

2001 DRAFTING REQUEST

Bill

Received: **10/08/2001**

Received By: **nelsorp1**

Wanted: **Today**

Identical to LRB:

For: **Terry Musser (608) 266-7461**

By/Representing: **T MCardle**

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

Drafter: **nelsorp1**

May Contact:

Addl. Drafters:

Subject: **Military Affairs - national guar
Veterans - veterans benefits**

Extra Copies: **Terrance MCardle, DMA
Pam Shannon, LC**

Submit via email: **YES**

Requester's email: **Rep.Musser@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

National guard active service; operation enduring freedom package

Instructions:

See Attached Compile of 01-3949, 3951, 3960

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>
/P1	nelsorp1 10/08/2001			_____			S&L
/1	nelsorp1 10/08/2001		haugeca 10/08/2001	_____			S&L
/2			jfrantze	_____	lrb_docadmin	lrb_docadmin	S&L

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				_____		lrb_docadmin	
				_____		10/09/2001	
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/4	nelsorp1 10/10/2001	gilfokm 10/10/2001	kfollet 10/10/2001	_____	lrb_docadmin 10/10/2001	lrb_docadminS&L 10/10/2001	

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/P1	nelsorp1 10/08/2001	14/10 KMG					S&L
/1	nelsorp1 10/08/2001		haugeca 10/08/2001				S&L
/2			jfrantze KJ 10/10		lrb_docadmin	lrb_docadminS&L	
				self 10/10			

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/1	nelsorp1 10/08/2001	<i>13-10/10 KMF</i>	haugeca 10/08/2001	<i>10/10 Pg/KMF</i>			S&L
/2			jfrantze		lrb_docadmin	lrb_docadminS&L	

10/10 p4

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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				_____		lrb_docadmin	
				_____		10/09/2001	

FE Sent For: **10/09/2001.**

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/2			jfrantze 10/08/2001	_____	lrb docadmin 10/08/2001		S&L

FE Sent For:

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10-09-01
("1/2")

requested
by Marleen

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2001 BILL

1 **AN ACT to create** 45.34 (2) (f), 45.35 (5) (e) 9. and 45.71 (16) (am) 11. of the
2 statutes; **relating to:** eligibility for veterans benefits for those veterans who
3 are involved in Operation Enduring Freedom.

Analysis by the Legislative Reference Bureau

Under current law, certain persons are eligible for veterans benefits based on their service in the U.S. armed forces during certain periods of war or hostilities, such as Operation Desert Storm or Operation Balkan Endeavor. The benefits that veterans or their eligible spouses and dependents may receive include preference in state hiring, vocational training, economic assistance, personal and home loans, and retraining grants.

This bill provides the same benefits to veterans who were in the U.S. armed forces in Operation Enduring Freedom or a successor operation to Operation Enduring Freedom and to their eligible spouses and dependents.

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:

4 **SECTION 1.** 45.34 (2) (f) of the statutes is created to read:

2001 BILL

- 1 **AN ACT to create** 21.72 of the statutes; **relating to:** the extension or renewal of
2 a license held by a national guard member who is called into active service.

Analysis by the Legislative Reference Bureau

Under current law, a person must renew a professional or occupational license, permit, certificate, credential, registration, or approval (license) issued by a state agency periodically. If the license is not renewed on time, the person may not engage in the profession or occupation that the license regulates.

This bill provides that any professional or occupational license that a national guard member holds at the time he or she is called into active duty in state service, or into active service in the U.S. armed forces, does not expire until 90 days after the national guard member is discharged from that service. The bill permits the guard member to extend or renew that extended license at no cost for the period that the license would normally be issued or until the date that the license would normally need to be renewed if he or she requests the extension or renewal within 90 days after his or her discharge, provides documentation showing the period when he or she was in active service, and meets all the requirements for renewal of the license except the requirement that relates to continuing education or training.

Under the bill, if the license that is renewed at the request of the guard member will expire within 180 days after that extension, the licensing agency shall allow the guard member to renew the license without meeting the continuing education or training requirements if to do so would cause the guard member undue hardship. The licensing agency, under the bill, may require the guard member to comply with the continuing education or training requirements within a reasonable time after the license is renewed.

BILL

The bill requires the department of military affairs to assist a guard member in renewing a license and to prepare and distribute a brochure explaining the rights under the provisions of this bill.

For further information see the *state and local* 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.** 21.72 of the statutes is created to read:

2 **21.72 Extension of licenses for national guard members.** (1) In this
3 section:

4 (a) “Guard member” means a member of the Wisconsin national guard.

5 (b) “License” means any of the following that is issued to an individual and
6 applies to that individual:

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

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

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

10 4. A license, certificate of approval, provisional license, conditional license,
11 certification, certification card, registration, permit, training permit, or approval
12 specified in s. 49.45 (2) (a) 11., 51.42 (7) (b) 11., 51.421 (3) (a), 146.50 (5) (a) or (b), (6g)
13 (a), (7), or (8) (a) or (f), 250.05 (5), 252.23 (2), 252.24 (2), 254.176, 254.178 (2) (a),
14 254.20 (2), (3), or (4), 254.64 (1) (a) or (b), 254.71 (2), 255.08 (2) (a), or 343.305 (6) (a)
15 or a permit for the operation of a campground specified in s. 254.47 (1).

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

17 6. A license, registration, registration certificate, or certification specified in s.
18 93.135 (1).

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

BILL

- 1 8. A license issued under s. 102.17 (1) (c), 104.07, or 105.05.
- 2 10. A certificate issued under s. 103.275, 103.91, or 103.92.
- 3 11. A license or permit granted by the department of public instruction.
- 4 12. A license or certificate of registration issued by the department of financial
5 institutions, or a division of it, under ss. 138.09, 138.12, 217.06, 218.0101 to
6 218.0163, 218.02, 218.04, 218.05, 224.72, or 224.93 or subch. III of ch. 551.
- 7 13. A permit issued under s. 170.12.
- 8 14. A certification under s. 165.85.
- 9 15. A license, permit, or registration issued under ss. 218.0101 to 218.0163,
10 218.11, 218.12, 218.22, 218.32, 218.41, 218.51, 341.51, 343.305 (6), 343.61, or 343.62.
- 11 16. A license, registration, or certification specified in s. 299.08 (1) (a).
- 12 18. A license, permit, certificate, or registration that is granted under chs. 440
13 to 480.
- 14 19. A license issued under ch. 562 or s. 563.24.
- 15 20. A license issued under s. 628.04, 632.68 (2) or (4), or 633.14 or a temporary
16 license issued under s. 628.09.
- 17 21. A license to practice law in this state.
- 18 22. A certificate granted by the technical college system board.
- 19 (c) “Licensing agency” means a board, examining board, affiliated
20 credentialing board, office, commissioner, department, or division within a
21 department that grants or issues a license.
- 22 (d) “Licensing authority” means the supreme court.
- 23 (2) Any license that a guard member holds does not expire on the expiration
24 date of the license if, on the expiration date, the guard member is on state active duty

BILL

1 under ch. 21 or on active duty in the U.S. armed forces. A license extended under this
2 subsection expires 90 days after the guard member is discharged from active duty.

3 (3) A guard member may extend or renew a license extended under sub. (2)
4 until the next date that the license expires or for the period that such license is
5 normally issued, at no cost to the guard member, if all of the following conditions are
6 met:

7 (a) The guard member requests an extension or renewal of the license within
8 90 days after the guard member is discharged from active duty.

9 (b) The guard member provides the licensing agency or authority with a copy
10 of a federal or state document that specifies when the guard member was called into
11 active duty and when the guard member was discharged from active duty.

12 (c) The guard member meets all the requirements necessary for the extension
13 or renewal of the license except that the guard member need not meet the
14 requirements that relate to continuing education or training if doing so would cause
15 the guard member undue hardship.

