

2003 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB170)

Received: 10/06/2003

Received By: rnelson2

Wanted: Soon

Identical to LRB:

For: **Ronald Brown (608) 266-8546**

By/Representing: **Melissa G**

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

Drafter: **rnelson2**

May Contact:

Addl. Drafters:

Subject: **Veterans - veterans benefits
Veterans - memorials/museum
Veterans - housing loans**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Brown@legis.state.wi.us**

Carbon copy (CC:) to: **richard.sweet@legis.state.wi.us
mary.offerdahl@legis.state.wi.us
darin.renner@legis.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

Veterans benefits

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rnelson2 10/06/2003	wjackson 10/13/2003		_____			State
/1			jfrantze	_____	sbasford	sbasford	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
			10/13/2003	_____	10/13/2003	10/13/2003	
/2	rnelson2 10/20/2003	jdyer 10/20/2003	pgreensl 10/20/2003	_____	lemery 10/20/2003	lemery 10/20/2003	
		jdyer 10/20/2003		_____			

FE Sent For:

<END>

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Extra Copies:

Dick Sweet } LC
Mary Offerdahl
Daria Renner, LFB

Submit via email: YES

Requester's email: Sen.Brown@legis.state.wi.us

Carbon copy (CC:) to:

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Veterans benefits

Instructions:

See Attached

10/7 - Take out changes w/ll gd ant.
back to pre-Act 33 - Missy

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1/?	rnelson2	1 WLj 10/13	Jrd 1/13	J/pg 10/13			

FE Sent For:

<END>

Nelson, Robert P.

From: Gilbert, Melissa
Sent: Friday, October 03, 2003 3:18 PM
To: Nelson, Robert P.
Cc: Sweet, Richard; Offerdahl, Mary
Subject: substitute amendment to SB 170 (LRB 1725/4)

Hi Bob,

Here are the changes we need made in a substitute amendment to SB 170. We are incorporating several of the provisions in the simple amendment. Let me know if you have any questions.

- ✓ 1) Insert "and museum" after "headquarters" on page 1, line 11; page 7, line 4; and page 7, line 5.
- ✓ 2) Delete lines 16 - 24 on page 4 and lines 13 - 19 on page 10.
- ✓ 3) Amend section 9 on page 5 to reflect current law (per Act 33) but changing the term "individual" to "veteran" on lines 1, 6, 8 and 10.
- ✓ 4) Amend section 15 on page 7 to read ..."Notwithstanding ss. 45.397 (1), an application for a certificate of eligibility or home improvement loan may be submitted directly to the department." Also amend current language in 45.79 (2) (a) to reflect this change.
- ✓ 5) Amend section 27 on page 10 to reflect current law (per Act 33) but change "individual's" to "veteran's" on line 22 and add "minus any grants or scholarships that the veteran receives specifically for the payment of tuition or fees" on lines 23/24. Also change "an individual" to "a veteran" on page 11, line 2.
- ✓ 6) Delete section 31 on page 11.
- 7) Create 45.43. (7) (d) to read something like "Notwithstanding par. (c), an eligible county with a part-time county veterans service officer may submit a request for the maximum grant funding, or a level of funding greater than the minimal annual grant if the county also submits a plan to the department's board of veterans affairs for full-time service to veterans in that county." Additional language should indicate that "the county must adopt the plan by a resolution" and "the board shall review the plan and approve the grant at the requested amount or at a lesser amount in accordance with the plan's compliance with criteria established by the board."
- ✓ 8) Amend 21.49 (3) (a) to reflect the law prior to Act 33, whereby maximum reimbursement was 100 percent of the actual tuition charged by the school or 100 percent of the maximum resident undergraduate tuition charged by UW-Madison for comparable credits, whichever was less.

Also, should we use this opportunity to redefine "veterans" to include the country's most recent conflicts (Afghanistan, Operation Iraqi Freedom), or do the statutes already adequately address this issue?

Thanks!
Missy
Melissa Gilbert
Committee Clerk
Homeland Security, Veterans and Military Affairs and Government Reform
Office of Sen. Ron Brown
608-266-8546

Nelson, Robert P.

From: Gilbert, Melissa
Sent: Thursday, October 09, 2003 4:45 PM
To: Nelson, Robert P.
Subject: RE: SB 170 substitute amendment draft

Bob,

I am sorry to do this, but we would like to reinsert the National Guard Tuition Grant language into the substitute. The language would be the same as LRB 3178/1.

Also, DVA had some concerns about numbering. Is it OK if I have Legislative Liaison Anthony Hardie call you to explain?

Thanks,
Missy

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

From: Nelson, Robert P.
Sent: Thursday, October 09, 2003 1:44 PM
To: Gilbert, Melissa
Subject: RE: SB 170 substitute amendment draft

I am finally looking at my e-mail. It always takes longer. I could meet tomorrow, but I am sure you can work out what you want and have me draft that.

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

From: Gilbert, Melissa
Sent: Tuesday, October 07, 2003 5:14 PM
To: Nelson, Robert P.
Subject: SB 170 substitute amendment draft

Hi Bob,

Sorry to bother you again, but would you be available to meet Thursday with our office and some other interested parties about SB 170? I know the LRB is shut down for the next day or so, but we really need to iron out a few issues with the draft so we can get it on the floor this month. Please advise me of your availability.

Thanks!

Missy

Melissa Gilbert

Committee Clerk

Homeland Security, Veterans and Military Affairs and Government Reform

Office of Sen. Ron Brown

608-266-8546

~~Soon (10/6)~~
Need 10/13 am
2003 - 2004 LEGISLATURE

50209/1
LRB-1725/4

RPN:cmh&wjf

KJF

Senate Substitute Amendment
to

2003 SENATE BILL 170

Inserts
are out of
order.

May 21, 2003 - Introduced by Senators BROWN, SCHULTZ, ZIEN, WELCH, DECKER, STEPP, S. FITZGERALD, A. LASEE, ROESSLER, DARIING, GEORGE, KEDZIE, JAUCH, KANAVAS, BRESKE, WIRCH, HANSEN, LEIBHAM, HARS DORF, CARPENTER, FLALE and LASSA, cosponsored by Representatives MUSSER, PETROWSKI, SUDER, KREUSER, TURNER, VRAKAS, GRONEMUS, KREIBICH, BOYLE, PETTIS, MORRIS, HAHN, OWENS, M. LEHMAN, SERATTI, BALOW, MILLER, YOUNG, UNDERHEIM, TRAVIS, MONTGOMERY, BIES, HINES, RHOADES, D. MEYER, KRAWCZYK, KESTELL, BLACK, LADWIG, LOEFFELHOLZ, JOHNSRUD, HEBL, J. FITZGERALD, OTT, FREESE, TOWNSEND, GUNDERSON, OLSEN, VAN ROY, WIECKERT, STONE, WARD, HUNDERTMARK, COGGS, NASS, SCHNEIDER, JESKEWITZ, SHILLING, HUBER, MCCORMICK, VUKMIR, J. WOOD, GUNDRUM, BERCEAU, KAUFERT, PLOUFF, NISCHKE, RICHARDS, ZEPNICK, TOWNS, HUEBSCH, COLON and SINICKI. Referred to Committee on Homeland Security, Veterans and Military Affairs and Government Reform.

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* 25.36 (1),

3 45.25 (2) (intro.) and (a), 45.25 (2) (c), 45.25 (2) (d), 45.25 (2) (e), 45.25 (3) (a),

4 45.25 (4) (a), 45.25 (4) (b), 45.25 (4) (c), 45.351 (1j), 45.356 (2), 45.356 (3), 45.356

5 (8), 45.358 (1) (b), 45.396 (5), 45.43 (7) (c), 45.71 (2) and 45.71 (16) (a) 2m.

