



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0529/P8

RPN:wlj:ch

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

repeal

1 **AN ACT** *to repeal* 20.485 (2) (e), 20.485 (2) (em) and 150.46 (3); *to amend* 15.497
2 (2) (c), 16.75 (4) (d), 16.96 (2) (f), 18.04 (2), 18.04 (5) (a), 18.04 (5) (b), 18.04 (5)
3 (c), 18.04 (6) (b), 18.04 (6) (c), 18.06 (7) (intro.), 20.435 (4) (vt), 20.485 (1) (title),
4 20.485 (1) (d), 20.485 (1) (e), 20.485 (1) (g), 20.485 (1) (gd), 20.485 (1) (gk), 20.485
5 (1) (go), 20.485 (1) (h), 20.485 (1) (hm), 20.485 (1) (i), 20.485 (1) (j), 20.485 (1) (m),
6 20.485 (1) (mj), 20.485 (1) (t), 20.485 (2) (c), 20.485 (2) (d), 20.485 (2) (g), 20.485
7 (2) (kt), 20.485 (2) (q), 20.485 (2) (rm), 20.485 (2) (rp), 20.485 (2) (s), 20.485 (2)
8 (tf), 20.485 (2) (th), 20.485 (2) (tj), 20.485 (2) (u), 20.485 (2) (vg), 20.485 (2) (vm),
9 20.485 (2) (vw), 20.485 (2) (vx), 20.485 (2) (vz), 20.485 (2) (wd), 20.485 (2) (x),
10 20.485 (2) (yn), 20.485 (2) (yo), 20.485 (2) (z), 20.485 (2) (zm), 20.485 (3) (b),
11 20.485 (3) (e), 20.485 (3) (q), 20.485 (3) (rm), 20.485 (3) (s), 20.485 (3) (sm),
12 20.485 (3) (t), 20.485 (3) (v), 20.485 (3) (w), 20.485 (3) (wd), 20.485 (3) (wg),
13 20.485 (3) (wp), 20.485 (4) (g), 20.485 (4) (h), 20.485 (4) (m), 20.485 (4) (q), 20.485
14 (4) (r), 20.485 (5) (g), 20.485 (5) (gm), 20.866 (2) (zn), 21.11 (3), 21.16 (1), 21.49
15 (4) (c), 21.80 (3) (g), 25.17 (1) (xp), 25.17 (1) (yv), 25.36 (1), 25.37, 28.035 (3) (a),

1 29.219 (2) (c), 29.506 (7m) (a), 29.563 (3) (a) 8., 36.27 (2) (b) 4., 36.27 (3r), 38.24
2 (6), 40.05 (4g) (a) 4., 46.27 (1) (b), 46.27 (1) (dr), 46.27 (6) (a) 2. cm., 49.19 (9),
3 49.45 (3) (e) 7m., 49.45 (6m) (bg), 49.855 (4m) (b), 50.034 (4), 50.135 (3), 50.39
4 (3), 51.20 (10) (cm), 51.35 (6) (a), 51.45 (13) (h), 59.52 (16) (b) (title), 59.52 (16)
5 (b) 2., 59.535 (1) (a), 59.535 (4), 59.65, 66.0509 (title), 66.1201 (9) (x), 67.015,
6 69.30 (1) (bm), 69.30 (2), 70.11 (1), 70.11 (3a), 70.11 (9), 71.05 (6) (b) 28. (intro.),
7 86.03 (4), 86.03 (6), 120.13 (37) (a) 3., 125.14 (2) (e), 125.26 (6), 125.51 (10),
8 132.16 (1) (a), 139.31 (3), 139.76 (2), 146.997 (1) (c), 150.31 (5m), 150.46 (1),
9 150.84 (2), 150.93 (5), 150.95 (2), 155.01 (6), 157.637, 182.028, 186.113 (14) (a),
10 188.26, 215.21 (2), 224.71 (3) (b) 7., 230.03 (14) (b), 230.03 (14) (c), 230.08 (2)
11 (xm), 230.315 (1) (c), 230.36 (1m) (b) 1. (intro.), 234.03 (13m), 234.40 (1), 234.40
12 (3), 234.41 (1), 234.41 (2), 234.60 (3) (a), 234.60 (3) (b), 252.14 (1) (d), 341.14 (6)
13 (a), 341.26 (2) (g), 421.203 (1), 421.301 (6), 460.05 (1) (e) 1., 563.11 (1) (intro.),
14 565.10 (14) (a) (intro.), 610.70 (1) (e), 812.30 (9), 814.29 (1) (d) 1., 815.18 (13) (k),
15 851.09, subchapter II (title) of chapter 880 [precedes 880.60], 880.60 (title),
16 880.60 (1) (a), 880.60 (5) (b), 880.60 (19), 944.21 (8) (b) 3. a. and 948.11 (4) (b)
17 3. a.; **to repeal and recreate** chapter 45; and **to create** 21.74, 21.78, 21.79,
18 subchapter V (title) of chapter 39 [precedes 39.90], 39.90, 86.03 (7) and 230.04