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

2001 BILL

- 1 **AN ACT to create** 36.11 (47), 38.12 (12) and 39.48 of the statutes; **relating to:**
2 college students called to serve in the armed forces.
-

Analysis by the Legislative Reference Bureau

This bill provides that, if a student who is a member of the Wisconsin national guard or a member of a reserve unit of the U.S. armed forces withdraws from a technical college or University of Wisconsin System institution because he or she is called into state service or into active service with the U.S. armed forces for at least 30 days, the school must, at the student's request, either: 1) reimburse the student a prorated portion of the tuition and fees paid for all courses from which the student had to withdraw; or 2) grant the student an incomplete in all such courses and permit the student to complete the courses within six months after leaving service, without paying additional tuition or fees. The bill also provides that such a student who withdraws from a private college or university is entitled to the second option of an incomplete.

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:

- 3 **SECTION 1.** 36.11 (47) of the statutes is created to read:

BILL

1 **36.11 (47) U.S. ARMED FORCES.** If a student who is a member of the Wisconsin
2 national guard or a member of a reserve unit of the U.S. armed forces withdraws from
3 school because he or she is called into state service or into active service with the U.S.
4 armed forces for at least 30 days, the board shall, at the student's request, do one of
5 the following for all courses from which the student had to withdraw:

6 (a) Reimburse the student a prorated portion of the tuition and fees paid for all
7 the courses.

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

11 **SECTION 2.** 38.12 (12) of the statutes is created to read:

12 **38.12 (12) U.S. ARMED FORCES.** If a student who is a member of the Wisconsin
13 national guard or a member of a reserve unit of the U.S. armed forces withdraws from
14 school because he or she is called into state service or into active service with the U.S.
15 armed forces for at least 30 days, the district board shall, at the student's request,
16 do one of the following for all courses from which the student had to withdraw:

17 (a) Reimburse the student a prorated portion of the tuition and fees paid for all
18 the courses.

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

22 **SECTION 3.** 39.48 of the statutes is created to read:

23 **39.48 U.S. armed forces.** If a student who is a member of the Wisconsin
24 national guard or a member of a reserve unit of the U.S. armed forces withdraws from
25 a private nonprofit college or university located in this state because he or she is

BILL

1 called into state service or into active service with the U.S. armed forces for at least
2 30 days, the college or university shall, at the student's request, grant the student
3 an incomplete in all the courses and permit the student to complete the courses,
4 within 6 months after leaving state service or active service, without paying
5 additional tuition or fees.

6 **SECTION 4. Initial applicability.**

7 (1) This act first applies to students called into service on September 12, 2001.

8 (END)

Sorted Item List

<u>Store File Name</u>	<u>Text</u>
-3951.1	21.72 of the statutes is created to read:
-3960.1	36.11 (47) of the statutes is created to read:
-3960.2	38.12 (12) of the statutes is created to read:
-3960.3	39.48 of the statutes is created to read:
-3949.1	45.34 (2) (f) of the statutes is created to read:
-3949.2	45.35 (5) (e) 9. of the statutes is created to read:
-3949.3	45.71 (16) (am) 11. of the statutes is created to read:
-3951.2	Initial applicability.
-3960.4	Initial applicability.



100W, 3 PM
State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-3977/21

RPN:..:ch

NOW

MSL, J.P.G

PRELIMINARY INTRODUCTION

Eds:
If you make changes, let me know because I want to correct underlying drafts.
NCSL
Your Legislative Support System

D-NOTE

CS

1 AN ACT to create 21.72, 36.11 (47), 38.12 (12), 39.48, 45.34 (2) (f), 45.35 (5) (e) 9.
2 and 45.71 (16) (am) 11. of the statutes; relating to: eligibility for veterans
3 benefits for those veterans who are involved in Operation Enduring Freedom;
4 the extension or renewal of a license held by a national guard member who is
5 called into active service; ^{and} college students called to serve in the armed forces.

sub sub Analysis by the Legislative Reference Bureau

~~Veterans Benefits~~ *** ANALYSIS FROM 3949/1 ***

Under current law, certain persons are eligible for veterans benefits based on their service in the U.S. armed forces during certain periods of war or hostilities, such as Operation Desert Storm or Operation Balkan Endeavor. The benefits that veterans or their eligible spouses and dependents may receive include preference in state hiring, vocational training, economic assistance, personal and home loans, and retraining grants.

This bill provides the same benefits to veterans who were in the U.S. armed forces in Operation Enduring Freedom or a successor operation to Operation Enduring Freedom and to their eligible spouses and dependents.

*** ANALYSIS FROM 3951/1 ***

This is a preliminary draft. An analysis will be provided in a later version.

Under current law, a person must renew a professional or occupational license, permit, certificate, credential, registration, or approval (license) issued by a state agency periodically. If the license is not renewed on time, the person may not engage in the profession or occupation that the license regulates.

sub sub
Occupational Licenses

This bill provides that any professional or occupational license that a national guard member holds at the time he or she is called into active duty in state service, or into active service in the U.S. armed forces, does not expire until 90 days after the national guard member is discharged from that service. The bill permits the guard member to extend or renew that extended license at no cost for the period that the license would normally be issued or until the date that the license would normally need to be renewed if he or she requests the extension or renewal within 90 days after his or her discharge, provides documentation showing the period when he or she was in active service, and meets all the requirements for renewal of the license except the requirement that relates to continuing education or training.

Under the bill, if the license that is renewed at the request of the guard member will expire within 180 days after that extension, the licensing agency shall allow the guard member to renew the license without meeting the continuing education or training requirements if to do so would cause the guard member undue hardship. The licensing agency, under the bill, may require the guard member to comply with the continuing education or training requirements within a reasonable time after the license is renewed.

The bill requires the department of military affairs to assist a guard member in renewing a license and to prepare and distribute a brochure explaining the rights under the provisions of this bill.

Sub sub
Withdrawal
From College

~~*** ANALYSIS FROM -3960/1 ***~~

This bill provides that, if a student who is a member of the Wisconsin national guard or a member of a reserve unit of the U.S. armed forces withdraws from a technical college or University of Wisconsin System institution because he or she is called into state service or into active service with the U.S. armed forces for at least 30 days, the school must, at the student's request, either: 1) reimburse the student a prorated portion of the tuition and fees paid for all courses from which the student had to withdraw; or 2) grant the student an incomplete in all such courses and permit the student to complete the courses within six months after leaving service, without paying additional tuition or fees. The bill also provides that such a student who withdraws from a private college or university is entitled to the second option of an incomplete.

For further information see the *state and local* 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 →
2
3
4

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21.72 Extension of licenses for national guard members. (1) In this section:

(a) "Guard member" means a member of the Wisconsin national guard.

LPS: turn off burning dots

1 (b) "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.

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 (c) "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 (d) ~~"Licensing authority" means the supreme court,~~

except a license to practice law,

13 (2) Any license that a guard member holds does not expire on the expiration
14 date of the license if, on the expiration date, the guard member is on state active duty
15 under ch. 21 or on active duty in the U.S. armed forces. A license extended under this
16 subsection expires 90 days after the guard member is discharged from active duty.

17 (3) ~~A guard member may~~ *The licensing agency or the supreme court shall* extend or renew a license extended under sub. (2)

18 until the next date that the license expires or for the period that such license is
19 normally issued, at no cost to the guard member, if all of the following conditions are
20 met:

21 (a) The guard member requests an extension or renewal of the license within
22 90 days after the guard member is discharged from active duty.

23 (b) The guard member provides the licensing agency or ~~authority~~ *Supreme court* with a copy
24 of a federal or state document that specifies when the guard member was called into
25 active duty and when the guard member was discharged from active duty.

*state active
duty under
ch. 21 or
on active
duty in the
U.S. armed
Forces.*

If the supreme court agrees, a license to practice law that a guard member holds does not expire on the expiration date of the license if, on the expiration date, the guard member is on

1 (c) The guard member meets all the requirements necessary for the extension
2 or renewal of the license except that the guard member need not meet the
3 requirements that relate to continuing education or training if doing so would cause
4 the guard member undue hardship.

