

2005 ASSEMBLY BILL 1034

February 20, 2006 – Introduced by Representatives LOEFFELHOLZ, MUSSER, GARD, TURNER, AINSWORTH, ALBERS, BIES, BOYLE, CULLEN, DAVIS, FIELDS, J. FITZGERALD, FREESE, FRISKE, GRONEMUS, GUNDERSON, GUNDRUM, HAHN, HEBL, HINES, HUBLER, HUNDERTMARK, KLEEFISCH, KRAWCZYK, KESTELL, KREIBICH, KREUSER, LAMB, F. LASEE, LEMAHIEU, LOTHIAN, MEYER, MOLEPSKE, MONTGOMERY, MOULTON, NELSON, NERISON, NEWCOMER, NISCHKE, OTT, OWENS, PETROWSKI, PETTIS, PRIDEMORE, RHOADES, SCHNEIDER, SHERIDAN, SHERMAN, SHILLING, SINICKI, STEINBRINK, STONE, STRACHOTA, SUDER, TOWNS, TOWNSEND, TRAVIS, VAN ROY, VRUWINK, WIECKERT, M. WILLIAMS, WOOD, YOUNG, ZEPNICK, GRIGSBY and KRUSICK, cosponsored by Senators S. FITZGERALD, BROWN, BRESKE, CARPENTER, COGGS, ERPENBACH, GROTHMAN, HANSEN, HARSDORF, KANAVAS, KAPANKE, LASSA, LAZICH, LEIBHAM, OLSEN, ROBSON, ROESSLER, STEPP, WIRCH, ZIEN, A. LASEE, TAYLOR and DARLING. Referred to Committee on Veterans Affairs.

1 **AN ACT to amend** 20.485 (1) (gk), 36.27 (3n) (a) 1., 36.27 (3n) (a) 2., 36.27 (3p)
 2 (b), 38.24 (7) (a) 1., 38.24 (7) (a) 2. and 38.24 (8) (b); and **to create** 45.03 (20) of
 3 the statutes; **relating to:** the transfer of funds to the veterans trust fund,
 4 exempting certain veterans from tuition and fees at the University of Wisconsin
 5 System and at technical colleges, eligibility for tuition fee remissions of
 6 unremarried surviving spouses and children of certain deceased veterans,
 7 information technology server and network infrastructure staff in the
 8 Department of Veterans Affairs, and making an appropriation.

Analysis by the Legislative Reference Bureau

Currently, the Department of Veterans Affairs (DVA) may expend only the amount for DVA institutional operations (veterans homes) that is in the appropriation account for those operations. Any excess funds that are not spent in the fiscal year remain in the account. This bill allows DVA to transfer money from the appropriation account for the institutional operations to the veterans trust fund if the amount in that account during fiscal year 2006–07 that is in excess of the amount needed to fund the operations of the institutions. The bill limits the amount that may be transferred to \$16,000,000.

Current law requires the University of Wisconsin (UW) System and each technical college district board to grant to certain veterans who are residents of this

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state (for veterans benefits purposes) a remission equal to 50 percent of the cost of academic fees at any UW institution or technical college for 128 credits or eight semesters, whichever is longer. This bill grants full remission of academic fees.

Under current law, as created in 2005 Wisconsin Act 25 (the budget bill), the spouse, surviving spouse, and children of certain veterans are eligible for the full remission of academic and segregated fees from the University of Wisconsin System and from the technical college system. The unremarried surviving spouses and children are eligible for the tuition remission if the veteran was a resident of this state at the time of entry into service and, while a resident of this state, either died on active duty, or died in the line of duty while on active or inactive duty for training purposes. In addition, the veteran either has to have died while on duty and while a resident or have incurred at least a 30 percent service-connected disability rating while a resident. This bill removes the eligibility requirement that the veteran was a resident at the time that he or she incurred at least a 30 percent service-connected disability rating. The bill expands the tuition remission eligibility to include unremarried surviving spouses and children of veterans who were residents of this state at the time of entry into service and who, while a resident of this state, died as the result of a service-connected disability.

The budget bill consolidated most state staff employed in the area of information technology server and network infrastructure into a central staff at the Department of Administration, including staff from DVA.

This bill reverses that consolidation for the Department of Veterans Affairs and authorizes 3.29 FTE positions in the department.

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

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

1 **SECTION 1.** 20.485 (1) (gk) of the statutes, as affected by 2005 Wisconsin Act 22,
2 is amended to read:
3 20.485 (1) (gk) *Institutional operations.* The amounts in the schedule for the
4 care of the members of the Wisconsin veterans homes under s. 45.50, ~~and~~ for the
5 payment of stipends under s. 45.50 (9), and for the transfer of moneys under s. 45.03
6 (20). All moneys received under par. (m) and s. 45.51 (7) (b) and (8) shall be credited
7 to this appropriation.

