

**ASSEMBLY BILL 210****SECTION 54**

1           **SECTION 54.** 20.485 (3) (rm) of the statutes is amended to read:

2           20.485 (3) (rm) *Other reserves.* As a continuing appropriation from the  
3 veterans mortgage loan repayment fund, all moneys deposited and held in the  
4 veterans mortgage loan repayment fund to pay costs under s. ~~45.79 (7) (a) 5. to 8. and~~  
5 ~~10. 45.37 (7) (a) 5. to 8. and 10.~~, for the purposes under s. ~~45.79 (7) (a) 5. to 8. and 10~~  
6 45.37 (7) (a) 5. to 8. and 10.

7           **SECTION 55.** 20.485 (3) (s) of the statutes is amended to read:

8           20.485 (3) (s) *General program operations.* The amounts in the schedule from  
9 the veterans mortgage loan repayment fund for general program operations of the  
10 veterans mortgage loan program under s. ~~45.79~~ 45.37.

11           **SECTION 56.** 20.485 (3) (sm) of the statutes is amended to read:

12           20.485 (3) (sm) *County grants.* The amounts in the schedule from the veterans  
13 mortgage loan repayment fund for payment of grants made under s. ~~45.43 (7)~~ 45.82.

14           **SECTION 57.** 20.485 (3) (t) of the statutes is amended to read:

15           20.485 (3) (t) *Debt service.* As a continuing appropriation from the veterans  
16 mortgage loan repayment fund, all moneys deposited and held in accounts in the  
17 veterans mortgage loan repayment fund to reimburse s. 20.866 (1) (u) for the  
18 payment of debt service costs incurred in providing veterans mortgage loans under  
19 s. ~~45.79 (6) (a)~~ 45.37 (6) (a) and for debt service costs incurred in contracting public  
20 debt for any of the purposes under s. 18.04 (5), for these purposes.

21           **SECTION 58.** 20.485 (3) (v) of the statutes is amended to read:

22           20.485 (3) (v) *Revenue obligation repayment.* All moneys received in the fund  
23 or funds created under s. ~~45.79 (9)~~ 45.37 (10) for the purposes of retiring revenue  
24 obligations, providing reserves, funding additional loans, purchasing assumed  
25 mortgages and funding program operations under s. ~~45.79 (6) (e) and (9)~~ 45.37 (6) (c)

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1 and (10). All moneys received are irrevocably appropriated in accordance with  
2 subch. II of ch. 18 and further established in resolutions authorizing the issuance of  
3 revenue obligations and setting forth the distribution of funds received thereafter.

4 **SECTION 59.** 20.485 (3) (w) of the statutes is amended to read:

5 20.485 (3) (w) *Revenue obligation funding*. As a continuing appropriation, all  
6 proceeds from revenue obligations issued under s. ~~45.79 (6) (e)~~ 45.37 (6) (c) and  
7 deposited in the fund created under s. 18.57 (1), for the costs of issuance and  
8 management of the obligations, to provide related reserve funds and for the purposes  
9 of s. ~~45.79~~ 45.37. Estimated disbursements under this paragraph shall not be  
10 included in the schedule under s. 20.005.

11 **SECTION 60.** 20.485 (3) (wd) of the statutes is amended to read:

12 20.485 (3) (wd) *Loan-servicing administration*. From the veterans mortgage  
13 loan repayment fund, the amounts in the schedule for administrative costs of  
14 servicing loans under s. ~~45.79 (5) (a) 10~~ 45.37 (5) (a) 10.

15 **SECTION 61.** 20.485 (3) (wg) of the statutes is amended to read:

16 20.485 (3) (wg) *Escrow payments, recoveries, and refunds*. From the veterans  
17 mortgage loan repayment fund, all moneys received by the department under s.  
18 ~~45.79 (5) (a) 6~~ 45.37 (5) (a) 6, to make payments required of the department under  
19 s. ~~45.79 (5) (a) 6~~ 45.37 (5) (a) 6.

20 **SECTION 62.** 20.485 (3) (wp) of the statutes is amended to read:

21 20.485 (3) (wp) *Loan-servicing rights*. Biennially, from the veterans mortgage  
22 loan repayment fund, the amounts in the schedule to purchase loan-servicing rights  
23 from authorized lenders under s. ~~45.79 (5) (a) 10~~ 45.37 (5) (a) 10.

24 **SECTION 63.** 20.485 (4) (g) of the statutes is amended to read:

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1           20.485 (4) (g) *Cemetery operations*. The amounts in the schedule for the care  
2 and operation of the veterans memorial cemeteries under s. ~~45.358~~ 45.61 other than  
3 those costs provided under pars. (q) and (r). All moneys received under s. ~~45.358~~ (3m)  
4 45.61 (3) shall be credited to this appropriation account.

5           **SECTION 64.** 20.485 (4) (h) of the statutes is amended to read:

6           20.485 (4) (h) *Gifts, grants and bequests*. All moneys received under s. ~~45.358~~  
7 (4) 45.61 (1) as gifts, grants or bequests to be expended for the purposes made.

8           **SECTION 65.** 20.485 (4) (m) of the statutes is amended to read:

9           20.485 (4) (m) *Federal aid; cemetery operations and burials*. All moneys  
10 received from the federal government for the operation of veterans memorial  
11 cemeteries under s. ~~45.358~~ 45.61 as authorized by the governor under s. 16.54, to be  
12 used for that purpose.

13           **SECTION 66.** 20.485 (4) (q) of the statutes is amended to read:

14           20.485 (4) (q) *Cemetery administration and maintenance*. From the veterans  
15 trust fund, the amounts in the schedule for the administrative and maintenance  
16 costs of operating the veterans memorial cemeteries under s. ~~45.358~~ 45.61.

17           **SECTION 67.** 20.485 (4) (r) of the statutes is amended to read:

18           20.485 (4) (r) *Cemetery energy costs*. From the veterans trust fund, the amounts  
19 in the schedule to be used at the veterans memorial cemeteries operated under s.  
20 ~~45.358~~ 45.61 for utilities and for fuel, heat and air conditioning and for costs incurred  
21 by or on behalf of the department of veterans affairs under ss. 16.858 and 16.895.

22           **SECTION 68.** 20.485 (5) (g) of the statutes is amended to read:

23           20.485 (5) (g) *Proprietary school programs*. The amounts in the schedule for  
24 the examination and approval of proprietary school programs. All moneys received  
25 from the issuance of solicitor's permits under s. ~~45.54~~ (8) 39.90 (6) and from the fees

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1 under s. ~~45.54 (10)~~ 39.90 (7) shall be credited to this appropriation, except those fees  
2 credited to par. (gm).

3 **SECTION 69.** 20.485 (5) (gm) of the statutes is amended to read:

4 20.485 (5) (gm) *Student protection.* All moneys received from the fees received  
5 under s. ~~45.54 (10) (e) 4.~~ 39.90 (7) (c) 4., for the purpose of indemnifying students,  
6 parents, or sponsors under s. ~~45.54 (10) (a)~~ 39.90 (7) (a).

7 **SECTION 70.** 20.866 (2) (zn) of the statutes is amended to read:

8 20.866 (2) (zn) *Veterans affairs; self-amortizing mortgage loans.* From the  
9 capital improvement fund, a sum sufficient for the department of veterans affairs for  
10 loans to veterans under s. ~~45.79 (6) (a)~~ 45.37 (6) (a). The state may contract public  
11 debt in an amount not to exceed \$2,120,840,000 for this purpose.

12 **SECTION 71.** 21.11 (3) of the statutes is amended to read:

13 21.11 (3) The adjutant general may activate members of the national guard for  
14 the purpose of serving on an honors detail of ~~a~~ military honors funeral funeral  
15 honors for a deceased veteran person described under s. ~~45.19~~ 45.60 (1).

16 **SECTION 72.** 21.16 of the statutes is repealed.

17 **SECTION 73.** 21.49 (4) (c) of the statutes is amended to read:

18 21.49 (4) (c) No guard member may receive a grant under sub. (3) for any  
19 semester in which he or she received a grant payment under s. ~~45.25~~ 45.20 (2).

20 **SECTION 74.** 21.74 of the statutes is created to read:

21 **21.74 Soldiers and sailors civil relief act; federal service.** (1) In this  
22 section, unless the context indicates otherwise:

23 (a) "Interest and penalties" means interest and penalties accruing on taxes  
24 during the period of military service and 6 months thereafter. In case several owners  
25 jointly own property, other than property held jointly or as marital property with the

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1 spouse of the person in military service, interest and penalties means the  
2 proportionate share of the total interest and penalties commensurate with the equity  
3 in the property of the person in military service.

4 (b) “Person in military service” means any man or woman who is serving on  
5 active duty in the U.S. armed forces, except service on active duty for training  
6 purposes.

7 (c) “Property” means any real estate or personal property belonging to a person  
8 in military service that was acquired prior to the commencement of military service  
9 or that was acquired by descent.

10 (d) “Taxes” means any general taxes or special assessments or tax certificates  
11 evidencing those taxes and assessments not belonging to private buyers.

12 (2) To supplement and complement the provisions of 50 App. USC 501, and to  
13 afford and obtain greater peace and security for persons in military service, the  
14 enforcement of certain tax obligations or liabilities that may prejudice the property  
15 rights of persons in military service may be temporarily suspended as provided in  
16 this section.

17 (3) Any person while in the military service of the United States or within 6  
18 months after terminating service, or the person’s agent or attorney during that  
19 period, may petition the circuit court of any county in which the person owns  
20 property for relief under this section. Upon filing of the petition the court shall make  
21 an order fixing the time of hearing and requiring the giving of notice of the hearing.  
22 If after the hearing the court finds that the person is, or within 6 months next  
23 preceding the filing of the petition was, in the military service of the United States  
24 and owns property within the county on which taxes have fallen or will fall due, and  
25 that the person’s ability to pay the taxes has been materially adversely affected by

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1 reason of being in military service, the court shall enter an order determining that  
2 the person is entitled to relief under this section. The court may suspend proceedings  
3 for the collection of taxes on the property for a period not exceeding 6 months after  
4 termination of the military service of the person, or for the time reasonably necessary  
5 to complete the agreement provided in sub. (7). Thereafter, the property shall not  
6 be included in tax certificates issued to enforce collection of taxes on property, and  
7 all proceedings for that purpose shall be suspended, except under terms that the  
8 court may order.

9 (4) Whenever any tax or assessment on real property, including all special  
10 assessments, is not paid when due, any interest or penalty under s. 74.47 and the  
11 maximum limitation of 6 percent per year as provided under 50 App. USC 501 shall  
12 be waived for the purpose and under the conditions specified in this section.