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

5 (4) If a guard member's license is renewed or extended ~~license~~
6 no more than 180 days before the next date that the license would normally expire,
7 the licensing agency, or ~~licensing authority~~ *supreme court* if it agrees, shall allow the guard member
8 to renew or extend the license without complying with any continuing education or
9 training requirements if complying with such requirement in the period before the
10 license expires would cause the guard member undue hardship. If a guard member's
11 license is renewed or extended under this subsection, the licensing agency or
12 ~~authority~~ *supreme court* may require the guard member to comply with any continuing education
13 or training requirements within a reasonable time after receipt of the license.

14 (5) The department of military affairs shall assist any guard member who
15 needs assistance to renew or extend a license under this section.

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

19 [^]
-3960/1.1 SECTION 2. 36.11 (47) of the statutes is created to read:

20 36.11 (47) U.S. ARMED FORCES. If a student who is a member of the Wisconsin
21 national guard or a member of a reserve unit of the U.S. armed forces withdraws from
22 school because he or she is called into state ~~service~~ *active duty under ch. 21 /* or into active service with the U.S.
23 armed forces for at least 30 days, the board shall, at the student's request, do one of
24 the following for all courses from which the student had to withdraw:

1 (a) Reimburse the student a prorated portion of the tuition and fees paid for all
2 the courses.

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

6 ***-3960/1.2* SECTION 3.** 38.12 (~~12~~) of the statutes is created to read:

7 38.12 (~~12~~) U.S. ARMED FORCES. If a student who is a member of the Wisconsin
8 national guard or a member of a reserve unit of the U.S. armed forces withdraws from
9 school because he or she is called into state service or into active service with the U.S.
10 armed forces for at least 30 days, the district board shall, at the student's request,
11 do one of the following for all courses from which the student had to withdraw:

12 (a) Reimburse the student a prorated portion of the tuition and fees paid for all
13 the courses.

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

17 ***-3960/1.3* SECTION 4.** 39.48 of the statutes is created to read:

18 **39.48 U.S. armed forces.** If a student who is a member of the Wisconsin
19 national guard or a member of a reserve unit of the U.S. armed forces withdraws from
20 a private nonprofit college or university located in this state because he or she is
21 called into state service or into active service with the U.S. armed forces for at least
22 30 days, the college or university shall, at the student's request, grant the student
23 an incomplete in all the courses and permit the student to complete the courses,
24 within 6 months after leaving state service or active service, without paying
25 additional tuition or fees.

13

13
B

active duty under ch. 21

1 ***-3949/1.1*** SECTION 5. 45.34 (2) (f) of the statutes is created to read:

2 45.34 (2) (f) The person served in support of Operation Enduring Freedom or
3 an operation that is a successor to Operation Enduring Freedom under all of the
4 following conditions:

- 5 1. Under an active duty order, a unit assignment order, or an involuntary
- 6 extension of an active duty order.
- 7 2. Under honorable conditions.
- 8 3. Between September 11, 2001, and the ending date of Operation Enduring
- 9 Freedom or an operation that is a successor to Operation Enduring Freedom, as
- 10 established by the department of veterans affairs by rule.

INS
A

deleted The parallel statute that established Operation Desert Storm included language in subd. 1. referring to the middle east and international waters adjacent to the middle east. Do you want something like that here? What? I added this to the "middle east crisis" subsection. Is that appropriate, or should I create a new term for this war?

12 pt

11 ***-3949/1.2*** SECTION 6. 45.35 (5) (e) 9. of the statutes is created to read:

12 45.35 (5) (e) 9. Afghanistan war: Between September 11, 2001, and the ending
13 date of Operation Enduring Freedom or an operation that is a successor to Operation
14 Enduring Freedom, as established by the department by rule.

15 ***-3949/1.3*** SECTION 7. 45.71 (16) (am) 11. of the statutes is created to read:

16 45.71 (16) (am) 11. Afghanistan war: Between September 11, 2001, and the
17 ending date of Operation Enduring Freedom or an operation that is a successor to
18 Operation Enduring Freedom, as established by the department by rule.

19 ***-3951/1.2*** SECTION 8. Initial applicability.

20 (1) LICENSE EXPIRATION. The treatment of section 21.72 of the statutes first
21 applies to licenses that expire after September 11, 2001.

22 *~~3960/1.4~~ SECTION 9. ~~Initial applicability.~~

(2) WITHDRAWAL FROM COLLEGE

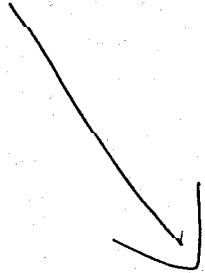
CS

~~no ff~~ The treatment of ss. 36.11 (47), 38.12 (13), and 39.48
~~(1) This act~~ first applies to students called into service on September 12, 2001.

1

2

(END)



DNOTE

3977/12n.
RPN: cjs.

LPS use INS A on p. 7 as d-note

INS A



MONDAY 10/8
State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-3977/2
RPN/MJL/PG:cs:ch

D-N

2001 BILL

TOP SECRET

1 AN ACT to create 21.72, 36.11 (47), 38.12 (13), 39.48, 45.34 (2) (f), 45.35 (5) (e) 9.
2 and 45.71 (16) (am) 11. of the statutes; relating to: eligibility for veterans
3 benefits for those veterans who are involved in Operation Enduring Freedom;
4 the extension or renewal of a license held by a national guard member who is
5 called into active service; and college students called to serve in the armed
6 forces.

Analysis by the Legislative Reference Bureau

Veterans benefits

Under current law, certain persons are eligible for veterans benefits based on their service in the U.S. armed forces during certain periods of war or hostilities, such as Operation Desert Storm or Operation Balkan Endeavor. The benefits that veterans or their eligible spouses and dependents may receive include preference in state hiring, vocational training, economic assistance, personal and home loans, and retraining grants.

This bill provides the same benefits to veterans who were in the U.S. armed forces in Operation Enduring Freedom or a successor operation to Operation Enduring Freedom and to their eligible spouses and dependents.

Occupational licenses

Under current law, a person must renew a professional or occupational license, permit, certificate, credential, registration, or approval (license) issued by a state

BILL

agency periodically. If the license is not renewed on time, the person may not engage in the profession or occupation that the license regulates.

This bill provides that any professional or occupational license that a national guard member holds at the time he or she is called into active duty in state service, or into active service in the U.S. armed forces, does not expire until 90 days after the national guard member is discharged from that service. The bill permits the guard member to extend or renew that extended license at no cost for the period that the license would normally be issued or until the date that the license would normally need to be renewed if he or she requests the extension or renewal within 90 days after his or her discharge, provides documentation showing the period when he or she was in active service, and meets all the requirements for renewal of the license except the requirement that relates to continuing education or training.

Under the bill, if the license that is renewed at the request of the guard member will expire within 180 days after that extension, the licensing agency shall allow the guard member to renew the license without meeting the continuing education or training requirements if to do so would cause the guard member undue hardship. The licensing agency, under the bill, may require the guard member to comply with the continuing education or training requirements within a reasonable time after the license is renewed.

The bill requires the department of military affairs to assist a guard member in renewing a license and to prepare and distribute a brochure explaining the rights under the provisions of this bill.

Withdrawal from college

This bill provides that, if a student who is a member of the Wisconsin national guard or a member of a reserve unit of the U.S. armed forces withdraws from a technical college or University of Wisconsin System institution because he or she is called into state service or into active service with the U.S. armed forces for at least 30 days, the school must, at the student's request, either: 1) reimburse the student a prorated portion of the tuition and fees paid for all courses from which the student had to withdraw; or 2) grant the student an incomplete in all such courses and permit the student to complete the courses within six months after leaving service, without paying additional tuition or fees. The bill also provides that such a student who withdraws from a private college or university is entitled to the second option of an incomplete.

For further information see the *state and local* 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. 21.72 of the statutes is created to read:

BILL

1 **21.72 Extension of licenses for national guard members.** (1) In this
2 section:

3 (a) “Guard member” means a member of the Wisconsin national guard.

