (b) of the statutes is amended to read:

45.35 (3d) (b) The council on veterans programs and the department of veterans affairs, jointly or separately, shall submit a report regarding the council on veterans programs to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2) by November 1, 1989, and by September 30 of

20.485
 (2)(4)
 (4)
 25.36(1)

(10)

(14)

1 every odd-numbered year thereafter. The report shall include a general summary
2 of the activities and membership over the past 2 years of the council and each
3 organization on the council.

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.

4 SECTION 8. 45.35 (5) (e) 8. of the statutes is amended to read:

5 45.35 (5) (e) 8. Persian Gulf war: Between August 1, 1990[✓] and the ending date
6 of Operation Desert Shield or the ending date of Operation Desert Storm as
7 established by the department of veterans affairs by rule.

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.

8 SECTION 9. 45.54 (2) of the statutes is amended to read:

9 45.54 (2) PURPOSE. The purpose of the board is to approve schools and courses
10 of instruction for the training of veterans of the armed forces and war orphans
11 receiving assistance from the federal government, protect the general public by
12 inspecting and approving private trade, correspondence, business[✓] and technical
13 schools doing business within this state whether located within or outside this state,
14 changes of ownership or control of these schools, teaching locations used by these
15 schools[✓] and courses of instruction offered by these schools and to regulate the
16 soliciting of students for correspondence or classroom courses and courses of
17 instruction offered by these schools.

History: 1971 c. 125 ss. 249, 448; 1971 c. 211 s. 51; 1973 c. 12, 90; 1975 c. 39, 224, 422; 1981 c. 380; 1981 c. 391 s. 211; 1983 a. 27, 189, 485; 1985 a. 156; 1985 a. 332 s. 251 (3), (6); 1987 a. 27; 1989 a. 31, 56, 359; 1991 a. 39, 316; 1993 a. 61, 112, 399; 1995 a. 27 ss. 1815 to 1840, 9130 (4), 9145 (1); 1997 a. 3, 1997 a. 27 ss. 1196 to 1211, 1313 to 1315; Stats. 1997 s. 39.51; 1999 a. 9 ss. 921m to 929m; Stats. 1999 s. 45.54; 1999 a. 185 s. 36.

18 SECTION 10. 45.54 (6) of the statutes is renumbered 45.35 (9m)[✓] and 45.35 (9m)

19 (a), as renumbered, is amended to read:

20 45.35 (9m) ~~APPROVAL AGENCY FOR VETERAN'S TRAINING~~ (a) Except as provided
21 in par. (b), the board department shall be the state approval agency for the education
22 and training of veterans and war orphans. ~~It~~ The department shall approve and

1 supervise schools and courses of instruction for ~~their~~ the training of veterans and war
 2 orphans under Title 38, USC, and may enter into and receive money under contracts
 3 with the U.S. department of veterans affairs or other appropriate federal agencies.

History: 1971 c. 125 ss. 249, 448, 1971 c. 211 s. 31; 1973 s. 12, 90; 1973 c. 39, 224, 422; 1981 c. 380; 1981 c. 391 s. 211; 1983 a. 27, 189, 485; 1985 a. 156; 1985 a. 332 s. 251 (3), (6); 1987 a. 27; 1989 a. 31, 56, 359; 1991 a. 39, 316; 1993 a. 61, 112, 399; 1995 a. 27 ss. 1815 to 1840, 9130 (4), 9145 (1); 1997 a. 3; 1997 a. 27 ss. 1196 to 1211, 1313 to 1315; Stats. 1997 s. 39.51; 1999 a. 9 ss. 921m to 929m; Stats. 1999 s. 45.54; 1999 a. 185 s. 36.

4 **SECTION 925~~8~~. Appropriation changes; veterans affairs.**

5 (1) APPROVAL OF VETERANS TRAINING. The unencumbered balance in the
 6 appropriation account under section 20.485 (5) (m), 1999 stats., is transferred to the
 7 appropriation account under section 20.485 (2) (m) of the statutes, as ~~amended~~ *amended* by *affected*
 8 this act.

9 (END)

Insert
4-4

7

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0734/linsKA
ISR:kmg:kmg

INS. 1-1

1 SECTION 1. 20.485 (2) (c) of the statutes is amended to read:

2 20.485 (2) (c) *Operation of Wisconsin veterans museum.* From the general fund,
3 the amounts in the schedule for the operation of the Wisconsin veterans museum
4 under s. ~~45.01~~ 45.014.

