

**2005 DRAFTING REQUEST**

**Bill**

Received: **09/29/2004**

Received By: **rnelson2**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 7-0371**

By/Representing: **Caucutt**

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

Drafter: **rnelson2**

May Contact:

Addl. Drafters:

Subject: **Veterans - veterans benefits**

Extra Copies:

Submit via email: **NO**

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**Pre Topic:**

DOA:.....Caucutt, BB0111 -

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**Topic:**

Health care and subsistence grant programs

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**Instructions:**

See Attached

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**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 10/18/2004	jdyer 11/01/2004		_____			State
/1			rschluet 11/01/2004	_____	lemery 11/01/2004		State
/2	rnelson2 11/02/2004 rnelson2 01/25/2005	jdyer 11/04/2004 wjackson 01/25/2005	rschluet 11/04/2004	_____	lemery 11/04/2004		State
/3			pgreensl 01/25/2005	_____	lemery 01/25/2005		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/4	rnelson2 01/31/2005	jdyer 01/31/2005	rschluet 01/31/2005	_____	sbasford 01/31/2005		

FE Sent For:

<END>

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/3		14 1/31 jcd	pgreensl 01/25/2005	_____	lemery 01/25/2005		

*[Handwritten signatures and initials]*  
P6

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**<END>**

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/1			rschluet 11/01/2004	<u>✓</u> 25	lemery 11/01/2004		State
/2	rnelson2 11/02/2004	jdyer 11/04/2004	rschluet 11/04/2004	<u>ps</u> 1a	lemery 11/04/2004		

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ps

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/?	rnelson2 10/18/2004	jdyer 11/01/2004					State
/1		12/11/04 jld	rschluet 11/01/2004		lemery 11/01/2004		

FE Sent For:

*Handwritten notes:*  
A large scribble covers the 'Typed' and 'Proofed' columns for the second row.  
Below the scribble, the word '<END>' is written.  
Further down, the numbers '11', '4', and '4' are written vertically.

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/?	rnelson2	1/1 jld					

FE Sent For:

<END>

## 2003-05 Budget Bill Statutory Language Drafting Request

- Topic: Health Care Aid Grant and Subsistence Aid Grant Program Changes
- Tracking Code: BB0111
- SBO team: Ops
- SBO analyst: Carole Schaeffer
  - Phone: 7-0371
  - Email: [carole.schaeffer@doa.state.wi.us](mailto:carole.schaeffer@doa.state.wi.us)
- Agency acronym: DVA
- Agency number: 485

DIN 6204 Temporary Emergency Aid Program Changes

**HEALTH CARE AID GRANT AND SUBSISTENCE AID GRANT PROGRAM CHANGES**

As part of the 10-year Veterans Trust Fund solvency plan, the department is proposing to combine the Health Care Aid Grant (HCAG) and Subsistence Aid Grant (SAG) programs into a program that provides temporary emergency aid to veterans. Statutory language amending the program has been drafted by the Legislative Reference Bureau as LRB-0117/P1. A copy of LRB-0117/P1 is provided on the next page.

As currently drafted, the changes to the HCAG and SAG programs include the following:

General Provisions:

1. \$5,000 total lifetime limit for each veteran.
2. Spouses, widows and dependents not eligible.
3. Income limits.

Health Care Component:

1. Limited to dental/dentures, vision and hearing aid assistance
2. Maximum reimbursement:

Dental/Dentures	\$2,500
Hearing	\$1,500
Eyeglasses	\$ 500

Subsistence Aid Component:

1. Retain a limited disaster assistance component
2. Maximum award of \$2,000 per occurrence during a 12-month period
3. Eliminate PTSD.

( )  
000216



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-03297

RPN:.....