4 (b) “License” means any of the following that is issued to an individual and
5 applies to that individual:

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

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

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

9 4. A license, certificate of approval, provisional license, conditional license,
10 certification, certification card, registration, permit, training permit, or approval
11 specified in s. 49.45 (2) (a) 11., 51.42 (7) (b) 11., 51.421 (3) (a), 146.50 (5) (a) or (b), (6g)
12 (a), (7), or (8) (a) or (f), 250.05 (5), 252.23 (2), 252.24 (2), 254.176, 254.178 (2) (a),
13 254.20 (2), (3), or (4), 254.64 (1) (a) or (b), 254.71 (2), 255.08 (2) (a), or 343.305 (6) (a)
14 or a permit for the operation of a campground specified in s. 254.47 (1).

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

16 6. A license, registration, registration certificate, or certification specified in s.
17 93.135 (1).

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

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

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

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

22 12. A license or certificate of registration issued by the department of financial
23 institutions, or a division of it, under ss. 138.09, 138.12, 217.06, 218.0101 to
24 218.0163, 218.02, 218.04, 218.05, 224.72, or 224.93 or subch. III of ch. 551.

25 13. A permit issued under s. 170.12.

BILL

1 14. A certification under s. 165.85.

2 15. A license, permit, or registration issued under ss. 218.0101 to 218.0163,
3 218.11, 218.12, 218.22, 218.32, 218.41, 218.51, 341.51, 343.305 (6), 343.61, or 343.62.

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

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

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

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

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

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

12 (c) "Licensing agency" means a board, examining board, affiliated
13 credentialing board, office, commissioner, department, or division within a
14 department that grants or issues a license.

15 (2) Any license that a guard member holds, except a license to practice law, does
16 not expire on the expiration date of the license if, on the expiration date, the guard
17 member is on state active duty under ch. 21 or on active duty in the U.S. armed forces.

18 If the supreme court agrees, a license to practice law that a guard member holds does
19 not expire on the expiration date of the license if, on the expiration date, the guard
20 member is on state active duty under ch. 21 or on active duty in the U.S. armed forces.

21 A license extended under this subsection expires 90 days after the guard member is
22 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

BILL

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

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

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

8 (c) The guard member meets all the requirements necessary for the extension
9 or renewal of the license except that the guard member need not meet the
10 requirements that relate to continuing education or training if doing so would cause
11 the guard member undue hardship.

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 guard 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 guard 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 guard member undue hardship. If a guard member's
20 license is renewed or extended under this subsection, the licensing agency or
21 supreme court may require the guard 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 guard member who
25 needs assistance to renew or extend a license under this section.

BILL

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) ~~U.S.~~ 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 because he or she is called into state active duty under ch. 21 or into active
8 service with the U.S. armed forces for at least 30 days, the board shall, at the
9 student's request, do one of the following for all courses from which the student had
10 to withdraw:

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

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) ~~U.S.~~ 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 because he or she is called into state active duty under ch. 21 or into active
20 service with the U.S. armed forces for at least 30 days, the district board shall, at the
21 student's request, do one of the following for all courses from which the student had
22 to withdraw:

23 (a) Reimburse the student a prorated portion of the tuition and fees paid for all
24 the courses.

BILL

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** ~~U.S.~~ 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 a private nonprofit college or university located in this state because he or she is
8 called into state active duty under ch. 21 or into active service with the U.S. armed
9 forces for at least 30 days, the college or university shall, at the student's request,
10 grant the student an incomplete in all the courses and permit the student to complete
11 the courses, within 6 months after leaving state service or active service, without
12 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 in support of Operation Enduring Freedom or
15 an operation that is a successor to Operation Enduring Freedom under all of the
16 following conditions:

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

19 2. Under honorable conditions.

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

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

BILL

1 45.35 (5) (e) 9. Afghanistan war: Between September 11, 2001, and the ending
2 date of Operation Enduring Freedom or an operation that is a successor to Operation
3 Enduring Freedom, as established by the department by rule.

4 **SECTION 7.** 45.71 (16) (am) 11. of the statutes is created to read:

5 45.71 (16) (am) 11. Afghanistan war: Between September 11, 2001, and the
6 ending date of Operation Enduring Freedom or an operation that is a successor to
7 Operation Enduring Freedom, as established by the department by rule.

8 **SECTION 8. Initial applicability.**

9 (1) LICENSE EXPIRATION. The treatment of section 21.72 of the statutes first
10 applies to licenses that expire after September 11, 2001.

11 (2) WITHDRAWAL FROM COLLEGE. The treatment of sections 36.11 (47), 38.12 (13),
12 and 39.48 first applies to students called into service on September 12, 2001.

13 **(END)**

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3977/²dn
RPN:cjs:cl

October 8, 2001

Operation Enduring Freedom

The parallel statute that established Operation Desert Storm included language ~~in~~
~~subd. 1.~~ referring to the middle east and international waters adjacent to the middle
east. Do you want something like that ~~here~~? What? I added ~~this~~ to the "middle east
crisis" subsection. Is that appropriate, or should I create a new term for this war?

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
E-mail: robert.nelson@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3977/2dn
RPN:cs:jf

October 8, 2001

The parallel statute that established Operation Desert Storm included language referring to the middle east and international waters adjacent to the middle east. Do you want something like that? What? I added Operation Enduring Freedom to the "middle east crisis" subsection. Is that appropriate, or should I create a new term for this war?

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
E-mail: robert.nelson@legis.state.wi.us

Basford, Sarah

From: Kolka, Kathie
Sent: Tuesday, October 09, 2001 8:58 AM
To: LRB.Legal
Subject: Draft review: LRB-3977/2 Topic: National guard active service; operation enduring freedom package

It has been requested by <Kolka, Kathie> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB-3977/2 Topic: National guard active service; operation enduring freedom package



Vice President for Finance

1752 Van Hise Hall
1220 Linden Drive
Madison, Wisconsin 53706
(608) 262-1311
(608) 262-3985 Fax

website: <http://www.uwsa.edu>

September 17, 2001

To: Chief Business Officers

From: Debbie Durcan

Re: Students Called to Active Duty

When reservists were called to active duty during the Kosovo war, policies that had been initiated during the Gulf war and Desert Storm were once again put into place.

The following policies would again apply to reservists called to active duty:

Tuition and Fees

Students should be given the opportunity to earn his/her grade or a full refund of tuition should be made.

Room and Board

Students should be given a refund for the unused portion of room and board contracts.

Institutions should do everything they can to ensure students are treated fairly and do not suffer an academic set-back because they have been called to active duty.

cc: President Lyall
Chancellors
Cabinet
SAC

BILL

for UW System students,

agency periodically. If the license is not renewed on time, the person may not engage in the profession or occupation that the license regulates.

This bill provides that any professional or occupational license that a national guard member holds at the time he or she is called into active duty in state service, or into active service in the U.S. armed forces, does not expire until 90 days after the national guard member is discharged from that service. The bill permits the guard member to extend or renew that extended license at no cost for the period that the license would normally be issued or until the date that the license would normally need to be renewed if he or she requests the extension or renewal within 90 days after his or her discharge, provides documentation showing the period when he or she was in active service, and meets all the requirements for renewal of the license except the requirement that relates to continuing education or training.

Under the bill, if the license that is renewed at the request of the guard member will expire within 180 days after that extension, the licensing agency shall allow the guard member to renew the license without meeting the continuing education or training requirements if to do so would cause the guard member undue hardship. The licensing agency, under the bill, may require the guard member to comply with the continuing education or training requirements within a reasonable time after the license is renewed.

The bill requires the department of military affairs to assist a guard member in renewing a license and to prepare and distribute a brochure explaining the rights under the provisions of this bill.

and a prorated portion of room and board payments

Withdrawal from college

call

This bill provides that, if a student who is a member of the Wisconsin national guard or a member of a reserve unit of the U.S. armed forces withdraws from a technical college or University of Wisconsin System institution because he or she is called into state service or into active service with the U.S. armed forces for at least 30 days, the school must, at the student's request, either: 1) reimburse the student a prorated portion of the tuition and fees paid for all courses from which the student had to withdraw; or 2) grant the student an incomplete in all such courses and permit the student to complete the courses within six months after leaving service, without paying additional tuition or fees. The bill also provides that such a student who withdraws from a private college or university is entitled to the second option of an incomplete.