6 (intro.); *to repeal and recreate* 45.25 (3) (am); and *to create* 21.49 (4) (c),

7 45.25 (2m), 45.35 (20), 45.35 (21), 45.35 (22), 45.35 (23), 45.356 (10), 45.356 (11),

8 45.356 (12), 45.396 (2m), 45.79 (5) (a) 11., 45.79 (7) (a) 12. and 45.79 (13) of the

9 statutes; **relating to:** the Veterans Mortgage Loan Program, veterans tuition

10 *benefits to persons who served in Operation Iraqi Freedom* and fee reimbursement, authority for the Department of Veterans Affairs to

11 *and museum* acquire a headquarters building, departmental delivery of services to veterans,

12 veterans personal loans, eligibility for burial at a veterans cemetery, part-time

13 study grants for veterans, housing loans for veterans, mortgage loan

SENATE BILL 170

no 8 The substitute amendment allows counties that have part-time county veterans service officers to receive grants equal to those given to counties with full-time offices if the county meets

1
2

repayment fund, grants to county veteran service offices, national guard tuition grants, granting rule-making authority, and making an appropriation.

criteria established by the department of veterans affairs (DVA)

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.

~~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.~~

~~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.~~

~~The substitute amendment allows DVA to acquire property for DVA's headquarters~~

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:

SECTION 1. 21.49 (4) (c) of the statutes is created to read:

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

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

25.36 (1) Except as provided in sub. (2), all moneys appropriated or transferred by law shall constitute the veterans trust fund which shall be used for the lending of money to the mortgage loan repayment fund under s. 45.35 (22) and for the

START

inserts an LA ANL B

insert 2-3

veterans'

substitute amendment requires the

as affected by 2003 Wisconsin Act 33

Inserts:
ancl A, 3-6, 7-2, 12-11, 12-12

2003 ASSEMBLY BILL 552

October 2, 2003 - Introduced by Representatives FRISKE, MUSSER, NISCHKE, GOTTLIEB, GIELOW, VAN ROY, WEBER, LEMAHIEU, J. WOOD, VRAKAS, J. FITZGERALD, OTT, GROTHMAN, NASS, GUNDRUM, KESTELL, M. LEHMAN, POWERS, AINSWORTH, KRAWCZYK, BIES, PETTIS, HUNDERTMARK, FREESE, OWENS, SUDER, PETROWSKI, GUNDERSON, ALBERS, MCCORMICK, LADWIG, BOYLE, PLOUFF, TAYLOR, J. LEHMAN, MORRIS, TRAVIS, TURNER and VAN AKKEREN, cosponsored by Senators LEIBHAM, S. FITZGERALD, STEPP, ROESSLER, KANAVAS, KEDZIE, LAZICH, DARLING, HARSDFORF, WIRCH, BRESKE, LASSA, CHVALA and DECKER. Referred to Committee on Veterans and Military Affairs.

- 1 AN ACT *to amend* 341.14 (6) (a); and *to create* 45.001 (5) (j), 45.34 (2) (g) and
2 71.03 (7) (d) of the statutes; **relating to:** providing benefits to persons who
3 served in Operation Iraqi 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, Operation Balkan Endeavor, or Operation Enduring Freedom. 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 Iraqi Freedom or a successor operation to Operation Iraqi Freedom and to their eligible spouses and dependents.

Under current law, any extension of time granted by law or by the internal revenue service for a taxpayer to file his or her federal return extends the time for filing under state law, although the taxes that are due are subject to interest at a rate of 12 percent per year during the period of the extension. Under this bill, that 12 percent interest rate does not apply to persons who served in support of Operation Iraqi Freedom, or a successor operation, in the United States or, for persons who qualify for a federal extension, to persons who served outside of the United States because of their participation in Operation Iraqi Freedom or a successor operation in the Iraqi Freedom theater of operations.

Insert
Ancl A

SENATE BILL 170

plain →

(VY) (VZ)

1 veterans programs under ss. 20.485 (2) (m), (mn), (tm), (u), (v), (vo), (w), (z), and (zm),
 2 45.014, 45.25, 45.35 (23), 45.351 (1), 45.353, 45.356, 45.357, 45.396, 45.397, and
 3 45.43 (7) and administered by the department of veterans affairs, including all
 4 moneys received from the federal government for the benefit of veterans or their
 5 dependents; all moneys paid as interest on and repayment of loans under the
 6 post-war rehabilitation fund; soldiers rehabilitation fund, veterans housing funds
 7 as they existed prior to July 1, 1961; all moneys paid as interest on and repayment
 8 of loans under this fund; all moneys paid as expenses for, interest on, and repayment
 9 of veterans trust fund stabilization loans under s. 45.356, 1995 stats.; all moneys
 10 paid as expenses for, interest on, and repayment of veterans personal loans; the net
 11 proceeds from the sale of mortgaged properties related to veterans personal loans;
 12 all mortgages issued with the proceeds of the 1981 veterans home loan revenue bond
 13 issuance purchased with moneys in the veterans trust fund; all moneys received from
 14 the state investment board under s. 45.356 (9) (b); all moneys received from the
 15 veterans mortgage loan repayment fund under s. 45.79 (7) (a) and (c); and all gifts
 16 of money received by the board of veterans affairs for the purposes of this fund.

Insert
3-16

SECTION 3. 45.25 (2) (intro.) and (a) of the statutes, as affected by 2003 Wisconsin Act 33,

18 45.25 (2) ELIGIBILITY. (intro.) ~~An individual~~ A veteran is eligible for the tuition
 19 and fee reimbursement program if he or she meets all of the following criteria:

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

22 SECTION 4. 45.25 (2) (b) of the statutes is repealed, as affected by 2003 Wisconsin Act 33,

23 SECTION 5. 45.25 (2) (c) of the statutes is amended to read:

SENATE BILL 170

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

4 **SECTION 6.** 45.25 (2) (d) of the statutes ^{, as affected by 2003 Wisconsin Act 33,} is amended to read:

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

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

14 45.25 (2) (e) The individual veteran is enrolled for at least 12 credits during the
15 semester for which reimbursement is sought.

16 **SECTION 8.** 45.25 (2m) of the statutes is created to read:

17 45.25 (2m) EXCEPTIONS TO ELIGIBILITY. A course at the institution or school that
18 the veteran attends that has been approved for credit through the department's
19 Academic Credit for Military Experience Program, which evaluates military
20 experience and determines the academic credit for that experience, is not eligible for
21 reimbursement under this section. The credits approved for courses under the
22 Academic Credit for Military Experience Program may not be counted toward the
23 12-credit requirement under sub. (2) (e).

24 **SECTION 9.** 45.25 (3) (a) of the statutes is amended to read:

SENATE BILL 170

1 45.25 (3) (a) ~~Except as provided in par. (am), an individual~~ A veteran who meets
 2 the requirements under sub. (2), upon satisfactory completion of a full-time
 3 undergraduate semester in any institution of higher education, as defined in s.
 4 45.396 (1) (a), in this state, any school that is approved under s. 45.35 (9m), any
 5 proprietary school that is approved under s. 45.54, or any institution from which the
 6 individual veteran receives a waiver of nonresident tuition under s. 39.47, may be
 7 ~~reimbursed an amount~~ receive tuition and fee reimbursement. The amount of the
 8 reimbursement may not to exceed the total cost of the individual's veteran's tuition
 9 and fees minus any grants or scholarships, including those made under s. 21.49, that
 10 the individual veteran receives specifically for the payment of the tuition or fees, or
 11 ~~85%~~ 100% of the standard cost for a state resident for an equivalent undergraduate
 12 course at the University of Wisconsin-Madison per course, whichever is less.
 13 Reimbursement is available only for tuition and fees that are part of a curriculum
 14 that is relevant to a degree in a particular course of study at the institution.