13 (5) The penalties and interest waived under this section are those for  
14 nonpayment of all taxes or assessments, general or special, falling due during the  
15 period of military service of any person against either real or personal property of  
16 which the person is the bona fide owner or in which the person has an interest.

17 (6) The person owning or having an interest in any property in respect to which  
18 the order under sub. (3) is made, or the person's agent or attorney, may file a certified  
19 copy of the order of suspension with the county treasurer or with the city treasurer  
20 of cities authorized by law to sell lands for the nonpayment of taxes as to the taxes  
21 and assessments. The person shall file with the order an affidavit in triplicate, sworn  
22 to by the person or agent or attorney, setting forth the name of the owner, the legal  
23 description of the property, the type of property, when acquired, volume and page  
24 number where the deed was recorded if acquired by deed, and the name of the estate  
25 if acquired by descent, amount of delinquent taxes if any, and the names of the

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1 holders of any outstanding mortgage, lien, or other encumbrance. Upon receipt of  
2 the filing, the county treasurer or city treasurer shall record the order in the office  
3 of the register of deeds of the county and file a copy in the office of the treasurer, who  
4 shall make proper notation that a person in military service is the holder of the legal  
5 title and has made application for special relief. The county treasurer or city  
6 treasurer shall immediately forward an additional copy of the order and affidavit to  
7 the office of the clerk of the town, city, or village where the property is located, or if  
8 it is located in a city, authorized to sell lands for nonpayment of its taxes, to the  
9 commissioner of assessments, who shall make an appropriate notation in the  
10 records.

11 (7) Any person seeking relief under this section, within 6 months after  
12 termination of military service, or the person's agent or attorney, or in case of death  
13 of the person, the personal representative, surviving spouse, or heir, may apply to the  
14 county treasurer of the county, or the city treasurer of a city authorized by law to sell  
15 lands for the nonpayment of taxes, where the property is located, for an agreement  
16 for scheduled installment payments, covering the taxes accrued during the person's  
17 period of military service, provided that the taxes will be paid over a period of time  
18 equal to a period no longer than twice the length of military service of the person, in  
19 equal periodic installments of not less than \$10, and subject to any other terms as  
20 may be just and reasonable.

21 (8) In the event the applicant defaults in the performance of any of the  
22 provisions of the agreement, the treasurer shall notify the applicant of the default  
23 and the amount and date due, by written notice either served personally or by  
24 registered mail, return receipt requested, to the address set forth in the application.  
25 If the defaulted payment is not fully made within 10 days after service of the notice,

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1 then the treasurer, without further notice, may declare that the entire amount of the  
2 tax subject to the scheduled installments is immediately due and payable and that  
3 the agreement is terminated. The county treasurer shall notify the register of deeds  
4 and the town, city, or village treasurer of the termination, or if the city treasurer of  
5 cities authorized by law to sell lands for the nonpayment of taxes, the latter shall  
6 notify the register of deeds, the county treasurer, and the local officers and shall  
7 make appropriate notations of the termination on their records. The county  
8 treasurer, or city treasurer as to taxes of cities authorized by law to sell land for the  
9 nonpayment of taxes, may without further order of the court enforce the collection  
10 of such tax or assessment and sell such tax certificates together with the penalties  
11 and interest as may have accrued on the property from the date of default of the  
12 scheduled installment payment.

13 **SECTION 75.** 21.78 of the statutes is created to read:

14 **21.78 Employees or officers in military service.** (1) The governing body  
15 of any county, town, city, village, school district, or technical college district may  
16 grant a leave of absence to any employee or officer who is inducted or who enlists in  
17 the U.S. armed forces for a period of military service of not more than 4 years unless  
18 the employee is involuntarily retained for a longer period. No salary or compensation  
19 of the employee or officer shall be paid, nor claim for the salary or compensation exist,  
20 during the leave of absence, except as provided in this section. If the employee's or  
21 officer's salary or compensation is less in the U.S. armed forces than was paid by the  
22 county, town, city, village, school district, or technical college district, that  
23 governmental unit may pay the employee or officer the difference between the salary  
24 or compensation paid by the U.S. armed forces and the salary or compensation that  
25 the employee or officer was paid by the county, town, city, village, school district, or



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1 technical college district at the time that he or she enlisted in or was inducted into  
2 the U.S. armed forces.

3 (2) The governing body may provide for safeguarding the reinstatement and  
4 pension rights, as limited in this section, of any employee or officer so inducted or  
5 enlisted.

6 (3) No employee or officer who is appointed to fill the place of any employee or  
7 officer so inducted or enlisted shall acquire permanent tenure during the period of  
8 replacement service.

9 (4) If the leave of absence under sub. (1) is granted to an elected or appointed  
10 official or employee and the official or employee has begun service in the U.S. armed  
11 forces, a temporary vacancy exists and a successor may be appointed to fill the  
12 unexpired term of the official or employee, or until the official or employee returns  
13 and files election to resume the office if the date of the filing is prior to the expiration  
14 of the term. The appointment shall be made in the manner provided for the filling  
15 of vacancies caused by death, resignation, or otherwise, except that no election need  
16 be held to fill a temporary vacancy. The appointee has all the powers, duties,  
17 liabilities, and responsibilities and shall be paid and receive the compensation and  
18 other benefits of the office or position, unless otherwise provided by the governing  
19 body. Within 40 days after the termination of service in the U.S. armed forces, the  
20 elected or appointed official or employee, upon filing with the clerk of the  
21 governmental unit, a statement under oath of termination and that the official or  
22 employee elects to resume the office or position, may resume the office or position for  
23 the remainder of the term for which elected or appointed. The person temporarily  
24 filling the vacancy shall cease to hold the office on the date of the filing.

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1           (5) In cities of the 3rd class with a commission plan of government, in case of  
2 temporary or permanent vacancies in the office of mayor, the vice mayor shall  
3 temporarily succeed to the office of mayor for the balance of the unexpired term for  
4 which the mayor was elected unless sooner terminated as provided in s. 17.035 (3).  
5 A temporary or permanent vacancy created in the office of council member may be  
6 filled as provided in this section. The term of the person appointed temporarily to  
7 the office of council member shall not extend beyond the expiration of the term of the  
8 office vacated and the temporary term shall be vacated sooner as provided for in s.  
9 17.035 (3).

10           **SECTION 76.** 21.79 of the statutes is created to read:

11           **21.79 Reemployment after completion of military service.** (1) (a) Any  
12 person who has enlisted or enlists in or who has been or is inducted or ordered into  
13 active service in the U.S. armed forces pursuant to 50 App. USC 301, 401, and 451,  
14 or P.L. 87-117, and any person whose services are requested by the federal  
15 government for national defense work as a civilian during a period officially  
16 proclaimed to be a national emergency or a limited national emergency, who, to  
17 perform the training or service, has left or leaves a position, other than a temporary  
18 position, in the employ of any political subdivision of the state or in the employ of any  
19 private or other employer, shall be restored to that position or to a position of like  
20 seniority, status, pay, and salary advancement as though service toward seniority,  
21 status, pay, or salary advancement had not been interrupted by the absence, if all of  
22 the following conditions are met:

23           1. The person presents to the employer evidence of satisfactory completion of  
24 the period of training or civilian service, or of discharge from the U.S. armed forces  
25 under conditions other than dishonorable.

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1           2. The person is still qualified to perform the duties of the position.

2           3. The person makes application for reemployment and resumes work within  
3 90 days after completion of the training or service, military or civilian, or was so  
4 discharged from the U.S. armed forces, or within 6 months after release from  
5 hospitalization for service-connected injury or disease.

6           4. The employer's circumstances have not changed as to make it impossible or  
7 unreasonable to restore the person.

8           5. The military service was not for more than 4 years unless extended by law.

9           (b) Except as provided in par. (c), in the event of any dispute relating to the  
10 provisions under par. (a), the person may file a complaint regarding the matter with  
11 the department of workforce development. The department of workforce  
12 development shall process any complaint made under this paragraph in the same  
13 manner as employment discrimination complaints are processed under s. 111.39.

14           (c) If a dispute arises regarding a classified employee of the state relating to the  
15 provisions of par. (a), the complaint shall be filed with the director of the office of state  
16 employment relations. A decision of the director of the office of state employment  
17 relations may be reviewed under ch. 227.

18           (2) The service of any person who is or was restored to a position in accordance  
19 with sub. (1) shall be considered not to be interrupted by the absence, except for the  
20 receipt of pay or other compensation for the period of the absence and he or she shall  
21 be entitled to participate in insurance, pensions, retirement plans, or other benefits  
22 offered by the employer under established rules and practices relating to employees  
23 on furlough or leave of absence in effect with the employer at the time the person  
24 entered or was enlisted, inducted, or ordered into the forces and service. The person  
25 whose position was restored may not be discharged from the position without cause

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1 within one year after restoration and the discharge is subject to all federal or state  
2 laws affecting any private employment and to the provisions of contracts that may  
3 exist between employer and employee. Each county, town, city, or village shall  
4 contribute or pay all contributions of the employer to the applicable and existent  
5 pension, annuity, or retirement system as though the service of the employee had not  
6 been interrupted by military service.

7 (3) If an employer fails or refuses to comply with subs. (1) and (2), a person  
8 entitled to the benefits under subs. (1) and (2) may petition the circuit court to require  
9 the employer to comply with those subsections. Upon the filing of the petition and  
10 on reasonable notice to the employer, the court may require the employer to comply  
11 with those subsections and to compensate the person for any loss of wages or benefits  
12 suffered by reason of the employer's action. The court shall order a speedy hearing  
13 and shall advance the case on the calendar. No fees or court costs may be taxed  
14 against a person petitioning the court under this subsection. The action commenced  
15 under this subsection against a private employer, and the trial or hearing of the  
16 action, shall be in any county in which the employment took place or in which the  
17 private employer maintains a place of business, and in all other cases shall be as  
18 provided in s. 801.50.

19 (4) No person who is appointed in the service of the state or of any county, city,  
20 village, or town to fill the place of a person entering service in the U.S. armed forces  
21 or federal government service under sub. (1) shall acquire permanent tenure during  
22 the period of that replacement service.

23 (5) If the decision of the circuit court is appealed the person who petitioned the  
24 circuit court under sub. (3) need not file an appeal bond for the security for costs on  
25 the appeal.

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1           **(6)** The restoration of classified employees of the state shall be governed by s.  
2 230.32. The restoration of unclassified state employees shall be governed by this  
3 section.

4           **SECTION 77.** 21.80 (3) (g) of the statutes is amended to read:

5           21.80 **(3)** (g) *Veterans preferences.* The right of a person to reemployment under  
6 this subsection does not entitle the person to retention, preference, or displacement  
7 rights over any person who has a superior claim under s. ~~45.35 (4)~~ 45.03 (4), 62.13  
8 (4) (d), 63.08 (1) (f), 63.37, 63.39 (2m), 66.0509 (1), 230.15 (2m), 230.16 (7) or (7m),  
9 230.21 (1m), 230.25, or 230.275.

10          **SECTION 78.** 25.17 (1) (xp) of the statutes is amended to read:

11          25.17 **(1)** (xp) Veterans mortgage loan repayment fund (s. ~~45.79 (7)~~ 45.37 (7));

12          **SECTION 79.** 25.17 (1) (yv) of the statutes is amended to read:

13          25.17 **(1)** (yv) Wisconsin Veterans Home at King and veterans facilities homes  
14 members fund (s. 25.37);

15          **SECTION 80.** 25.36 (1) of the statutes is amended to read:

16          25.36 **(1)** Except as provided in sub. (2), all moneys appropriated or transferred  
17 by law shall constitute the veterans trust fund which shall be used for the lending  
18 of money to the mortgage loan repayment fund under s. ~~45.35 (22)~~ 45.37 (5) (a) 12.  
19 and for the veterans programs under ss. 20.485 (2) (m), (mn), (tm), (u), (v), (vo), (vy),  
20 (vz), (w), (z), and (zm), ~~45.014, 45.25, 45.35 (23), 45.351 (1), 45.353, 45.356, 45.357,  
21 ~~45.396, 45.397, and 45.43 (7)~~ 45.03 (19), 45.07, 45.20, 45.21, 45.40 (1), 45.41, 45.42,  
22 45.43, and 45.82 and administered by the department of veterans affairs, including  
23 all moneys received from the federal government for the benefit of veterans or their  
24 dependents; all moneys paid as interest on and repayment of loans under the  
25 post-war rehabilitation fund; soldiers rehabilitation fund, veterans housing funds~~

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1 as they existed prior to July 1, 1961; all moneys paid as interest on and repayment  
2 of loans under this fund; all moneys paid as expenses for, interest on, and repayment  
3 of veterans trust fund stabilization loans under s. 45.356, 1995 stats.; all moneys  
4 paid as expenses for, interest on, and repayment of veterans personal loans; the net  
5 proceeds from the sale of mortgaged properties related to veterans personal loans;  
6 all mortgages issued with the proceeds of the 1981 veterans home loan revenue bond  
7 issuance purchased with moneys in the veterans trust fund; all moneys received from  
8 the state investment board under s. ~~45.356 (9) (b)~~ 45.42 (8) (b); all moneys received  
9 from the veterans mortgage loan repayment fund under s. ~~45.79 (7) (a) and (e)~~ 45.37  
10 (7) (a) and (c); and all gifts of money received by the board of veterans affairs for the  
11 purposes of this fund.

12 **SECTION 81.** 25.37 of the statutes is amended to read:

13 **25.37 Wisconsin veterans facilities homes members fund.** There is  
14 established a separate nonlapsible trust fund designated as the Wisconsin veterans  
15 facilities homes members fund. The fund shall consist of moneys belonging to  
16 persons residing in Wisconsin veterans facilities, ~~including members of the~~  
17 ~~Wisconsin Veterans Home at King~~ homes, that are paid to the ~~home and veterans~~  
18 facilities homes, and that are transferred into the fund by the department of veterans  
19 affairs under s. ~~45.37 (9e)~~ 45.51 (8).

20 **SECTION 82.** 28.035 (3) (a) of the statutes is amended to read:

21 28.035 (3) (a) The written lease entered into between the Wisconsin state  
22 department of the American Legion and the department of natural resources dated  
23 June 15, 1944, which leases Camp American Legion for a period of 10 years  
24 commencing June 1, 1944, shall continue in full force for an additional 10 years, and  
25 may be renewed for additional 10-year periods ~~thereafter~~, notwithstanding the

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1 expiration of the term expressed ~~therein~~ in the lease, so long as the Wisconsin state  
2 department of the American Legion or any of the American Legion posts organized  
3 under s. 188.08 maintains on ~~such~~ the property structures which were constructed  
4 prior to May 31, 1956, at the expense of the Wisconsin state department of the  
5 American Legion or any ~~such~~ post, for the purpose of the rehabilitation, restoration,  
6 or recreation of veterans and their dependents of the Spanish–American war War,  
7 the Philippine ~~insurrection~~ Insurrection, the Mexican border service, World Wars I  
8 and II, the Korean conflict, the Vietnam war War, the Iraq war War, and ~~Grenada,~~  
9 ~~Lebanon, Panama, Somalia or a Middle East~~ service in a crisis under s. 45.34 zone,  
10 as defined in s. 45.01 (11).

11 **SECTION 83.** 29.219 (2) (c) of the statutes is amended to read:

12 29.219 (2) (c) A resident annual fishing license issued to any resident who is  
13 a member of the ~~Wisconsin Veterans Home at King or at the facilities operated by the~~  
14 ~~department of veterans affairs under s. 45.385~~ a Wisconsin veterans home under s.  
15 45.50 shall be issued at no charge.

16 **SECTION 84.** 29.506 (7m) (a) of the statutes is amended to read:

17 29.506 (7m) (a) The department shall issue a taxidermy school permit to a  
18 person who applies for the permit; who, on August 15, 1991, holds a valid  
19 taxidermist permit issued under this section; and who, on August 15, 1991, operates  
20 a taxidermy school approved by the educational approval board under s. 45.54 39.90.

21 **SECTION 85.** 29.563 (3) (a) 8. of the statutes is amended to read:

22 29.563 (3) (a) 8. Annual fishing issued to a resident at ~~Wisconsin Veterans~~  
23 ~~Home at King and at the facilities operated by the department of veterans affairs~~  
24 ~~under s. 45.385~~ a Wisconsin veterans home under s. 45.50: \$0.

25 **SECTION 86.** 36.27 (2) (b) 4. of the statutes is amended to read:





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1 (b) "Course" means an organized unit of subject matter in which instruction is  
2 offered within a given period of time or that covers a specified amount of related  
3 subject matter.

4 (c) "Course of instruction" means a series of classroom or correspondence  
5 courses having a unified purpose which lead to a diploma or degree or to an  
6 occupational or vocational objective.

7 (d) "Person" means any individual, partnership, association, corporation, or  
8 limited liability company, or any combination of these.

9 (e) "School" means any private trade, correspondence, business, or technical  
10 school, but does not include any of the following:

11 1. In-state schools that are exempt from taxation under section 501 of the  
12 Internal Revenue Code and that either were incorporated in this state prior to  
13 January 1, 1992, or had their administrative headquarters and principal places of  
14 business in this state prior to 1970.

15 2. Schools that are supported mainly by taxes.

16 3. Schools of a parochial or denominational character offering courses having  
17 a sectarian objective.

18 4. Schools primarily offering instruction avocational or recreational in nature  
19 and not leading to a vocational objective.

20 5. Courses conducted by employers exclusively for their employees.

21 6. Schools, courses of instruction, and training programs that are approved or  
22 licensed and supervised by other state agencies and boards.

23 7. Schools approved by the department of public instruction for the training of  
24 teachers.

25 8. Schools accredited by accrediting agencies recognized by the board.

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1           (f) "Solicitor" means a person employed by or representing a school located  
2 either within or outside this state that, in places other than the actual business  
3 premises of the school, personally attempts to secure the enrollment of a student in  
4 the school.

5           (g) "Teaching location" means the area and facilities designated for use by a  
6 school required to be approved by the board under this section.

7           **(2) RESPONSIBILITIES.** The board shall protect the general public by inspecting  
8 and approving private trade, correspondence, business, and technical schools doing  
9 business within this state, whether located within or outside this state, changes of  
10 ownership or control of the schools, teaching locations used by the schools, and  
11 courses of instruction offered by the schools and regulate the soliciting of students  
12 for correspondence or classroom courses and courses of instruction offered by the  
13 schools.

14           **(3) RULE-MAKING POWER.** The board shall promulgate rules and establish  
15 standards necessary to administer this section.

16           **(4) EMPLOYEES, QUARTERS.** The board shall employ a person to perform the  
17 duties of an executive secretary and any other persons under the classified service  
18 that may be necessary to carry out the board's responsibilities. The person  
19 performing the duties of the executive secretary shall be in charge of the  
20 administrative functions of the board. The board shall, to the maximum extent  
21 practicable, keep its office with the department of veterans affairs.

22           **(5) APPROVAL OF SCHOOLS GENERALLY.** To protect students, prevent fraud and  
23 misrepresentation in the sale and advertising of courses and courses of instruction,  
24 and encourage schools to maintain courses and courses of instruction consistent in

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1 quality, content, and length with generally accepted educational standards, the  
2 board shall do all of the following:

3 (a) Investigate the adequacy of courses and courses of instruction offered by  
4 schools to residents of this state and establish minimum standards for those courses  
5 of instruction.

6 (b) Investigate the adequacy of schools' facilities, equipment, instructional  
7 materials, and instructional programs and establish minimum standards for those  
8 facilities, equipment, materials, and programs.

9 (c) Establish rules, standards, and criteria to prevent fraud and  
10 misrepresentation in the sale and advertising of courses and courses of instruction.

11 (d) Promulgate rules restricting the negotiability of promissory instruments  
12 received by schools in payment of tuition and other charges.

13 (e) Establish minimum standards for refund of the unused portion of tuition,  
14 fees, and other charges if a student does not enter a course or course of instruction  
15 or withdraws or is discontinued from the course.

16 (f) Require schools offering courses and courses of instruction to residents of  
17 this state to furnish information concerning their facilities, curricula, instructors,  
18 enrollment policies, tuition and other charges and fees, refund policies, and policies  
19 concerning negotiability of promissory instruments received in payment of tuition  
20 and other charges.

21 (g) Approve courses of instruction, schools, changes of ownership or control of  
22 schools, and teaching locations meeting the requirements and standards established  
23 by the board and complying with rules promulgated by the board and publish a list  
24 of the schools and courses of instruction approved.

25 (h) Issue permits to solicitors when all board requirements have been met.

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1           (i) Require schools to furnish a surety bond in an amount as provided by rule  
2 of the board.

3           **(6) SOLICITING OF STUDENTS.** (a) *In general.* No solicitor representing any school  
4 offering any course or course of instruction shall sell any course or course of  
5 instruction or solicit students for a course or course of instruction in this state for a  
6 consideration or remuneration, except upon the actual business premises of the  
7 school, unless the solicitor first secures a solicitor's permit from the board. If the  
8 solicitor represents more than one school, a separate permit shall be obtained for  
9 each school the solicitor represents.