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1 **SECTION 2.** 36.27 (3n) (a) 1. of the statutes, as created by 2005 Wisconsin Act
2 25, is amended to read:

3 36.27 **(3n)** (a) 1. A person who has served on active duty under honorable
4 conditions in the U.S. armed forces, in forces incorporated as part of the U.S. armed
5 forces, in the national guard, or in a reserve component of the U.S. armed forces; who
6 was a resident of this state at the time of entry into that service; and who, while a
7 resident of this state, ~~either died on active duty,~~ died as the result of a
8 service-connected disability, or died in the line of duty while on active or inactive
9 duty for training purposes.

10 **SECTION 3.** 36.27 (3n) (a) 2. of the statutes, as created by 2005 Wisconsin Act
11 25, is amended to read:

12 36.27 **(3n)** (a) 2. A person who was a resident of this state at the time of entry
13 into service described in subd. 1. and who, ~~while a resident of this state,~~ incurred the
14 U.S. department of veteran affairs has awarded at least a 30 percent
15 service-connected disability rating under 38 USC 1114 or 1134.

16 **SECTION 4.** 36.27 (3p) (b) of the statutes, as created by 2005 Wisconsin Act 25,
17 is amended to read:

18 36.27 **(3p)** (b) The board shall grant ~~a full~~ remission equal to ~~100 percent~~ of
19 nonresident tuition and ~~50 percent of the,~~ academic fees, and segregated fees charged
20 for 128 credits or 8 semesters, whichever is longer, less the amount of any academic
21 fees or segregated fees paid under 10 USC 2107 (c) or 38 USC 3104 (a) (7) (A), to any
22 student who is a veteran.

23 **SECTION 5.** 38.24 (7) (a) 1. of the statutes, as created by 2005 Wisconsin Act 25,
24 is amended to read:

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1 38.24 (7) (a) 1. A person who has served on active duty under honorable
2 conditions in the U.S. armed forces, in forces incorporated as part of the U.S. armed
3 forces, in the national guard, or in a reserve component of the U.S. armed forces; who
4 was a resident of this state at the time of entry into that service; and who, while a
5 resident of this state, ~~either died on active duty,~~ died as the result of a
6 service-connected disability, or died in the line of duty while on active or inactive
7 duty for training purposes.

8 **SECTION 6.** 38.24 (7) (a) 2. of the statutes, as created by 2005 Wisconsin Act 25,
9 is amended to read:

10 38.24 (7) (a) 2. A person who was a resident of this state at the time of entry
11 into service described in subd. 1. and who, ~~while a resident of this state, incurred the~~
12 U.S. department of veteran affairs has awarded at least a 30 percent
13 service-connected disability rating under 38 USC 1114 or 1134.

14 **SECTION 7.** 38.24 (8) (b) of the statutes, as created by 2005 Wisconsin Act 25,
15 is amended to read:

16 38.24 (8) (b) The district board shall grant full remission ~~equal to 50 percent~~
17 of the fees charged under sub. (1m) (a) to (c) for 128 credits or 8 semesters, whichever
18 is longer, less the amount of any fees paid under 10 USC 2107 (c) or 38 USC 3104 (a)
19 (7) (A), to any student who is a veteran.

20 **SECTION 8.** 45.03 (20) of the statutes is created to read:

21 45.03 (20) TRANSFER OF FUNDS TO THE VETERANS TRUST FUND. If the balance in
22 the appropriation account under s. 20.485 (1) (gk) is in excess of the amount needed
23 for the care of the members of the Wisconsin veterans homes under s. 45.50 and the
24 payment of stipends under s. 45.50 (9) during fiscal year 2006–07, the department

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1 may transfer the excess moneys to the veterans trust fund. The amount transferred
2 under this subsection may not exceed \$16,000,000.

3 **SECTION 9. Nonstatutory provisions.**

4 (1) The authorized FTE positions for the department of veterans affairs, funded
5 from the appropriation under s. 20.485 (1) (gk), are increased for fiscal year 2006–07
6 by 1.51 PR positions for the purpose of providing information technology server and
7 network infrastructure staff.

8 (2) The authorized FTE positions for the department of veterans affairs, funded
9 from the appropriation under s. 20.485 (2) (u), are increased for fiscal year 2006–07
10 by 0.71 SEG positions for the purpose of providing information technology server and
11 network infrastructure staff.

12 (3) The authorized FTE positions for the department of veterans affairs, funded
13 from the appropriation under s. 20.485 (3) (s), are increased for fiscal year 2006–07
14 by 1.07 SEG positions for the purpose of providing information technology server and
15 network infrastructure staff.

16 **SECTION 10. Effective date.**

17 (1) This act takes effect on July 1, 2006.

18

(END)