(UW System)

For further information see the *state and local* 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. 21.72 of the statutes is created to read:

BILL

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 because he or she is called into state active duty under ch. 21 or into active
8 service with the U.S. armed forces for at least 30 days, the board shall, at the
9 student's request, do one of the following for all courses from which the student had
10 to withdraw:

11 (a) Reimburse the student ~~appropriate portion of the~~ ^{all} tuition and fees paid for all
12 the courses. (and a 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 because he or she is called into state active duty under ch. 21 or into active
20 service with the U.S. armed forces for at least 30 days, the district board shall, at the
21 student's request, do one of the following for all courses from which the student had
22 to withdraw:

23 (a) Reimburse the student ~~appropriate portion of the~~ ^{all} tuition and fees paid for all
24 the courses.

Memo

To: Rep. Musser

(The Bill's Requestor)

Attached is a fiscal estimate prepared for your 2001 draft that has not yet been introduced.

LRB Number: LRB 3977

Version: "/2"

Entered In Computer And Copy Sent To Requestor Via E-Mail: 10 / 9 / 2001

Fiscal Estimate Prepared By: (agency abbr.) NTCS

If you have questions about the attached fiscal estimate, you may contact the agency/ individual who prepared the fiscal estimate. If you disagree with the enclosed fiscal estimate, please contact the LRB drafter of your proposal to discuss your options under the fiscal estimate procedure.

* * * * *

To: LRB – Legal Section PA's

Subject: Fiscal Estimate Received For A Un-Introduced Draft

- If this is **re-drafted** to a new version please attach this early fiscal estimate to the back of the draft's file between the old version and the new version.
- If this draft gets **introduced** ... and the version of the attached fiscal estimate is correct ... please write the drafts intro. number below and give this fiscal estimate to Mike (or Lynn) to process.

THIS DRAFT WAS INTRODUCED AS: 2001 AB 558

- If this draft gets **introduced** ... and the version of the attached fiscal estimate is for a previous version ... please attach this early fiscal estimate to the back of the draft's file between the old version and the new version. Have Mike (or Lynn) get the ball rolling on getting a fiscal estimate prepared for the introduced version.

Emery, Lynn

From: Emery, Lynn
Sent: Tuesday, October 09, 2001 5:05 PM
To: Rep.Musser
Subject: LRB-3977/2 (FE by WTCS - attached for your review)



FE_WTCS.pdf

FE_WTCS.pdf

Fiscal Estimate - 2001 Session

Original Updated Corrected Supplemental

LRB Number 01-3977/2		Introduction Number	
Subject National guard active service; operation enduring freedom package			
Fiscal Effect			
State:			
<input checked="" type="checkbox"/> No State Fiscal Effect			
<input type="checkbox"/> Indeterminate			
<input type="checkbox"/> Increase Existing Appropriations	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget	
<input type="checkbox"/> Decrease Existing Appropriations	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Create New Appropriations		<input type="checkbox"/> Decrease Costs	
Local:			
<input type="checkbox"/> No Local Government Costs			
<input type="checkbox"/> Indeterminate			
1. <input checked="" type="checkbox"/> Increase Costs	3. <input type="checkbox"/> Increase Revenue	5. Types of Local Government Units Affected	
<input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Towns	<input type="checkbox"/> Village <input type="checkbox"/> Cities
2. <input type="checkbox"/> Decrease Costs	4. <input checked="" type="checkbox"/> Decrease Revenue	<input type="checkbox"/> Counties	<input type="checkbox"/> Others
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory	<input type="checkbox"/> School Districts	<input checked="" type="checkbox"/> WTCS Districts
Fund Sources Affected		Affected Ch. 20 Appropriations	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS			
Agency/Prepared By		Authorized Signature	Date
WTCS/ Morna Foy (608) 266-2449		Dan Clancy (608) 266-7983	10/9/01

Fiscal Estimate Narratives
WTCS 10/9/01

LRB Number 01-3977/2	Introduction Number	Estimate Type	Original
Subject			
National guard active service; operation enduring freedom package			

Assumptions Used in Arriving at Fiscal Estimate

1. WTCS does not collect information on the military status of its students and, therefore, cannot estimate the number of WTCS students who may be ordered or inducted into active service in the armed forces of the United States during a national emergency.
2. Postsecondary and Vocational Adult in-state program tuition for 2001-2002 = \$64/per credit. College Parallel in-state tuition for 2001-2002 = \$90.00/per credit. The minimum material fee is \$3.50 per course enrollment, but these fees can vary considerably depending on the course taken. The cost of refunding 100% or a prorated amount of tuition to WTCS students called to active duty is dependent on the type of program and number of credits in which the student is enrolled. For example, for a student enrolled in:
 - *6 occupational program credits, a 100% refund of tuition and fees would equal \$384
 - *12 occupational program credits, a 100% refund of tuition and fees would equal \$768;
 - *15 occupational program credits, a 100% refund of tuition and fees would equal \$960;
 - *6 college parallel credits, a 100% refund of tuition and fees would equal \$540; and
 - *12 college parallel credits, a 100% refund of tuition and fees would equal \$1080.
3. General tuition refund procedures are contained in the WTCS Board's administrative rules (Section 10.08 of Chapter TCS 10). The existing general tuition refund policy provides for prorated refunds until the fourth week of a semester, after which time tuition refunds are not given. However, under TCS 10.08(3)(f), technical college districts are authorized to waive these general policies and adopt policies to address "special circumstances involving unforeseen student hardship." The WTCS State Director is advising technical college districts to adopt a special circumstance policy that provides a 100% refund of all tuition and fees to students who are ordered or inducted into active service in the armed forces of the United States or who are requested to work for the federal government during a national emergency or a limited national emergency.
4. Program admission procedures are also contained in the WTCS Board's administrative rules (Section 10.07 of Chapter TCS 10). However under TCS 10.07(5m), districts are authorized to adopt policies to accommodate admission for students in special circumstances. One of the factors that may be considered for special circumstances admission is "hardship." The WTCS State Director is advising technical college districts to adopt a special circumstance policy that provides a priority readmission to students who are ordered or inducted into active service in the armed forces of the United States or who are requested to work for the federal government during a national emergency or a limited national emergency.

LRB-3977/2 would result in the return of tuition and fees to some WTCS students and, therefore, a reduction in tuition and fee revenues to WTCS districts. The total fiscal effect of these refunds is not possible to estimate because WTCS does not have information on the number of potential students who may be called to active duty. However, the expected loss of tuition and fee revenues that would result from mandated prorated tuition refunds as proposed in LRB-3977/2 would be less than the loss of tuition and fees that will result from the 100% tuition refund policy that the State Director is currently recommending technical college districts adopt for students who are ordered or inducted into active service in the armed forces of the United States or who are requested to work for the federal government during a national emergency or a limited national emergency.

LRB-3977/2 would also result in increased administrative costs to technical college districts related to maintaining records and processing the "temporary withdrawal" and readmission of WTCS students who are called to active duty and in increased instructional costs if offered course and program enrollments are significantly affected. Again, the total fiscal effect of these administrative costs is not possible to estimate because WTCS does not have information on the number of potential students who may be called to active duty. However, the expected administrative and instructional cost increases associated with processing the mandated readmissions proposed in LRB-3977/2 and rescheduling classes and instructors would be similar to the administrative costs associated with the special circumstances admissions policy that the State Director is

currently recommending technical college districts adopt.

Long-Range Fiscal Implications

Memo

To: Rep. Musser

(The Bill's Requestor)

Attached is a fiscal estimate prepared for your 2001 draft that has not yet been introduced.

LRB Number: LRB 3977

Version: "/ 2 "

Entered In Computer And Copy Sent To Requestor Via E-Mail: 10/9 / 2001

Fiscal Estimate Prepared By: (agency abbr.) DMA

If you have questions about the attached fiscal estimate, you may contact the agency/ individual who prepared the fiscal estimate. If you disagree with the enclosed fiscal estimate, please contact the LRB drafter of your proposal to discuss your options under the fiscal estimate procedure.

