

## 2001 ASSEMBLY BILL 558

1     **AN ACT** *to amend* 45.51 (1); and *to create* 21.72, 36.11 (47), 38.12 (13), 39.48,  
2           45.34 (2) (f), 45.35 (5) (e) 9. and 45.71 (16) (am) 11. of the statutes; **relating to:**  
3           eligibility for veterans benefits for those veterans who are involved in  
4           Operation Enduring Freedom; the extension or renewal of a license held by a  
5           national guard member or member of the U.S. armed forces reserve who is  
6           called into active service; college students called to serve in the armed forces;  
7           the salary paid to certain public employees called into active service; and  
8           granting rule-making authority.

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*Analysis by the Legislative Reference Bureau*

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

9           **SECTION 1.** 21.72 of the statutes is created to read:  
10          **21.72 Extension of licenses for service members. (1)** In this section:

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1 (a) “License” means any of the following that is issued to an individual and  
2 applies to that individual:

3 1. A license issued under s. 13.63 or a registration issued under s. 13.64.

4 2. An approval specified in s. 29.024 (2g).

5 3. A license issued under s. 48.66 and 48.69.

6 4. A license, certificate of approval, provisional license, conditional license,  
7 certification, certification card, registration, permit, training permit, or approval  
8 specified in s. 49.45 (2) (a) 11., 51.42 (7) (b) 11., 51.421 (3) (a), 146.50 (5) (a) or (b), (6g)  
9 (a), (7), or (8) (a) or (f), 250.05 (5), 252.23 (2), 252.24 (2), 254.176, 254.178 (2) (a),  
10 254.20 (2), (3), or (4), 254.64 (1) (a) or (b), 254.71 (2), 255.08 (2) (a), or 343.305 (6) (a)  
11 or a permit for the operation of a campground specified in s. 254.47 (1).

12 5. A business tax registration certificate issued under s. 73.03 (50).

13 6. A license, registration, registration certificate, or certification specified in s.  
14 93.135 (1).

15 7. A license, as defined in s. 101.02 (20) (a).

16 8. A license issued under s. 102.17 (1) (c), 104.07, or 105.05.

17 10. A certificate issued under s. 103.275, 103.91, or 103.92.

18 11. A license or permit granted by the department of public instruction.

19 12. A license or certificate of registration issued by the department of financial  
20 institutions, or a division of it, under ss. 138.09, 138.12, 217.06, 218.0101 to  
21 218.0163, 218.02, 218.04, 218.05, 224.72, or 224.93 or subch. III of ch. 551.

22 13. A permit issued under s. 170.12.

23 14. A certification under s. 165.85.

24 15. A license, permit, or registration issued under ss. 218.0101 to 218.0163,  
25 218.11, 218.12, 218.22, 218.32, 218.41, 218.51, 341.51, 343.305 (6), 343.61, or 343.62.

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1           16. A license, registration, or certification specified in s. 299.08 (1) (a).

2           18. A license, permit, certificate, or registration that is granted under chs. 440  
3 to 480.

4           19. A license issued under ch. 562 or s. 563.24.

5           20. A license issued under s. 628.04, 632.68 (2) or (4), or 633.14 or a temporary  
6 license issued under s. 628.09.

7           21. A license to practice law in this state.

8           22. A certificate granted by the technical college system board.

9           (b) “Licensing agency” means a board, examining board, affiliated  
10 credentialing board, office, commissioner, department, or division within a  
11 department that grants or issues a license.

12           (c) “Service member” means a member of a reserve unit of the U.S. armed forces  
13 or a member of the Wisconsin national guard.

14           **(2)** Any license that a service member holds, the expiration date of which is  
15 after September 11, 2001, except a license to practice law, does not expire on the  
16 expiration date of the license if, on the expiration date, the service member is on state  
17 active duty under ch. 21 or on active duty in the U.S. armed forces. If the supreme  
18 court agrees, a license to practice law that a service member holds, the expiration  
19 date of which is after September 11, 2001, does not expire on the expiration date of  
20 the license if, on the expiration date, the service member is on state active duty under  
21 ch. 21 or on active duty in the U.S. armed forces. A license extended under this  
22 subsection expires 90 days after the service member is discharged from active duty.