Insert
5-14

, as affected by 2003 Wisconsin Act 33,

(15)

SECTION 10. 45.25 (3) (am) of the statutes is repealed and recreated to read:

16 45.25 (3) (am) Reimbursement of tuition and fees for a course may be provided
 17 at an institution or school under par. (a) other than the one from which the veteran
 18 is receiving his or her degree if all of the following apply:

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

24 SECTION 11. 45.25 (4) (a) of the statutes is amended to read:

SENATE BILL 170

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

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

10 45.25 (4) (b) The department may provide reimbursement under sub. (2) to ~~an~~
11 ~~individual~~ a veteran who is delinquent in child support or maintenance payments or
12 who owes past support, medical expenses or birth expenses, as established by
13 appearance of the ~~individual's~~ veteran's name on the statewide support lien docket
14 under s. 49.854 (2) (b), only if the ~~individual~~ veteran provides the department with
15 one of the following:

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

20 2. A statement that the ~~individual~~ veteran is not delinquent in child support
21 or maintenance payments and does not owe past support, medical expenses or birth
22 expenses, signed by the department of workforce development or its designee within
23 7 working days before the date of the application.

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

SENATE BILL 170

insert
7-2

1 45.25 (4) (c) ~~An individual~~ A veteran may not receive reimbursement under
2 sub. (2) for any semester in which he or she received a grant under s. 21.49 or 45.396.

3 SECTION 14. 45.35 (20) of the statutes is created to read:

(S) AND MUSEUM

4 45.35 (20) DEPARTMENT HEADQUARTERS/ The department may acquire by gift,
5 purchase, or condemnation property for the purposes of providing a headquarters/
6 building for the department. *and museum*

7 SECTION 15. 45.35 (21) of the statutes is created to read:

8 45.35 (21) SERVICE DELIVERY. Notwithstanding ~~ss. 45.397 (1) and 45.79 (2) (a)~~ *plain comma*
9 *an* applications for ~~veterans benefits under this chapter~~ *a certificate of eligibility or home improvement loan*
10 the department ~~or to any qualified representative approved by the department.~~

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

12 45.35 (22) FUND TRANSFER. The department may loan money from the veterans
13 trust fund to the veterans mortgage loan repayment fund to fund loans under s.
14 45.79.

15 SECTION 17. 45.35 (23) of the statutes is created to read:

16 45.35 (23) LOAN GUARANTEE. The department may provide a loan guarantee for
17 multifamily transitional housing for homeless veterans.

18 SECTION 18. 45.351 (1j) of the statutes is amended to read:

19 45.351 (1j) HEALTH CARE AID GRANTS. The department may grant to any veteran
20 or dependents such temporary health care aid as the department considers advisable
21 to prevent want or distress. Health care aid to meet medical or hospital bills under
22 this subsection is limited to a payment of up to \$5,000 per veteran or dependent for
23 a 12-month period beginning with the first day of care for which the person seeks
24 reimbursement under this subsection. The department may ~~not give prior~~
25 ~~authorization for the payment of health care aid under this subsection but may issue~~

SENATE BILL 170

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

17 SECTION 19. 45.356 (2) of the statutes is amended to read:

18 45.356 (2) The department may lend a veteran, a veteran's unremarried
19 surviving spouse, or a deceased veteran's child not more than ~~\$15,000~~ \$25,000, or a
20 lesser amount established by the department ~~by rule, for the purchase of a mobile~~
21 ~~home, business, or business property, the education of the veteran or the veteran's~~
22 ~~spouse or children, the payment of medical or funeral expenses, the payment under~~
23 ~~sub. (6) (c), or the consolidation of debt~~ under sub. (10). The department may
24 prescribe loan conditions, but the term of the loan may not exceed 10 years. The
25 department shall ensure that the proceeds of any loan made under this section shall

SENATE BILL 170

1 first be applied to pay any delinquent child support or maintenance payments and
2 then to pay any past support, medical expenses, or birth expenses.

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

4 45.356 (3) The department may lend not more than ~~\$15,000~~ \$25,000, or a lesser
5 amount established by the department ~~by rule~~ under sub. (10), to a veteran's
6 remarried surviving spouse or to the parent of a deceased veteran's child for the
7 education of a child.

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

9 45.356 (8) No person may receive a loan under this section in an amount that,
10 when added to the balance outstanding on the person's existing loans under s. 45.351
11 (2), 1995 stats., and s. 45.356, 1995 stats., would result in a total indebtedness to the
12 department of more than ~~\$15,000, or a lesser amount as established by the~~
13 ~~department by rule~~ \$25,000.

14 **SECTION 22.** 45.356 (10) of the statutes is created to read:

15 45.356 (10) Subject to the limit established in subs. (2) and (3), the department
16 may periodically adjust the maximum loan amount based upon financial market
17 conditions, funds available, needs of the veterans trust funds, or other factors that
18 the department considers relevant.

19 **SECTION 23.** 45.356 (11) of the statutes is created to read:

20 45.356 (11) The department may periodically adjust the interest rates for loans
21 made under this section, which may vary based upon the term of the loan, the type
22 of security offered, the method of payment, or other factors that the department
23 considers relevant.

24 **SECTION 24.** 45.356 (12) of the statutes is created to read:

1 45.356 (12) Each loan made under this section, except a loan of \$5,000 or less
2 made to an applicant whose total indebtedness for loans made under this section is
3 \$5,000 or less, shall be evidenced by a promissory note and secured by a mortgage
4 on real estate located in this state. A loan of \$5,000 or less made to an applicant
5 whose total indebtedness for loans made under this section is \$5,000 or less shall be
6 evidenced by a promissory note and secured by a guarantor or by a mortgage on real
7 estate located in this state. A mortgage securing a loan made under this section is
8 acceptable if the applicant has equity in the property subject to the mortgage equal
9 to or exceeding a minimum amount that the department establishes by rule.

10 **SECTION 25.** 45.358 (1) (b) of the statutes is amended to read:

11 45.358 (1) (b) "Veteran" means a person who has served on active duty, except
12 service on active duty for training purposes, in the U.S. armed forces.

13 **SECTION 26.** 45.396 (2m) of the statutes is created to read:

14 45.396 (2m) A course at the institution or school that the veteran attends that
15 has been approved for credit through the department's Academic Credit for Military
16 Experience Program, which evaluates military experience and determines the
17 academic credit for that experience, is not eligible for reimbursement under this
18 section if the veteran is eligible to obtain those credits through the Academic Credit
19 for Military Experience Program.

20 **SECTION 27.** 45.396 (5) of the statutes is amended to read:

21 45.396 (5) ~~Except as provided in sub. (9), the~~ The amount of the reimbursement
22 may not exceed 85% of the total cost of the individual's veteran's tuition and fees,
23 minus any grants or scholarships that the veteran receives specifically for the
24 payment of tuition or fees or 85% 100% of the standard cost for a state resident for
25 tuition and fees for an equivalent undergraduate course at the University of

SENATE BILL 170

insert
11-4

~~1 Wisconsin-Madison per course, whichever is less, and. Reimbursement under this
2 section may not be provided to an individual a veteran more than 4 times during any
3 consecutive 12-month period.~~

4 SECTION 28. 45.396 (7) (a) (intro.) of the statutes is renumbered 45.396 (7) (a)
5 and amended to read:

6 45.396 (7) (a) No veteran may receive a grant under this section if the
7 department determines, after disregarding any payment described under s. 45.85,
8 1997 stats., that the income of the veteran and his or her spouse exceeds \$500
9 \$50,000 plus \$1,000 for each dependent in excess of 2 dependents plus whichever of
10 the following applies:

11 SECTION 29. 45.396 (7) (a) 1. and 2. of the statutes are repealed.

12 SECTION 30. 45.396 (9) of the statutes is repealed. *as affected by 2003 Wisconsin Act 330*

13 SECTION 31. 45.43 (7) (c) of the statutes is amended to read:

14 45.43 (7) (c) Notwithstanding par. (b), an eligible county with a part-time
15 county veterans' service officer office shall be eligible for an annual grant not
16 exceeding \$500.

insert
11-16

17 SECTION 32. 45.71 (2) of the statutes is amended to read:

18 45.71 (2) "Authorized lender" means any lender or servicer authorized under
19 s. 45.79 (5) (a) 5. to make or service loans under s. 45.79.

20 SECTION 33. 45.71 (16) (a) 2m. (intro.) of the statutes is amended to read:

21 45.71 (16) (a) 2m. (intro.) The person is either a resident of and living in this
22 state at the time of making application, is serving on active duty in the U.S. armed
23 forces at the time of making application, or is deceased, and meets one of the
24 following conditions:

insert
11-24

25 SECTION 34. 45.79 (5) (a) 11. of the statutes is created to read:

SENATE BILL 170

1 45.79 (5) (a) 11. Enter into contracts with persons other than authorized
2 lenders for the servicing of loans made under this section.

3 SECTION 35. 45.79 (7) (a) 12. of the statutes is created to read:

4 45.79 (7) (a) 12. To make payments of obligations arising from the acquisition
5 of a headquarters building for the department under s. 45.35 (20).

6 SECTION 36. 45.79 (13) of the statutes is created to read:

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

12 SECTION 37. 230.36 (2m) (a) 19. of the statutes is repealed.

(END)

Handwritten notes: "insert 12-11" with an arrow pointing to line 11, and "insert 12-12" with an arrow pointing to line 12.

2003 BILL

*Inserts
and B
2-3*

1 AN ACT to amend 21.49 (3) (a) of the statutes; relating to: national guard tuition
2 grants.

Analysis by the Legislative Reference Bureau

Under current law, as affected by 2003 Wisconsin Act 33, the 2003-05 budget bill, eligible national guard members may receive reimbursement for the tuition paid for a full-time or part-time course in a qualifying school. Under the budget bill, the reimbursement is equal to the actual tuition charged by the school or 100% of the average of the tuitions charged by the University of Wisconsin four-year institutions for a comparable number of credits, whichever is lower. Before the budget bill, the amount of the tuition reimbursement was equal to the actual tuition charged by the school or 100% of the tuition charged by the University of Wisconsin-Madison for a comparable number of credits, whichever was lower.

This bill reinstates the determination of the amount of national guard tuition reimbursement as it existed before the passage of 2003 Wisconsin Act 33.

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 ~~21.49~~ 21.49 (3) (a) of the statutes, as affected by 2003 Wisconsin Act 33,
4 is amended to read:

*insert:
and
B*

*insert
2-3*



BILL

*Insert
2-3
Cont.*

1 21.49 (3) (a) Any eligible guard member upon satisfactory completion of a
 2 full-time or part-time course in a qualifying school is eligible for a tuition grant
 3 equal to 100% of the actual tuition charged by the school or 100% of the arithmetic
 4 average of ~~maximum~~ resident undergraduate ~~tuitions~~ tuition charged by the ~~4-year~~
 5 ~~institutions in the~~ University of Wisconsin ~~System~~ Wisconsin-Madison for a
 6 comparable number of credits, whichever amount is less.

SECTION 2. ~~Nonstatutory provisions.~~

7
 8 (1) ~~Not later than March 1, 2004, the department of military affairs shall~~
 9 ~~submit a report to the appropriate standing committees of the legislature in the~~
 10 ~~manner provided under section 13.172 (3) of the statutes on the availability of~~
 11 ~~moneys to provide reimbursement to national guard members under section 21.49~~
 12 ~~of the statutes, as affected by this act.~~

(END)

13

ASSEMBLY BILL 552

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:

Insert
3-16¹

SECTION ~~4~~¹. 45.001 (5) (j) of the statutes is created to read:

45.001 (5) (j) Iraq War: Between March 19, 2003, and the ending of Operation Iraqi Freedom or an operation that is a successor to Operation Iraqi Freedom, as established by the department by rule.

Insert
7-2⁵

SECTION ~~4~~⁵. 45.34 (2) (g) of the statutes is created to read:

45.34 (2) (g) The person served for 90 days or more in support of Operation Iraqi Freedom or an operation that is a successor to Operation Iraqi Freedom or served in the Operation Iraqi Freedom theater of operation under all of the following conditions:

1. Under an active duty order, a unit assignment order, or an involuntary extension of an active duty order.
2. Under honorable conditions.
3. Between March 19, 2003, and the ending date of Operation Iraqi Freedom or an operation that is a successor to Operation Iraqi Freedom, as established by the department by rule.

Insert
12-17¹⁶

SECTION ~~4~~¹⁶. 71.03 (7) (d) of the statutes is created to read:

71.03 (7) (d) For taxable years beginning after December 31, 2002, and before January 1, 2005, for persons who served in support of Operation Iraqi Freedom or an operation that is a successor to Operation Iraqi Freedom in the United States, or for persons who qualify for a federal extension of time to file under 26 USC 7508, who served outside the United States because of their participation in Operation Iraqi

ASSEMBLY BILL 552

insert
12-11

1 Freedom or an operation that is a successor to Operation Iraqi Freedom in the Iraqi
2 Freedom theater of operations.

insert
12-12

3 SECTION ~~#~~ 341.14 (6) (a) of the statutes is amended to read:

4 341.14 (6) (a) Upon application to register an automobile or a motor truck or
5 dual purpose farm truck that has a gross weight of not more than 8,000 pounds by
6 any person who was a member of any of the U.S. armed services and who was held
7 as a prisoner of war during any of the conflicts described in s. 45.001 (5) (b) to (i) (j)
8 or in Bosnia, Grenada, Lebanon, Panama, Somalia, or a Middle East crisis under s.
9 45.34, and upon submission of a statement from the U.S. department of veterans
10 affairs certifying that the person was a prisoner of war during one of the conflicts
11 described in s. 45.001 (5) (b) to (i) (j) or in Bosnia, Grenada, Lebanon, Panama,
12 Somalia, or a Middle East crisis under s. 45.34, the department shall issue to the
13 person a special plate that is colored red, white, and blue and that has the words
14 "ex-prisoner of war" placed on the plate in the manner designated by the
15 department.

16 (END)

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0207/?ins
RPN:.....

1 insert 5-14:

2 SECTION [#] 45.25 (3) (a) of the statutes, as affected by 2003 Wisconsin Act 33,
3 is amended to read:

4 45.25 (3) (a) ~~Except as provided in par. (am), an individual~~ A veteran who meets
5 the requirements under sub. (2), upon satisfactory completion of a full-time
6 undergraduate semester in any institution of higher education, as defined in s.
7 45.396 (1) (a), in this state, any school that is approved under s. 45.35 (9m), any
8 proprietary school that is approved under s. 45.54, or any institution from which the
9 individual veteran receives a waiver of nonresident tuition under s. 39.47, may be
10 reimbursed an amount not to exceed the total cost of the ^{plain space} individual's veteran's tuition
11 minus any grants or scholarships, including those made under s. 21.49, that the
12 individual veteran ^{please check extra spaces} receives specifically for the payment of the tuition, or the
13 standard cost of tuition for a state resident for an equivalent undergraduate
14 semester at the University of Wisconsin-Madison, whichever is less.
15 Reimbursement is available only for tuition that is part of a curriculum that is
16 relevant to a degree in a particular course of study at the institution.

17 History: 1993 a. 254; 1995 a. 27, 255, 404; 1997 a. 27, 115, 121, 237; 1999 a. 9; 2001 a. 16, 103; 2003 a. 33.

18 insert 11-4:

19 SECTION [#] 45.396 (5) (a) [✓] of the statutes, as affected by 2003 Wisconsin Act 33,
20 is amended to read:

21 45.396 (5) (a) Except as provided in par. (b), the amount of the reimbursement
22 may not exceed the total cost of the individual's veteran's tuition or the standard cost
23 for a state resident for tuition for an equivalent undergraduate course at the

1 University of Wisconsin-Madison per course, whichever is less, minus any grants or
 2 scholarships that the veteran receives specifically for the payment of tuition and may
 3 not be provided to ~~an individual~~ a veteran more than 4 times during any consecutive
 4 12-month period.