* * * * *

To: LRB – Legal Section PA's

Subject: Fiscal Estimate Received For A Un-Introduced Draft

- If this is **re-drafted** to a new version please attach this early fiscal estimate to the back of the draft's file between the old version and the new version.
- If this draft gets **introduced** ... and the version of the attached fiscal estimate is correct ... please write the drafts intro. number below and give this fiscal estimate to Mike (or Lynn) to process.

THIS DRAFT WAS INTRODUCED AS: 2001 AB 558

- If this draft gets **introduced** ... and the version of the attached fiscal estimate is for a previous version ... please attach this early fiscal estimate to the back of the draft's file between the old version and the new version. Have Mike (or Lynn) get the ball rolling on getting a fiscal estimate prepared for the introduced version.

Emery, Lynn

From: Emery, Lynn
Sent: Tuesday, October 09, 2001 5:05 PM
To: Rep.Musser
Subject: LRB-3977/2 (FE by DMA - attached for your review)



FE_DMA.pdf

FE_DMA.pdf

Fiscal Estimate - 2001 Session

Original Updated Corrected Supplemental

LRB Number 01-3977/2	Introduction Number
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Subject National guard active service; operation enduring freedom package

Fiscal Effect
State:
<input type="checkbox"/> No State Fiscal Effect
<input type="checkbox"/> Indeterminate
<input type="checkbox"/> Increase Existing Appropriations
<input type="checkbox"/> Decrease Existing Appropriations
<input type="checkbox"/> Create New Appropriations
<input type="checkbox"/> Increase Existing Revenues
<input type="checkbox"/> Decrease Existing Revenues
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<input type="checkbox"/> Decrease Costs
Local:
<input type="checkbox"/> No Local Government Costs
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3. <input type="checkbox"/> Increase Revenue
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5. Types of Local Government Units Affected
<input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities
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Fund Sources Affected	Affected Ch. 20 Appropriations
<input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS 20.465 (1)(a)	

Agency/Prepared By DMA/ Lucinda Fritchen (608) 242-3156	Authorized Signature Lucinda Fritchen (608) 242-3156	Date 10/9/01
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Fiscal Estimate Narratives

DMA 10/9/01

LRB Number 01-3977/2	Introduction Number	Estimate Type	Original
Subject National guard active service; operation enduring freedom package			

Assumptions Used in Arriving at Fiscal Estimate

The Department has made the following assumptions regarding the assistance and brochure requirements contained under this proposed bill.

Brochure preparation will require the use of an additional Judge Advocate General (JAG) to assist for approximately 2 -3 days for adequate research into all the necessary information. Cost is approximately \$140/day or \$420.

Printing and distribution the brochure to state agencies and other license boards as well as to guard members is estimated at approximately \$700. This assumes the distribution will occur mainly through Inter-D mail service provided by Department of Administration and printing will be done within the Department.

The bill also contains the language "..shall assist any guard member who needs assistance..". At this time the inquiries have been absorbed into the normal workload of the Department's full-time JAG officer and attorney. The need for additional assistance could arise if the Military Activation becomes significantly larger. This would most likely involve an additional JAG officer at approximately \$140 per day for a limited time.

Total cost (min) \$1,120

Long-Range Fiscal Implications

None.

Memo

To: Rep. Musser

(The Bill's Requestor)

Attached is a fiscal estimate prepared for your 2001 draft that has not yet been introduced.

LRB Number: LRB 3977

Version: "/2"

Entered In Computer And Copy Sent To Requestor Via E-Mail: 10/9 / 2001

Fiscal Estimate Prepared By: (agency abbr.) UNIS

If you have questions about the attached fiscal estimate, you may contact the agency/ individual who prepared the fiscal estimate. If you disagree with the enclosed fiscal estimate, please contact the LRB drafter of your proposal to discuss your options under the fiscal estimate procedure.

* * * * *

To: LRB – Legal Section PA's

Subject: Fiscal Estimate Received For A Un-Introduced Draft

- If this is **re-drafted** to a new version please attach this early fiscal estimate to the back of the draft's file between the old version and the new version.
- If this draft gets **introduced** ... and the version of the attached fiscal estimate is correct ... please write the drafts intro. number below and give this fiscal estimate to Mike (or Lynn) to process.

THIS DRAFT WAS INTRODUCED AS: 2001 AB 558

- If this draft gets **introduced** ... and the version of the attached fiscal estimate is for a previous version ... please attach this early fiscal estimate to the back of the draft's file between the old version and the new version. Have Mike (or Lynn) get the ball rolling on getting a fiscal estimate prepared for the introduced version.

Emery, Lynn

From: Emery, Lynn
Sent: Tuesday, October 09, 2001 5:02 PM
To: Rep.Musser
Subject: LRB-3977/2 (FE by UWS - attached for your review)



FE_UWS.pdf

FE_UWS.pdf

Fiscal Estimate - 2001 Session

Original Updated Corrected Supplemental

LRB Number 01-3977/2		Introduction Number
Subject National guard active service; operation enduring freedom package		
Fiscal Effect		
State:		
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<input checked="" type="checkbox"/> Indeterminate		
<input type="checkbox"/> Increase Existing Appropriations		
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<input type="checkbox"/> Counties <input type="checkbox"/> Others		
<input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts		
Fund Sources Affected		Affected Ch. 20 Appropriations
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS		
Agency/Prepared By	Authorized Signature	Date
UWS/ Leslie Perelman (608) 262-5850	Leslie Perelman (608) 262-5850	10/9/01

Fiscal Estimate Narratives

UWS 10/9/01

LRB Number	01-3977/2	Introduction Number	Estimate Type	Original
Subject				
National guard active service; operation enduring freedom package				

Assumptions Used in Arriving at Fiscal Estimate

LRB-3977/2 would require the University of Wisconsin System to, at the student's request, either: 1) reimburse a prorated portion of the tuition and fees paid for all courses from which the student had to withdraw; or 2) grant the student an Incomplete in all such courses and permit the student to complete the courses within six months after leaving service, without paying additional tuition or fees provided the student was a member of the Wisconsin national guard or a reserve unit of the U.S. armed forces and withdraws from the University of Wisconsin institution because he or she is called to active service within the armed forces for at least 30 days.

LRB-3977/2 could have a significant fiscal impact on the UW System. However, the exact fiscal impact of the bill cannot be determined because it is not possible to determine the number of students who might need to leave the university as a result of being called for active duty in the armed forces.

During Operation Desert Storm, approximately 446 students withdrew from UW institutions. Based on that number, the fiscal effect of a full reimbursement of tuition alone would be \$1.6 million based on 2001-02 UW-Madison tuition rates. Costs for reimbursement of room, board and other fees would be in addition to tuition reimbursement. In addition, there could be increased costs incurred in identifying these students for special fee adjustments.

When reservists were called to active duty during the Kosovo war, policies that had been initiated by the University of Wisconsin System during the Gulf war and Desert Storm were once again put into place.

The following policies would again apply to reservists called to active duty in Operation Enduring Freedom:

Tuition and Fees: Students should be given the opportunity to earn his/her grade or a full refund of tuition should be made.

Room and Board: Students should be given a refund for the unused portion of room and board contracts.

In General: Institutions should do everything they can to ensure students are treated fairly and do not suffer an academic set-back because they have been called to active duty.