23           **(3)** The licensing agency or the supreme court shall extend or renew a license  
24 extended under sub. (2) until the next date that the license expires or for the period

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1 that such license is normally issued, at no cost to the service member, if all of the  
2 following conditions are met:

3 (a) The service member requests an extension or renewal of the license within  
4 90 days after the service member is discharged from active duty.

5 (b) The service member provides the licensing agency or supreme court with  
6 a copy of a federal or state document that specifies when the service member was  
7 called into active duty and when the service member was discharged from active  
8 duty.

9 (c) The service member meets all the requirements necessary for the extension  
10 or renewal of the license except that the service member need not meet the  
11 requirements that relate to continuing education or training.

12 (d) In the case of a license to practice law, the supreme court agrees to granting  
13 the extension or renewal.

14 **(4)** If a service member's license is renewed or extended under sub. (3) no more  
15 than 180 days before the next date that the license would normally expire, the  
16 licensing agency, or supreme court if it agrees, shall allow the service member to  
17 renew or extend the license without complying with any continuing education or  
18 training requirements if complying with such requirement in the period before the  
19 license expires would cause the service member undue hardship. If a service  
20 member's license is renewed or extended under this subsection, the licensing agency  
21 or supreme court may require the service member to comply with any continuing  
22 education or training requirements within a reasonable time after receipt of the  
23 license.

24 **(5)** The department of military affairs shall assist any service member who  
25 needs assistance to renew or extend a license under this section.

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1           **(6)** The department of military affairs shall prepare and distribute to  
2 appropriate agencies and persons, at no cost to those agencies or persons, a brochure  
3 explaining the provisions of this section.

4           **SECTION 2.** 36.11 (47) of the statutes is created to read:

5           36.11 **(47)** ARMED FORCES. If a student who is a member of the Wisconsin  
6 national guard or a member of a reserve unit of the U.S. armed forces withdraws from  
7 school after September 11, 2001, because he or she is called into state active duty  
8 under ch. 21 or into active service with the U.S. armed forces for at least 30 days, the  
9 board shall, at the student's request, do one of the following for all courses from which  
10 the student had to withdraw:

11           (a) Reimburse the student all tuition and fees paid for all the courses and a  
12 prorated portion of room and board payments.

13           (b) Grant the student an incomplete in all the courses and permit the student  
14 to complete the courses, within 6 months after leaving state service or active service,  
15 without paying additional tuition or fees.

16           **SECTION 3.** 38.12 (13) of the statutes is created to read:

17           38.12 **(13)** ARMED FORCES. If a student who is a member of the Wisconsin  
18 national guard or a member of a reserve unit of the U.S. armed forces withdraws from  
19 school after September 11, 2001, because he or she is called into state active duty  
20 under ch. 21 or into active service with the U.S. armed forces for at least 30 days, the  
21 district board shall, at the student's request, do one of the following for all courses  
22 from which the student had to withdraw:

23           (a) Reimburse the student all tuition and fees paid for all the courses.

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1 (b) Grant the student an incomplete in all the courses and permit the student  
2 to complete the courses, within 6 months after leaving state service or active service,  
3 without paying additional tuition or fees.

4 **SECTION 4.** 39.48 of the statutes is created to read:

5 **39.48 Armed forces.** If a student who is a member of the Wisconsin national  
6 guard or a member of a reserve unit of the U.S. armed forces withdraws from a  
7 private nonprofit college or university located in this state after September 11, 2001,  
8 because he or she is called into state active duty under ch. 21 or into active service  
9 with the U.S. armed forces for at least 30 days, the college or university shall, at the  
10 student's request, grant the student an incomplete in all the courses and permit the  
11 student to complete the courses, within 6 months after leaving state service or active  
12 service, without paying additional tuition or fees.

13 **SECTION 5.** 45.34 (2) (f) of the statutes is created to read:

14 45.34 (2) (f) The person served for 90 days or more in support of Operation  
15 Enduring Freedom or an operation that is a successor to Operation Enduring  
16 Freedom or served in the Operation Enduring Freedom theater of operation under  
17 all of the following conditions:

18 1. Under an active duty order, a unit assignment order, or an involuntary  
19 extension of an active duty order.

20 2. Under honorable conditions.

21 3. Between September 11, 2001, and the ending date of Operation Enduring  
22 Freedom or an operation that is a successor to Operation Enduring Freedom, as  
23 established by the department of veterans affairs by rule.

24 **SECTION 6.** 45.35 (5) (e) 9. of the statutes is created to read:

