



State of Wisconsin
2003 - 2004 LEGISLATURE

2

LRB-1725/1

RPN:cmh&wlj:pa

OTHER

2003 BILL

regen

1 AN ACT ~~to repeal 45.396 (7) (a) 1. and 2., 45.396 (9) and 230.36 (2m) (a) 19.; to~~
2 ~~renumber and amend 45.396 (7) (a) (intro.); to amend 20.485 (1) (gk), 25.36~~
3 ~~(1), 45.25 (2) (c), 45.25 (3) (a), 45.351 (1j), 45.356 (2), 45.356 (3), 45.356 (8),~~
4 ~~45.358 (1) (b), 45.385, 45.396 (5), 45.43 (7) (c), 45.71 (2), 45.71 (16) (a) 2m. (intro.)~~
5 ~~and 230.08 (2) (xm); to repeal and recreate 45.25 (3) (am); and to create 45.25~~
6 ~~(2m), 45.35 (20), 45.35 (21), 45.35 (22), 45.35 (23), 45.356 (10), 45.356 (11),~~
7 ~~45.356 (12), 45.37 (19), 45.396 (2m), 45.79 (5) (a) 11., 45.79 (7) (a) 12. and 45.79~~
8 ~~(13) of the statutes; relating to: the Veterans Mortgage Loan Program,~~
9 veterans tuition and fee reimbursement, authority for the Department of
10 Veterans Affairs to acquire a headquarters building, departmental delivery of
11 services to veterans, veterans personal loans, eligibility for burial at a veterans
12 cemetery, part-time study grants for veterans, housing loans for veterans,
13 renaming the Southern Wisconsin Veterans Retirement Center, mortgage loan

BILL

National Guard tuition grants;

1 repayment fund, veterans home stipends, grants to county veteran service
2 offices, and granting rule-making authority.

Analysis by the Legislative Reference Bureau

This bill makes various changes related to educational grant programs for veterans. Under the bill:

1. The maximum tuition and fees reimbursement to a veteran under the Tuition and Fee Reimbursement Program for full-time attendance at an institution of higher education, a vocational school approved by the Department of Veterans Affairs (DVA), a proprietary school approved by the Educational Approval Board, or a school under the Minnesota-Wisconsin student reciprocity agreement is increased from 85% to 100% of the standard cost for a state resident at an equivalent undergraduate course at the University of Wisconsin-Madison.

2. The same maximum reimbursement is provided to veterans for tuition and fees for correspondence courses and part-time classroom study under the Part-time Study Grant Program.

3. The family income eligibility for these educational grant programs is raised from \$47,500 plus \$500 for each dependent in excess of two dependents to \$50,000 plus \$1,000 for each dependent in excess of two dependents.

4. To be eligible for tuition and fee reimbursement under the Tuition and Fee Reimbursement Program, the veteran must complete the course during a semester that started within ten years after the veteran's separation from the U.S. Armed Forces.

This bill allows DVA to acquire property for DVA's headquarters.

This bill allows DVA to create a program to provide stipends to individuals to attend school and receive the necessary credentials to become employed at the Wisconsin Veterans Home at King, at the Southern Wisconsin Veterans Retirement Center, or at other veterans facilities. The bill requires DVA to promulgate rules for the stipend program if DVA decides to create that program.

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.** 20.485 (1) (gk) of the statutes is amended to read:

4 20.485 (1) (gk) *Institutional operations.* The amounts in the schedule for the
5 care of the Wisconsin Veterans Home at King, the Southern Wisconsin Veterans
6 ~~Retirement Center~~ Home at Union Grove, and veterans facilities, and for the

5. A national...

BILL

1 payment of stipends under s. 45.37 (19). All moneys received under par. (m) and s.
2 45.37 (9) (d) and (9d) shall be credited to this appropriation.

3 **SECTION 2.** 25.36 (1) of the statutes is amended to read:

4 25.36 (1) Except as provided in sub. (2), all moneys appropriated or transferred
5 by law shall constitute the veterans trust fund which shall be used for the lending
6 of money to the mortgage loan repayment fund under s. 45.35 (22) and for the
7 veterans programs under ss. 20.485 (2) (m), (mn), (tm), (u), (v), (vo), (w), (z), and (zm),
8 45.014, 45.25, 45.35 (23), 45.351 (1), 45.353, 45.356, 45.357, 45.396, 45.397, and
9 45.43 (7) and administered by the department of veterans affairs, including all
10 moneys received from the federal government for the benefit of veterans or their
11 dependents; all moneys paid as interest on and repayment of loans under the
12 post-war rehabilitation fund; soldiers rehabilitation fund, veterans housing funds
13 as they existed prior to July 1, 1961; all moneys paid as interest on and repayment
14 of loans under this fund; all moneys paid as expenses for, interest on, and repayment
15 of veterans trust fund stabilization loans under s. 45.356, 1995 stats.; all moneys
16 paid as expenses for, interest on, and repayment of veterans personal loans; the net
17 proceeds from the sale of mortgaged properties related to veterans personal loans;
18 all mortgages issued with the proceeds of the 1981 veterans home loan revenue bond
19 issuance purchased with moneys in the veterans trust fund; all moneys received from
20 the state investment board under s. 45.356 (9) (b); all moneys received from the
21 veterans mortgage loan repayment fund under s. 45.79 (7) (a) and (c); and all gifts
22 of money received by the board of veterans affairs for the purposes of this fund.

23 **SECTION 3.** 45.25 (2) (c) of the statutes is amended to read: 9

BILL

1 45.25 (2) (c) The individual applies for the tuition and fee reimbursement
 2 program for courses completed during a semester that started within 10 years after
 3 separation from the service.

4 **SECTION 4.** 45.25 (2m) of the statutes is created to read:

5 45.25 (2m) EXCEPTIONS TO ELIGIBILITY. A course at the institution or school that
 6 the veteran attends that has been approved for credit through the department's
 7 Academic Credit for Military Experience Program, which evaluates military
 8 experience and determines the academic credit for that experience, is not eligible for
 9 reimbursement under this section. The credits approved for courses under the
 10 Academic Credit for Military Experience Program may not be counted toward the
 11 12-credit requirement under sub. (2) (e).

12 **SECTION 5.** 45.25 (3) (a) of the statutes is amended to read: A veteran

13 45.25 (3) (a) ~~Except as provided in par. (am), an individual~~ who meets the
 14 requirements under sub. (2), upon satisfactory completion of a full-time
 15 undergraduate semester in any institution of higher education, as defined in s.
 16 45.396 (1) (a), in this state, any school that is approved under s. 45.35 (9m), any
 17 proprietary school that is approved under s. 45.54, or any institution from which the
 18 individual receives a waiver of nonresident tuition under s. 39.47, may be
 19 ~~reimbursed an amount~~ receive tuition and fee reimbursement. The amount of the
 20 reimbursement may not to exceed the total cost of the individual's tuition and fees
 21 minus any grants or scholarships, including those made under s. 21.49, that the
 22 individual receives specifically for the payment of the tuition or fees, or ~~85%~~ 100%
 23 of the standard cost for a state resident for an equivalent undergraduate course at
 24 the University of Wisconsin-Madison per course, whichever is less. Reimbursement

↓ - f
insert
4-3

BILL

Insert
5-2

Insert
5-11

is available only for tuition and fees that are part of a curriculum that is relevant to a degree in a particular course of study at the institution.

SECTION 6. 45.25 (3) (am) of the statutes is repealed and recreated to read:

45.25 (3) (am) Reimbursement of tuition and fees for a course may be provided at an institution or school under par. (a) other than the one from which the veteran is receiving his or her degree if all of the following apply:

1. The curriculum at the institution or school consists only of courses necessary to complete a degree in a particular course of study.
2. The course is accepted as transfer credits at the institution or school listed under par. (a) from which the veteran is receiving his or her degree but is not available at that institution or school.

SECTION 7. 45.35 (20) of the statutes is created to read:

45.35 (20) DEPARTMENT HEADQUARTERS. The department may acquire by gift, purchase, or condemnation property for the purposes of providing a headquarters building for the department.

SECTION 8. 45.35 (21) of the statutes is created to read:

45.35 (21) SERVICE DELIVERY. Notwithstanding ss. 45.397 (1) and 45.79 (2) (a), applications for veterans benefits under this chapter may be submitted directly to the department or to any qualified representative approved by the department.

SECTION 9. 45.35 (22) of the statutes is created to read:

45.35 (22) FUND TRANSFER. The department may loan money from the veterans trust fund to the veterans mortgage loan repayment fund to fund loans under s. 45.79.

SECTION 10. 45.35 (23) of the statutes is created to read:

BILL

1 45.35 (23) LOAN GUARANTEE. The department may provide a loan guarantee for
2 multifamily transitional housing for homeless veterans.

3 **SECTION 11.** 45.351 (1j) of the statutes is amended to read:

4 45.351 (1j) HEALTH CARE AID GRANTS. The department may grant to any veteran
5 or dependents such temporary health care aid as the department considers advisable
6 to prevent want or distress. Health care aid to meet medical or hospital bills under
7 this subsection is limited to a payment of up to \$5,000 per veteran or dependent for
8 a 12-month period beginning with the first day of care for which the person seeks
9 reimbursement under this subsection. The department may ~~not give prior~~
10 ~~authorization for the payment of health care aid under this subsection but may issue~~
11 a certificate of entitlement stating that a veteran or dependent is eligible for a health
12 care aid grant under this subsection if the treatment is received within a time period
13 that the department promulgates by rule. The department may not grant health
14 care aid to pay for care provided to the veteran or dependent before the time period
15 identified in the certificate of entitlement. Health care aid may be used to provide
16 payment for the treatment of alcoholism or other drug addiction or to provide
17 payment for health care required because of alcoholism or other drug addiction or
18 alcohol or other drug abuse. The department may not grant health care aid under
19 this subsection unless the aid recipient's health care provider agrees to accept, as full
20 payment for the medical treatment for which the aid is to be granted, the amount of
21 the grant, the amount of the recipient's health insurance or other 3rd-party
22 payments, if any, and the amount that the department determines the aid recipient
23 is capable of paying. The department may not grant health care aid under this
24 subsection if the combined liquid assets of the applicant for aid, and of the veteran

BILL

1 and veteran's dependents who are living in the same household with the applicant,
2 are in excess of \$1,000.

3 **SECTION 12.** 45.356 (2) of the statutes is amended to read:

4 45.356 (2) The department may lend a veteran, a veteran's unremarried
5 surviving spouse, or a deceased veteran's child not more than ~~\$15,000~~ \$25,000, or a
6 lesser amount established by the department ~~by rule, for the purchase of a mobile~~
7 ~~home, business, or business property, the education of the veteran or the veteran's~~
8 ~~spouse or children, the payment of medical or funeral expenses, the payment under~~
9 ~~sub. (6) (e), or the consolidation of debt~~ under sub. (10). The department may
10 prescribe loan conditions, but the term of the loan may not exceed 10 years. The
11 department shall ensure that the proceeds of any loan made under this section shall
12 first be applied to pay any delinquent child support or maintenance payments and
13 then to pay any past support, medical expenses, or birth expenses.

14 **SECTION 13.** 45.356 (3) of the statutes is amended to read:

15 45.356 (3) The department may lend not more than ~~\$15,000~~ \$25,000, or a lesser
16 amount established by the department ~~by rule~~ under sub. (10), to a veteran's
17 remarried surviving spouse or to the parent of a deceased veteran's child for the
18 education of a child.

19 **SECTION 14.** 45.356 (8) of the statutes is amended to read:

20 45.356 (8) No person may receive a loan under this section in an amount that,
21 when added to the balance outstanding on the person's existing loans under s. 45.351
22 (2), 1995 stats., and s. 45.356, 1995 stats., would result in a total indebtedness to the
23 department of more than ~~\$15,000, or a lesser amount as established by the~~
24 ~~department by rule~~ \$25,000.

25 **SECTION 15.** 45.356 (10) of the statutes is created to read:

BILL

1 45.356 (10) Subject to the limit established in subs. (2) and (3), the department
2 may periodically adjust the maximum loan amount based upon financial market
3 conditions, funds available, needs of the veterans trust funds, or other factors that
4 the department considers relevant.

5 **SECTION 16.** 45.356 (11) of the statutes is created to read:

6 45.356 (11) The department may periodically adjust the interest rates for loans
7 made under this section, which may vary based upon the term of the loan, the type
8 of security offered, the method of payment, or other factors that the department
9 considers relevant.

10 **SECTION 17.** 45.356 (12) of the statutes is created to read:

11 45.356 (12) Each loan made under this section, except a loan of \$5,000 or less
12 made to an applicant whose total indebtedness for loans made under this section is
13 \$5,000 or less, shall be evidenced by a promissory note and secured by a mortgage
14 on real estate located in this state. A loan of \$5,000 or less made to an applicant
15 whose total indebtedness for loans made under this section is \$5,000 or less shall be
16 evidenced by a promissory note and secured by a guarantor or by a mortgage on real
17 estate located in this state. A mortgage securing a loan made under this section is
18 acceptable if the applicant has equity in the property subject to the mortgage equal
19 to or exceeding a minimum amount that the department establishes by rule.

20 **SECTION 18.** 45.358 (1) (b) of the statutes is amended to read:

21 45.358 (1) (b) “Veteran” means a person who has served on active duty, except
22 service on active duty for training purposes, in the U.S. armed forces.

23 **SECTION 19.** 45.37 (19) of the statutes is created to read:

24 45.37 (19) **STIPENDS.** The department may develop a program to provide
25 stipends to individuals to attend school and receive the necessary credentials to

BILL

1 become employed at the home or the southeastern facility. If the department does
2 develop a stipend program under this subsection, the department shall promulgate
3 administrative rules related to the program, including the application process,
4 eligibility criteria, stipend amount, repayment provisions, and other provisions that
5 the department determines are necessary to administer the program.

6 **SECTION 20.** 45.385 of the statutes is amended to read:

7 **45.385 Veterans residential, treatment, and nursing care facilities.**

8 Subject to authorization under ss. 13.48 (10) and 20.924 (1), the department may
9 construct or renovate and operate residential, treatment, and nursing care facilities
10 in southeastern Wisconsin, including a community-based residential facility, to be
11 known as the ~~Southern Wisconsin Veterans Retirement Center~~ Home at Union
12 Grove. The department may employ any personnel that are necessary for the proper
13 management of the ~~Southern Wisconsin Veterans Retirement Center~~ Home at Union
14 Grove. The department may acquire by gift, purchase, or condemnation lands
15 necessary for the purposes of the ~~Southern Wisconsin Veterans Retirement Center~~
16 Home at Union Grove. Title to any properties acquired under this section shall be
17 taken in the name of this state. Every deed of conveyance shall be immediately
18 recorded in the office of the proper register of deeds and filed with the secretary of
19 state.

20 **SECTION 21.** 45.396 (2m) of the statutes is created to read:

21 **45.396 (2m)** A course at the institution or school that the veteran attends that
22 has been approved for credit through the department's Academic Credit for Military
23 Experience Program, which evaluates military experience and determines the
24 academic credit for that experience, is not eligible for reimbursement under this

BILL

1 section if the veteran is eligible to obtain those credits through the Academic Credit
2 for Military Experience Program.

3 **SECTION 22.** 45.396 (5) of the statutes is amended to read:

4 45.396 (5) ~~Except as provided in sub. (9), the~~ The amount of the reimbursement
5 may not exceed ~~85%~~ of the total cost of the ~~individual's~~ veteran's tuition and fees,
6 minus any grants or scholarships that the veteran receives specifically for the
7 payment of tuition or fees or ~~85%~~ 100% of the standard cost for a state resident for
8 tuition and fees for an equivalent undergraduate course at the University of
9 Wisconsin–Madison per course, ~~whichever is less, and.~~ Reimbursement under this
10 section may not be provided to ~~an individual~~ a veteran more than 4 times during any
11 consecutive 12–month period.

12 **SECTION 23.** 45.396 (7) (a) (intro.) of the statutes is renumbered 45.396 (7) (a)
13 and amended to read:

14 45.396 (7) (a) No veteran may receive a grant under this section if the
15 department determines, ~~after disregarding any payment described under s. 45.85,~~
16 ~~1997 stats.,~~ that the income of the veteran and his or her spouse exceeds \$500
17 \$50,000 plus \$1,000 for each dependent in excess of 2 dependents ~~plus whichever of~~
18 ~~the following applies:~~

19 **SECTION 24.** 45.396 (7) (a) 1. and 2. of the statutes are repealed.

20 **SECTION 25.** 45.396 (9) of the statutes is repealed.

21 **SECTION 26.** 45.43 (7) (c) of the statutes is amended to read:

22 45.43 (7) (c) Notwithstanding par. (b), an eligible county with a part–time
23 county veterans' service ~~officer~~ office shall be eligible for an annual grant not
24 exceeding \$500.

25 **SECTION 27.** 45.71 (2) of the statutes is amended to read:

BILL

1 45.71 (2) “Authorized lender” means any lender or servicer authorized under
2 s. 45.79 (5) (a) 5. to make or service loans under s. 45.79.

3 **SECTION 28.** 45.71 (16) (a) 2m. (intro.) of the statutes is amended to read:

4 45.71 (16) (a) 2m. (intro.) The person is ~~either~~ a resident of and living in this
5 state at the time of making application, is serving on active duty in the U.S. armed
6 forces at the time of making application, or is deceased, and meets one of the
7 following conditions:

8 **SECTION 29.** 45.79 (5) (a) 11. of the statutes is created to read:

9 45.79 (5) (a) 11. Enter into contracts with persons other than authorized
10 lenders for the servicing of loans made under this section.