Long-Range Fiscal Implications

Fiscal Estimate - 2001 Session

Original Updated Corrected Supplemental

LRB Number 01-3977/2		Introduction Number	
Subject			
National guard active service; operation enduring freedom package			
Fiscal Effect			
State:			
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<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations		<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs	
Local:			
<input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate			
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
5. Types of Local Government Units Affected			
<input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts			
Fund Sources Affected		Affected Ch. 20 Appropriations	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS			
Agency/Prepared By		Authorized Signature	Date
DVA/ Kenneth Abrahamsen (608) 266-0117		Kenneth Abrahamsen (608) 266-0117	10/15/01

Copy sent to Rep. Musser (10-16-2001)
 → FE is for old "1/2" version
 → draft is now a "1/4"
 → Intro. As AB-558

Fiscal Estimate Narratives

DVA 10/16/01

LRB Number 01-3977/2	Introduction Number	Estimate Type	Original
Subject National guard active service; operation enduring freedom package			

Assumptions Used in Arriving at Fiscal Estimate

This bill would expand the war periods that qualify a veteran to be eligible for veterans benefits provided under Chapter 45 Wis. Stats. to include Operation Enduring Freedom or a successor to Operation Enduring Freedom. This would include any National Guard or Reservists who serve in the U.S. armed forces during that period for purposes other than training. The bill would also expand eligibility to include eligible spouses and dependents. Under current law, most all of the veterans who would be eligible under Operation Enduring Freedom would be eligible under the existing Persian Gulf War period. Based on current law, and assuming the continuation of the Persian Gulf War, there would be little, if any, fiscal impact as a result of this bill.

However, if the Persian Gulf war period were to end prior to Operation Enduring Freedom or a successor operation to Operation Enduring Freedom, then there would be veterans who would be eligible for state benefits that would not otherwise have qualified for those benefits. It is not known at this time whether the Persian Gulf war period will end prior to Operation Enduring Freedom, including any successor operation. Moreover, if that situation were to occur, it is not known how many additional veterans would qualify for benefits. For these reasons, it is not possible to provide an accurate estimate of the fiscal impact of this bill.

Long-Range Fiscal Implications



2001 BILL

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

Sen. Conf.

*or member of the
U.S. armed forces
reserve*

Analysis by the Legislative Reference Bureau

Veterans benefits

Under current law, certain persons are eligible for veterans benefits based on their service in the U.S. armed forces during certain periods of war or hostilities, such as Operation Desert Storm or Operation Balkan Endeavor. The benefits that veterans or their eligible spouses and dependents may receive include preference in state hiring, vocational training, economic assistance, personal and home loans, and retraining grants.

This bill provides *for 90 days or more* the same benefits to veterans who were in the U.S. armed forces in Operation Enduring Freedom or a successor operation to Operation Enduring Freedom and to their eligible spouses and dependents.

Occupational licenses

Under current law, a person must renew a professional or occupational license, permit, certificate, credential, registration, or approval (license) issued by a state

BILL

or member of the U.S. armed forces reserve

agency periodically. If the license is not renewed on time, the person may not engage in the profession or occupation that the license regulates.

This bill provides that any professional or occupational license that a national guard member holds at the time he or she is called into active duty in state service, or into active service in the U.S. armed forces, does not expire until 90 days after the national guard member is discharged from that service. The bill permits the guard member to extend or renew that extended license at no cost for the period that the license would normally be issued or until the date that the license would normally need to be renewed if he or she requests the extension or renewal within 90 days after his or her discharge, provides documentation showing the period when he or she was in active service, and meets all the requirements for renewal of the license except the requirement that relates to continuing education or training.

Service

service

Under the bill, if the license that is renewed at the request of the guard member will expire within 180 days after that extension, the licensing agency shall allow the guard member to renew the license without meeting the continuing education or training requirements if to do so would cause the guard member undue hardship. The licensing agency, under the bill, may require the guard member to comply with the continuing education or training requirements within a reasonable time after the license is renewed.

The bill requires the department of military affairs to assist a guard member in renewing a license and to prepare and distribute a brochure explaining the rights under the provisions of this bill.

Withdrawal from college all

(UW system)

This bill provides that, if a student who is a member of the Wisconsin national guard or a member of a reserve unit of the U.S. armed forces withdraws from a technical college or University of Wisconsin System institution because he or she is called into state service or into active service with the U.S. armed forces for at least 30 days, the school must, at the student's request, either: 1) reimburse the student prorated portion of the tuition and fees paid for all courses from which the student had to withdraw; or 2) grant the student an incomplete in all such courses and permit the student to complete the courses within six months after leaving service, without paying additional tuition or fees. The bill also provides that such a student who withdraws from a private college or university is entitled to the second option of an incomplete.

For further information see the **state and local** 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. 21.72 of the statutes is created to read:

and, for UW system students, a prorated portion of room and board payments

BILL

service

[Handwritten signature]

1

21.72 Extension of licenses for national guard members. (1) In this

2 section:

3 ~~(a) "Guard member" means a member of the Wisconsin national guard.~~

4 ^a
~~(b)~~ "License" means any of the following that is issued to an individual and
5 applies to that individual:

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

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

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

9 4. A license, certificate of approval, provisional license, conditional license,
10 certification, certification card, registration, permit, training permit, or approval
11 specified in s. 49.45 (2) (a) 11., 51.42 (7) (b) 11., 51.421 (3) (a), 146.50 (5) (a) or (b), (6g)
12 (a), (7), or (8) (a) or (f), 250.05 (5), 252.23 (2), 252.24 (2), 254.176, 254.178 (2) (a),
13 254.20 (2), (3), or (4), 254.64 (1) (a) or (b), 254.71 (2), 255.08 (2) (a), or 343.305 (6) (a)
14 or a permit for the operation of a campground specified in s. 254.47 (1).

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

16 6. A license, registration, registration certificate, or certification specified in s.
17 93.135 (1).

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

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

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

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

22 12. A license or certificate of registration issued by the department of financial
23 institutions, or a division of it, under ss. 138.09, 138.12, 217.06, 218.0101 to
24 218.0163, 218.02, 218.04, 218.05, 224.72, or 224.93 or subch. III of ch. 551.

25 13. A permit issued under s. 170.12.

BILL

1 14. A certification under s. 165.85.

2 15. A license, permit, or registration issued under ss. 218.0101 to 218.0163,
3 218.11, 218.12, 218.22, 218.32, 218.41, 218.51, 341.51, 343.305 (6), 343.61, or 343.62.

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

5 ✓ 18. A license, permit, certificate, or registration that is granted under chs. 440
6 to 480.

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

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

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

*or a member
of the Wisconsin
national guard.*

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

12 ✓ ^b (a) "Licensing agency" means a board, examining board, affiliated
13 credentialing board, office, commissioner, department, or division within a
14 department that grants or issues a license. *of the U.S. armed forces*

✓ ^c (c) "Service member" means a member of a reserve unit

15 (2) Any license that a ~~guard~~ member holds, except a license to practice law, does
16 not expire on the expiration date of the license if, on the expiration date, the ~~guard~~
17 member is on state active duty under ch. 21 or on active duty in the U.S. armed forces.

Service
18 If the supreme court agrees, a license to practice law that a ~~guard~~ member holds does
19 not expire on the expiration date of the license if, on the expiration date, the ~~guard~~
20 member is on state active duty under ch. 21 or on active duty in the U.S. armed forces.

21 A license extended under this subsection expires 90 days after the ~~guard~~ member is
22 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

*of which
the
expiration date is
after September 11, 2001,*

BILL

service

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

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

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

8 (c) The ~~guard~~ member meets all the requirements necessary for the extension
9 or renewal of the license except that the ~~guard~~ member need not meet the
10 requirements that relate to continuing education or training if doing so would cause
11 the ~~guard~~ member undue hardship.

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 ~~guard~~ 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 ~~guard~~ 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 ~~guard~~ member undue hardship. If a ~~guard~~ member's
20 license is renewed or extended under this subsection, the licensing agency or
21 supreme court may require the ~~guard~~ 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 ~~guard~~ member who
25 needs assistance to renew or extend a license under this section.

BILL

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 under ch. 21 or into active
8 service with the U.S. armed forces for at least 30 days, the board shall, at the
9 student's request, do one of the following for all courses from which the student had
10 to withdraw:

11 (a) Reimburse the student *all* ~~separated portion of the~~ tuition and fees paid for all
12 the courses *and a 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 under ch. 21 or into active
20 service with the U.S. armed forces for at least 30 days, the district board shall, at the
21 student's request, do one of the following for all courses from which the student had
22 to withdraw:

23 (a) Reimburse the student *all* ~~separated portion of the~~ tuition and fees paid for all
24 the courses.