5 History: 1971 c. 42; 1971 c. 125 s. 522 (1); 1971 c. 154, 198, 307; 1975 c. 39, 199, 224, 422; 1979 c. 34 ss. 819b, 2102 (56) (a); 1981 c. 20; 1983 a. 481, 503, 538; 1985 a. 29, 129; 1987 a. 27, 242; 1989 a. 31, 56; 1991 a. 39, 166; 1993 a. 16; 1995 a. 27, 404; 1997 a. 27, 115, 121; 1999 a. 9; 2001 a. 16, 38; 2003 a. 33.

6 insert 11-16:

7 **SECTION ~~¶~~[#] 45.43 (7) (d)** of the statutes is created to read:

8 45.43 (7) (d) Notwithstanding par. (c), an eligible county with a part-time
 9 county veterans' service officer may submit a request for and receive a grant under
 10 par. (b) or a grant in excess of the maximum allowed under par. (c) if the county
 11 submits with the request a plan for full-time service to veterans in that county that
 12 has been adopted by the county by resolution. The department shall review the plan
 13 and approve the grant at the requested amount or at a lesser amount based on the
 14 plan's compliance with criteria established by the department.

15
 16 insert 11-24:

17 **SECTION ~~¶~~[#] 45.79 (2) (a)** of the statutes is amended to read:

18 45.79 (2) (a) *Application and content.* Applications for loans under this section
 19 for a purpose specified in s. 45.76 (1) (a), (b), or (d) shall be made to an authorized
 20 lender and applications for loans under this section for a purpose specified under s.
 21 45.76 (1) (c) shall may be made to the department or to a county veterans' service
 22 officer on forms approved by the department and signed by the applicant. If the

1 applicant is married and not separated or in the process of obtaining a divorce, the
2 applicant's spouse also shall sign the application.

History: 1973 c. 208, 333; 1975 c. 26, 198, 199; 1977 c. 4, 381; 1979 c. 4, 107, 155; 1979 c. 168 s. 21; 1979 c. 221; 1981 c. 45 s. 51; 1981 c. 93, 336; 1983 a. 27, 368; 1985 a. 6, 29; 1985 a. 332 s. 251 (1); 1987 a. 27, 319; 1987 a. 403 s. 255; 1989 a. 31, 56; 1991 a. 39; 1993 a. 16, 254, 490; 1995 a. 252, 255; 1997 a. 27; 1999 a. 9, 63; 2001 a. 16, 103.

3 **SECTION 5. 45.79 (2) (b)** of the statutes is amended to read:

4 45.79 (2) (b) *Certification by department.* The applicant ~~shall~~ may apply
5 directly to the department or through a county veterans' service officer for
6 certification of eligibility as a veteran.

History: 1973 c. 208, 333; 1975 c. 26, 198, 199; 1977 c. 4, 381; 1979 c. 4, 107, 155; 1979 c. 168 s. 21; 1979 c. 221; 1981 c. 45 s. 51; 1981 c. 93, 336; 1983 a. 27, 368; 1985 a. 6, 29; 1985 a. 332 s. 251 (1); 1987 a. 27, 319; 1987 a. 403 s. 255; 1989 a. 31, 56; 1991 a. 39; 1993 a. 16, 254, 490; 1995 a. 252, 255; 1997 a. 27; 1999 a. 9, 63; 2001 a. 16, 103.

7

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

50207/?
2??dn
RPN:.....
Wlj

The proposed language in newly created section 45.43 (7) (d) requires the veterans board to make decisions about the payment of a grant to a county with a part-time county veterans' service officer. But the rest of that subsection gives that authority to the department, not the board. To be consistent with current law, I gave the department the authority to award grants under the new 45.43 (7) (d). OK?
proposed s.

Robert P. Nelson
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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

03s0207/1dn
RPN:wlj:jf

October 13, 2003

The proposed language in newly created s. 45.43 (7) (d) requires the veterans board to make decisions about the payment of a grant to a county with a part-time county veterans' service officer. But the rest of that subsection gives that authority to the department, not to the board. To be consistent with current law, I gave the department the authority to award grants under proposed s. 45.43 (7) (d). OK?

Robert P. Nelson
Senior Legislative Attorney
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Stays / jld

SENATE SUBSTITUTE AMENDMENT,
TO 2003 SENATE BILL 170

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~~ 21.49 (3) (a),
3 25.36 (1), 45.25 (2) (intro.) and (a), 45.25 (2) (c), 45.25 (2) (d), 45.25 (2) (e), 45.25
4 (3) (a), 45.25 (4) (a), 45.25 (4) (b), 45.25 (4) (c), 45.351 (1j), 45.356 (2), 45.356 (3),
5 45.356 (8), 45.358 (1) (b), 45.396 (5) (a), 45.71 (2), 45.71 (16) (a) 2m. (intro.),
6 45.79 (2) (a), 45.79 (2) (b) and 341.14 (6) (a); ~~to repeal and recreate~~ 45.25 (3)
7 (am); and ~~to create~~ 21.49 (4) (c), 45.001 (5) (j), 45.34 (2) (g), 45.35 (20), 45.35
8 (21), 45.35 (22), 45.35 (23), 45.356 (10), 45.356 (11), 45.356 (12), 45.43 (7) (d),
9 45.79 (5) (a) 11., 45.79 (7) (a) 12., 45.79 (13) and 71.03 (7) (d) of the statutes;
10 relating to: the Veterans Mortgage Loan Program, veterans tuition and fee
11 reimbursement, benefits to persons who served in Operation Iraqi Freedom,
12 authority for the Department of Veterans Affairs to acquire a headquarters
13 building and museum, departmental delivery of services to veterans, veterans

1 personal loans, eligibility for burial at a veterans cemetery, part-time study
2 grants for veterans, housing loans for veterans, mortgage loan repayment fund,
3 grants to county veteran service offices, national guard tuition grants, granting
4 rule-making authority, and making an appropriation.

Analysis by the Legislative Reference Bureau

Under the substitute amendment, the family income eligibility for veterans' 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.

To be eligible for tuition and fee reimbursement under the Tuition and Fee Reimbursement Program, the substitute amendment requires the veteran to complete the course during a semester that started within ten years after the veteran's separation from the U.S. Armed Forces. The substitute amendment allows counties that have part-time county veterans' service officers to receive grants equal to those given to counties with full-time offices if the county meets criteria established by the Department of Veterans Affairs (DVA).

The substitute amendment allows DVA to acquire property for DVA's headquarters and museum.

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, Operation Balkan Endeavor, or Operation Enduring Freedom. 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 Iraqi Freedom or a successor operation to Operation Iraqi Freedom and to their eligible spouses and dependents.

Under current law, any extension of time granted by law or by the internal revenue service for a taxpayer to file his or her federal return extends the time for filing under state law, although the taxes that are due are subject to interest at a rate of 12 percent per year during the period of the extension. Under this bill, that 12 percent interest rate does not apply to persons who served in support of Operation Iraqi Freedom, or a successor operation, in the United States or, for persons who qualify for a federal extension, to persons who served outside of the United States because of their participation in Operation Iraqi Freedom or a successor operation in the Iraqi Freedom theater of operations.

Under current law, as affected by 2003 Wisconsin Act 33, the 2003-05 budget bill, eligible national guard members may receive reimbursement for the tuition paid for a full-time or part-time course in a qualifying school. Under the budget bill, the reimbursement is equal to the actual tuition charged by the school or 100% of the

average of the tuitions charged by the University of Wisconsin four-year institutions for a comparable number of credits, whichever is lower. Before the budget bill, the amount of the tuition reimbursement was equal to the actual tuition charged by the school or 100% of the tuition charged by the University of Wisconsin-Madison for a comparable number of credits, whichever was lower.