11 **SECTION 30.** 45.79 (7) (a) 12. of the statutes is created to read:

12 45.79 (7) (a) 12. To make payments of obligations arising from the acquisition
13 of a headquarters building for the department under s. 45.35 (20).

14 **SECTION 31.** 45.79 (13) of the statutes is created to read:

15 45.79 (13) REPAYMENT OF LOAN. Any money appropriated or transferred by law
16 from the veterans mortgage loan repayment fund for purposes other than those
17 listed in sub. (7), other than moneys made temporarily available to other funds under
18 s. 20.002 (11), shall be repaid from the general fund with interest at a rate of 5% per
19 year from the the date of the appropriation or transfer to the date of repayment.

20 **SECTION 32.** 230.08 (2) (xm) of the statutes is amended to read:

21 230.08 (2) (xm) The commandants of the Wisconsin Veterans Home at King and
22 the ~~Southern Wisconsin Veterans Retirement Center~~ Home at Union Grove in the
23 department of veterans affairs.

24 **SECTION 33.** 230.36 (2m) (a) 19. of the statutes is repealed.

25 **SECTION 34. Nonstatutory provisions.**

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1725/2ins
RPN:cmh&wlj:pg

1 insert 3-2:

2 SECTION ~~A~~[#]. 21.49 (4) (c) of the statutes is created to read:

3 21.49 (4) (c) No guard member may receive a grant under sub. (3) for any
4 semester in which he or she received a grant under s. 45.25.

5 insert 4-3:

6 SECTION ~~B~~[#]. 45.25 (2) (intro.) and (a) of the statutes are amended to read:

7 ~~(C)~~⁽⁵⁾ Eligibility.

8 45.25 (2) (intro.) ~~An individual~~ A veteran is eligible for the tuition and fee
reimbursement program if he or she meets all of the following criteria:

9 (a) The annual income of the individual veteran and his or her spouse does not
10 exceed the amount under s. 45.396 (7) (a).

11 SECTION ~~B~~[#]. 45.25 (2) (b) of the statutes is repealed.

12 SECTION ~~B~~[#]. 45.25 (2) (c) of the statutes is amended to read:

13 ~~45.25~~⁽²⁾ (c) The individual veteran applies for the tuition and fee reimbursement
14 program for courses completed during a semester that started within 10 years after
15 separation from the service.

16 History: 1993 a. 254; 1995 a. 27, 25, 404; 1997 a. 27, 115, 121/237; 1999 a. 9; 2001 a. 16, 103.

17 SECTION ~~B~~[#]. 45.25 (2) (d) of the statutes is amended to read:

18 45.25 (2) (d) The individual veteran is a resident at the time of application for
the tuition and fee reimbursement program and was a Wisconsin resident at the time
19 of entry or reentry into service or was a resident for any consecutive 12-month period
20 after entry or reentry into service and before the date of his or her application. If a
21 person applying for a benefit under this section meets the residency requirement of
22 12 consecutive months, the department may not require the person to reestablish

1 that he or she meets that residency requirement when he or she later applies for any
2 other benefit under this chapter that requires that residency.

3 History: 1993 a. 254; 1995 a. 27, 255, 404; 1997 a. 27, 115, 121, 237; 1999 a. 9; 2001 a. 16, 103.

3 SECTION 45.25 (2) (e) of the statutes is amended to read:

4 45.25 (2) (e) The individual veteran is enrolled for at least 12 credits during the
5 semester for which reimbursement is sought.

6 History: 1993 a. 254; 1995 a. 27, 255, 404; 1997 a. 27, 115, 121, 237; 1999 a. 9; 2001 a. 16, 103.

7 insert 5-2:

8 SECTION 45.25 (3) (a) of the statutes is amended to read:

9 45.25 (3) (a) ~~Except as provided in par. (am), an individual~~ A veteran who meets
10 the requirements under sub. (2), upon satisfactory completion of a full-time
11 undergraduate semester in any institution of higher education, as defined in s.
12 45.396 (1) (a), in this state, any school that is approved under s. 45.35 (9m), any
13 proprietary school that is approved under s. 45.54, or any institution from which the
14 individual veteran receives a waiver of nonresident tuition under s. 39.47, may be
15 ~~reimbursed an amount~~ receive tuition and fee reimbursement. The amount of the
16 reimbursement may not to exceed the total cost of the ^{plain space} individual's veteran's tuition
17 and fees minus any grants or scholarships, including those made under s. 21.49, that
18 the individual veteran receives specifically for the payment of the tuition or fees, or
19 ~~85%~~ 100% of the standard cost for a state resident for an equivalent undergraduate
20 course at the University of Wisconsin-Madison per course, whichever is less.
21 Reimbursement is available only for tuition and fees that are part of a curriculum
22 that is relevant to a degree in a particular course of study at the institution.

23 History: 1993 a. 254; 1995 a. 27, 255, 404; 1997 a. 27, 115, 121, 237; 1999 a. 9; 2001 a. 16, 103.

24 insert 5-11:

[#]
1 **SECTION 45.25 (4) (a)** of the statutes is amended to read:

2 **45.25 (4) (a)** ~~An individual~~ A veteran is not eligible for reimbursement under
3 sub. (2) for more than 120 credits or 8 full semesters of full-time study at any
4 institution of higher education, as defined in s. 45.396 (1) (a), in this state, 60 credits
5 or 4 full semesters of full-time study at any institution of higher education, as
6 defined in s. 45.396 (1) (a), in this state that offers a degree upon completion of 60
7 credits, or an equivalent amount of credits at a school that is approved under s. 45.35
8 (9m), at a proprietary school that is approved under s. 45.54, or at an institution
9 where he or she is receiving a waiver of nonresident tuition under s. 39.47.

[#]
History: 1993 a. 254; 1995 a. 27, 255, 404; 1997 a. 27, 115, 121, 237; 1999 a. 9; 2001 a. 16, 103.

10 **SECTION 45.25 (4) (b)** of the statutes is amended to read:

11 **45.25 (4) (b)** The department may provide reimbursement under sub. (2) to ~~an~~
12 ~~individual~~ a veteran who is delinquent in child support or maintenance payments or
13 who owes past support, medical expenses or birth expenses, as established by
14 appearance of the ~~individual's~~ veteran's name on the statewide support lien docket
15 under s. 49.854 (2) (b), only if the ~~individual~~ veteran provides the department with
16 one of the following:

17 1. A repayment agreement that the ~~individual~~ veteran has entered into, that
18 has been accepted by the county child support agency under s. 59.53 (5) and that has
19 been kept current for the 6-month period immediately preceding the date of the
20 application.

21 2. A statement that the ~~individual~~ veteran is not delinquent in child support
22 or maintenance payments and does not owe past support, medical expenses or birth

1 expenses, signed by the department of workforce development or its designee within
2 7 working days before the date of the application.

3 History: 1993 a. 254; 1995 a. 27, 253, 404; 1997 a. 27, 115, 121, 237; 1999 a. 9; 2001 a. 16, 103.

SECTION ~~10.~~ 45.25 (4) (c) of the statutes is amended to read:

4 45.25 (4) (c) ~~An individual~~ ^A veteran may not receive reimbursement under sub.
5 (2) for any semester in which he or she received a grant under s. 21.49 [✓] or 45.396.

History: 1993 a. 254; 1995 a. 27, 255, 404; 1997 a. 27, 115, 121, 237; 1999 a. 9; 2001 a. 16, 103.

Nelson, Robert P.

From: Wawrzyn, James
Sent: Thursday, April 03, 2003 9:02 AM
To: Nelson, Robert P.
Subject: FW: Omnibus Veterans Bill

Bob:

03-1725

This should be the last change. Thanks for all your work on this.

James

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

From: Scocos, John - DVA
Sent: Tuesday, April 01, 2003 3:59 PM
To: Wawrzyn, James
Subject: RE: Omnibus Veterans Bill

James:

Please delete the name change for the Southern Center in Section 1 and eliminate Sections 28 and 40. We do not want to change the name of the veterans facilities at Southern Center.

John

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

From: Wawrzyn, James
Sent: Tuesday, April 01, 2003 3:11 PM
To: Scocos, John - DVA
Subject: Omnibus Veterans Bill

<< File: 03-17252.pdf >>

John:

Attached please find another draft of the bill. Once the dept. gives it one more look to confirm that it is all straight, I will have it jacketed.

Thanks.