BILL

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,* because he or she is called
8 into state active duty under ch. 21 or into active service with the U.S. armed forces
9 for at least 30 days, the college or university shall, at the student's request, grant the
10 student an incomplete in all the courses and permit the student to complete the
11 courses, within 6 months after leaving state service or active service, without paying
12 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 Enduring Freedom or
15 an operation that is a successor to Operation Enduring Freedom *under all of the*
16 following conditions: *or served for 90 days or more in*
The Operation Enduring Freedom theater of operation

- 17 1. Under an active duty order, a unit assignment order, or an involuntary
18 extension of an active duty order.
- 19 2. Under honorable conditions.
- 20 3. Between September 11, 2001, and the ending date of Operation Enduring
21 Freedom or an operation that is a successor to Operation Enduring Freedom, as
22 established by the department of veterans affairs by rule. ✓

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

BILL

1 45.35 (5) (e) 9. Afghanistan war: Between September 11, 2001, and the ending
2 date of Operation Enduring Freedom or an operation that is a successor to Operation
3 Enduring Freedom, as established by the department by rule.

4 **SECTION 7.** 45.71 (16) (am) 11. of the statutes is created to read:

5 45.71 (16) (am) 11. Afghanistan war: Between September 11, 2001, and the
6 ending date of Operation Enduring Freedom or an operation that is a successor to
7 Operation Enduring Freedom, as established by the department by rule.

8 **~~SECTION 8. Initial applicability.~~**

9 (1) ~~LICENSE EXPIRATION.~~ The treatment of section 21.72 of the statutes first
10 applies to licenses that ~~expire~~ after September 11, 2001.

11 (2) ~~WITHDRAWAL FROM COLLEGE.~~ The treatment of sections 36.11 (47), 38.12 (13),
12 and 39.48 first applies to students called into service on September 12, 2001.

13 (END)

Emery, Lynn

From: Emery, Lynn
Sent: Wednesday, October 10, 2001 3:36 PM
To: Rep.Musser
Cc: McArdle, Terrence; Shannon, Pam
Subject: LRB-3977/3 (attached for your review)

Lynn Emery

Lynn Emery - Program Asst. (PH. 608-266-3561)
(E-Mail: lynn.emery@legis.state.wi.us) (FAX: 608-264-6948)

Legislative Reference Bureau - Legal Section - Front Office
100 N. Hamilton Street - 5th Floor
Madison, WI 53703



NO W

2001 ASSEMBLY BILL

See P. 7.

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

Analysis by the Legislative Reference Bureau

Veterans benefits

Under current law, certain persons are eligible for veterans benefits based on their service in the U.S. armed forces during certain periods of war or hostilities, such as Operation Desert Storm or Operation Balkan Endeavor. The benefits that veterans or their eligible spouses and dependents may receive include preference in state hiring, vocational training, economic assistance, personal and home loans, and retraining grants.

This bill provides the same benefits to veterans who were in the U.S. armed forces in Operation Enduring Freedom or a successor operation to Operation Enduring Freedom for 90 days or more and to their eligible spouses and dependents.

ASSEMBLY BILL***Occupational licenses***

Under current law, a person must renew a professional or occupational license, permit, certificate, credential, registration, or approval (license) issued by a state agency periodically. If the license is not renewed on time, the person may not engage in the profession or occupation that the license regulates.

This bill provides that any professional or occupational license that a national guard member or member of the U.S. armed forces reserve holds at the time that he or she is called into active duty in state service, or into active service in the U.S. armed forces, does not expire until 90 days after the service member is discharged from that service. The bill permits the service member to extend or renew that extended license at no cost for the period that the license would normally be issued or until the date that the license would normally need to be renewed if he or she requests the extension or renewal within 90 days after his or her discharge, provides documentation showing the period when he or she was in active service, and meets all of the requirements for renewal of the license except the requirement that relates to continuing education or training.

Under the bill, if the license that is renewed at the request of the service member will expire within 180 days after that extension, the licensing agency shall allow the service member to renew the license without meeting the continuing education or training requirements if to do so would cause the service member undue hardship. The licensing agency, under the bill, may require the service member to comply with the continuing education or training requirements within a reasonable time after the license is renewed.

The bill requires the department of military affairs to assist a service member in renewing a license and to prepare and distribute a brochure explaining the rights under the provisions of this bill.

Withdrawal from college

This bill provides that, if a student who is a member of the Wisconsin national guard or a member of a reserve unit of the U.S. armed forces withdraws from a technical college or University of Wisconsin System (UW system) institution because he or she is called into state service or into active service with the U.S. armed forces for at least 30 days, the school must, at the student's request, either: 1) reimburse the student all tuition and fees paid for all courses from which the student had to withdraw and, for UW system students, a prorated portion of room and board payments; or 2) grant the student an incomplete in all such courses and permit the student to complete the courses within six months after leaving service, without paying additional tuition or fees. The bill also provides that such a student who withdraws from a private college or university is entitled to the second option of an incomplete.

For further information see the *state and local* 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:

ASSEMBLY BILL

1 **SECTION 1.** 21.72 of the statutes is created to read:

2 **21.72 Extension of licenses for service members.** (1) In this section:

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

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

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

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

8 4. A license, certificate of approval, provisional license, conditional license,
9 certification, certification card, registration, permit, training permit, or approval
10 specified in s. 49.45 (2) (a) 11., 51.42 (7) (b) 11., 51.421 (3) (a), 146.50 (5) (a) or (b), (6g)
11 (a), (7), or (8) (a) or (f), 250.05 (5), 252.23 (2), 252.24 (2), 254.176, 254.178 (2) (a),
12 254.20 (2), (3), or (4), 254.64 (1) (a) or (b), 254.71 (2), 255.08 (2) (a), or 343.305 (6) (a)
13 or a permit for the operation of a campground specified in s. 254.47 (1).

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

15 6. A license, registration, registration certificate, or certification specified in s.
16 93.135 (1).

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

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

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

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

21 12. A license or certificate of registration issued by the department of financial
22 institutions, or a division of it, under ss. 138.09, 138.12, 217.06, 218.0101 to
23 218.0163, 218.02, 218.04, 218.05, 224.72, or 224.93 or subch. III of ch. 551.

24 13. A permit issued under s. 170.12.

25 14. A certification under s. 165.85.

ASSEMBLY BILL

1 15. A license, permit, or registration issued under ss. 218.0101 to 218.0163,
2 218.11, 218.12, 218.22, 218.32, 218.41, 218.51, 341.51, 343.305 (6), 343.61, or 343.62.

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

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

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

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

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

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

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

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

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

ASSEMBLY BILL

1 (3) The licensing agency or the supreme court shall extend or renew a license
2 extended under sub. (2) until the next date that the license expires or for the period
3 that such license is normally issued, at no cost to the service member, if all of the
4 following conditions are met:

5 (a) The service member requests an extension or renewal of the license within
6 90 days after the service member is discharged from active duty.

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

11 (c) The service member meets all the requirements necessary for the extension
12 or renewal of the license except that the service member need not meet the
13 requirements that relate to continuing education or training if doing so would cause
14 the service member undue hardship.

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

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

ASSEMBLY BILL

1 education or training requirements within a reasonable time after receipt of the
2 license.

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

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

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

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

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

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

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

21 38.12 (13) **ARMED FORCES.** If a student who is a member of the Wisconsin
22 national guard or a member of a reserve unit of the U.S. armed forces withdraws from
23 school after September 11, 2001, because he or she is called into state active duty
24 under ch. 21 or into active service with the U.S. armed forces for at least 30 days, the

ASSEMBLY BILL

1 district board shall, at the student's request, do one of the following for all courses
2 from which the student had to withdraw:

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

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

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

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

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

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

21 1. Under an active duty order, a unit assignment order, or an involuntary
22 extension of an active duty order.

23 2. Under honorable conditions.

Will need a copy, please (e-mail)

Please send

Corrected copy

directly to

Ken @ Chief

Clark Thanks

Terry Munn