SOON

Jed  
+  
Imk

DOA:.....Schaeffer, BB0111 - Health care and subsistence grant programs

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

don't gen

1

AN ACT ...; relating to: the budget. ✓

*Analysis by the Legislative Reference Bureau*

**VETERANS AND MILITARY AFFAIRS** ✓

Under current law, DVA may grant aid to any incapacitated veteran or a dependent of a veteran in an amount that DVA determines is necessary to prevent want or distress. The aid may be provided if the incapacitation resulted from drug abuse and the recipient is participating in a drug abuse treatment program. The aid is limited to three months in any 12-month period. Currently, DVA may grant temporary health care aid to a veteran or dependent of a veteran to meet medical or hospital bills. The amount of aid is limited to \$5,000 in any 12-month period. The aid may be used to provide for the treatment of alcoholism or other drug addiction. The aid may be paid to the health care provider. No health care aid may be paid currently if the liquid assets of the veteran's household exceeds \$1,000. ✓

Under this bill, the aid is limited to incapacitated veterans and the maximum aid that DVA may grant is \$2,000 in a 12-month period. The bill limits the payment for health care assistance to dental, vision, and hearing care, with a limit in a 12-month period of \$2,500 for dental care, \$500 for vision care, and \$1,500 for hearing care. The bill places a limit of \$5,000 on the amount that a veteran may receive under these programs.

amount of

\*

✓  
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

~~(END)~~



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT to amend** 20.485 (2) (vg), 20.485 (2) (vm), 25.36 (1), 45.348 (title) and (1)  
 2 (intro.), 45.348 (2) (a) (intro.), 45.35 (17) (c) 1m. (intro.), 45.35 (17) (c) 2. (intro.)  
 3 and 45.35 (17) (c) 3.; and **to repeal and recreate** 45.351 of the statutes;  
 4 **relating to:** subsistence aid and health care aid for veterans and making an  
 5 appropriation.

---

***Analysis by the Legislative Reference Bureau***

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

---

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

6 **SECTION 1.** 20.485 (2) (vg) of the statutes is amended to read:  
 7 20.485 (2) (vg) *Health care aid grants.* The amounts in the schedule for the  
 8 payment of benefits to veterans and their dependents under s. 45.351 <sup>✓</sup>(~~1j~~) (2).

9 **SECTION 2.** 20.485 (2) (vm) of the statutes is amended to read:

## SECTION 2

1           20.485 (2) (vm) ~~Subsistence grants~~ Assistance to needy veterans.<sup>✓</sup> The amounts  
2           in the schedule for ~~payment of subsistence grants to veterans and their dependents~~  
3           ~~payments~~ under s. 45.351 (1).<sup>✓</sup>

4           → NOTE: bud  
          SECTION 3. 25.36 (1) of the statutes is amended to read:

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

24          SECTION 4. 45.348 (title) and (1) (intro.) of the statutes are amended to read:

1 45.348 (title) **Dependent and child care defined for ss. 45.35, 45.351, and**

2 **45.356. (1)** (intro.) In this section and ss. 45.35, ~~45.351~~, and 45.356 unless otherwise  
3 modified, "child" means any natural child, any legally adopted child, any stepchild  
4 or child if a member of the veteran's household, or any nonmarital child if the veteran  
5 acknowledges paternity or paternity has been otherwise established.

6 **SECTION 5.** 45.348 (2) (a) (intro.) of the statutes is amended to read:

7 45.348 (2) (a) (intro.) In ~~ss. s.~~ 45.35 ~~and 45.351~~, "dependent" includes any of the  
8 following:

9 **SECTION 6.** 45.35 (17) (c) 1m. (intro.) of the statutes is amended to read:

10 45.35 (17) (c) 1m. (intro.) The department shall declare immediately due and  
11 payable any loan made after July 29, 1979 under a program administered by the  
12 department under ~~s. 45.351~~ or subch. II, if it finds that the loan was granted to an  
13 ineligible person due to any of the following circumstances:

14 **SECTION 7.** 45.35 (17) (c) 2. (intro.) of the statutes is amended to read:

15 45.35 (17) (c) 2. (intro.) Loan application forms processed by the department  
16 for programs administered under ~~s. 45.351~~ or subch. II shall:

17 **SECTION 8.** 45.35 (17) (c) 3. of the statutes is amended to read:

18 45.35 (17) (c) 3. The department shall incorporate the payment acceleration  
19 requirements of subd. 1m. in all loan documents for programs administered by the  
20 department under ~~s. 45.351~~ or subch. II.