James



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1725/2
RPN:cmh&wlj:cmw

3

2003 BILL

Repeal

1 AN ACT *to repeal* 45.25 (2) (b), ~~45.396 (7) (a) 1. and 2., 45.396 (9) and 230.36 (2m)~~
2 (a) 19.; *to renumber and amend* 45.396 (7) (a) (intro.); *to amend* 20.485 (1)
3 (gk), 25.36 (1), 45.25 (2) (intro.) and (a), 45.25 (2) (c), 45.25 (2) (d), 45.25 (2) (e),
4 45.25 (3) (a), 45.25 (4) (a), ~~45.25 (4) (b), 45.25 (4) (c), 45.351 (1j), 45.356 (2),~~
5 45.356 (3), 45.356 (8), 45.358 (1) (b), 45.385, 45.396 (5), 45.43 (7) (c), 45.71 (2),
6 45.71 (16) (a) 2m. (intro.) and 230.08 (2) (xm); *to repeal and recreate* 45.25
7 (3) (am); and *to create* 21.49 (4) (c), 45.25 (2m), 45.35 (20), 45.35 (21), 45.35 (22),
8 45.35 (23), 45.356 (10), 45.356 (11), 45.356 (12), 45.37 (19), 45.396 (2m), 45.79
9 (5) (a) 11., 45.79 (7) (a) 12. and 45.79 (13) of the statutes; **relating to:** the
10 Veterans Mortgage Loan Program, veterans tuition and fee reimbursement,
11 authority for the Department of Veterans Affairs to acquire a headquarters
12 building, departmental delivery of services to veterans, veterans personal
13 loans, eligibility for burial at a veterans cemetery, part-time study grants for
14 veterans, housing loans for veterans, **renaming the Southern Wisconsin**

BILL

9
 1 Veterans Retirement Center, mortgage loan repayment fund, veterans home
 2 stipends, grants to county veteran service offices, national guard tuition grants,
 3 ^{and making an appropriation} ~~and~~ granting rule-making authority

Analysis by the Legislative Reference Bureau

This bill makes various changes related to educational grant programs for veterans. Under the bill:

1. The maximum tuition and fees reimbursement to a veteran under the Tuition and Fee Reimbursement Program for full-time attendance at an institution of higher education, a vocational school approved by the Department of Veterans Affairs (DVA), a proprietary school approved by the Educational Approval Board, or a school under the Minnesota-Wisconsin student reciprocity agreement is increased from 85% to 100% of the standard cost for a state resident at an equivalent undergraduate course at the University of Wisconsin-Madison.

2. The same maximum reimbursement is provided to veterans for tuition and fees for correspondence courses and part-time classroom study under the Part-time Study Grant Program.

3. The family income eligibility for these educational grant programs is raised from \$47,500 plus \$500 for each dependent in excess of two dependents to \$50,000 plus \$1,000 for each dependent in excess of two dependents.

4. To be eligible for tuition and fee reimbursement under the Tuition and Fee Reimbursement Program, the veteran must complete the course during a semester that started within ten years after the veteran's separation from the U.S. Armed Forces.

This bill allows DVA to acquire property for DVA's headquarters.

This bill allows DVA to create a program to provide stipends to individuals to attend school and receive the necessary credentials to become employed at the Wisconsin Veterans Home at King, at the Southern Wisconsin Veterans Retirement Center, or at other veterans facilities. The bill requires DVA to promulgate rules for the stipend program if DVA decides to create that program.

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. 20.485 (1) (gk) of the statutes is amended to read:

5 20.485 (1) (gk) *Institutional operations.* The amounts in the schedule for the
 6 care of the Wisconsin Veterans Home at King, the ^{Plain Text} Southern Wisconsin Veterans

BILL

plain text

1 Retirement Center Home at Union Grove, and veterans facilities, and for the
2 payment of stipends under s. 45.37 (19). All moneys received under par. (m) and s.
3 45.37 (9) (d) and (9d) shall be credited to this appropriation.

4 SECTION 2. 21.49 (4) (c) of the statutes is created to read:

5 21.49 (4) (c) No guard member may receive a grant under sub. (3) for any
6 semester in which he or she received a grant under s. 45.25.

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

8 25.36 (1) Except as provided in sub. (2), all moneys appropriated or transferred
9 by law shall constitute the veterans trust fund which shall be used for the lending
10 of money to the mortgage loan repayment fund under s. 45.35 (22) and for the
11 veterans programs under ss. 20.485 (2) (m), (mn), (tm), (u), (v), (vo), (w), (z), and (zm),
12 45.014, 45.25, 45.35 (23), 45.351 (1), 45.353, 45.356, 45.357, 45.396, 45.397, and
13 45.43 (7) and administered by the department of veterans affairs, including all
14 moneys received from the federal government for the benefit of veterans or their
15 dependents; all moneys paid as interest on and repayment of loans under the
16 post-war rehabilitation fund; soldiers rehabilitation fund, veterans housing funds
17 as they existed prior to July 1, 1961; all moneys paid as interest on and repayment
18 of loans under this fund; all moneys paid as expenses for, interest on, and repayment
19 of veterans trust fund stabilization loans under s. 45.356, 1995 stats.; all moneys
20 paid as expenses for, interest on, and repayment of veterans personal loans; the net
21 proceeds from the sale of mortgaged properties related to veterans personal loans;
22 all mortgages issued with the proceeds of the 1981 veterans home loan revenue bond
23 issuance purchased with moneys in the veterans trust fund; all moneys received from
24 the state investment board under s. 45.356 (9) (b); all moneys received from the

BILL**SECTION 3**

1 veterans mortgage loan repayment fund under s. 45.79 (7) (a) and (c); and all gifts
2 of money received by the board of veterans affairs for the purposes of this fund.

3 **SECTION 4.** 45.25 (2) (intro.) and (a) of the statutes are amended to read:

4 45.25 (2) **ELIGIBILITY.** (Intro.) ~~An individual~~ A veteran is eligible for the tuition
5 and fee reimbursement program if he or she meets all of the following criteria:

6 (a) The annual income of the ~~individual~~ veteran and his or her spouse does not
7 exceed the amount under s. 45.396 (7) (a).

8 **SECTION 5.** 45.25 (2) (b) of the statutes is repealed.

9 **SECTION 6.** 45.25 (2) (c) of the statutes is amended to read:

10 45.25 (2) (c) The ~~individual~~ veteran applies for the tuition and fee
11 reimbursement program for courses completed during a semester that started
12 within 10 years after separation from the service.

13 **SECTION 7.** 45.25 (2) (d) of the statutes is amended to read:

14 45.25 (2) (d) The ~~individual~~ veteran is a resident at the time of application for
15 the tuition and fee reimbursement program and was a Wisconsin resident at the time
16 of entry or reentry into service or was a resident for any consecutive 12-month period
17 after entry or reentry into service and before the date of his or her application. If a
18 person applying for a benefit under this section meets the residency requirement of
19 12 consecutive months, the department may not require the person to reestablish
20 that he or she meets that residency requirement when he or she later applies for any
21 other benefit under this chapter that requires that residency.

22 **SECTION 8.** 45.25 (2) (e) of the statutes is amended to read:

23 45.25 (2) (e) The ~~individual~~ veteran is enrolled for at least 12 credits during the
24 semester for which reimbursement is sought.

25 **SECTION 9.** 45.25 (2m) of the statutes is created to read:

BILL

1 45.25 (2m) EXCEPTIONS TO ELIGIBILITY. A course at the institution or school that
2 the veteran attends that has been approved for credit through the department's
3 Academic Credit for Military Experience Program, which evaluates military
4 experience and determines the academic credit for that experience, is not eligible for
5 reimbursement under this section. The credits approved for courses under the
6 Academic Credit for Military Experience Program may not be counted toward the
7 12-credit requirement under sub. (2) (e).

8 **SECTION 10.** 45.25 (3) (a) of the statutes is amended to read:

9 45.25 (3) (a) ~~Except as provided in par. (am), an individual~~ A veteran who meets
10 the requirements under sub. (2), upon satisfactory completion of a full-time
11 undergraduate semester in any institution of higher education, as defined in s.
12 45.396 (1) (a), in this state, any school that is approved under s. 45.35 (9m), any
13 proprietary school that is approved under s. 45.54, or any institution from which the
14 ~~individual~~ veteran receives a waiver of nonresident tuition under s. 39.47, may be
15 ~~reimbursed an amount~~ receive tuition and fee reimbursement. The amount of the
16 reimbursement may not to exceed the total cost of the individual's veteran's tuition
17 and fees minus any grants or scholarships, including those made under s. 21.49, that
18 the ~~individual~~ veteran receives specifically for the payment of the tuition or fees, or
19 ~~85%~~ 100% of the standard cost for a state resident for an equivalent undergraduate
20 course at the University of Wisconsin-Madison per course, whichever is less.
21 Reimbursement is available only for tuition and fees that are part of a curriculum
22 that is relevant to a degree in a particular course of study at the institution.

23 **SECTION 11.** 45.25 (3) (am) of the statutes is repealed and recreated to read:

BILL

1 45.25 (3) (am) Reimbursement of tuition and fees for a course may be provided
2 at an institution or school under par. (a) other than the one from which the veteran
3 is receiving his or her degree if all of the following apply:

4 1. The curriculum at the institution or school consists only of courses necessary
5 to complete a degree in a particular course of study.