History: 1971 c. 93, 125, 198, 215; 1973 c. 4, 90; 1973 c. 208 ss. 2, 3, 17; 1973 c. 333 s. 201m; 1973 c. 340; 1975 c. 26, 39, 198, 200, 224; 1977 c. 4, 29, 237; 1977 c. 418 s. 929 (55); 1977 c. 447; 1979 c. 4, 34, 155; 1981 c. 20 ss. 377g to 399, 2202 (55) (a); 1981 c. 93, 237; 1983 a. 27; 1983 a. 333 s. 6; 1985 a. 6, 29; 1987 a. 27, 399; 1989 a. 31; 1991 a. 39, 44, 165, 269; 1993 a. 16, 254, 490; 1995 a. 27, 225; 1997 a. 27; 1999 a. 2; 1999 a. 9 ss. 245m, 498t to 504; 1999 a. 63, 136.

INS. 2-3

5 SECTION 2. 20.485 (2) (wd) of the statutes is amended to read:

6 20.485 (2) (wd) *Operation of Wisconsin veterans museum.* The amounts in the
7 schedule for the operation of the Wisconsin veterans museum under s. ~~45.01~~ 45.014.

History: 1971 c. 93, 125, 198, 215; 1973 c. 4, 90; 1973 c. 208 ss. 2, 3, 17; 1973 c. 333 s. 201m; 1973 c. 340; 1975 c. 26, 39, 198, 200, 224; 1977 c. 4, 29, 237; 1977 c. 418 s. 929 (55); 1977 c. 447; 1979 c. 4, 34, 155; 1981 c. 20 ss. 377g to 399, 2202 (55) (a); 1981 c. 93, 237; 1983 a. 27; 1983 a. 333 s. 6; 1985 a. 6, 29; 1987 a. 27, 399; 1989 a. 31; 1991 a. 39, 44, 165, 269; 1993 a. 16, 254, 490; 1995 a. 27, 225; 1997 a. 27; 1999 a. 2; 1999 a. 9 ss. 245m, 498t to 504; 1999 a. 63, 136.

INS. 2-4

8 SECTION 3. 25.36 (1) of the statutes is amended to read:

9 25.36 (1) Except as provided in sub. (2), all moneys appropriated or transferred
10 by law shall constitute the veterans trust fund which shall be used for the veterans
11 programs under ss. 20.485 (2) (m), (mn), (tm), (u), (v), (vo), (w), (z), and (zm), ~~45.01~~
12 45.014, 45.25, 45.351 (1), 45.353, 45.356, 45.357, 45.396, 45.397, and 45.43 (7) and
13 administered by the department of veterans affairs, including all moneys received
14 from the federal government for the benefit of veterans or their dependents; all
15 moneys paid as interest on and repayment of loans under the post-war
16 rehabilitation fund; soldiers rehabilitation fund, veterans housing funds as they
17 existed prior to July 1, 1961; all moneys paid as interest on and repayment of loans
18 under this fund; all moneys paid as expenses for, interest on, and repayment of
19 veterans trust fund stabilization loans under s. 45.356, 1995 stats.; all moneys paid

1 as expenses for, interest on, and repayment of veterans personal loans; the net
2 proceeds from the sale of mortgaged properties related to veterans personal loans;
3 all mortgages issued with the proceeds of the 1981 veterans home loan revenue bond
4 issuance purchased with moneys in the veterans trust fund; all moneys received from
5 the state investment board under s. 45.356 (9) (b); all moneys received from the
6 veterans mortgage loan repayment fund under s. 45.79 (7) (a) and (c); and all gifts
7 of money received by the board of veterans affairs for the purposes of this fund.

History: 1993 a. 16, 254; 1995 a. 27, 255; 1997 a. 27.

Insert 4-4

SECTION 9157. Nonstatutory provisions; veterans affairs.

(1) TRANSFER OF APPROVAL OF VETERANS TRAINING.

(a) *Transfer of positions and employees.*

auto ref. "KA"

On the effective date of this ~~paragraph~~ ^{subdivisions} 3.0 FTE FED positions in the educational approval board, and the incumbent employees ^{Keep} holding those positions, are transferred to the department of veterans affairs. The educational approval board and the department of veterans affairs shall jointly determine the employees to be transferred under this ~~subdivision~~ ^{paragraph} and shall jointly develop a plan for the orderly transfer thereof. In the event of any disagreement between the educational approval board and the department of veterans affairs, the secretary of administration shall resolve the dispute and shall develop a plan for the orderly transfer thereof.