21 **SECTION 9.** 45.351 of the statutes is repealed and recreated to read:

22 **45.351 Assistance to needy veterans.** (1) <sup>✓</sup>SUBSISTENCE AID. (a) The  
23 department may provide subsistence payments to a veteran on a month-to-month  
24 basis or for a 3-month period. The department may pay subsistence aid for a  
25 3-month period if the veteran will be incapacitated for more than <sup>✓</sup>3 months and if

1 earned or unearned income or aid from sources other than those listed in the  
2 application will not be available in the 3-month period. The department may grant  
3 subsistence aid under this subsection to a veteran whose incapacitation is the result  
4 of abuse of alcohol or other drugs only if the veteran is participating in an alcohol and  
5 other drug abuse treatment program that is approved by the department.

6 (b) The maximum amount that any veteran may receive under this subsection  
7 per occurrence during a consecutive 12-month period may not exceed \$2,000.

8 (2) HEALTH CARE. (a) The department may provide health care aid to a veteran  
9 for dental care, including dentures; vision care, including eyeglass frames and  
10 lenses; and hearing care, including hearing aids.

11 (b) The maximum amount that may be paid under this subsection for any  
12 consecutive 12-month period may not exceed \$2,500 for dental care, \$500 for vision  
13 care, and \$1,500 for hearing care.

14 (c) The department may not provide health care aid under this subsection  
15 unless the aid recipient's health care provider agrees to accept, as full payment for  
16 the health care provided, the amount of the payment, the amount of the recipient's  
17 health insurance or other 3rd-party payments, if any, and the amount that the  
18 department determines the veteran is capable of paying. The department may not  
19 pay health care aid under this subsection if the liquid assets of the veteran are in  
20 excess of \$1,000.

21 (3) LIMITATIONS. The total cumulative amount that any veteran may receive  
22 under this section may not exceed \$5,000.

23 (4) APPROPRIATIONS. The department may make payments under this section  
24 from the appropriation in s. 20.485 (2) (vm). Nothing in this section empowers the  
25 department to incur any state debt.



*check w/ Jeff*

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7 from the appropriation in s. 20.485 (2) (vm). Nothing in this section empowers the  
8 department to incur any state debt.

9 (5) JOINT FINANCE SUPPLEMENTAL FUNDING. The department may submit a  
10 request to the joint committee on finance for supplemental funds from the veterans  
11 trust fund to be credited to the appropriation account under s. 20.485 (2) (vm). If the  
12 cochairpersons of the committee do not notify the secretary within 14 working days  
13 after the date of the department's submittal that the committee intends to schedule  
14 a meeting to review the request, the appropriation account shall be supplemented  
15 as provided in the request. If, within 14 working days after the date of the  
16 department's submittal, the cochairpersons of the committee notify the secretary  
17 that the committee intends to schedule a meeting to review the request, the  
18 appropriation account shall be supplemented only as approved by the committee.

(END)

*20.465 (3) (a)*

*s. 13.101 standards*

*This is an annual approp.  
This is trying to  
make this a combined  
program receipts  
and sum certain  
fund*



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-0329/1  
RPN:jld/lmk:rs

SOON

DOA:.....Schaeffer, BB0111 - Health care and subsistence grant programs

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

D-N

don't gen

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4           **SECTION 2.** 20.485 (2) (vm) of the statutes is amended to read:

5           20.485 (2) (vm) ~~*Subsistence grants*~~ *Assistance to needy veterans.* The amounts  
6 in the schedule for payment of ~~subsistence grants to veterans and their dependents~~  
7 payments under s. 45.351 (1).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

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

9           25.36 (1) Except as provided in sub. (2), all moneys appropriated or transferred  
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18 as they existed prior to July 1, 1961; all moneys paid as interest on and repayment  
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20 of veterans trust fund stabilization loans under s. 45.356, 1995 stats.; all moneys

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13 other drug abuse treatment program that is approved by the department.