6 2. The course is accepted as transfer credits at the institution or school listed
7 under par. (a) from which the veteran is receiving his or her degree but is not
8 available at that institution or school.

9 **SECTION 12.** 45.25 (4) (a) of the statutes is amended to read:

10 45.25 (4) (a) ~~An individual~~ A veteran is not eligible for reimbursement under
11 sub. (2) for more than 120 credits or 8 full semesters of full-time study at any
12 institution of higher education, as defined in s. 45.396 (1) (a), in this state, 60 credits
13 or 4 full semesters of full-time study at any institution of higher education, as
14 defined in s. 45.396 (1) (a), in this state that offers a degree upon completion of 60
15 credits, or an equivalent amount of credits at a school that is approved under s. 45.35
16 (9m), at a proprietary school that is approved under s. 45.54, or at an institution
17 where he or she is receiving a waiver of nonresident tuition under s. 39.47.

18 **SECTION 13.** 45.25 (4) (b) of the statutes is amended to read:

19 45.25 (4) (b) The department may provide reimbursement under sub. (2) to an
20 ~~individual~~ a veteran who is delinquent in child support or maintenance payments or
21 who owes past support, medical expenses or birth expenses, as established by
22 appearance of the ~~individual's~~ veteran's name on the statewide support lien docket
23 under s. 49.854 (2) (b), only if the ~~individual~~ veteran provides the department with
24 one of the following:

BILL

1 1. A repayment agreement that the ~~individual~~ veteran has entered into, that
2 has been accepted by the county child support agency under s. 59.53 (5) and that has
3 been kept current for the 6-month period immediately preceding the date of the
4 application.

5 2. A statement that the ~~individual~~ veteran is not delinquent in child support
6 or maintenance payments and does not owe past support, medical expenses or birth
7 expenses, signed by the department of workforce development or its designee within
8 7 working days before the date of the application.

9 **SECTION 14.** 45.25 (4) (c) of the statutes is amended to read:

10 45.25 (4) (c) ~~An individual~~ A veteran may not receive reimbursement under
11 sub. (2) for any semester in which he or she received a grant under s. 21.49 or 45.396.

12 **SECTION 15.** 45.35 (20) of the statutes is created to read:

13 45.35 (20) DEPARTMENT HEADQUARTERS. The department may acquire by gift,
14 purchase, or condemnation property for the purposes of providing a headquarters
15 building for the department.

16 **SECTION 16.** 45.35 (21) of the statutes is created to read:

17 45.35 (21) SERVICE DELIVERY. Notwithstanding ss. 45.397 (1) and 45.79 (2) (a),
18 applications for veterans benefits under this chapter may be submitted directly to
19 the department or to any qualified representative approved by the department.

20 **SECTION 17.** 45.35 (22) of the statutes is created to read:

21 45.35 (22) FUND TRANSFER. The department may loan money from the veterans
22 trust fund to the veterans mortgage loan repayment fund to fund loans under s.
23 45.79.

24 **SECTION 18.** 45.35 (23) of the statutes is created to read:

BILL

1 45.35 (23) LOAN GUARANTEE. The department may provide a loan guarantee for
2 multifamily transitional housing for homeless veterans.

3 **SECTION 19.** 45.351 (1j) of the statutes is amended to read:

4 45.351 (1j) HEALTH CARE AID GRANTS. The department may grant to any veteran
5 or dependents such temporary health care aid as the department considers advisable
6 to prevent want or distress. Health care aid to meet medical or hospital bills under
7 this subsection is limited to a payment of up to \$5,000 per veteran or dependent for
8 a 12-month period beginning with the first day of care for which the person seeks
9 reimbursement under this subsection. The department may ~~not give prior~~
10 ~~authorization for the payment of health care aid under this subsection but may issue~~
11 a certificate of entitlement stating that a veteran or dependent is eligible for a health
12 care aid grant under this subsection if the treatment is received within a time period
13 that the department promulgates by rule. The department may not grant health
14 care aid to pay for care provided to the veteran or dependent before the time period
15 identified in the certificate of entitlement. Health care aid may be used to provide
16 payment for the treatment of alcoholism or other drug addiction or to provide
17 payment for health care required because of alcoholism or other drug addiction or
18 alcohol or other drug abuse. The department may not grant health care aid under
19 this subsection unless the aid recipient's health care provider agrees to accept, as full
20 payment for the medical treatment for which the aid is to be granted, the amount of
21 the grant, the amount of the recipient's health insurance or other 3rd-party
22 payments, if any, and the amount that the department determines the aid recipient
23 is capable of paying. The department may not grant health care aid under this
24 subsection if the combined liquid assets of the applicant for aid, and of the veteran

BILL

1 and veteran's dependents who are living in the same household with the applicant,
2 are in excess of \$1,000.

3 **SECTION 20.** 45.356 (2) of the statutes is amended to read:

4 45.356 (2) The department may lend a veteran, a veteran's unremarried
5 surviving spouse, or a deceased veteran's child not more than \$15,000 \$25,000, or a
6 lesser amount established by the department ~~by rule, for the purchase of a mobile~~
7 ~~home, business, or business property, the education of the veteran or the veteran's~~
8 ~~spouse or children, the payment of medical or funeral expenses, the payment under~~
9 ~~sub. (6) (e), or the consolidation of debt~~ under sub. (10). The department may
10 prescribe loan conditions, but the term of the loan may not exceed 10 years. The
11 department shall ensure that the proceeds of any loan made under this section shall
12 first be applied to pay any delinquent child support or maintenance payments and
13 then to pay any past support, medical expenses, or birth expenses.

14 **SECTION 21.** 45.356 (3) of the statutes is amended to read:

15 45.356 (3) The department may lend not more than \$15,000 \$25,000, or a lesser
16 amount established by the department ~~by rule~~ under sub. (10), to a veteran's
17 remarried surviving spouse or to the parent of a deceased veteran's child for the
18 education of a child.

19 **SECTION 22.** 45.356 (8) of the statutes is amended to read:

20 45.356 (8) No person may receive a loan under this section in an amount that,
21 when added to the balance outstanding on the person's existing loans under s. 45.351
22 (2), 1995 stats., and s. 45.356, 1995 stats., would result in a total indebtedness to the
23 department of more than \$15,000, ~~or a lesser amount as established by the~~
24 ~~department by rule~~ \$25,000.

25 **SECTION 23.** 45.356 (10) of the statutes is created to read:

BILL

1 45.356 (10) Subject to the limit established in subs. (2) and (3), the department
2 may periodically adjust the maximum loan amount based upon financial market
3 conditions, funds available, needs of the veterans trust funds, or other factors that
4 the department considers relevant.

5 **SECTION 24.** 45.356 (11) of the statutes is created to read:

6 45.356 (11) The department may periodically adjust the interest rates for loans
7 made under this section, which may vary based upon the term of the loan, the type
8 of security offered, the method of payment, or other factors that the department
9 considers relevant.

10 **SECTION 25.** 45.356 (12) of the statutes is created to read:

11 45.356 (12) Each loan made under this section, except a loan of \$5,000 or less
12 made to an applicant whose total indebtedness for loans made under this section is
13 \$5,000 or less, shall be evidenced by a promissory note and secured by a mortgage
14 on real estate located in this state. A loan of \$5,000 or less made to an applicant
15 whose total indebtedness for loans made under this section is \$5,000 or less shall be
16 evidenced by a promissory note and secured by a guarantor or by a mortgage on real
17 estate located in this state. A mortgage securing a loan made under this section is
18 acceptable if the applicant has equity in the property subject to the mortgage equal
19 to or exceeding a minimum amount that the department establishes by rule.

20 **SECTION 26.** 45.358 (1) (b) of the statutes is amended to read:

21 45.358 (1) (b) “Veteran” means a person who has served on active duty, except
22 service on active duty for training purposes, in the U.S. armed forces.

23 **SECTION 27.** 45.37 (19) of the statutes is created to read:

24 45.37 (19) **STIPENDS.** The department may develop a program to provide
25 stipends to individuals to attend school and receive the necessary credentials to

BILL

1 become employed at the home or the southeastern facility. If the department does
2 develop a stipend program under this subsection, the department shall promulgate
3 administrative rules related to the program, including the application process,
4 eligibility criteria, stipend amount, repayment provisions, and other provisions that
5 the department determines are necessary to administer the program.