(b) *Employee status.* Employees transferred under paragraph (a) ^{a.p.} have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the ~~employment commission~~ that they enjoyed in the ~~employment relations commission~~ ^{educational approval board} immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

LPS. There is no sub B.

department of veterans affairs

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0734/1dn

ISR: *img*

November 6, 2000

Deborah Uecker:

This draft required some cleanup of s. 45.35. The term "department," which is used throughout s. 45.35, is not currently defined in ~~the~~ ^{that} section or in ch. 45 so I created a definition in s. 45.35. The term should eventually be defined for the entire chapter as it now is not used consistently.

I also moved s. 45.35 (2), which is the chapter definition for "board," to the beginning of subchapter I and amended it so that the definition only applies in subchapter I because Subchapter II already includes the definition.

Please feel free to contact me if you have any questions.

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-0734/1dn
ISR:kmg:km

November 10, 2000

Deborah Uecker:

This draft required some clean up of s. 45.35. The term "department," which is used throughout s. 45.35, is not currently defined in that section or in ch. 45 so I created a definition in s. 45.35. The term should eventually be defined for the entire chapter as it now is not used consistently.

I also moved s. 45.35 (2), which is the chapter definition for "board," to the beginning of subchapter I and amended it so that the definition only applies in subchapter I because subchapter II already includes the definition.

Please feel free to contact me if you have any questions.

Ivy G. Sager-Rosenthal
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EMR

DOA:.....Uecker – GI bill approval transfer to department of veterans affairs

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

DNOTS

1 ^{DON'T CAT.}
AN ACT ^{GEN. CAT.}, relating to: the budget.

Analysis by the Legislative Reference Bureau

VETERANS AND MILITARY AFFAIRS

Under current federal law, veterans and war orphans may receive federal benefits to cover the costs of training and education at certain approved schools or certain approved courses of instruction. Federal law delegates the authority to approve these schools and courses of instruction to state agencies. Under current state law, the educational approval board (EAB), which is attached to DVA, approves these schools and courses of instruction.

This bill eliminates the authority of EAB to approve the schools and courses of instruction for the training and education of veterans and war orphans and authorizes DVA to approve these schools and courses.

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:

2 **SECTION 1.** 20.485 (2) (c) of the statutes is amended to read:

1 20.485 (2) (c) *Operation of Wisconsin veterans museum.* From the general fund,
2 the amounts in the schedule for the operation of the Wisconsin veterans museum
3 under s. ~~45.01~~ 45.014.

4 **SECTION 2.** 20.485 (2) (m) of the statutes is amended to read:

5 20.485 (2) (m) *Federal aid ~~projects; veterans training.~~* All moneys received from

6 the federal government for specific limited term projects ~~(to be expended for the~~

7 purposes specified the education and training of war orphans.

plain (circled around 'to be expended for the')
plain (circled around 'purposes specified')
move here (handwritten note pointing to the underlined text)

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

8 **SECTION 3.** 20.485 (2) (wd) of the statutes is amended to read:

9 20.485 (2) (wd) *Operation of Wisconsin veterans museum.* The amounts in the
10 schedule for the operation of the Wisconsin veterans museum under s. ~~45.01~~ 45.014.

11 **SECTION 4.** 20.485 (5) (m) of the statutes is repealed.

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

12 **SECTION 5.** 25.36 (1) of the statutes is amended to read:

13 25.36 (1) Except as provided in sub. (2), all moneys appropriated or transferred
14 by law shall constitute the veterans trust fund which shall be used for the veterans
15 programs under ss. 20.485 (2) (m), (mn), (tm), (u), (v), (vo), (w), (z), and (zm), ~~45.01~~
16 45.014, 45.25, 45.351 (1), 45.353, 45.356, 45.357, 45.396, 45.397, and 45.43 (7) and
17 administered by the department of veterans affairs, including all moneys received
18 from the federal government for the benefit of veterans or their dependents; all
19 moneys paid as interest on and repayment of loans under the post-war
20 rehabilitation fund; soldiers rehabilitation fund, veterans housing funds as they
21 existed prior to July 1, 1961; all moneys paid as interest on and repayment of loans
22 under this fund; all moneys paid as expenses for, interest on, and repayment of

1 veterans trust fund stabilization loans under s. 45.356, 1995 stats.; all moneys paid
2 as expenses for, interest on, and repayment of veterans personal loans; the net
3 proceeds from the sale of mortgaged properties related to veterans personal loans;
4 all mortgages issued with the proceeds of the 1981 veterans home loan revenue bond
5 issuance purchased with moneys in the veterans trust fund; all moneys received from
6 the state investment board under s. 45.356 (9) (b); all moneys received from the
7 veterans mortgage loan repayment fund under s. 45.79 (7) (a) and (c); and all gifts
8 of money received by the board of veterans affairs for the purposes of this fund.