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16           (2) **HEALTH CARE.** (a) The department may provide health care aid to a veteran  
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18 lenses; and hearing care, including hearing aids.

19           (b) The maximum amount that may be paid under this subsection for any  
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*to provide payments under this section*

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19

(END)

*insert 5-18 ✓*

2003 Senate Bill 44

2003 Wisconsin Act 33

Insert 5-17

SECTION 2474kf. 287.19 (2) of the statutes is amended to read:

287.19 (2) POWERS. In providing assistance under sub. (1), the department may provide assistance relating to the marketing of materials recovered from solid waste; if the provision of that assistance is a responsibility assigned to the department in a memorandum of understanding, contract or other agreement with the recycling market development board.

SECTION 2474kq. 287.22 (2) (c) of the statutes is amended to read:

287.22 (2) (c) Advise state agencies concerning the promulgation of rules under ss. 100.29, 100.295, and 101.126 and 560.031.

Vetoed In Part

SECTION 2474L. 287.26 of the statutes is created to read:

287.26 Recycling market development grants. (1) The department shall award a grant of \$50,000 in each fiscal year to a private, nonprofit, industry-supported organization that is described in section 501 (c) (3) of the Internal Revenue Code and that provides waste reduction and recycling assistance through business-to-business peer exchange. An organization that is awarded a grant must be instrumental in assisting and encouraging companies and institutions to reduce their operating costs through improved production and solid waste management practices and must be in existence on October 29, 1999.

(2) The department shall annually contract for the operation of a statewide materials exchange program with a materials exchange program that received funding from the recycling market development board in the 1997-99 fiscal biennium.

Vetoed In Part

SECTION 2475g. 289.64 (6) of the statutes is amended to read:

289.64 (6) USE OF SOLID WASTE FACILITY SITING BOARD FEES. The fees collected under sub. (2) shall be credited to the appropriation under s. 20.370 (2) (eg) for transfer to the appropriation under s. 20.505 (4) (k) (ei).

SECTION 2475e. 289.645 (4) (d) of the statutes is created to read:

289.645 (4) (d) The recycling fee does not apply to sediments that are contaminated with PCBs, as defined in s. 299.45 (1) (a), and that are removed from the bed of a navigable water of this state in connection with a phase of a project to remedy contamination of the bed of the navigable water if the quantity of the sediments removed, either in the phase or in combination with other planned phases of the project, will exceed 200,000 cubic yards.

Vetoed In Part

SECTION 2475r. 292.11 (14) of the statutes is created to read:

292.11 (14) FUNDING FROM AGRICHEMICAL MANAGEMENT FUND. If the department expends funds from the appropriation under s. 20.370 (2) (dv) to take action authorized under s. 94.73 (2m), the department may request the joint committee on finance to

supplement the appropriation under s. 20.370 (2) (dx) in an amount equal to the amount expended. If the department proposes to take action authorized under s. 94.73 (2m), the department may request the joint committee on finance to supplement the appropriation under s. 20.370 (2) (dx) in an amount equal to the amount that the department expects to expend to take that action.

Vetoed In Part

The joint committee on finance may, from the appropriation under s. 20.865 (4) (u), supplement the appropriation under s. ~~20.370 (2) (dx)~~ in an amount equal to the amount that the department ~~expects to expend~~ under ~~20.370 (2) (dx)~~. Notwithstanding s. 13.101 (3) (a), the committee is not required to find that an emergency exists.

20,485 (2) (vm)

this section

SECTION 2479. 292.77 of the statutes is repealed.