6 **SECTION 28.** 45.385 of the statutes is amended to read:

7 **45.385 Veterans residential, treatment, and nursing care facilities.**

8 Subject to authorization under ss. 13.48 (10) and 20.924 (1), the department may
9 construct or renovate and operate residential, treatment, and nursing care facilities
10 in southeastern Wisconsin, including a community-based residential facility, to be
11 known as the ~~Southern Wisconsin Veterans Retirement Center~~ Home at Union
12 Grove. The department may employ any personnel that are necessary for the proper
13 management of the ~~Southern Wisconsin Veterans Retirement Center~~ Home at Union
14 Grove. The department may acquire by gift, purchase, or condemnation lands
15 necessary for the purposes of the ~~Southern Wisconsin Veterans Retirement Center~~
16 Home at Union Grove. Title to any properties acquired under this section shall be
17 taken in the name of this state. Every deed of conveyance shall be immediately
18 recorded in the office of the proper register of deeds and filed with the secretary of
19 state.

20 **SECTION 29.** 45.396 (2m) of the statutes is created to read:

21 **45.396 (2m)** A course at the institution or school that the veteran attends that
22 has been approved for credit through the department's Academic Credit for Military
23 Experience Program, which evaluates military experience and determines the
24 academic credit for that experience, is not eligible for reimbursement under this

BILL

1 section if the veteran is eligible to obtain those credits through the Academic Credit
2 for Military Experience Program.

3 **SECTION 30.** 45.396 (5) of the statutes is amended to read:

4 45.396 (5) ~~Except as provided in sub. (9), the~~ The amount of the reimbursement
5 may not exceed 85% of the total cost of the individual's veteran's tuition and fees,
6 minus any grants or scholarships that the veteran receives specifically for the
7 payment of tuition or fees or 85% 100% of the standard cost for a state resident for
8 tuition and fees for an equivalent undergraduate course at the University of
9 Wisconsin–Madison per course, whichever is less, and. Reimbursement under this
10 section may not be provided to ~~an individual~~ a veteran more than 4 times during any
11 consecutive 12–month period.

12 **SECTION 31.** 45.396 (7) (a) (intro.) of the statutes is renumbered 45.396 (7) (a)
13 and amended to read:

14 45.396 (7) (a) No veteran may receive a grant under this section if the
15 department determines, ~~after disregarding any payment described under s. 45.85,~~
16 ~~1997 stats.,~~ that the income of the veteran and his or her spouse exceeds \$500
17 \$50,000 plus \$1,000 for each dependent in excess of 2 dependents ~~plus whichever of~~
18 ~~the following applies:~~

19 **SECTION 32.** 45.396 (7) (a) 1. and 2. of the statutes are repealed.

20 **SECTION 33.** 45.396 (9) of the statutes is repealed.

21 **SECTION 34.** 45.43 (7) (c) of the statutes is amended to read:

22 45.43 (7) (c) Notwithstanding par. (b), an eligible county with a part–time
23 county veterans' service ~~officer~~ office shall be eligible for an annual grant not
24 exceeding \$500.

25 **SECTION 35.** 45.71 (2) of the statutes is amended to read:

BILL

1 45.71 (2) “Authorized lender” means any lender or servicer authorized under
2 s. 45.79 (5) (a) 5. to make or service loans under s. 45.79.

3 **SECTION 36.** 45.71 (16) (a) 2m. (intro.) of the statutes is amended to read:

4 45.71 (16) (a) 2m. (intro.) The person is ~~either~~ a resident of and living in this
5 state at the time of making application, is serving on active duty in the U.S. armed
6 forces at the time of making application, or is deceased, and meets one of the
7 following conditions:

8 **SECTION 37.** 45.79 (5) (a) 11. of the statutes is created to read:

9 45.79 (5) (a) 11. Enter into contracts with persons other than authorized
10 lenders for the servicing of loans made under this section.

11 **SECTION 38.** 45.79 (7) (a) 12. of the statutes is created to read:

12 45.79 (7) (a) 12. To make payments of obligations arising from the acquisition
13 of a headquarters building for the department under s. 45.35 (20).

14 **SECTION 39.** 45.79 (13) of the statutes is created to read:

15 45.79 (13) REPAYMENT OF LOAN. Any money appropriated or transferred by law
16 from the veterans mortgage loan repayment fund for purposes other than those
17 listed in sub. (7), other than moneys made temporarily available to other funds under
18 s. 20.002 (11), shall be repaid from the general fund with interest at a rate of 5% per
19 year from the the date of the appropriation or transfer to the date of repayment.

20 **SECTION 40.** 230.08 (2) (xm) of the statutes is amended to read:

21 230.08 (2) (xm) The commandants of the Wisconsin Veterans Home at King and
22 the ~~Southern~~ Wisconsin Veterans ~~Retirement Center~~ Home at Union Grove in the
23 department of veterans affairs.

24 **SECTION 41.** 230.36 (2m) (a) 19. of the statutes is repealed.

25 **SECTION 42. Nonstatutory provisions.**

Emery, Lynn

From: Wawrzyn, James
Sent: Monday, April 07, 2003 3:33 PM
To: LRB.Legal
Subject: Draft review: LRB 03-1725/3 Topic: Omnibus department of veterans affairs request

It has been requested by <Wawrzyn, James> that the following draft be jacketed for the SENATE:

Draft review: LRB 03-1725/3 Topic: Omnibus department of veterans affairs request



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1725/8
RPN:cmh&wlj/4

2003 BILL

regen.

1 AN ACT *to repeal* 45.25 (2) (b), 45.396 (7) (a) 1. and 2., 45.396 (9) and 230.36 (2m)
2 (a) 19.; *to renumber and amend* 45.396 (7) (a) (intro.); *to amend* 20.485 (1)
3 (gk), 25.36 (1), 45.25 (2) (intro.) and (a), 45.25 (2) (c), 45.25 (2) (d), 45.25 (2) (e),
4 45.25 (3) (a), 45.25 (4) (a), 45.25 (4) (b), 45.25 (4) (c), 45.351 (1j), 45.356 (2),
5 45.356 (3), 45.356 (8), 45.358 (1) (b), 45.396 (5), 45.43 (7) (c), 45.71 (2) and 45.71
6 (16) (a) 2m. (intro.); *to repeal and recreate* 45.25 (3) (am); and *to create* 21.49
7 (4) (c), 45.25 (2m), 45.35 (20), 45.35 (21), 45.35 (22), 45.35 (23), 45.356 (10),
8 45.356 (11), 45.356 (12), 45.37 (19), 45.396 (2m), 45.79 (5) (a) 11., 45.79 (7) (a)
9 12. and 45.79 (13) of the statutes; **relating to:** the Veterans Mortgage Loan
10 Program, veterans tuition and fee reimbursement, authority for the
11 Department of Veterans Affairs to acquire a headquarters building,
12 departmental delivery of services to veterans, veterans personal loans,
13 eligibility for burial at a veterans cemetery, part-time study grants for
14 veterans, housing loans for veterans, mortgage loan repayment fund, ~~veterans~~

BILL

1 ~~home stipends~~, grants to county veteran service offices, national guard tuition
2 grants, granting rule-making authority, and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill makes various changes related to educational grant programs for veterans. Under the bill:

1. The maximum tuition and fees reimbursement to a veteran under the Tuition and Fee Reimbursement Program for full-time attendance at an institution of higher education, a vocational school approved by the Department of Veterans Affairs (DVA), a proprietary school approved by the Educational Approval Board, or a school under the Minnesota-Wisconsin student reciprocity agreement is increased from 85% to 100% of the standard cost for a state resident at an equivalent undergraduate course at the University of Wisconsin-Madison.

2. The same maximum reimbursement is provided to veterans for tuition and fees for correspondence courses and part-time classroom study under the Part-time Study Grant Program.

3. The family income eligibility for these educational grant programs is raised from \$47,500 plus \$500 for each dependent in excess of two dependents to \$50,000 plus \$1,000 for each dependent in excess of two dependents.

4. To be eligible for tuition and fee reimbursement under the Tuition and Fee Reimbursement Program, the veteran must complete the course during a semester that started within ten years after the veteran's separation from the U.S. Armed Forces.

This bill allows DVA to acquire property for DVA's headquarters.

~~This bill allows DVA to create a program to provide stipends to individuals to attend school and receive the necessary credentials to become employed at the Wisconsin Veterans Home at King, at the Southern Wisconsin Veterans Retirement Center, or at other veterans facilities. The bill requires DVA to promulgate rules for the stipend program if DVA decides to create that program.~~

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.** 20.485 (1) (gk) of the statutes is amended to read:

4 20.485 (1) (gk) *Institutional operations.* The amounts in the schedule for the
5 care of the Wisconsin Veterans Home at King, the Southern Wisconsin Veterans
6 Retirement Center, and veterans facilities, and for the payment of stipends under s.

BILL

1 ~~45.37 (19).~~ All moneys received under par. (m) and s. 45.37 (9) (d) and (9d) shall be
2 credited to this appropriation.

3 **SECTION 2.** 21.49 (4) (c) of the statutes is created to read:

4 21.49 (4) (c) No guard member may receive a grant under sub. (3) for any
5 semester in which he or she received a grant under s. 45.25.