10           (b) *Solicitor's permit.* The application for a solicitor's permit shall be made on  
11 a form furnished by the board and shall be accompanied by a fee and a surety bond  
12 acceptable to the board in the sum of \$2,000. The board shall, by rule, specify the  
13 amount of the fee for a solicitor's permit. The bond may be continuous and shall be  
14 conditioned to provide indemnification to any student suffering loss as the result of  
15 any fraud or misrepresentation used in procuring his or her enrollment or as a result  
16 of the failure of the school to perform faithfully the agreement the solicitor made with  
17 the student, and may be supplied by the solicitor or by the school itself either as a  
18 blanket bond covering each of its solicitors in the amount of \$2,000 or the surety bond  
19 under sub. (5) (i). Upon approval of a permit, the board shall issue an identification  
20 card to the solicitor giving his or her name and address, the name and address of the  
21 employing school, and certifying that the person whose name appears on the card is  
22 authorized to solicit students for the school. A permit shall be valid for one year from  
23 the date issued. Liability under this paragraph of the surety on the bond for each  
24 solicitor covered by the bond shall not exceed the sum of \$2,000 as an aggregate for  
25 any and all students for all breaches of the conditions of the bond. The surety of a

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1 bond may cancel the bond upon giving 30 days' notice in writing to the board and  
2 shall be relieved of liability under this paragraph upon giving the notice for any  
3 breach of condition occurring after the effective date of the cancellation. An  
4 application for renewal shall be accompanied by a fee, a surety bond acceptable to  
5 the board in the sum of \$2,000 if a continuous bond has not been furnished, and such  
6 information as the board requests of the applicant. The board shall, by rule, specify  
7 the amount of the fee for renewal of a solicitor's permit.

8 (c) *Refusal or revocation of permit.* The board may refuse to issue or renew, or  
9 may revoke, any solicitor's permit upon one or any combination of the following  
10 grounds:

11 1. Willful violation of this subsection or any rule promulgated by the board  
12 under this section.

13 2. Furnishing false, misleading, or incomplete information to the board.

14 3. Presenting information to prospective students relating to the school, a  
15 course, or a course of instruction that is false, fraudulent, or misleading.

16 4. Refusal by the school to be represented to allow reasonable inspection or to  
17 supply information after written request therefor by the board.

18 5. Failure of the school which the solicitor represents to meet requirements and  
19 standards established by and to comply with rules promulgated by the board under  
20 sub. (5).

21 6. Cancellation of the solicitor's bond by surety.

22 7. Subject to ss. 111.321, 111.322, and 111.335, the applicant has an arrest or  
23 conviction record.

24 (d) *Notice of refusal to issue or renew permit.* Notice of refusal to issue or renew  
25 a permit or of the revocation of a permit shall be sent by registered mail to the last

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1 address of the applicant or permit holder shown in the records of the board.  
2 Revocation of a permit shall be effective 10 days after the notice of revocation has  
3 been mailed to the permit holder.

4 (e) *Request for appearance.* Within 20 days of the receipt of notice of the board's  
5 refusal to issue or renew a permit or of the revocation of a permit, the applicant or  
6 holder of the permit may request permission to appear before the board in person,  
7 with or without counsel, to present reasons why the permit should be issued,  
8 renewed, or reinstated. Upon receipt of a request, the board shall grant a hearing  
9 to the applicant or holder of the permit within 30 days giving that person at least 10  
10 days' notice of the date, time, and place.

11 (f) *Recovery by students.* The bond in force under par. (b) shall not limit or  
12 impair any right of recovery otherwise available under law, nor shall the amount of  
13 the bond be relevant in determining the amount of damages or other relief to which  
14 any plaintiff may be entitled.

15 (g) *Recovery on contracts.* No recovery shall be had by any school or its assignee  
16 on any contract for or in connection with a course or course of instruction if the  
17 representative who sold or solicited the course was not the holder of a solicitor's  
18 permit under this subsection at the time of the sale or solicitation.

19 (h) *Enforcement.* The attorney general or any district attorney may bring an  
20 action in circuit court for the enforcement of this subsection.

21 (i) *Penalty.* Whoever violates this subsection may be fined not more than \$500  
22 or imprisoned not more than 3 months or both.

23 **(7) PROPRIETARY SCHOOL APPROVAL.** (a) *Authority.* All proprietary schools shall  
24 be examined and approved by the board before operating in this state. Approval shall  
25 be granted to schools meeting the criteria established by the board for a period not

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1 to exceed one year. No school may advertise in this state unless approved by the  
2 board. All approved schools shall submit quarterly reports, including information  
3 on enrollment, number of teachers and their qualifications, course offerings, number  
4 of graduates, number of graduates successfully employed, and such other  
5 information as the board considers necessary. If a school closure results in losses to  
6 students, parents, or sponsors, the board may authorize the full or partial payment  
7 of those losses from the appropriation under s. 20.485 (5) (gm).

8 (b) *Application.* Application for initial approval of a school or a course of  
9 instruction, approval of a teaching location, change of ownership, or control of a  
10 school, renewal of approval of a school or reinstatement of approval of a school or  
11 course of instruction that has been revoked shall be made on a form furnished by the  
12 board and shall be accompanied by a fee set by the board under par. (c) and any other  
13 information as the board considers necessary to evaluate the school in carrying out  
14 the purpose of this section.

15 (c) *Fees; rule making.* The board shall promulgate rules to establish the fees  
16 paid to the board. In promulgating rules to establish the fees, the board shall do all  
17 of the following:

18 1. Require that the amount of fees collected under this paragraph be sufficient  
19 to cover all costs that the board incurs in examining and approving proprietary  
20 schools under this subsection.

21 2. Give consideration to establishing a variable fee structure based on the size  
22 of a proprietary school.

23 3. Specify a fee to accompany all applications under par. (b).

24 4. Specify a student protection fee.





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1           **45.001 Recognition of persons who served in the armed forces.** The  
2 state of Wisconsin recognizes, as veterans, the men and women of Wisconsin who  
3 served on active duty in the U.S. armed forces or in forces incorporated in the U.S.  
4 armed forces, the men and women who served in a reserve unit of the U.S. armed  
5 forces, and the men and women who served in the national guard.

6           **45.01 Definitions.** In this chapter, unless the context otherwise requires:

7           (1) “Active duty” does not include active duty for training purposes.

8           (2) “Active duty for training purposes” has the meaning given in 38 USC 101  
9 (22).

10          (3) “Board” means the board of veterans affairs.

11          (4) “Child” means any biological child, any adopted child, any stepchild, or any  
12 other child who is a member of the veteran’s household, or any nonmarital child if  
13 the veteran acknowledges paternity or paternity has been otherwise established.

14          (5) “Department” means the department of veterans affairs.

15          (6) “Dependent” includes any of the following:

16           (a) A spouse, a surviving spouse, or a divorced spouse, but only if the divorced  
17 spouse is not remarried and is receiving child support or maintenance from the  
18 veteran under a court order.

19           (b) Any child under 18 years of age, or under the age of 26 if in full attendance  
20 at a recognized school of instruction, or of any age if incapable of self-support by  
21 reason of mental or physical disability.

22           (c) The biological or adoptive parent or a person who acts in the place of a parent  
23 and who has so acted for not less than 12 months prior to the veteran’s entrance into  
24 active service.

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1 (d) A minor sibling or a sibling of any age if incapable of self-support by reason  
2 of mental or physical disability.

3 (7) “In-kind contributions” includes donations of appliances, buildings,  
4 creations, equipment, fixtures, furniture, materials, real property, structures,  
5 supplies, and utilities, and work performed in the acquisition of land and  
6 construction of property.

7 (8) “Memorial” means a building, structure, statue, or creation used to keep  
8 alive the remembrance of a veteran, veterans group, or an event related to a veteran  
9 and may include land upon which the building, structure, statue, or creation is  
10 located. “Memorial” does not include a museum.

11 (9) “Permanently and totally disabled veteran” means a person who is  
12 receiving 100 percent disability compensation from the U.S. department of veterans  
13 affairs under 38 USC 301 to 315, 331 to 337, and 350 to 362, due to a permanent and  
14 total service-connected disability.

15 (10) “Secretary” means the secretary of the department.

16 (11) “Service in a crisis zone” means any of the following:

17 (a) *Service in Lebanon and Grenada.* A person shall be considered to have  
18 served in Lebanon or Grenada if the person was on active duty in Lebanon or its  
19 territorial waters under honorable conditions between August 1, 1982, and August  
20 1, 1984, or in Grenada between October 23, 1983, and November 21, 1983, and meets  
21 one of the following conditions:

22 1. Was entitled to receive the armed forces expeditionary medal established by  
23 executive order 10977 on December 4, 1961.

24 2. Was entitled to receive the marine corps or navy expeditionary medal.

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1           3. Was not entitled to receive a medal under par. (a) or (b) but submits other  
2 proof of service acceptable to the department.

3           (b) *Middle East crisis*. A person shall be considered to have served in a Middle  
4 East crisis if, because of active duty in the U.S. armed forces or forces incorporated  
5 as a part of U.S. armed forces, any of the following apply:

6           1. The person was awarded the humanitarian service medal for participating  
7 in the attempt to rescue American hostages in Iran.

8           2. The person was awarded the valor ribbon bar by the U.S. state department  
9 for having been a hostage in Iran during the Iranian hostage crisis in 1980 and 1981.

10          3. The person participated in the April 14, 1986, military action against Libya.

11          4. The person served on the U.S.S. Stark on May 17, 1987.

12          5. The person served in support of Operation Desert Shield or Operation Desert  
13 Storm under all of the following conditions:

14           a. Under an active duty order, a unit assignment order or an involuntary  
15 extension of an active duty order or in the Middle East or in territorial or  
16 international waters adjacent to the Middle East.

17           b. Under honorable conditions.

18           c. Between August 1, 1990, and the ending date of Operation Desert Shield or  
19 Operation Desert Storm, as established by the department by rule.

20          6. The person served for 90 days or more in support of Operation Enduring  
21 Freedom or an operation that is a successor to Operation Enduring Freedom or  
22 served in the Operation Enduring Freedom theater of operation under all of the  
23 following conditions:

24           a. Under an active duty order, a unit assignment order, or an involuntary  
25 extension of an active duty order.

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1           b. Under honorable conditions.

2           c. Between September 11, 2001, and the ending date of Operation Enduring  
3 Freedom or an operation that is a successor to Operation Enduring Freedom, as  
4 established by the department by rule.

5           (c) *Service in Panama.* A person shall be considered to have served in Panama  
6 if the person was on active duty in the U.S. armed forces in Panama or its territorial  
7 waters under honorable conditions between December 20, 1989, and January 31,  
8 1990.