This bill reinstates the determination of the amount of national guard tuition reimbursement as it existed before the passage of 2003 Wisconsin Act 33.

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

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

1 [✓] SECTION 1. 21.49 (3) (a) of the statutes, as affected by 2003 Wisconsin Act 33,
2 is amended to read:

3 21.49 (3) (a) Any eligible guard member upon satisfactory completion of a
4 full-time or part-time course in a qualifying school is eligible for a tuition grant
5 equal to 100% of the actual tuition charged by the school or 100% of the arithmetic
6 average of maximum resident undergraduate ~~tuitions~~ tuition charged by the 4-year
7 ~~institutions in the University of Wisconsin System~~ Wisconsin-Madison for a
8 comparable number of credits, whichever amount is less.

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

10 21.49 (4) (c) No guard member may receive a grant under sub. (3) for any
11 semester in which he or she received a grant under s. 45.25.

12 [✓] SECTION 3. 25.36 (1) of the statutes, as affected by 2003 Wisconsin Act 33, is
13 amended to read:

14 25.36 (1) Except as provided in sub. (2), all moneys appropriated or transferred
15 by law shall constitute the veterans trust fund which shall be used for the lending
16 of money to the mortgage loan repayment fund under s. 45.35 (22) and for the
17 veterans programs under ss. 20.485 (2) (m), (mn), (tm), (u), (v), (vo), (vy), (vz), (w),

1 (z), and (zm), 45.014, 45.25, 45.35 (23), 45.351 (1), 45.353, 45.356, 45.357, 45.396,
 2 45.397, and 45.43 (7) and administered by the department of veterans affairs,
 3 including all moneys received from the federal government for the benefit of veterans
 4 or their dependents; all moneys paid as interest on and repayment of loans under the
 5 post-war rehabilitation fund; soldiers rehabilitation fund, veterans housing funds
 6 as they existed prior to July 1, 1961; all moneys paid as interest on and repayment
 7 of loans under this fund; all moneys paid as expenses for, interest on, and repayment
 8 of veterans trust fund stabilization loans under s. 45.356, 1995 stats.; all moneys
 9 paid as expenses for, interest on, and repayment of veterans personal loans; the net
 10 proceeds from the sale of mortgaged properties related to veterans personal loans;
 11 all mortgages issued with the proceeds of the 1981 veterans home loan revenue bond
 12 issuance purchased with moneys in the veterans trust fund; all moneys received from
 13 the state investment board under s. 45.356 (9) (b); all moneys received from the
 14 veterans mortgage loan repayment fund under s. 45.79 (7) (a) and (c); and all gifts
 15 of money received by the board of veterans affairs for the purposes of this fund.

✓
 Insert
 4-15-16

16 **SECTION 4.** 45.001 (5) (j) of the statutes is created to read:

17 45.001 (5) (j) Iraq War: Between March 19, 2003, and the ending of Operation
 18 Iraqi Freedom or an operation that is a successor to Operation Iraqi Freedom, as
 19 established by the department by rule.

20 **SECTION 5.** 45.25 (2) (intro.) and (a) ✓ of the statutes, as affected by 2003
 21 Wisconsin Act 33, are amended to read:

22 45.25 (2) **ELIGIBILITY.** (intro.) An individual A veteran is eligible for the tuition
 23 reimbursement program if he or she meets all of the following criteria:

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

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

2 SECTION 7. 45.25 (2) (c) of the statutes, as affected by 2003 Wisconsin Act 33,
3 is amended to read:

4 45.25 (2) (c) The individual veteran applies for the tuition reimbursement
5 program for courses ~~deleted during a semester that started~~ ^{begin ← plain text} within 10 years after
6 separation from the service.

7 SECTION 8. 45.25 (2) (d) of the statutes, as affected by 2003 Wisconsin Act 33,
8 is amended to read:

9 45.25 (2) (d) The individual veteran is a resident at the time of application for
10 the tuition reimbursement program and was a Wisconsin resident at the time of
11 entry or reentry into service or was a resident for any consecutive 12-month period
12 after entry or reentry into service and before the date of his or her application. If a
13 person applying for a benefit under this section meets the residency requirement of
14 12 consecutive months, the department may not require the person to reestablish
15 that he or she meets that residency requirement when he or she later applies for any
16 other benefit under this chapter that requires that residency.

17 SECTION 9. 45.25 (2) (e) of the statutes is amended to read:

18 45.25 (2) (e) The individual veteran is enrolled for at least 12 credits during the
19 semester for which reimbursement is sought.

20 SECTION 10. 45.25 (3) (a) of the statutes, as affected by 2003 Wisconsin Act 33,
21 is amended to read:

22 45.25 (3) (a) ~~Except as provided in par. (am),~~ ^{plain text} an individual veteran ^a who meets
23 the requirements under sub. (2), upon satisfactory completion of a full-time
24 undergraduate semester in any institution of higher education, as defined in s.
25 45.396 (1) (a), in this state, any school that is approved under s. 45.35 (9m), any

1 proprietary school that is approved under s. 45.54, or any institution from which the
 2 individual veteran receives a waiver of nonresident tuition under s. 39.47, may be
 3 reimbursed an amount not to exceed the total cost of the ~~individual's~~ veteran's tuition
 4 minus any grants or scholarships, including those made under s. 21.49, that the
 5 individual veteran receives specifically for the payment of the tuition, or the
 6 standard cost of tuition for a state resident for an equivalent undergraduate
 7 semester at the University of Wisconsin–Madison, whichever is less.
 8 Reimbursement is available only for tuition that is part of a curriculum that is
 9 relevant to a degree in a particular course of study at the institution.

10 SECTION 11. 45.25 (3) (~~is~~^d) of the statutes, ~~as affected by 2003 Wisconsin Act~~
 11 ~~33, is repealed and recreated~~^{is created} to read:

12 45.25 (3) (~~23a~~^d) Reimbursement of tuition and fees for a course may be provided
 13 at an institution or school under par. (a) [✓] other than the one from which the veteran
 14 is receiving his or her degree if all of the following apply:

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

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

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

21 45.25 (4) (a) ~~An individual~~ A veteran is not eligible for reimbursement under
 22 sub. (2) for more than 120 credits or 8 full semesters of full-time study at any
 23 institution of higher education, as defined in s. 45.396 (1) (a), in this state, 60 credits
 24 or 4 full semesters of full-time study at any institution of higher education, as
 25 defined in s. 45.396 (1) (a), in this state that offers a degree upon completion of 60

1 credits, or an equivalent amount of credits at a school that is approved under s. 45.35
2 (9m), at a proprietary school that is approved under s. 45.54, or at an institution
3 where he or she is receiving a waiver of nonresident tuition under s. 39.47.

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

5 45.25 (4) (b) The department may provide reimbursement under sub. (2) to an
6 ~~individual~~ a veteran who is delinquent in child support or maintenance payments or
7 who owes past support, medical expenses or birth expenses, as established by
8 appearance of the ~~individual's~~ veteran's name on the statewide support lien docket
9 under s. 49.854 (2) (b), only if the ~~individual~~ veteran provides the department with
10 one of the following:

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

15 2. A statement that the ~~individual~~ veteran is not delinquent in child support
16 or maintenance payments and does not owe past support, medical expenses or birth
17 expenses, signed by the department of workforce development or its designee within
18 7 working days before the date of the application.

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

20 45.25 (4) (c) ~~An individual~~ A veteran may not receive reimbursement under
21 sub. (2) for any semester in which he or she received a grant under s. 21.49 or 45.396.