9 **SECTION 6.** 45.01 of the statutes is renumbered 45.014.

10 **SECTION 7.** 45.35 (2) of the statutes is renumbered 45.012 and amended to read:

11 **45.012 Definition.** In this chapter subchapter, “board” means the board of
12 veterans affairs.

13 **SECTION 8.** 45.35 (2g) of the statutes is created to read:

14 **45.35 (2g) DEFINITION.** In this section, “department” means the department of
15 veterans affairs.

16 **SECTION 9.** 45.35 (3d) (a) of the statutes is amended to read:

17 **45.35 (3d) (a)** The council on veterans programs created under s. 15.497 shall
18 advise the board of ~~veterans affairs~~ and the department of ~~veterans affairs~~ on
19 solutions and policy alternatives relating to the problems of veterans.

20 **SECTION 10.** 45.35 (3d) (b) of the statutes is amended to read:

21 **45.35 (3d) (b)** The council on veterans programs and the department of
22 ~~veterans affairs~~, jointly or separately, shall submit a report regarding the council on
23 veterans programs to the chief clerk of each house of the legislature for distribution
24 to the legislature under s. 13.172 (2) by November 1, 1989, and by September 30 of
25 every odd-numbered year thereafter. The report shall include a general summary

1 of the activities and membership over the past 2 years of the council and each
2 organization on the council.

3 **SECTION 11.** 45.35 (5) (e) 8. of the statutes is amended to read:

4 45.35 (5) (e) 8. Persian Gulf war: Between August 1, 1990, and the ending date
5 of Operation Desert Shield or the ending date of Operation Desert Storm as
6 established by the department of veterans affairs by rule.

7 **SECTION 12.** 45.54 (2) of the statutes is amended to read:

8 45.54 (2) PURPOSE. The purpose of the board is to ~~approve schools and courses~~
9 ~~of instruction for the training of veterans of the armed forces and war orphans~~
10 ~~receiving assistance from the federal government,~~ protect the general public by
11 inspecting and approving private trade, correspondence, business, and technical
12 schools doing business within this state whether located within or outside this state,
13 changes of ownership or control of these schools, teaching locations used by these
14 schools, and courses of instruction offered by these schools and to regulate the
15 soliciting of students for correspondence or classroom courses and courses of
16 instruction offered by these schools.

17 **SECTION 13.** 45.54 (6) of the statutes is renumbered 45.35 (9m), and 45.35 (9m)
18 (a), as renumbered, is amended to read:

19 45.35 (9m) (a) Except as provided in par. (b), the ~~board~~ department shall be the
20 state approval agency for the education and training of veterans and war orphans.
21 ~~It~~ The department shall approve and supervise schools and courses of instruction for
22 ~~their~~ the training of veterans and war orphans under Title 38, USC, and may enter
23 into and receive money under contracts with the U.S. department of veterans affairs
24 or other appropriate federal agencies.

25 **SECTION 9157. Nonstatutory provisions; veterans affairs.**

1 (1) TRANSFER OF APPROVAL OF VETERANS TRAINING.

2 (a) *Transfer of positions and employees.* On the effective date of this paragraph,
3 3.0 FTE FED positions in the educational approval board, and the incumbent
4 employees holding those positions, are transferred to the department of veterans
5 affairs. The educational approval board and the department of veterans affairs shall
6 jointly determine the employees to be transferred under this paragraph and shall
7 jointly develop a plan for the orderly transfer thereof. In the event of any
8 disagreement between the educational approval board and the department of
9 veterans affairs, the secretary of administration shall resolve the dispute and shall
10 develop a plan for the orderly transfer thereof.

11 (b) *Employee status.* Employees transferred under paragraph (a) have all the
12 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
13 statutes in the department of veterans affairs that they enjoyed in the educational
14 approval board immediately before the transfer. Notwithstanding section 230.28 (4)
15 of the statutes, no employee so transferred who has attained permanent status in
16 class is required to serve a probationary period.