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

7 25.36 (1) Except as provided in sub. (2), all moneys appropriated or transferred
8 by law shall constitute the veterans trust fund which shall be used for the lending
9 of money to the mortgage loan repayment fund under s. 45.35 (22) and for the
10 veterans programs under ss. 20.485 (2) (m), (mn), (tm), (u), (v), (vo), (w), (z), and (zm),
11 45.014, 45.25, 45.35 (23), 45.351 (1), 45.353, 45.356, 45.357, 45.396, 45.397, and
12 45.43 (7) and administered by the department of veterans affairs, including all
13 moneys received from the federal government for the benefit of veterans or their
14 dependents; all moneys paid as interest on and repayment of loans under the
15 post-war rehabilitation fund; soldiers rehabilitation fund, veterans housing funds
16 as they existed prior to July 1, 1961; all moneys paid as interest on and repayment
17 of loans under this fund; all moneys paid as expenses for, interest on, and repayment
18 of veterans trust fund stabilization loans under s. 45.356, 1995 stats.; all moneys
19 paid as expenses for, interest on, and repayment of veterans personal loans; the net
20 proceeds from the sale of mortgaged properties related to veterans personal loans;
21 all mortgages issued with the proceeds of the 1981 veterans home loan revenue bond
22 issuance purchased with moneys in the veterans trust fund; all moneys received from
23 the state investment board under s. 45.356 (9) (b); all moneys received from the
24 veterans mortgage loan repayment fund under s. 45.79 (7) (a) and (c); and all gifts
25 of money received by the board of veterans affairs for the purposes of this fund.

BILL

1 **SECTION 4.** 45.25 (2) (intro.) and (a) of the statutes are amended to read:

2 45.25 (2) **ELIGIBILITY.** (intro.) ~~An individual~~ A veteran is eligible for the tuition
3 and fee reimbursement program if he or she meets all of the following criteria:

4 (a) The annual income of the ~~individual~~ veteran and his or her spouse does not
5 exceed the amount under s. 45.396 (7) (a).

6 **SECTION 5.** 45.25 (2) (b) of the statutes is repealed.

7 **SECTION 6.** 45.25 (2) (c) of the statutes is amended to read:

8 45.25 (2) (c) The ~~individual~~ veteran applies for the tuition and fee
9 reimbursement program for courses completed during a semester that started
10 within 10 years after separation from the service.

11 **SECTION 7.** 45.25 (2) (d) of the statutes is amended to read:

12 45.25 (2) (d) The ~~individual~~ veteran is a resident at the time of application for
13 the tuition and fee reimbursement program and was a Wisconsin resident at the time
14 of entry or reentry into service or was a resident for any consecutive 12-month period
15 after entry or reentry into service and before the date of his or her application. If a
16 person applying for a benefit under this section meets the residency requirement of
17 12 consecutive months, the department may not require the person to reestablish
18 that he or she meets that residency requirement when he or she later applies for any
19 other benefit under this chapter that requires that residency.

20 **SECTION 8.** 45.25 (2) (e) of the statutes is amended to read:

21 45.25 (2) (e) The ~~individual~~ veteran is enrolled for at least 12 credits during the
22 semester for which reimbursement is sought.

23 **SECTION 9.** 45.25 (2m) of the statutes is created to read:

24 45.25 (2m) **EXCEPTIONS TO ELIGIBILITY.** A course at the institution or school that
25 the veteran attends that has been approved for credit through the department's

BILL

1 Academic Credit for Military Experience Program, which evaluates military
2 experience and determines the academic credit for that experience, is not eligible for
3 reimbursement under this section. The credits approved for courses under the
4 Academic Credit for Military Experience Program may not be counted toward the
5 12-credit requirement under sub. (2) (e).

6 **SECTION 10.** 45.25 (3) (a) of the statutes is amended to read:

7 45.25 (3) (a) ~~Except as provided in par. (am), an individual~~ A veteran who meets
8 the requirements under sub. (2), upon satisfactory completion of a full-time
9 undergraduate semester in any institution of higher education, as defined in s.
10 45.396 (1) (a), in this state, any school that is approved under s. 45.35 (9m), any
11 proprietary school that is approved under s. 45.54, or any institution from which the
12 ~~individual~~ veteran receives a waiver of nonresident tuition under s. 39.47, may be
13 ~~reimbursed an amount~~ receive tuition and fee reimbursement. The amount of the
14 reimbursement may not to exceed the total cost of the individual's veteran's tuition
15 and fees minus any grants or scholarships, including those made under s. 21.49, that
16 the ~~individual~~ veteran receives specifically for the payment of the tuition or fees, or
17 ~~85%~~ 100% of the standard cost for a state resident for an equivalent undergraduate
18 course at the University of Wisconsin–Madison per course, whichever is less.
19 Reimbursement is available only for tuition and fees that are part of a curriculum
20 that is relevant to a degree in a particular course of study at the institution.

21 **SECTION 11.** 45.25 (3) (am) of the statutes is repealed and recreated to read:

22 45.25 (3) (am) Reimbursement of tuition and fees for a course may be provided
23 at an institution or school under par. (a) other than the one from which the veteran
24 is receiving his or her degree if all of the following apply:

BILL

1 1. The curriculum at the institution or school consists only of courses necessary
2 to complete a degree in a particular course of study.

3 2. The course is accepted as transfer credits at the institution or school listed
4 under par. (a) from which the veteran is receiving his or her degree but is not
5 available at that institution or school.

6 **SECTION 12.** 45.25 (4) (a) of the statutes is amended to read:

7 45.25 (4) (a) ~~An individual~~ A veteran is not eligible for reimbursement under
8 sub. (2) for more than 120 credits or 8 full semesters of full-time study at any
9 institution of higher education, as defined in s. 45.396 (1) (a), in this state, 60 credits
10 or 4 full semesters of full-time study at any institution of higher education, as
11 defined in s. 45.396 (1) (a), in this state that offers a degree upon completion of 60
12 credits, or an equivalent amount of credits at a school that is approved under s. 45.35
13 (9m), at a proprietary school that is approved under s. 45.54, or at an institution
14 where he or she is receiving a waiver of nonresident tuition under s. 39.47.

15 **SECTION 13.** 45.25 (4) (b) of the statutes is amended to read:

16 45.25 (4) (b) The department may provide reimbursement under sub. (2) to ~~an~~
17 ~~individual~~ a veteran who is delinquent in child support or maintenance payments or
18 who owes past support, medical expenses or birth expenses, as established by
19 appearance of the ~~individual's~~ veteran's name on the statewide support lien docket
20 under s. 49.854 (2) (b), only if the ~~individual~~ veteran provides the department with
21 one of the following:

22 1. A repayment agreement that the ~~individual~~ veteran has entered into, that
23 has been accepted by the county child support agency under s. 59.53 (5) and that has
24 been kept current for the 6-month period immediately preceding the date of the
25 application.

BILL

1 2. A statement that the ~~individual~~ veteran is not delinquent in child support
2 or maintenance payments and does not owe past support, medical expenses or birth
3 expenses, signed by the department of workforce development or its designee within
4 7 working days before the date of the application.

5 **SECTION 14.** 45.25 (4) (c) of the statutes is amended to read:

6 45.25 (4) (c) ~~An individual~~ A veteran may not receive reimbursement under
7 sub. (2) for any semester in which he or she received a grant under s. 21.49 or 45.396.

8 **SECTION 15.** 45.35 (20) of the statutes is created to read:

9 45.35 (20) DEPARTMENT HEADQUARTERS. The department may acquire by gift,
10 purchase, or condemnation property for the purposes of providing a headquarters
11 building for the department.

12 **SECTION 16.** 45.35 (21) of the statutes is created to read:

13 45.35 (21) SERVICE DELIVERY. Notwithstanding ss. 45.397 (1) and 45.79 (2) (a),
14 applications for veterans benefits under this chapter may be submitted directly to
15 the department or to any qualified representative approved by the department.

16 **SECTION 17.** 45.35 (22) of the statutes is created to read:

17 45.35 (22) FUND TRANSFER. The department may loan money from the veterans
18 trust fund to the veterans mortgage loan repayment fund to fund loans under s.
19 45.79.

20 **SECTION 18.** 45.35 (23) of the statutes is created to read:

21 45.35 (23) LOAN GUARANTEE. The department may provide a loan guarantee for
22 multifamily transitional housing for homeless veterans.