19 (17) of the statutes; **relating to:** the powers and duties of the Department of
20 Veterans Affairs, veterans assistance, educational programs, burials,
21 cemeteries, homes, housing loans, memorials, and museums, the employment
22 rights and benefits available to persons who are in or who return from military
23 service, the Educational Approval Board, granting rule-making authority,

- 1 requiring the exercise of rule-making authority, making appropriations, and
2 providing penalties.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

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

PREFATORY NOTE: This draft was prepared for the Joint Legislative Council's Special Committee on Recodification of Chapter 45, Veterans, based on recommendations of the committee's drafting subcommittee. The special committee was directed to conduct a recodification of ch. 45, relating to veterans, to include reorganizing the chapter in a logical manner, renumbering and retitling sections, consolidating related provisions, modernizing language, resolving ambiguities in language, making other necessary organizational changes, and making minor substantive changes.

The draft does the following:

1. Reorganizes the entire chapter by subdividing it into 8 subchapters. Currently, the chapter consists of 2 subchapters, one of which relates to housing programs, and the other of which includes all other veterans programs and services.

2. Makes nonsubstantive editorial changes to modernize language to make the language consistent with current drafting style.

3. Repeals several provisions considered no longer necessary. For example, language regarding construction of veterans memorials that have already been constructed is eliminated. As another example, language regarding employment of disabled veterans is eliminated in light of the state Fair Employment Act and the federal Americans with Disabilities Act.

4. Moves to other chapters of the statutes provisions from current ch. 45 that are not directly related to veterans. For example, provisions dealing with military service (ss. 45.50, 45.51, and 45.53) are moved to ch. 21, which relates to military affairs. As another example, the provision dealing with the educational approval board (s. 45.54) is moved to ch. 39, which relates to educational agencies.

5. Simplifies confusing statutory language by drafting it in a format that is easier to understand. For example, the formula for awarding grants to veterans organizations in current s. 45.353 (2) is simplified in the new s. 45.41 (2) by showing how much is received by the organization depending on the level of expenditure.

6. Makes minor substantive changes that the special committee concluded are relatively noncontroversial. These include the following:

a. Expanding the definition of "veteran" that is used in current ch. 45 to include persons who are missing in action, persons who died as the result of a service-connected disability, and persons who died in the line of duty while on inactive or active duty for training purposes.

b. Changing the names of the state veterans facilities in current statutes to the Wisconsin Veterans Home at Union Grove, the Wisconsin Veterans Home at King, and the Wisconsin Veterans Home at Chippewa Falls, and generally applying the laws that currently apply to just one or 2 of the homes to all 3 homes.

c. Expanding the definition of "war period" to include any period after the Iraq War that results in a person receiving an Expeditionary Medal and that the state department

of veterans affairs determines and designates by rule. In designating a war period, the department would be required to review the criteria used to establish the war periods currently listed in the statutes and consult with the U.S. department of defence.

d. Requiring that ch. 45 be construed as liberally as the language permits in favor of applicants. Currently, the liberal construction provision applies to many, but not all, parts of the chapter.

The remainder of this prefatory note sets forth a table of contents listing all of the subchapter titles and section titles of the revised ch. 45.

Subchapter I

General Provisions

| | |
|--------|--|
| 45.001 | Recognition of persons who served in the armed forces. |
| 45.02 | Eligibility for benefits. |
| 45.03 | Department of veterans affairs. |
| 45.04 | Release of information and records. |
| 45.05 | Registration of certificate of discharge. |
| 45.06 | Security. |
| 45.07 | Wisconsin Veterans Museum. |
| 45.08 | Memorial Day. |
| 45.01 | Definitions. |

Subchapter II

Education and Training

| | |
|-------|--------------------------------|
| 45.20 | Veterans education programs. |
| 45.21 | Retraining assistance program. |

Subchapter III

Veterans Housing Loan Program

| | |
|-------|--|
| 45.30 | Purpose. |
| 45.31 | Definitions. |
| 45.32 | Powers of the department. |
| 45.33 | Eligibility and disqualifying factors. |
| 45.34 | Uses for loan proceeds. |
| 45.35 | Contribution. |
| 45.36 | Manner of repayment. |
| 45.37 | Mortgage loan program. |

Subchapter IV

Assistance Programs

| | |
|-------|-------------------------------------|
| 45.40 | Economic assistance. |
| 45.41 | Payments to veterans organizations. |
| 45.42 | Veterans personal loans. |
| 45.43 | Veterans assistance program. |

Subchapter V

Veterans Homes

| | |
|-------|-----------------------------|
| 45.50 | Veterans homes; management. |
| 45.51 | Eligibility for membership. |

Insert
4-e.