17 **SECTION 9257. Appropriation changes; veterans affairs.**

18 (1) APPROVAL OF VETERANS TRAINING. The unencumbered balance in the
19 appropriation account under section 20.485 (5) (m), 1999 stats., is transferred to the
20 appropriation account under section 20.485 (2) (m) of the statutes, as affected by this
21 act.

22 (END)

IDNOTE

ISR

Deborah Vecker:

This "12" version makes a technical
correction to ~~the~~ the appropriation language for
s. 20.485(2)(m) which is amended in ^(CS) Section
2 of the bill.

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

-ISR-

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0734/2dn
ISR:kmg:jf

February 12, 2001

Deborah Uecker:

This "/2" version makes a technical correction to the appropriation language for s. 20.485 (2) (m) which is amended in SECTION 2 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



DOA:.....Uecker – GI bill approval transfer to department of veterans affairs

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

VETERANS AND MILITARY AFFAIRS

Under current federal law, veterans and war orphans may receive federal benefits to cover the costs of training and education at certain approved schools or certain approved courses of instruction. Federal law delegates the authority to approve these schools and courses of instruction to state agencies. Under current state law, the educational approval board (EAB), which is attached to DVA, approves these schools and courses of instruction.

This bill eliminates the authority of EAB to approve the schools and courses of instruction for the training and education of veterans and war orphans and authorizes DVA to approve these schools and courses.

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:

2 **SECTION 1.** 20.485 (2) (c) of the statutes is amended to read:

1 20.485 (2) (c) *Operation of Wisconsin veterans museum.* From the general fund,
2 the amounts in the schedule for the operation of the Wisconsin veterans museum
3 under s. ~~45.01~~ 45.014.

4 **SECTION 2.** 20.485 (2) (m) of the statutes is amended to read:

5 20.485 (2) (m) *Federal aid ~~projects; veterans training.~~* All moneys received from
6 the federal government for ~~specific limited term projects~~ the education and training
7 of war orphans to be expended for the purposes specified.

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

8 **SECTION 3.** 20.485 (2) (wd) of the statutes is amended to read:

9 20.485 (2) (wd) *Operation of Wisconsin veterans museum.* The amounts in the
10 schedule for the operation of the Wisconsin veterans museum under s. ~~45.01~~ 45.014.

11 **SECTION 4.** 20.485 (5) (m) of the statutes is repealed.

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

12 **SECTION 5.** 25.36 (1) of the statutes is amended to read:

13 25.36 (1) Except as provided in sub. (2), all moneys appropriated or transferred
14 by law shall constitute the veterans trust fund which shall be used for the veterans
15 programs under ss. 20.485 (2) (m), (mn), (tm), (u), (v), (vo), (w), (z), and (zm), ~~45.01~~
16 45.014, 45.25, 45.351 (1), 45.353, 45.356, 45.357, 45.396, 45.397, and 45.43 (7) and
17 administered by the department of veterans affairs, including all moneys received
18 from the federal government for the benefit of veterans or their dependents; all
19 moneys paid as interest on and repayment of loans under the post-war
20 rehabilitation fund; soldiers rehabilitation fund, veterans housing funds as they
21 existed prior to July 1, 1961; all moneys paid as interest on and repayment of loans
22 under this fund; all moneys paid as expenses for, interest on, and repayment of

1 veterans trust fund stabilization loans under s. 45.356, 1995 stats.; all moneys paid
2 as expenses for, interest on, and repayment of veterans personal loans; the net
3 proceeds from the sale of mortgaged properties related to veterans personal loans;
4 all mortgages issued with the proceeds of the 1981 veterans home loan revenue bond
5 issuance purchased with moneys in the veterans trust fund; all moneys received from
6 the state investment board under s. 45.356 (9) (b); all moneys received from the
7 veterans mortgage loan repayment fund under s. 45.79 (7) (a) and (c); and all gifts
8 of money received by the board of veterans affairs for the purposes of this fund.

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8 45.54 (2) PURPOSE. The purpose of the board is to ~~approve schools and courses~~
9 ~~of instruction for the training of veterans of the armed forces and war orphans~~
10 ~~receiving assistance from the federal government,~~ protect the general public by
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12 schools doing business within this state whether located within or outside this state,
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22 (END)