9           (d) *Service in Somalia.* A person shall be considered to have served in Somalia  
10 if the person was on active duty in the U.S. armed services in Somalia or in territorial  
11 waters adjacent to Somalia under honorable conditions between December 9, 1992,  
12 and the ending date of Operation Restore Hope, as established by the department by  
13 rule.

14           (e) *Service in Bosnia.* A person shall be considered to have served in Bosnia if  
15 the person served for 90 days or more in support of Operation Balkan Endeavor or  
16 served for 90 days or more in Austria, Bosnia and Herzegovina, Czech Republic,  
17 Croatia, Hungary, Macedonia, Montenegro, Serbia including the autonomous  
18 provinces of Kosovo and Vojvodina, Slovakia, or Slovenia, or in territorial waters  
19 adjacent to any of those countries, under all of the following conditions:

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

22           2. Under honorable conditions.

23           3. Between December 1, 1995, and the ending date of Operation Balkan  
24 Endeavor or a successor operation, as established by the department by rule.

25           (12) “Veteran”, except in s. 45.001, means any of the following:

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1 (a) A person who has served on active duty for at least one qualifying term of  
2 service under pars. (b) to (d) under honorable conditions in the U.S. armed forces or  
3 in forces incorporated as part of the U.S. armed forces during a war period or in a  
4 crisis zone.

5 (b) A person who has served on active duty in the U.S. armed forces or in forces  
6 incorporated as part of the U.S. armed forces under honorable conditions, for 2  
7 continuous years or more or for the full period of his or her initial service obligation,  
8 whichever is less.

9 (c) A person who has served on active duty for 90 days or more under honorable  
10 conditions in the U.S. armed forces or in forces incorporated as part of the U.S. armed  
11 forces during a war period or for any period of service under section 1 of executive  
12 order 10957 dated August 10, 1961.

13 (d) A person whose term of service in the U.S. armed forces or in forces  
14 incorporated as part of the U.S. armed forces under honorable conditions entitled  
15 him or her to receive the Armed Forces Expeditionary Medal, established by  
16 executive order 10977 on December 4, 1961, the Vietnam Service Medal established  
17 by executive order 11231 on July 8, 1965, the Navy Expeditionary Medal, the Marine  
18 Corps Expeditionary Medal, or an equivalent expeditionary or service medal.

19 (e) A person who was honorably discharged from the U.S. armed forces or from  
20 forces incorporated as part of the U.S. armed forces for a service-connected  
21 disability, for a disability subsequently adjudicated to have been service connected,  
22 or for reasons of hardship.

23 (f) A person who was released under honorable conditions from the U.S. armed  
24 forces or from forces incorporated as part of the U.S. armed forces due to a reduction  
25 in the U.S. armed forces.

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1 (g) A person who died while in service in the U.S. armed forces or in forces  
2 incorporated as part of the U.S. armed forces.

3 (h) A person who, while serving in the U.S. armed forces or in forces  
4 incorporated as part of the U.S. armed forces, is missing in action.

5 (i) A person who died as the result of a service-connected disability.

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(j) A person who died in the line of duty while on inactive or active duty for  
training purposes in the U.S. armed forces, in forces incorporated as part of the U.S.  
armed forces, or in the national guard.

9 ~~(12)~~ "Veterans home" means the Wisconsin Veterans Home at Union Grove, the  
10 Wisconsin Veterans Home at King, and the Wisconsin Veterans Home at Chippewa  
11 Falls.

12 (13) "War period" means any of the following:

13 (a) Indian War: between 1860 and 1898.

14 (b) Spanish-American War: between April 21, 1898, and April 11, 1899.

15 (c) Philippine Insurrection: between April 12, 1899, and July 4, 1902 (extended  
16 to July 15, 1903, if actually engaged in Moro Province hostilities).

17 (d) Boxer Rebellion: between June 16, 1900, and May 12, 1901.

18 (e) Mexican border service: between June 19, 1916, and April 5, 1917.

19 (f) World War I: between April 6, 1917, and November 11, 1918 (extended to  
20 April 1, 1920, if service was in Russia).

21 (g) World War II: between August 27, 1940, and July 25, 1947.

22 (h) Korean conflict: between June 27, 1950, and January 31, 1955.

23 (i) Vietnam War: between August 5, 1964, and January 1, 1977, excepting  
24 service on active duty for training purposes only.

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1 (j) Persian Gulf War: between August 1, 1990, and the ending date of Operation  
2 Desert Shield or the ending date of Operation Desert Storm as established by the  
3 department by rule.

4 (k) Afghanistan War: between September 11, 2001, and the ending date of  
5 Operation Enduring Freedom or an operation that is a successor to Operation  
6 Enduring Freedom, as established by the department by rule.

7 (m) Iraq War: between March 19, 2003, and the ending date of Operation Iraqi  
8 Freedom or an operation that is a successor to Operation Iraqi Freedom, as  
9 established by the department by rule.

10 (n) Any period after the period specified in par. (m) that the department  
11 determines and designates by rule, after reviewing the criteria used to establish the  
12 war periods under pars. (a) to (m) and after consultation with the U.S. department  
13 of defense, to be a period when the United States is in a conflict that places persons  
14 at such a risk that the period should be designated as a war period for purposes of  
15 this chapter.

16 **45.02 Eligibility for benefits.** (1) Any person whose service on active duty  
17 with the U.S. armed forces or in forces incorporated as part of the U.S. armed forces  
18 makes that person eligible for general U.S. department of veterans affairs benefits  
19 shall be considered to have served under honorable conditions for purposes of this  
20 chapter.

21 (2) Except as provided in sub. (3), to be eligible for benefits under this chapter  
22 an applicant shall be a resident of and living in this state at the time of making  
23 application or the veteran from whom the applicant derives eligibility is deceased,  
24 and the veteran from whom eligibility is derived meets one of the following  
25 conditions:

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1 (a) His or her selective service local board, if any, and home of record at the time  
2 of entry or reentry into active service as shown on the veteran's report of separation  
3 from the U.S. armed forces for a qualifying period were in this state.

4 (b) The veteran was a resident of this state at the time of entry or reentry into  
5 active duty.

6 (c) The veteran was a resident of this state for any consecutive 12-month period  
7 after entry or reentry into service and before the date of his or her application or  
8 death.

9 **(3)** Veterans who are otherwise eligible and who are serving on active duty in  
10 the U.S. armed forces need not be living in this state on the date of application to  
11 qualify for benefits from the department.

12 **(4)** If the department determines that a person applying for a benefit under this  
13 chapter meets the residency requirement under sub. (2) (c), the department may not  
14 require the person to reestablish that he or she meets that residency requirement  
15 when he or she later applies for any other benefit under this chapter that requires  
16 that residency.

17 **45.03 Department of veterans affairs. (1) POLICY.** It is the policy of the  
18 state to give health, educational, and economic assistance to veterans and their  
19 dependents who are residents of this state to the extent and under the conditions  
20 determined by the board within the limitations set forth in this section.

21 **(2) BOARD FUNCTIONS.** The board may promulgate rules necessary to carry out  
22 the purposes of this chapter and the powers and duties conferred upon it. The records  
23 and files of the department of military affairs and of any other state department or  
24 officer shall, upon request, be made available to the board.



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1           **(3) COUNCIL ON VETERANS PROGRAMS.** (a) The council on veterans programs  
2 created under s. 15.497 shall advise the board and the department on solutions and  
3 policy alternatives relating to the problems of veterans.

4           (b) The council on veterans programs and the department, jointly or separately,  
5 shall submit a report regarding the council on veterans programs to the chief clerk  
6 of each house of the legislature for distribution to the legislature under s. 13.172 (2)  
7 by September 30 of every odd-numbered year. The report shall include a general  
8 summary of the activities and membership over the past 2 years of the council and  
9 each organization on the council.

10           **(4) DEPARTMENT STAFF.** (a) The department shall employ staff necessary to  
11 carry out its functions. The secretary shall appoint under the classified service such  
12 persons as are necessary to carry out the policy of the board. All persons appointed  
13 by the department shall, if possible, be veterans and preference shall be given to  
14 disabled veterans.

15           (b) The department upon request shall assist without charge all persons  
16 residing in the state having claims against the United States where the claims have  
17 arisen out of or by reason of service in the U.S. armed forces. The department may  
18 act as agent or power of attorney in pursuing claims for persons requesting the  
19 department to do so.

20           (c) The department shall employ regional coordinators. The duties of a regional  
21 coordinator shall include providing direct claims and benefit application assistance  
22 to veterans. The regional coordinators shall coordinate claims and benefit  
23 application assistance with the appropriate county veterans service officers to  
24 maximize the level of assistance and benefits provided to veterans.

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1 (d) The department shall employ claims officers. The claims officers shall  
2 provide federal claims and benefit assistance to veterans and shall be based in the  
3 department's regional office in Milwaukee County.

4 (e) The department shall employ mobile claims officers in each of the  
5 department's regions. The mobile claims officers shall provide claims and benefit  
6 assistance to veterans. The mobile claims officers shall coordinate that claims and  
7 benefit assistance with the appropriate county veterans service officers to maximize  
8 the level of assistance and benefits provided to veterans.

9 **(5) DEPARTMENT POWERS TO PROVIDE STRUCTURES, FACILITIES, AND PERMANENT**  
10 **IMPROVEMENTS.** (a) In this subsection, unless the context requires otherwise:

11 1. "Existing building" in relation to any conveyance, lease, or sublease made  
12 under par. (c) 1. means all detention, treatment, administrative, recreational,  
13 infirmary, hospital, vocational, and academic buildings; all dormitories and cottages;  
14 all storage facilities, heating plants, sewage disposal plants, and other buildings,  
15 structures, facilities, and permanent improvements that in the judgment of the  
16 board are needed or useful for the purposes of the department, and all equipment for  
17 them and all improvements and additions to them that were erected, constructed, or  
18 installed prior to the making of the conveyance, lease, or sublease.

19 2. "New building" in relation to any conveyance, lease, or sublease made under  
20 par. (c) 1. means all detention, treatment, administrative, recreational, infirmary,  
21 hospital, vocational, and academic buildings; all dormitories and cottages; all  
22 storage facilities, heating plants, sewage disposal plants, and other buildings,  
23 structures, facilities, and permanent improvements as in the judgment of the board  
24 are needed or useful for the purposes of the department, and all equipment for them

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1 and all improvements and additions to them that are erected, constructed, or  
2 installed after the making of the conveyance, lease, or sublease.

3 3. “Nonprofit corporation” means a nonstock corporation that is organized  
4 under ch. 181 and that is a nonprofit corporation, as defined in s. 181.0103 (17).

5 (b) The department may acquire by gift, purchase, or condemnation property  
6 for the purposes of providing a headquarters and museum building for the  
7 department.