SECTION 2481. 292.94 of the statutes is created to read:

292.94 Fees related to enforcement actions. The department may assess and collect fees from a person who is subject to an order or other enforcement action for a violation of s. 292.11 or 292.31 to cover the costs incurred by the department to review the planning and implementation of any environmental investigation or environmental cleanup that the person is required to conduct. The department shall promulgate rules for the assessment and collection of fees under this section. Fees collected under this section shall be credited to the appropriation account under s. 20.370 (2) (dh).

plan text

SECTION 2481s. 299.41 of the statutes is renumbered 93.57 and amended to read:

93.57 Household hazardous waste. The department shall establish and administer a grant program to assist municipalities and regional planning commissions in creating and operating local programs for the collection and disposal of household hazardous waste.

SECTION 2482. 299.93 (3) of the statutes is amended to read:

299.93 (3) If any deposit is made for an offense to which this section applies, the person making the deposit shall also deposit a sufficient amount to include the environmental assessment prescribed in this section. If the deposit is forfeited, the amount of the environmental assessment shall be transmitted to the state treasurer secretary of administration under sub. (4). If the deposit is returned, the environmental assessment shall also be returned.

SECTION 2483. 299.93 (4) of the statutes is amended to read:

299.93 (4) The clerk of the court shall collect and transmit to the county treasurer the environmental assessment and other amounts required under s. 59.40 (2) (m). The county treasurer shall then make payment to the state treasurer secretary of administration as provided in s. 59.25 (3) (f) 2. The state treasurer secretary of administration shall deposit the amount of the assessment in the environmental fund.

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0329/2dn  
RPN:jld/lmk:rs

Carole Schaeffer,

Peter Dykman reviewed this draft and said that the language in s. 45.351 (5) is not correct. I took that from current law, which apparently is incorrect. Instead, he referred me to language in Act 33, Section 2475r, for the correct way to do what is the intent of this draft. (that language was vetoed)

t

2003 Wisconsin

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

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0329/2dn  
RPN:jld/lmk:rs

November 4, 2004

Carole Schaeffer,

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State of Wisconsin  
2005 - 2006 LEGISLATURE

RNR 3

LRB-0329/2

RPN:jld/lmk:rs

twlj

DOA:.....Schaeffer, BB0111 - Health care and subsistence grant programs

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

TODAY please

D-N

This draft reconciles LRB-0328 and LRB-0329 to appear in the compiled bill. Both drafts should continue in the compiled bill. RPN

1 AN ACT <sup>DO NOT GEN.</sup> relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**VETERANS AND MILITARY AFFAIRS**

Under current law, DVA may grant aid to any incapacitated veteran or a dependent of a veteran in an amount that DVA determines is necessary to prevent want or distress. The aid may be provided if the incapacitation resulted from drug abuse and the recipient is participating in a drug abuse treatment program. The aid is limited to three months in any 12-month period. Currently, DVA may grant temporary health care aid to a veteran or dependent of a veteran to meet medical or hospital bills. The amount of aid is limited to \$5,000 in any 12-month period. The aid may be used to provide for the treatment of alcoholism or other drug addiction. The aid may be paid to the health care provider. No health care aid may be paid currently if the liquid assets of the veteran's household exceeds \$1,000.

Under this bill, the aid is limited to incapacitated veterans and the maximum amount of aid that DVA may grant is \$2,000 in a 12-month period. The bill limits the payment for health care assistance to dental, vision, and hearing care, with a limit in a 12-month period of \$2,500 for dental care, \$500 for vision care, and \$1,500 for hearing care. The bill places a limit of \$5,000 on the amount that a veteran may receive under these programs.

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.** 20.485 (2) (vg) of the statutes is amended to read:

2           20.485 (2) (vg) *Health care aid grants.* The amounts in the schedule for the  
3 payment of benefits to veterans and their dependents under s. 45.351 (~~1j~~) (2).

4           **SECTION 2.** 20.485 (2) (vm) of the statutes is amended to read:

5           20.485 (2) (vm) ~~*Subsistence grants*~~ *Assistance to needy veterans.* The amounts  
6 in the schedule for ~~payment of subsistence grants to veterans and their dependents~~  
7 payments under s. 45.351 (1).