22 **SECTION 15.** 45.34 (2) (g) of the statutes is created to read:

23 45.34 (2) (g) The person served for 90 days or more in support of Operation Iraqi
24 Freedom or an operation that is a successor to Operation Iraqi Freedom or served in

1 the Operation Iraqi Freedom theater of operation under all of the following
2 conditions:

- 3 1. Under an active duty order, a unit assignment order, or an involuntary
4 extension of an active duty order.
- 5 2. Under honorable conditions.
- 6 3. Between March 19, 2003, and the ending date of Operation Iraqi Freedom
7 or an operation that is a successor to Operation Iraqi Freedom, as established by the
8 department by rule.

9 SECTION 16. 45.35 (20) of the statutes is created to read:

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

13 SECTION 17. 45.35 (21) of the statutes is created to read:

14 45.35 (21) SERVICE DELIVERY. Notwithstanding s. 45.397 (1), an application for
15 a certificate of eligibility or home improvement loan may be submitted directly to the
16 department.

17 SECTION 18. 45.35 (22) of the statutes is created to read:

18 45.35 (22) FUND TRANSFER. The department may loan money from the veterans
19 trust fund to the veterans mortgage loan repayment fund to fund loans under s.
20 45.79.

21 SECTION 19. 45.35 (23) of the statutes is created to read:

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

24 SECTION 20. 45.351 (1j) of the statutes is amended to read:

✓
Insert 9-12

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

24 **SECTION 21.** 45.356 (2) of the statutes is amended to read:

1 45.356 (2) The department may lend a veteran, a veteran's unremarried
2 surviving spouse, or a deceased veteran's child not more than ~~\$15,000~~ \$25,000, or a
3 lesser amount established by the department ~~by rule, for the purchase of a mobile~~
4 ~~home, business, or business property, the education of the veteran or the veteran's~~
5 ~~spouse or children, the payment of medical or funeral expenses, the payment under~~
6 ~~sub. (6) (e), or the consolidation of debt~~ under sub. (10). The department may
7 prescribe loan conditions, but the term of the loan may not exceed 10 years. The
8 department shall ensure that the proceeds of any loan made under this section shall
9 first be applied to pay any delinquent child support or maintenance payments and
10 then to pay any past support, medical expenses, or birth expenses.

11 **SECTION 22.** 45.356 (3) of the statutes is amended to read:

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

16 **SECTION 23.** 45.356 (8) of the statutes is amended to read:

17 45.356 (8) No person may receive a loan under this section in an amount that,
18 when added to the balance outstanding on the person's existing loans under s. 45.351
19 (2), 1995 stats., and s. 45.356, 1995 stats., would result in a total indebtedness to the
20 department of more than ~~\$15,000, or a lesser amount as established by the~~
21 ~~department by rule~~ \$25,000.

22 **SECTION 24.** 45.356 (10) of the statutes is created to read:

23 45.356 (10) Subject to the limit established in subs. (2) and (3), the department
24 may periodically adjust the maximum loan amount based upon financial market

1 conditions, funds available, needs of the veterans trust funds, or other factors that
2 the department considers relevant.

3 **SECTION 25.** 45.356 (11) of the statutes is created to read:

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

8 **SECTION 26.** 45.356 (12) of the statutes is created to read:

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

18 **SECTION 27.** 45.358 (1) (b) of the statutes is amended to read:

19 45.358 (1) (b) “Veteran” means a person who has served on active duty, except
20 service on active duty for training purposes, in the U.S. armed forces.

21 **SECTION 28.** 45.396 (5) (a) [✓] of the statutes, as affected by 2003 Wisconsin Act 33,
22 is amended to read:

23 45.396 (5) (a) Except as provided in par. (b), the amount of the reimbursement
24 may not exceed the total cost of the ~~individual's~~ veteran's tuition or the standard cost
25 for a state resident for tuition for an equivalent undergraduate course at the

1 University of Wisconsin–Madison per course, whichever is less, minus any grants or
2 scholarships that the veteran receives specifically for the payment of tuition and may
3 not be provided to ~~an individual~~ a veteran more than 4 times during any consecutive
4 12–month period.

5 **SECTION 29.** 45.396 (7) (a) (intro.) of the statutes is renumbered 45.396 (7) (a)
6 and amended to read:

7 45.396 (7) (a) No veteran may receive a grant under this section if the
8 department determines, ~~after disregarding any payment described under s. 45.85,~~
9 ~~1997 stats.,~~ that the income of the veteran and his or her spouse exceeds \$500
10 \$50,000 plus \$1,000 for each dependent in excess of 2 dependents ~~plus whichever of~~
11 ~~the following applies:.~~

12 **SECTION 30.** 45.396 (7) (a) 1. and 2. of the statutes are repealed.

13 ~~**SECTION 31.** 45.396 (9) of the statutes is repealed.~~

14 **SECTION 32.** 45.43 (7) (d) of the statutes is created to read:

15 45.43 (7) (d) Notwithstanding par. (c), an eligible county with a part–time
16 county veterans’ service officer may submit a request for and receive a grant under
17 par. (b) or a grant in excess of the maximum allowed under par. (c) if the county
18 submits with the request a plan for full–time service to veterans in that county that
19 has been adopted by the county by resolution. The ~~department~~ ^{board} shall review the plan
20 and approve the grant at the requested amount or at a lesser amount based on the
21 plan’s compliance with criteria established by the ~~department~~ ^{board}.

22 **SECTION 33.** 45.71 (2) of the statutes is amended to read:

23 45.71 (2) “Authorized lender” means any lender or servicer authorized under
24 s. 45.79 (5) (a) 5. to make or service loans under s. 45.79.

25 **SECTION 34.** 45.71 (16) (a) 2m. (intro.) of the statutes is amended to read:

1 45.71 (16) (a) 2m. (intro.) The person is either a resident of and living in this
2 state at the time of making application, is serving on active duty in the U.S. armed
3 forces at the time of making application, or is deceased, and meets one of the
4 following conditions:

5 **SECTION 35.** 45.79 (2) (a) of the statutes is amended to read:

6 45.79 (2) (a) *Application and content.* Applications for loans under this section
7 for a purpose specified in s. 45.76 (1) (a), (b), or (d) shall be made to an authorized
8 lender and applications for loans under this section for a purpose specified under s.
9 45.76 (1) (c) ~~shall~~ may be made to the department or to a county veterans' service
10 officer on forms approved by the department and signed by the applicant. If the
11 applicant is married and not separated or in the process of obtaining a divorce, the
12 applicant's spouse also shall sign the application.

13 **SECTION 36.** 45.79 (2) (b) of the statutes is amended to read:

14 45.79 (2) (b) *Certification by department.* The applicant ~~shall~~ may apply
15 directly to the department or through a county veterans' service officer for
16 certification of eligibility as a veteran.

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

18 45.79 (5) (a) 11. Enter into contracts with persons other than authorized
19 lenders for the servicing of loans made under this section.

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

21 45.79 (7) (a) 12. To make payments of obligations arising from the acquisition
22 of a headquarters building for the department under s. 45.35 (20).

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

24 45.79 (13) REPAYMENT OF LOAN. Any money appropriated or transferred by law
25 from the veterans mortgage loan repayment fund for purposes other than those

1 listed in sub. (7), other than moneys made temporarily available to other funds under
2 s. 20.002 (11), shall be repaid from the general fund with interest at a rate of 5% per
3 year from the the date of the appropriation or transfer to the date of repayment.

4 **SECTION 40.** 71.03 (7) (d) of the statutes is created to read:

5 71.03 (7) (d) For taxable years beginning after December 31, 2002, and before
6 January 1, 2005, for persons who served in support of Operation Iraqi Freedom or
7 an operation that is a successor to Operation Iraqi Freedom in the United States, or
8 for persons who qualify for a federal extension of time to file under 26 USC 7508, who
9 served outside the United States because of their participation in Operation Iraqi
10 Freedom or an operation that is a successor to Operation Iraqi Freedom in the Iraqi
11 Freedom theater of operations.