8 (c) 1. To provide new buildings and to enable the construction and financing of  
9 new buildings, to refinance indebtedness created by a nonprofit corporation for the  
10 purpose of providing a new building or buildings or additions or improvements to a  
11 new building that is located on land owned by, or owned by the state and held for, the  
12 department or on lands of the institutions under the jurisdiction of the department  
13 or by the nonprofit corporation, or for any one or more of these purposes, the  
14 department has the following powers and duties:

15 a. Without limitation by reason of any other provisions of the statutes, unless  
16 otherwise required by law, the power to sell and to convey title in fee simple to a  
17 nonprofit corporation any land and any existing buildings owned by the state that  
18 are under the jurisdiction of the department for the consideration and upon the  
19 terms and conditions as in the judgment of the board are in the public interest.

20 b. Unless otherwise required by law, the power to lease to a nonprofit  
21 corporation for a term or terms not exceeding 50 years each any land and any existing  
22 buildings owned by the state that are under the jurisdiction of the department upon  
23 the terms and conditions as in the judgment of the board are in the public interest.

24 c. The power to lease or sublease from the nonprofit corporation, and to make  
25 available for public use, any land, or any land and existing buildings conveyed or

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1 leased to such nonprofit corporation under subd. 1. a. and b., and any new buildings  
2 erected upon such land or upon any other land owned by the nonprofit corporation,  
3 upon the terms, conditions, and rentals, subject to available appropriations, as in the  
4 judgment of the board are in the public interest.

5 d. The duty to submit the plans and specifications for all new buildings to the  
6 building commission for approval whenever required by law and to submit plans and  
7 specifications for all new buildings and all conveyances, leases, and subleases made  
8 under this subsection to the department of administration and the governor for  
9 written approval before they are finally adopted, executed, and delivered.

10 e. The power to pledge and assign all or any part of the revenues derived from  
11 the operation of any land or new buildings as security for the payment of rentals due  
12 and to become due under any lease or sublease of new buildings under subd. 1. c.

13 f. The power to covenant and agree in any lease or sublease of any land or new  
14 buildings made under subd. 1. c. to impose fees, rentals, or other charges for the use  
15 and occupancy or other operation of new buildings in an amount calculated to  
16 produce net revenues sufficient to pay the rentals due and to become due under the  
17 lease or sublease.

18 g. The power to apply all or any part of the revenues derived from the operation  
19 of any land or existing buildings to the payment of rentals due and to become due  
20 under any lease or sublease made under subd. 1. c.

21 h. The power to pledge and assign all or any part of the revenues derived from  
22 the operation of any land or existing buildings to the payment of rentals due and to  
23 become due under any lease or sublease made under subd. 1. c.

24 i. The power to covenant and agree in any lease or sublease made under subd.  
25 1. c. to impose fees, rentals, or other charges for the use and occupancy or other

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1 operation of any land or existing buildings in an amount calculated to produce net  
2 revenues sufficient to pay the rentals due and to become due under the lease or  
3 sublease.

4 j. The power and duty, upon receipt of notice of any assignment by any nonprofit  
5 corporation of any lease or sublease made under subd. 1. c., or of any of its rights  
6 under any sublease, to recognize and give effect to the assignment, and to pay to the  
7 assignee rentals or other payments then due or that may become due under any lease  
8 or sublease that has been assigned by the nonprofit corporation.

9 2. The state shall be liable for accrued rentals and for any other default under  
10 any lease or sublease made under subd. 1. c., and may be sued for the accrued rentals  
11 or other default on contract as in other contract actions under ch. 775, except that  
12 the lessor under the lease or sublease or any assignee of the lessor or any person or  
13 other legal entity proceeding on behalf of the lessor is not required to file any claim  
14 with the legislature prior to the commencement of the action.

15 3. Nothing in this subsection empowers the board or the department to incur  
16 any state debt.

17 4. All powers and duties conferred upon the board or the department under this  
18 subsection shall be exercised and performed by resolution of the board. All  
19 conveyances, leases, and subleases made under this subsection, when authorized by  
20 resolution of the board, shall be made, executed, and delivered in the name of the  
21 department and shall be signed by the secretary and sealed with the seal of the  
22 department.

23 5. All laws, conflicting with any provisions of this subsection, are, insofar as  
24 they conflict with this section and no further, superseded by this subsection.

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1           **(6) COORDINATION DUTIES.** The department shall coordinate the activities of all  
2 state agencies and the University of Wisconsin Hospitals and Clinics Authority  
3 performing functions relating to the medical, hospital, or other remedial care;  
4 placement and training; and educational, economic, or vocational rehabilitation of  
5 veterans. In particular, the department shall coordinate the activities of the  
6 technical college system board, state selective service administration, department  
7 of health and family services, department of workforce development, department of  
8 public instruction, the University of Wisconsin System and other educational  
9 institutions, the University of Wisconsin Hospitals and Clinics Authority, and all  
10 other departments or agencies performing any of the functions specified, to the end  
11 that the benefits provided in this section may be made available to veterans as  
12 promptly and effectively as possible.

13           **(7) CONTACT DUTIES.** The department shall maintain contacts with county  
14 veterans service officers and local agencies, the American Red Cross, and veterans  
15 organizations concerned with the welfare of veterans and shall contact and cooperate  
16 with federal agencies in securing for veterans all benefits to which they may be  
17 entitled.

18           **(8) MINORS' EXECUTION OF DOCUMENTS; BENEFITS EXEMPT FROM EXECUTION.** (a) Any  
19 minor who is a veteran and any minor who is the spouse, surviving spouse, or child  
20 of a veteran may execute notes, mortgages, and other contracts and conveyances to  
21 the department and the notes, mortgages, contracts, and conveyances are not subject  
22 to the defense of infancy.

23           (b) The benefits and aid provided under ss. 45.20 (3) and 45.40 are not  
24 assignable and are exempt from garnishment and execution.

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1           **(9) VOCATIONAL TRAINING.** The department in cooperation with the department  
2 of workforce development shall make available to disabled veterans the benefits of  
3 vocational training and guidance, including those veterans who have filed claims for  
4 federal rehabilitation benefits and during the pendency of the claims. If the claims  
5 are allowed and federal reimbursement is made to the state, the money shall be paid  
6 into the veterans trust fund.

7           **(10) TRAINING AND EMPLOYMENT OF VETERANS.** The department, in cooperation  
8 with the department of workforce development and state selective service  
9 administration and any other federal, state, or local agency, shall formulate and  
10 carry out plans for the training and employment of veterans.

11           **(11) APPROVAL AGENCY FOR VETERANS TRAINING.** (a) Except as provided in par.  
12 (b), the department shall be the state approval agency for the education and training  
13 of veterans and other eligible persons. The department shall approve and supervise  
14 schools and courses of instruction for the training of veterans and eligible persons  
15 under 38 USC 3670, and may enter into and receive money under contracts with the  
16 U.S. department of veterans affairs or other appropriate federal agencies.

17           (b) The governor may designate the following agencies for approval and  
18 supervision of special phases of the program of veterans education:

19           1. On-the-job and apprenticeship training program, the department of  
20 workforce development.

21           2. On-the-farm training program, the technical college system board.

22           3. Funeral directors apprentices, the funeral directors examining board.

23           **(12) GIFTS AND BEQUESTS.** (a) The department may receive gifts and bequests  
24 in its name for the benefit of Wisconsin veterans and their dependents in accordance

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1 with policies adopted by the board. Moneys received shall be credited to the veterans  
2 trust fund.

3 (b) The department may receive moneys or other gifts and bequests in its name  
4 for the benefit of the Wisconsin Veterans Museum. Moneys received shall be credited  
5 to the veterans trust fund and used, as far as practicable, in accordance with the  
6 wishes of the donors and in accordance with the board's policies.

7 **(13) ADDITIONAL DUTIES.** The department shall do all the following:

8 (a) Assist in the coordination of the state, county, municipal, and private  
9 activities relating to veterans housing.

10 (b) Cooperate with any federal departments, agencies, and independent  
11 establishments relating to veterans housing, benefits, priorities, and finances.

12 (c) Assist any housing authority, municipality, or private enterprise engaged  
13 in supplying veterans housing in the acquisition of materials, finances, legal aid, and  
14 compliance with federal regulations.

15 (d) Utilize the services and facilities of state agencies and county veterans  
16 service officers, including legal services furnished to the department by the  
17 department of justice.

18 (e) Provide county veterans service officers with the information provided to  
19 the department by the adjutant general under s. 21.19 (14) and may provide county  
20 veterans service officers with information on all necessary military points of contact  
21 and general deployment information for reserve units of the U.S. armed forces.

22 **(14) LIBERAL CONSTRUCTION INTENDED.** This chapter shall be construed as  
23 liberally as the language permits in favor of applicants.

24 **(15) DEFERRAL OF PAYMENTS AND INTEREST ON LOANS.** When a veteran or a  
25 member of the veteran's family makes application for deferment of payment of



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1 monthly installments and waiver of interest charges on veterans loans made under  
2 this chapter, showing that the ability of the veteran to make payment is materially  
3 and adversely affected by reason of military service, the department may, with the  
4 approval of the board, defer payment of monthly installments and waive interest  
5 charges on veterans loans made under this chapter for the duration of any period of  
6 service in the armed forces of the United States during a national emergency or in  
7 time of war or under P.L. 87-117 and 6 months from date of discharge or separation  
8 and the time for payment may be extended for the same period. However, when funds  
9 estimated to be received in the veterans mortgage loan repayment fund to pay debt  
10 service on public debt contracted under s. 20.866 (2) (zn) and (zo) are less than the  
11 funds estimated to be required for the payment of the debt service, the board may  
12 grant deferral of payments and interest on loans provided under s. 45.37 only when  
13 so required by federal law.

14 **(16) APPLICATION REQUIREMENTS AND PENALTIES.** (a) If the department finds that  
15 an applicant for benefits from the department has willfully made or caused to be  
16 made, or conspired, assisted in, agreed to, arranged for, or in any way procured the  
17 making of a false or fraudulent affidavit, declaration, certificate, statement, or other  
18 writing, it may suspend all benefits available to the applicant from the department  
19 under this chapter.

20 (b) Any person who, with the intent to secure any benefits under this chapter  
21 for personal benefit or for others, willfully makes or causes to be made, or conspires,  
22 assists in, agrees to, arranges for, or in any way procures the making or presentation  
23 of a false or fraudulent affidavit, declaration, certificate, statement, or other writing,  
24 may be fined not more than \$500 or be imprisoned for not more than 6 months, or

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1 both. The fine or imprisonment may be imposed in addition to the penalty provided  
2 in par. (a).