      \*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

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

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

1 paid as expenses for, interest on, and repayment of veterans personal loans; the net  
2 proceeds from the sale of mortgaged properties related to veterans personal loans;  
3 all mortgages issued with the proceeds of the 1981 veterans home loan revenue bond  
4 issuance purchased with moneys in the veterans trust fund; all moneys received from  
5 the state investment board under s. 45.356 (9) (b); all moneys received from the  
6 veterans mortgage loan repayment fund under s. 45.79 (7) (a) and (c); and all gifts  
7 of money received by the board of veterans affairs for the purposes of this fund.

8 **SECTION 4.** 45.348 (title) and (1) (intro.) of the statutes are amended to read:

9 **45.348 (title) Dependent and child care defined for ss. 45.35, 45.351, and**  
10 **45.356. (1) (intro.)** In this section and ss. 45.35, 45.351, and 45.356 unless otherwise  
11 modified, “child” means any natural child, any legally adopted child, any stepchild  
12 or child if a member of the veteran’s household, or any nonmarital child if the veteran  
13 acknowledges paternity or paternity has been otherwise established.

14 **SECTION 5.** 45.348 (2) (a) (intro.) of the statutes is amended to read:

15 45.348 (2) (a) (intro.) In ss. ~~s. 45.35 and 45.351~~, “dependent” includes any of the  
16 following:

17 **SECTION 6.** 45.35 (17) (c) 1m. (intro.) of the statutes is amended to read:

18 45.35 (17) (c) 1m. (intro.) The department shall declare immediately due and  
19 payable any loan made after July 29, 1979 under a program administered by the  
20 department under ~~s. 45.351 or~~ subch. II, if it finds that the loan was granted to an  
21 ineligible person due to any of the following circumstances:

22 **SECTION 7.** 45.35 (17) (c) 2. (intro.) of the statutes is amended to read:

23 45.35 (17) (c) 2. (intro.) Loan application forms processed by the department  
24 for programs administered under ~~s. 45.351 or~~ subch. II shall:

25 **SECTION 8.** 45.35 (17) (c) 3. of the statutes is amended to read:

1           45.35 (17) (c) 3. The department shall incorporate the payment acceleration  
2 requirements of subd. 1m. in all loan documents for programs administered by the  
3 department under ~~s. 45.351~~ or subch. II.

4           **SECTION 9.** 45.351 of the statutes is repealed and recreated to read:

5           **45.351 Assistance to needy veterans.** (1) **SUBSISTENCE AID.** (a) The  
6 department may provide subsistence payments to a veteran on a month-to-month  
7 basis or for a 3-month period. The department may pay subsistence aid for a  
8 3-month period if the veteran will be incapacitated for more than 3 months and if  
9 earned or unearned income or aid from sources other than those listed in the  
10 application will not be available in the 3-month period. The department may grant  
11 subsistence aid under this subsection to a veteran whose incapacitation is the result  
12 of abuse of alcohol or other drugs only if the veteran is participating in an alcohol and  
13 other drug abuse treatment program that is approved by the department.

14           (b) The maximum amount that any veteran may receive under this subsection  
15 per occurrence during a consecutive 12-month period may not exceed \$2,000.

16           (2) **HEALTH CARE.** (a) The department may provide health care aid to a veteran  
17 for dental care, including dentures; vision care, including eyeglass frames and  
18 lenses; and hearing care, including hearing aids.

19           (b) The maximum amount that may be paid under this subsection for any  
20 consecutive 12-month period may not exceed \$2,500 for dental care, \$500 for vision  
21 care, and \$1,500 for hearing care.

22           (c) The department may not provide health care aid under this subsection  
23 unless the aid recipient's health care provider agrees to accept, as full payment for  
24 the health care provided, the amount of the payment, the amount of the recipient's  
25 health insurance or other 3rd-party payments, if any, and the amount that the

1 department determines the veteran is capable of paying. The department may not  
2 pay health care aid under this subsection if the liquid assets of the veteran are in  
3 excess of \$1,000.