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

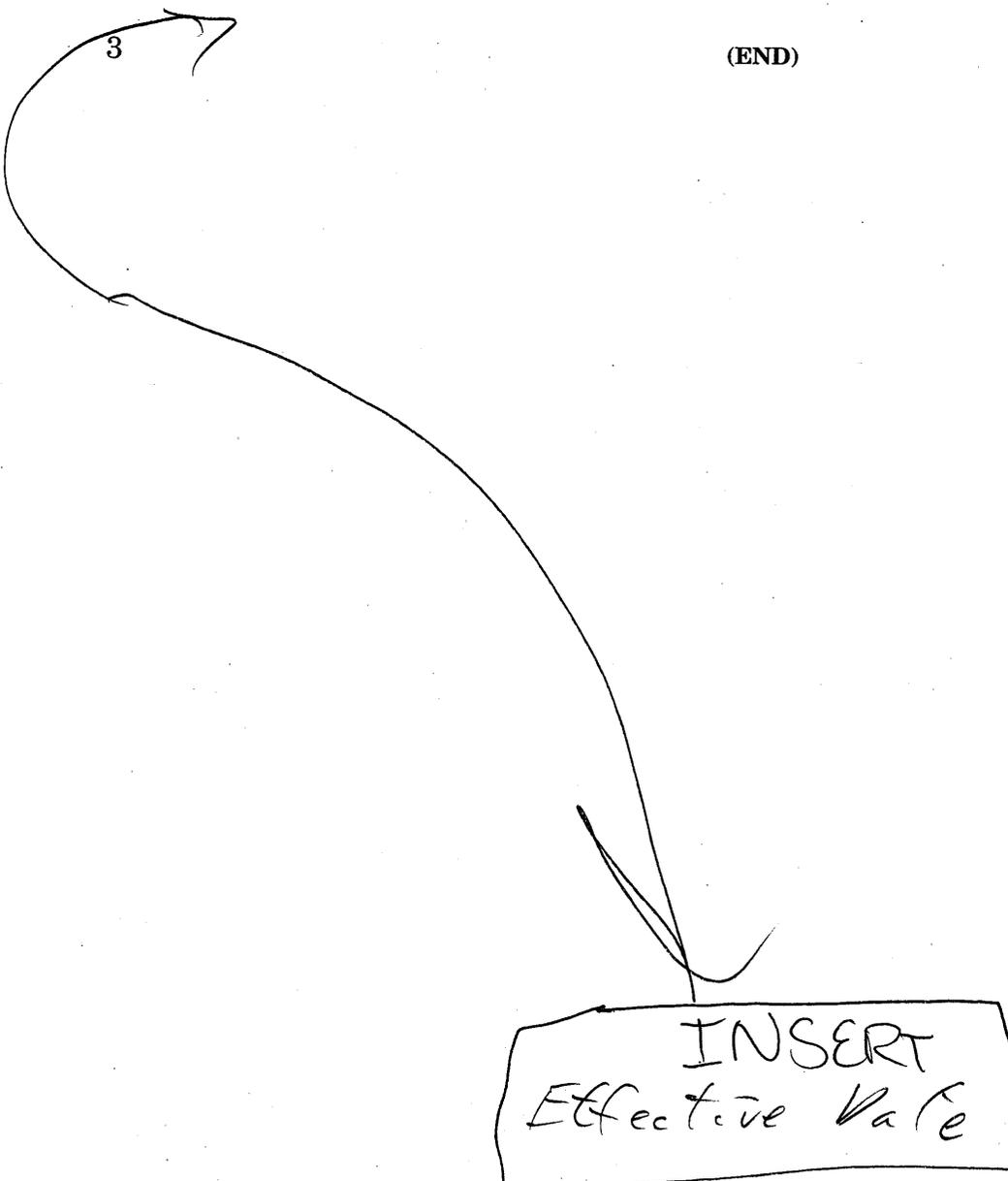
13 **SECTION 42.** 341.14 (6) (a) of the statutes is amended to read:

14 341.14 (6) (a) Upon application to register an automobile or a motor truck or
15 dual purpose farm truck that has a gross weight of not more than 8,000 pounds by
16 any person who was a member of any of the U.S. armed services and who was held
17 as a prisoner of war during any of the conflicts described in s. 45.001 (5) ^{strike} (b) to (i) ^{strike}
18 or in Bosnia, Grenada, Lebanon, Panama, Somalia, or a Middle East crisis under s.
19 45.34, and upon submission of a statement from the U.S. department of veterans
20 affairs certifying that the person was a prisoner of war during one of the conflicts
21 described in s. 45.001 (5) ^{strike} (b) to (i) ^{strike} or in Bosnia, Grenada, Lebanon, Panama,
22 Somalia, or a Middle East crisis under s. 45.34, the department shall issue to the
23 person a special plate that is colored red, white, and blue and that has the words

1 "ex-prisoner of war" placed on the plate in the manner designated by the
2 department.

3

(END)



INSERT
Effective Date

2003

INSERT effective date

Nonstat File Sequence: **FFF**

LRB S 0207, 2

RPN : _____ : _____

EFFECTIVE DATE

1. In the component bar: For the action phrase, execute: ... **create** → **action:** → *NS: → **effdate**
For the text, execute: **create** → **text:** → *NS: → **effdateA**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

SECTION # ____ . **Effective date.**

(#1) () This act takes effect on

1. In the component bar: For the action phrase, execute: .. **create** → **action:** → *NS: → **effdateE**
For the text, execute: **create** → **text:** → *NS: → **effdate**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

SECTION # ____ . **Effective dates;**

..... This act takes effect on the day after publication, except as follows:

(#1) () The treatment of sections 45.43(7)(d) of the statutes takes effect on the first day of the 7th month beginning after publication. (end ins)

1. In the component bar: For the budget action phrase, execute:..**create** → **action:** → *NS: → **94XX**
For the text, execute: **create** → **text:** → *NS: → **effdate**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the **9400** department code.

SECTION 94 ____ . **Effective dates;**

(#1) () The treatment of sections of the statutes takes effect on

Insert 4-15

Section #. 28.035 (3) (a)^X of the statutes is amended to read:

28.035 (3) (a) The written lease entered into between the Wisconsin state department of the American Legion and the department of natural resources dated June 15, 1944, which leases Camp American Legion for a period of 10 years commencing June 1, 1944, shall continue in full force for an additional 10 years, and may be renewed for additional 10-year periods thereafter, notwithstanding the expiration of the term expressed therein, so long as the Wisconsin state department of the American Legion or any of the American Legion posts organized under s. 188.08 maintains on such property structures which were constructed prior to May 31, 1956, at the expense of the Wisconsin state department of the American Legion or any such post, for the purpose of the rehabilitation, restoration or recreation of veterans and their dependents of the Spanish-American war, the Philippine insurrection, the Mexican border service, World Wars I and II, ^{the Iraq war} the Korean conflict, the Vietnam war and Grenada, Lebanon, ^{WW} Panama, Somalia, or a Middle East crisis under s. 45.34.

History: 1971 c. 164; 1977 c. 29 s. 537; 1977 c. 224; 1979 c. 34; 1983 a. 430; 1987 a. 399; 1991 a. 2, 165; 1993 a. 16.

✓ Insert 9-12

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7. Page 8, line 5: after "entitlement" insert "6", except for emergency care as determined by the department if the application for the health care aid is submitted within 90 days after the emergency care ends⁴.

8. Page 10, line 20: delete lines 20 to 25.

9. Page 11, line 1: delete lines 1 to 3.

10. Page 11, line 15: delete "officer office" and substitute "officer".

11. Page 11, line 16: after "\$500" insert "6", unless the county has a full-time county veterans' service office, in which case par. (b) applies".

(END)