3 (c) 1. As used in this paragraph, “fair consideration” means the exchange of  
4 property, assets, or obligations for a fair equivalent, in an amount not  
5 disproportionately small or large compared to the value of the property, assets, or  
6 obligations, as reflected in similar market transactions.

7 2. The department shall declare immediately due and payable any loan made  
8 after July 29, 1979, under a program administered by the department under s. 45.40  
9 or subch. III, if it finds that the loan was granted to an ineligible person due to any  
10 of the following circumstances:

11 a. The applicant did not report income amounts as required on the loan  
12 application.

13 b. The applicant did not make the disclosures required under subd. 3. a., b., or  
14 c. on the loan application.

15 c. The applicant transferred assets or liabilities or incurred liabilities for less  
16 than fair consideration with the intent to qualify for and secure the loan.

17 3. Loan application forms processed by the department for programs  
18 administered under s. 45.40 or subch. III shall do all of the following:

19 a. Require disclosure of any asset with a value over \$500 transferred by the  
20 applicant for less than fair consideration, within one year immediately prior to the  
21 loan application date. In determining the applicant’s need for a loan, the department  
22 shall consider those transferred assets to be assets of the applicant.

23 b. Require disclosure of any liability of more than \$500 incurred by the  
24 applicant for less than fair consideration, within one year immediately prior to the

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1 loan application date. In determining the applicant's need for a loan, the department  
2 shall not consider these liabilities to be liabilities of the applicant.

3 c. Require disclosure of all liabilities transferred by the applicant within one  
4 year immediately prior to the loan application date. The liabilities transferred for  
5 less than fair consideration shall be considered by the department to be liabilities of  
6 the applicant to the extent he or she is liable for their payment or for reimbursement  
7 of the transferee.

8 d. Contain notification of the penalties provided for in this subsection.

9 4. The department shall incorporate the payment acceleration requirements  
10 of subd. 2. in all loan documents for programs administered by the department under  
11 s. 45.40 or subch. III.

12 (17) LOAN REPAYMENTS. The department shall deposit all repayments of loans  
13 and payments of interest made on loans under s. 45.351 (2), 1995 stats., s. 45.356,  
14 1995 stats., or s. 45.80, 1989 stats., in the veterans trust fund.

15 (18) COLLECTIONS. The department may enter into contracts to collect  
16 delinquent loan payments owed to the department. The department may allocate a  
17 portion of the amounts collected under the contracts to pay contract costs.  
18 Notwithstanding the provisions of s. 45.04, the department may release information  
19 contained in its files pertaining to applications for benefits to contractors providing  
20 collection services to the department.

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

23 **45.04 Release of information and records. (1) DEFINITIONS.** In this section:

24 (a) "Duly authorized representative" means any person authorized in writing  
25 by the veteran to act for the veteran, the veteran's guardian if the veteran is

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1 adjudicated incompetent, or a legal representative if the veteran is deceased. Where  
2 for proper reason no representative has been or will be appointed, the veteran's  
3 spouse, an adult child, or, if the veteran is unmarried, either parent of the veteran  
4 shall be recognized as the duly authorized representative.

5 (b) "Service office" means a county veterans service office.

6 (2) SEPARATION DOCUMENTS. Separation documents and copies of separation  
7 documents evidencing service in the armed forces of the U.S. are confidential and  
8 privileged. Examination of these records in the possession of the department or  
9 service office is limited to authorized employees of the department or service office  
10 and information entered in these records may be disclosed only to veterans and their  
11 duly authorized representatives or to interested governmental agencies for the  
12 purpose of assisting veterans and their dependents to obtain the rights and benefits  
13 to which they may be entitled.

14 (3) U.S. DEPARTMENT OF VETERANS AFFAIRS RECORDS. Records and papers in the  
15 possession of the department or service office that are released to the department or  
16 service office by the U.S. department of veterans affairs or that contain information  
17 provided by the U.S. department of veterans affairs are confidential. Release of  
18 information from these records or papers may be made only under regulations of the  
19 U.S. department of veterans affairs.

20 (4) INVESTIGATION. All reports of investigation made by employees of the  
21 department or at the direction of the department for official departmental purposes  
22 are only for the use of the secretary and staff. Materials and information that  
23 disclose the investigative techniques of the department or the identity of confidential  
24 informants and material received in confidence by representatives of the department  
25 may not be released.

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1           **(5) VITAL RECORDS.** The service office may obtain a copy of a vital record under  
2 s. 69.30 (2) and may transmit the copy to the department or to the U.S. department  
3 of veterans affairs to assist a veteran or his or her dependent in obtaining a benefit.

4           **(6) DISCLOSURE OF MONETARY BENEFITS.** The department shall disclose, to any  
5 person who requests, the amount of any payment, grant, or loan made by the  
6 department to any applicant. A person seeking this information shall be required  
7 to sign a statement setting forth the person's name and address and the reason for  
8 making the request and certifying that the person will not use the information  
9 obtained for commercial or political purposes.

10           **(7) DISCLOSURE OF LOAN STATUS INFORMATION.** The department may disclose to  
11 a consumer reporting agency, as defined in 15 USC 1681a (f), the current repayment  
12 status of, the balances due on, and other relevant information pertaining to  
13 department loans that is readily accessible on any loans on which balances are due  
14 and owing the department. The department may charge consumer reporting  
15 agencies an amount sufficient to cover all the costs of preparation and delivery of the  
16 information.

17           **(8) DISCLOSURE OF OTHER INFORMATION.** Except as provided in subs. (2) to (6),  
18 all files, records, reports, papers, and documents pertaining to applications for  
19 benefits from the department, and information contained in them, may be released  
20 by the department or service office only under rules of the department. The rules  
21 shall provide for the furnishing of information required under sub. (7) and for official  
22 purposes by any agency of the U.S. government, by any agency of this state, by any  
23 law enforcement, social services, or human services agency of any Wisconsin county,  
24 or by members of the state senate and assembly. The rules shall otherwise provide  
25 for release of personal information pertaining to or contained in any application for

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1 benefits, whether pending or adjudicated, only when authorized in writing by the  
2 applicants or when necessary to assist applicants in securing veterans benefits that  
3 the applicants may be entitled to or when necessary for the efficient management of  
4 loans made by the department.

5 **45.05 Registration of certificate of discharge.** Every person who has  
6 served in the U.S. armed forces at any time, and who has been honorably discharged  
7 or given a certificate of service or relieved from active service may record with the  
8 register of deeds of any county, in a suitable book provided by the county for that  
9 purpose, a certificate of discharge or release. The certificate shall be accessible only  
10 to the discharged person or that person's dependents or duly authorized  
11 representative, as defined in s. 45.04 (1) (a), the county veterans service officer, the  
12 department, or any person with written authorization from the discharged person  
13 or that discharged person's dependents. The register of deeds may not charge for  
14 recording, except that in counties where the register of deeds is under the fee system  
15 and not paid a fixed salary, the county shall pay the fee specified in s. 59.43 (2) (ag).  
16 The record of any certificate of discharge or release made prior to July 6, 1919, is  
17 legalized.

18 **45.06 Security. (1)** It shall be unlawful for any person to receive or accept as  
19 a security or to withhold from a veteran or a person who was honorably discharged  
20 from the U.S. armed forces any discharge paper, citation, warrant, medal, badge, or  
21 evidence upon which the veteran is entitled to certain rights, as a veteran under the  
22 laws of the United States or of this state, and any transfer of the item during the life  
23 of the veteran upon a consideration or otherwise shall be null and void, and the  
24 refusal or willful neglect of any person to return or deliver upon demand the

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1 discharge paper, citation, warrant, medal, badge, or evidence is punishable as  
2 provided in sub. (2).

3 (2) Any person who violates this section shall be fined not more than \$100 or  
4 imprisoned for not more than 6 months, or both.

5 **45.07 Wisconsin Veterans Museum.** (1) The department of administration  
6 shall provide suitable space for the purpose of a memorial hall, designated as the  
7 Wisconsin Veterans Museum, dedicated to the veterans of Wisconsin and to the men  
8 and women of Wisconsin who served in the armed forces of the United States during  
9 the civil war of 1861 to 1865 and during any subsequent period. The department of  
10 veterans affairs shall operate the Wisconsin Veterans Museum. The mission of the  
11 Wisconsin Veterans Museum is to acknowledge, commemorate, and affirm the role  
12 of Wisconsin veterans in the United States of America's military past by means of  
13 instructive exhibits and other educational programs.

14 (2) The battle flags of Wisconsin units serving in the nation's wars and all relics  
15 and mementos of the nation's wars donated to or otherwise acquired by the state for  
16 display in the Wisconsin Veterans Museum shall constitute the memorial collection.  
17 The department shall do all of the following:

18 (a) Catalog and identify all war relics and mementos of the memorial collection.

19 (b) Restore, preserve, and safeguard the relics and mementos of the memorial  
20 collection.

21 (c) Procure additions to the memorial collection.

22 (d) Provide proper display equipment and display the memorial collection to  
23 make it instructive and attractive to visitors.

24 **45.08 Memorial Day.** (1) Every department and agency of the state  
25 government, every court of the state, and every political subdivision of the state,

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1 shall give a leave of absence with pay for the last Monday in May of each year, the  
2 day of celebration for May 30, Memorial Day, to every person in the employ of the  
3 state or political subdivision who has at any time served in and been honorably  
4 discharged from the U.S. armed forces or from forces incorporated as part of the U.S.  
5 armed forces. A refusal to give the leave of absence to a person entitled to the leave  
6 constitutes neglect of duty.

7 (2) If the nature of the duties of the department, agency, court, or political  
8 subdivision necessitates the employment of persons eligible for a leave of absence  
9 under sub. (1), the department, agency, court, or political subdivision shall arrange  
10 and assign the necessary work so as to permit the largest possible numbers of eligible  
11 persons to have a leave of absence either all or part of Memorial Day.

**SUBCHAPTER II****EDUCATION AND TRAINING****45.20 Veterans education programs. (1) GENERAL PROVISIONS. (a)**

12  
13  
14  
15 *Definitions.* In this section:

16 1. "Institution of higher education" has the meaning given in 20 USC 1001 (a).

17 2. "Full-time classroom study" means any of the following:

18 a. Enrollment by a graduate student in courses for which more than 8 semester  
19 or the equivalent trimester or quarter credits will be given upon satisfactory  
20 completion.

21 b. Enrollment by a graduate student in courses that upon satisfactory  
22 completion will fulfill more than the minimum semester or equivalent trimester or  
23 quarter credit requirements of the program or school in which the student is enrolled.



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1           c. Enrollment by any other eligible student in courses for which more than 11  
2 semester or the equivalent trimester or quarter credits will be given upon  
3 satisfactory completion.