4 (3) LIMITATIONS. The total cumulative amount that any veteran may receive  
5 under this section may not exceed \$5,000.

6 (4) APPROPRIATIONS. The department may make payments under this section  
7 from the appropriation in s. 20.485 (2) (vm). Nothing in this section empowers the  
8 department to incur any state debt.

9 (5) JOINT FINANCE SUPPLEMENTAL FUNDING. The department may submit a  
10 request to the joint committee on finance for supplemental funds from the veterans  
11 trust fund to be credited to the appropriation account under s. 20.485 (2) (vm) to  
12 provide payments under this section. The joint committee on finance may, from the  
13 appropriation under s. 20.865 (4) (u), supplement the appropriation under s. 20.485  
14 (2) (vm) in an amount equal to the amount that the department expects to expend  
15 under this section. Notwithstanding s. 13.101 (3) (a), the committee is not required  
16 to find that an emergency exists.

17 (END)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0329/3dn  
RPN:wlj:pg

January 25, 2005

This redraft reconciles LRB-0328 and LRB-0329. Both drafts should continue to appear in the compiled bill.

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

**Nelson, Robert P.**

---

**From:** Caucutt, Dan  
**Sent:** Sunday, January 30, 2005 12:45 PM  
**To:** Hanaman, Cathlene; Nelson, Robert P.; Miller, Steve  
**Cc:** Schmiedicke, David; Kasper, Amy - Office of Governor Jim Doyle; Merry-Mason, Monica; LaBelle, Vicky  
**Subject:** FW: LRB Draft: 05-0329/3 Health care and subsistence grant programs

It looks like at this late hour that we need to include a draft (#329/3) previously marked out as \*in\* the next budget bill compile. This draft would need the addition of only two words as indicated below. All other provisions of the subject draft would go in as they are currently written. The Governor's office will receive and provide definitive confirmation of this early Monday morning, at which time I will formally notify you.

Linda: I will hold off on re-ginning the narratives for DVA. Vicky: I'll put the numbers into briefsys for re-upload to the budget system for Chapter 20. It will involve slightly modifying one existing appropriation title.

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

**From:** Kasper, Amy - Office of Governor Jim Doyle  
**Sent:** Sunday, January 30, 2005 12:27 PM  
**To:** Caucutt, Dan  
**Cc:** Schmiedicke, David; Casper, Tim - Office of Governor Jim Doyle  
**Subject:** RE: LRB Draft: 05-0329/3 Health care and subsistence grant programs

The only change to this draft would occur on page 4, lines 1-3 (see red below). Depending on what the Governor says tomorrow morning, it would read:

(b) The maximum amount that may be paid under this subsection for any consecutive 12-month period may not exceed \$2,500 for dental care, \$500 for vision care, and \$1,500 per ear for hearing care.

This would satisfy the CVSOs biggest concern, which was that one hearing aid only costs \$1000. It also keeps the total cumulative amount that any vet may receive in his or her lifetime at \$5000.

We will try to bring this before the Governor as soon as possible on Monday. Thanks for your patience.

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

**From:** Caucutt, Dan  
**Sent:** Sunday, January 30, 2005 11:50 AM  
**To:** Kasper, Amy - Office of Governor Jim Doyle  
**Subject:** FW: LRB Draft: 05-0329/3 Health care and subsistence grant programs

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

**From:** Greenslet, Patty [mailto:Patty.Greenslet@legis.state.wi.us]  
**Sent:** Tuesday, January 25, 2005 3:29 PM  
**To:** Caucutt, Dan  
**Cc:** Hanaman, Cathlene; Haugen, Caroline; Merry-Mason, Monica  
**Subject:** LRB Draft: 05-0329/3 Health care and subsistence grant programs