23 **SECTION 19.** 45.351 (1j) of the statutes is amended to read:

24 45.351 (1j) HEALTH CARE AID GRANTS. The department may grant to any veteran
25 or dependents such temporary health care aid as the department considers advisable

BILL

1 to prevent want or distress. Health care aid to meet medical or hospital bills under
2 this subsection is limited to a payment of up to \$5,000 per veteran or dependent for
3 a 12-month period beginning with the first day of care for which the person seeks
4 reimbursement under this subsection. The department may ~~not give prior~~
5 ~~authorization for the payment of health care aid under this subsection but may issue~~
6 a certificate of entitlement stating that a veteran or dependent is eligible for a health
7 care aid grant under this subsection if the treatment is received within a time period
8 that the department promulgates by rule. The department may not grant health
9 care aid to pay for care provided to the veteran or dependent before the time period
10 identified in the certificate of entitlement. Health care aid may be used to provide
11 payment for the treatment of alcoholism or other drug addiction or to provide
12 payment for health care required because of alcoholism or other drug addiction or
13 alcohol or other drug abuse. The department may not grant health care aid under
14 this subsection unless the aid recipient's health care provider agrees to accept, as full
15 payment for the medical treatment for which the aid is to be granted, the amount of
16 the grant, the amount of the recipient's health insurance or other 3rd-party
17 payments, if any, and the amount that the department determines the aid recipient
18 is capable of paying. The department may not grant health care aid under this
19 subsection if the combined liquid assets of the applicant for aid, and of the veteran
20 and veteran's dependents who are living in the same household with the applicant,
21 are in excess of \$1,000.

22 **SECTION 20.** 45.356 (2) of the statutes is amended to read:

23 45.356 (2) The department may lend a veteran, a veteran's unremarried
24 surviving spouse, or a deceased veteran's child not more than \$15,000 \$25,000, or a
25 lesser amount established by the department by rule, ~~for the purchase of a mobile~~

BILL

1 ~~home, business, or business property, the education of the veteran or the veteran's~~
2 ~~spouse or children, the payment of medical or funeral expenses, the payment under~~
3 ~~sub. (6) (e), or the consolidation of debt under sub. (10).~~ The department may
4 prescribe loan conditions, but the term of the loan may not exceed 10 years. The
5 department shall ensure that the proceeds of any loan made under this section shall
6 first be applied to pay any delinquent child support or maintenance payments and
7 then to pay any past support, medical expenses, or birth expenses.

8 **SECTION 21.** 45.356 (3) of the statutes is amended to read:

9 45.356 (3) The department may lend not more than ~~\$15,000~~ \$25,000, or a lesser
10 amount established by the department ~~by rule under sub. (10)~~, to a veteran's
11 remarried surviving spouse or to the parent of a deceased veteran's child for the
12 education of a child.

13 **SECTION 22.** 45.356 (8) of the statutes is amended to read:

14 45.356 (8) No person may receive a loan under this section in an amount that,
15 when added to the balance outstanding on the person's existing loans under s. 45.351
16 (2), 1995 stats., and s. 45.356, 1995 stats., would result in a total indebtedness to the
17 department of more than ~~\$15,000, or a lesser amount as established by the~~
18 ~~department by rule~~ \$25,000.

19 **SECTION 23.** 45.356 (10) of the statutes is created to read:

20 45.356 (10) Subject to the limit established in subs. (2) and (3), the department
21 may periodically adjust the maximum loan amount based upon financial market
22 conditions, funds available, needs of the veterans trust funds, or other factors that
23 the department considers relevant.

24 **SECTION 24.** 45.356 (11) of the statutes is created to read:

BILL

1 45.356 (11) The department may periodically adjust the interest rates for loans
2 made under this section, which may vary based upon the term of the loan, the type
3 of security offered, the method of payment, or other factors that the department
4 considers relevant.

5 **SECTION 25.** 45.356 (12) of the statutes is created to read:

6 45.356 (12) Each loan made under this section, except a loan of \$5,000 or less
7 made to an applicant whose total indebtedness for loans made under this section is
8 \$5,000 or less, shall be evidenced by a promissory note and secured by a mortgage
9 on real estate located in this state. A loan of \$5,000 or less made to an applicant
10 whose total indebtedness for loans made under this section is \$5,000 or less shall be
11 evidenced by a promissory note and secured by a guarantor or by a mortgage on real
12 estate located in this state. A mortgage securing a loan made under this section is
13 acceptable if the applicant has equity in the property subject to the mortgage equal
14 to or exceeding a minimum amount that the department establishes by rule.

15 **SECTION 26.** 45.358 (1) (b) of the statutes is amended to read:

16 45.358 (1) (b) “Veteran” means a person who has served on active duty, except
17 service on active duty for training purposes, in the U.S. armed forces.

18 **SECTION 27.** 45.37 (19) of the statutes is created to read:

19 45.37 (19) **STIPENDS.** The department may develop a program to provide
20 stipends to individuals to attend school and receive the necessary credentials to
21 become employed at the home or the southeastern facility. If the department does
22 develop a stipend program under this subsection, the department shall promulgate
23 administrative rules related to the program, including the application process,
24 eligibility criteria, stipend amount, repayment provisions, and other provisions that
25 the department determines are necessary to administer the program.

BILL

1 **SECTION 28.** 45.396 (2m) of the statutes is created to read:

2 45.396 (2m) A course at the institution or school that the veteran attends that
3 has been approved for credit through the department's Academic Credit for Military
4 Experience Program, which evaluates military experience and determines the
5 academic credit for that experience, is not eligible for reimbursement under this
6 section if the veteran is eligible to obtain those credits through the Academic Credit
7 for Military Experience Program.

8 **SECTION 29.** 45.396 (5) of the statutes is amended to read:

9 45.396 (5) ~~Except as provided in sub. (9), the~~ The amount of the reimbursement
10 may not exceed ~~85%~~ of the total cost of the individual's veteran's tuition and fees,
11 minus any grants or scholarships that the veteran receives specifically for the
12 payment of tuition or fees or ~~85%~~ 100% of the standard cost for a state resident for
13 tuition and fees for an equivalent undergraduate course at the University of
14 Wisconsin–Madison per course, whichever is less, ~~and.~~ Reimbursement under this
15 section may not be provided to ~~an individual~~ a veteran more than 4 times during any
16 consecutive 12–month period.

17 **SECTION 30.** 45.396 (7) (a) (intro.) of the statutes is renumbered 45.396 (7) (a)
18 and amended to read:

19 45.396 (7) (a) No veteran may receive a grant under this section if the
20 department determines, ~~after disregarding any payment described under s. 45.85,~~
21 ~~1997 stats.,~~ that the income of the veteran and his or her spouse exceeds \$500
22 \$50,000 plus \$1,000 for each dependent in excess of 2 dependents ~~plus whichever of~~
23 ~~the following applies:~~

24 **SECTION 31.** 45.396 (7) (a) 1. and 2. of the statutes are repealed.

25 **SECTION 32.** 45.396 (9) of the statutes is repealed.

BILL

1 **SECTION 33.** 45.43 (7) (c) of the statutes is amended to read:

2 45.43 (7) (c) Notwithstanding par. (b), an eligible county with a part-time
3 county veterans' service ~~officer~~ office shall be eligible for an annual grant not
4 exceeding \$500.

5 **SECTION 34.** 45.71 (2) of the statutes is amended to read:

6 45.71 (2) "Authorized lender" means any lender or servicer authorized under
7 s. 45.79 (5) (a) 5. to make or service loans under s. 45.79.

8 **SECTION 35.** 45.71 (16) (a) 2m. (intro.) of the statutes is amended to read:

9 45.71 (16) (a) 2m. (intro.) The person is ~~either~~ a resident of and living in this
10 state at the time of making application, is serving on active duty in the U.S. armed
11 forces at the time of making application, or is deceased, and meets one of the
12 following conditions:

13 **SECTION 36.** 45.79 (5) (a) 11. of the statutes is created to read:

14 45.79 (5) (a) 11. Enter into contracts with persons other than authorized
15 lenders for the servicing of loans made under this section.

16 **SECTION 37.** 45.79 (7) (a) 12. of the statutes is created to read:

17 45.79 (7) (a) 12. To make payments of obligations arising from the acquisition
18 of a headquarters building for the department under s. 45.35 (20).

19 **SECTION 38.** 45.79 (13) of the statutes is created to read:

20 45.79 (13) REPAYMENT OF LOAN. Any money appropriated or transferred by law
21 from the veterans mortgage loan repayment fund for purposes other than those
22 listed in sub. (7), other than moneys made temporarily available to other funds under
23 s. 20.002 (11), shall be repaid from the general fund with interest at a rate of 5% per
24 year from the the date of the appropriation or transfer to the date of repayment.

25 **SECTION 39.** 230.36 (2m) (a) 19. of the statutes is repealed.

BILL**SECTION 40. Nonstatutory provisions.**

(1) EDUCATIONAL STIPEND PROGRAM; RULES. If the department of veterans affairs develops a stipend program under section 45.37 (19) of the statutes, as created by this act, the department shall, using the procedure under section 227.24 of the statutes, promulgate the rule required under section 45.37 (19) of the statutes, as created by this act, for the period before the effective date of the permanent rules promulgated under section 45.37 (19) of the statutes, as created by this act, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(END)