4           3. “Part-time classroom study” means any of the following:

5           a. Enrollment by a graduate student in courses for which no more than 8  
6 semester or the equivalent trimester or quarter credits will be given upon  
7 satisfactory completion.

8           b. Enrollment by a graduate student in courses that upon satisfactory  
9 completion will fulfill no more than the minimum semester or equivalent trimester  
10 or quarter credit requirements of the program or school in which the student is  
11 enrolled.

12           c. Enrollment by any other eligible student in courses for which no more than  
13 11 semester or the equivalent trimester or quarter credits will be given upon  
14 satisfactory completion.

15           d. Study during a summer semester or session.

16           3. “Tuition” means any of the following:

17           a. For the University of Wisconsin System, academic fees, as described in s.  
18 36.27 (1), and segregated fees.

19           b. For technical colleges, program fees, as described in s. 38.24 (1m) (a) and (b)  
20 and additional fees reported and assessed by the college for the course of study.

21           c. For a high school, a school that is approved under s. 45.03 (11), or a  
22 proprietary school that is approved under s. 39.90, the charge for the courses for  
23 which a person is enrolled.

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1           d. For an institution from which a person receives a waiver of nonresident  
2 tuition under s. 39.47, the amount of the reciprocal fee under s. 39.47 (2) and any fees  
3 that are similar to segregated fees for the University of Wisconsin System.

4           (b) *Income limit.* 1. No veteran may receive reimbursement under this section  
5 if the department determines that the income of the veteran and his or her spouse  
6 exceeds \$50,000 plus \$1,000 for each additional dependent in excess of 2 dependents.

7           2. In determining eligibility under this section, the department shall verify all  
8 reported income amounts.

9           (c) *Reimbursement limit.* The amount of the reimbursement under sub. (2) or  
10 (3) may not exceed the total cost of the veteran's tuition or the standard cost for a state  
11 resident for tuition for an equivalent undergraduate course at the University of  
12 Wisconsin–Madison per course, whichever is less, minus any grants or scholarships  
13 that the veteran receives specifically for the payment of tuition.

14           (d) *Child support or maintenance delinquency.* The department may provide  
15 reimbursement under sub. (2) or (3) to a veteran who is delinquent in child support  
16 or maintenance payments or who owes past support, medical expenses, or birth  
17 expenses, as established by appearance of the veteran's name on the statewide  
18 support lien docket under s. 49.854 (2) (b), only if the veteran provides the  
19 department with one of the following:

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

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

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

3 (2) TUITION REIMBURSEMENT PROGRAM. (a) *Eligibility*. A veteran is eligible for  
4 the tuition reimbursement program under this subsection if he or she meets all of the  
5 following conditions:

6 1. The veteran applies for the tuition reimbursement program for courses  
7 begun within 10 years after separation from the service.

8 2. The veteran is a resident at the time of application for the tuition  
9 reimbursement program.

10 3. The veteran is enrolled for at least 12 credits during the semester for which  
11 reimbursement is sought.

12 (b) *Program benefits*. 1. A veteran who meets the requirements under par. (a),  
13 upon satisfactory completion of a full-time undergraduate semester in any  
14 institution of higher education in this state, any school that is approved under s.  
15 45.03 (11), any proprietary school that is approved under s. 39.90, or any institution  
16 from which the veteran receives a waiver of nonresident tuition under s. 39.47, may  
17 be reimbursed an amount not to exceed the total cost of the veteran's tuition minus  
18 any grants or scholarships that the veteran receives specifically for the payment of  
19 the tuition. Reimbursement is available only for tuition that is part of a curriculum  
20 that is relevant to a degree in a particular course of study at the institution.

21 2. The application for reimbursement of tuition under this subsection shall  
22 meet all of the following conditions:

23 a. Be completed and received by the department no later than 60 days after the  
24 completion of the semester. The department may accept an application received

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1 more than 60 days after the completion of the semester if the applicant shows good  
2 cause for the delayed receipt.

3 b. Contain the information necessary to establish eligibility as determined by  
4 the department.

5 c. Be on the application form approved by the department.

6 d. Contain the signatures of both the applicant and a representative of the  
7 institution or school certifying that the applicant has satisfactorily completed the  
8 semester.

9 3. Reimbursement provided under this subsection shall be paid from the  
10 appropriation under s. 20.485 (2) (tf). If the amount of funds applied for exceeds the  
11 amount available under s. 20.485 (2) (tf), the department may deny applications for  
12 reimbursement that would otherwise qualify under this subsection. In those cases,  
13 the department shall determine eligibility on the basis of the dates on which  
14 applications for reimbursement were received.

15 4. Reimbursement of tuition and fees for a course may be provided at an  
16 institution or school under subd. 1. other than one from which the veteran is  
17 receiving his or her degree if all of the following apply:

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

20 b. The course is accepted as transfer credits at the institution or school listed  
21 under subd. 1. from which the veteran is receiving his or her degree but is not  
22 available at that institution or school.

23 (c) *Limitations.* 1. A veteran is not eligible for reimbursement under this  
24 subsection for more than 120 credits or 8 full semesters of full-time study at any  
25 institution of higher education in this state, 60 credits or 4 full semesters of full-time

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1 study at any institution of higher education in this state that offers a degree upon  
2 completion of 60 credits, or an equivalent amount of credits at a school that is  
3 approved under s. 45.03 (11), at a proprietary school that is approved under s. 39.90,  
4 or at an institution where he or she is receiving a waiver of nonresident tuition under  
5 s. 39.47.

6 2. A veteran may not receive reimbursement under this subsection for any  
7 semester in which he or she received reimbursement under sub. (3) or s. 21.49.

8 **(3) CORRESPONDENCE COURSES AND PART-TIME CLASSROOM STUDY.** (a) *Eligibility.*

9 The following persons are eligible for benefits under this section:

10 1. A veteran.

11 2. An unremarried surviving spouse or minor or dependent child of a deceased  
12 veteran.

13 (b) *Program benefits.* 1. A person, upon the completion of any correspondence  
14 course or part-time classroom study from an institution of higher education located  
15 in this state, from a school that is approved under s. 45.03 (11), from a proprietary  
16 school that is approved under s. 39.90, or from any public or private high school, may  
17 be reimbursed in part for the cost of the course by the department. The person shall  
18 present to the department a certificate from the school indicating that the person has  
19 completed the course and stating tuition and shall apply for reimbursement on an  
20 application that is received by the department no later than 60 days after the  
21 termination of the course for which the application for reimbursement is made. The  
22 department shall accept and process an application received more than 60 days after  
23 the termination of the course if the applicant shows good cause for the delayed  
24 receipt.

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1           2. A person who is a resident of this state and otherwise qualified to receive  
2 benefits under this subsection may receive the benefits under this subsection upon  
3 the completion of any correspondence courses or part-time classroom study from an  
4 institution of higher education located outside this state if any of the following  
5 applies:

6           a. The part-time classroom study is not offered within 50 miles of the person's  
7 residence by any school or institution under sub. (2) and the educational institution  
8 from which the study is offered is located not more than 50 miles from the boundary  
9 line of this state.

10          b. The correspondence course is not offered by an institution in this state.

11           3. Enrolled part-time classroom study or direct correspondence courses from  
12 a qualified educational institution may be authorized and the person reimbursed in  
13 part by the department when the courses are related to one's occupational,  
14 professional, or employment objectives, and to the extent that payment or  
15 reimbursement is not available from any other sources, or, in cases where  
16 reimbursement is not specifically for tuition, to the extent that the reimbursement  
17 is insufficient to cover all educational costs.

18           (b) *Limitations.* 1. a. No person who has obtained a master's degree or its  
19 equivalent is eligible for reimbursement under this subsection.

20           b. No person who has obtained at least a baccalaureate degree or its equivalent  
21 but not a master's degree or its equivalent is eligible for reimbursement under this  
22 subsection if the person has remaining U.S. department of veterans affairs education  
23 benefits.

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1 c. For the purpose of this subsection, any person who has received a  
2 baccalaureate degree shall be deemed to be a graduate student whether he or she is  
3 taking graduate or undergraduate courses.

4 2. The department may not provide reimbursement under this subsection  
5 unless the department determines that a course for which an application is made is  
6 related to the applicant's occupational, professional, or employment objectives.

7 3. A person may not be reimbursed under this subsection more than 4 times  
8 during any consecutive 12-month period.

9 **45.21 Retraining assistance program. (1) AMOUNT AND APPLICATION.** The  
10 department may pay a veteran not more than \$3,000 for retraining to enable the  
11 veteran to obtain gainful employment. The department shall determine the amount  
12 of the payment based on the veteran's financial need. A veteran may apply for aid  
13 to the county veterans service officer of the county in which the veteran is living. The  
14 department may, on behalf of a veteran who is engaged in a structured on-the-job  
15 training program and who meets the requirements under sub. (2), make a payment  
16 under this subsection to the veteran's employer.

17 **(2) ELIGIBILITY.** The department may provide aid under this section if all of the  
18 following apply:

19 (a) The veteran is enrolled in a training course in a technical college under ch.  
20 38 or in a proprietary school in the state approved by the educational approval board  
21 under s. 39.90, other than a proprietary school offering a 4-year degree or 4-year  
22 program, or is engaged in a structured on-the-job training program that meets  
23 program requirements promulgated by the department by rule.

24 (b) The veteran meets the financial assistance criteria established under sub.

25 (3) (c).

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1 (c) The veteran is unemployed, underemployed, as defined by rule, or has  
2 received a notice of termination of employment.

3 (d) The veteran requesting aid has not received reimbursement under s. 45.20  
4 for courses completed during the same semester for which a grant would be received  
5 under this section.

6 (e) The department determines that the veteran's proposed program will  
7 provide retraining that could enable the veteran to find gainful employment. In  
8 making its determination, the department shall consider whether the proposed  
9 program provides adequate employment skills and is in an occupation for which  
10 favorable employment opportunities are anticipated.

11 **(3) RULES.** The department shall promulgate rules for the distribution of aid  
12 under this program, including all of the following:

13 (a) Standard budgets for single and married veterans.

14 (b) Selection procedures.

15 (c) Uniform need determination procedures.

16 (d) Application procedures.

17 (e) Coordination with other occupational training programs.

18 (f) Other provisions the department deems necessary to assure uniform  
19 administration of this program.

20 **(4) REPORT.** The department shall include in its biennial report under s. 15.04  
21 (1) (d) information relating to the veterans retraining assistance program, including  
22 the number of veterans obtaining gainful employment after receiving aid and a  
23 description of the veterans receiving aid, including their sex, age, race, educational  
24 level, service-connected disability status, and income before and after obtaining  
25 gainful employment. This information may be based on a valid statistical sample.