Following is the PDF version of draft 05-0329/3.  
<< File: 05-0329/3 >> << File: 05-0329/3dn >>



DOA:.....Caucutt, BB0111 - Health care and subsistence grant programs

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

To: Dan Caucutt D-N  
This draft provides \$1,500 care, as  
per car requested. hearing  
don't gen RPN

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**VETERANS AND MILITARY AFFAIRS**

Under current law, DVA may grant aid to any incapacitated veteran or a dependent of a veteran in an amount that DVA determines is necessary to prevent want or distress. The aid may be provided if the incapacitation resulted from drug abuse and the recipient is participating in a drug abuse treatment program. The aid is limited to three months in any 12-month period. Currently, DVA may grant temporary health care aid to a veteran or dependent of a veteran to meet medical or hospital bills. The amount of aid is limited to \$5,000 in any 12-month period. The aid may be used to provide for the treatment of alcoholism or other drug addiction. The aid may be paid to the health care provider. No health care aid may be paid currently if the liquid assets of the veteran's household exceeds \$1,000.

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per car

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

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5 unless the aid recipient's health care provider agrees to accept, as full payment for  
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24 (END)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0329/4dn  
RPN:jld:rs

January 31, 2005

To Dan Caucutt

This draft provides \$1,500 *per ear* for hearing care, as requested.

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



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-0329/4  
RPN:jld/lmk/wlj:rs

DOA:.....Caucutt, BB0111 - Health care and subsistence grant programs

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

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*Analysis by the Legislative Reference Bureau*

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      \*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

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12 or child if a member of the veteran’s household, or any nonmarital child if the veteran  
13 acknowledges paternity or paternity has been otherwise established.

14           **SECTION 4.** 45.348 (2) (a) (intro.) of the statutes is amended to read:

15           45.348 (2) (a) (intro.) In ~~ss. s.~~ s. 45.35 and ~~45.351,~~ “dependent” includes any of the  
16 following:

17           **SECTION 5.** 45.35 (17) (c) 1m. (intro.) of the statutes is amended to read:

18           45.35 (17) (c) 1m. (intro.) The department shall declare immediately due and  
19 payable any loan made after July 29, 1979 under a program administered by the

1 department under ~~s. 45.351 or~~ subch. II, if it finds that the loan was granted to an  
2 ineligible person due to any of the following circumstances:

3 **SECTION 6.** 45.35 (17) (c) 2. (intro.) of the statutes is amended to read:

4 45.35 (17) (c) 2. (intro.) Loan application forms processed by the department  
5 for programs administered under ~~s. 45.351 or~~ subch. II shall:

6 **SECTION 7.** 45.35 (17) (c) 3. of the statutes is amended to read:

7 45.35 (17) (c) 3. The department shall incorporate the payment acceleration  
8 requirements of subd. 1m. in all loan documents for programs administered by the  
9 department under ~~s. 45.351 or~~ subch. II.

10 **SECTION 8.** 45.351 of the statutes is repealed and recreated to read:

11 **45.351 Assistance to needy veterans.** (1) SUBSISTENCE AID. (a) The  
12 department may provide subsistence payments to a veteran on a month-to-month  
13 basis or for a 3-month period. The department may pay subsistence aid for a  
14 3-month period if the veteran will be incapacitated for more than 3 months and if  
15 earned or unearned income or aid from sources other than those listed in the  
16 application will not be available in the 3-month period. The department may grant  
17 subsistence aid under this subsection to a veteran whose incapacitation is the result  
18 of abuse of alcohol or other drugs only if the veteran is participating in an alcohol and  
19 other drug abuse treatment program that is approved by the department.

20 (b) The maximum amount that any veteran may receive under this subsection  
21 per occurrence during a consecutive 12-month period may not exceed \$2,000.

22 (2) HEALTH CARE. (a) The department may provide health care aid to a veteran  
23 for dental care, including dentures; vision care, including eyeglass frames and  
24 lenses; and hearing care, including hearing aids.