Subchapter VI**Funerals, Burials, and Cemeteries**

| | |
|-------|--------------------------------|
| 45.60 | Military funeral honors. |
| 45.61 | Wisconsin veterans cemeteries. |
| 45.62 | Burial places compiled. |

Subchapter VII**Memorials**

| | |
|-------|---|
| 45.70 | Veterans memorials. |
| 45.71 | Catalog of memorials. |
| 45.72 | County and municipal memorials. |
| 45.73 | Sites for veterans memorial halls. |
| 45.74 | Memorial corporations organized under 1919 act. |
| 45.75 | Memorials in populous counties. |

Subchapter VIII**Local Responsibilities**

| | |
|---------------------|--|
| 45.80 | County veterans service officer. |
| 45.81 | County veterans service commission. |
| 45.82 | Records of meetings and investigations kept by service officer. |
| 45.8 2 4 | Burial allowance. |
| 45.8 4 5 | Care of graves. |
| 45.8 6 6 | County tax for needy veterans. |

insert
an L-45.82 →

1 **SECTION 1.** 15.497 (2) (c) of the statutes is amended to read:

2 15.497 (2) (c) One representative of the Wisconsin county veterans' veterans
3 service officers.

4 **SECTION 2.** 16.75 (4) (d) of the statutes is amended to read:

5 16.75 (4) (d) In this subsection and s. 16.755, "veteran-owned business" means
6 a small business, as defined in par. (c), that is certified by the department of veterans
7 affairs as being at least 51% owned by one or more veterans, as defined in s. 45.35
8 (5) 45.01 (12).

9 **SECTION 3.** 16.96 (2) (f) of the statutes is amended to read:

10 16.96 (2) (f) Persons who are members in the Wisconsin Veterans Home at King
11 shall be considered residents of the town of Farmington and of Waupaca County,
12 persons who are members in the Wisconsin Veterans Home at Chippewa Falls shall

1 be considered residents of the city of Chippewa Falls and of Chippewa County, and
2 persons who are members in the Wisconsin veterans facility in southeastern
3 Wisconsin Veterans Home at Union Grove shall be considered residents of the town
4 of Dover and of Racine County for purposes of the state revenue sharing distribution
5 under subch. I of ch. 79.

6 **SECTION 4.** 18.04 (2) of the statutes is amended to read:

7 18.04 (2) The commission shall authorize public debt to be contracted and
8 evidences of indebtedness to be issued ~~therefor~~ for the debt up to the amounts
9 specified by the legislature to acquire, construct, develop, extend, enlarge or improve
10 land, waters, property, highways, buildings, equipment or facilities or to make funds
11 available for ~~veterans'~~ veterans housing loans for the classes of public purposes
12 specified by the legislature as the funds are required. ~~Said~~ The requirements for
13 funds shall be established by that department or agency head having program
14 responsibilities for which public debt has been authorized by the legislature.

15 **SECTION 5.** 18.04 (5) (a) of the statutes is amended to read:

16 18.04 (5) (a) To acquire public debt contracted to make funds available for
17 ~~veterans'~~ veterans housing loans under sub. (2).

18 **SECTION 6.** 18.04 (5) (b) of the statutes is amended to read:

19 18.04 (5) (b) To fund or refund public debt contracted to make funds available
20 for ~~veterans'~~ veterans housing loans under sub. (2).

21 **SECTION 7.** 18.04 (5) (c) of the statutes is amended to read:

22 18.04 (5) (c) To acquire public debt, other than public debt that is contracted
23 to make funds available for ~~veterans'~~ veterans housing loans under sub. (2), for the
24 purpose of investment for the veterans primary mortgage loan program under s.
25 ~~45.79~~ 45.37.

1 **SECTION 8.** 18.04 (6) (b) of the statutes is amended to read:

2 18.04 (6) (b) The commission may direct that moneys resulting from any public
3 debt contracted under this section be deposited in the funds or accounts created or
4 designated by resolution of the commission or established by resolution under s.
5 ~~45.79 (7)~~ 45.37 (7), including escrow accounts established under refunding escrow
6 agreements that are authorized by the commission.

7 **SECTION 9.** 18.04 (6) (c) of the statutes is amended to read:

8 18.04 (6) (c) Notwithstanding s. 25.17, moneys deposited or held in funds or
9 accounts under par. (b) and all other moneys received under s. ~~45.79 (7) (a) (intro.)~~
10 45.37 (7) (a) (intro.) may be invested in any obligations, either through cash purchase
11 or exchange, as specified by resolution of the commission.

12 **SECTION 10.** 18.06 (7) (intro.) of the statutes is amended to read:

13 18.06 (7) (intro.) Notwithstanding subs. (2) to (5), the following procedures
14 apply to public debt contracted for any of the purposes under s. 18.04 (5) or contracted
15 for the purpose of making funds available for ~~veterans'~~ veterans housing loans:

16 **SECTION 11.** 20.435 (4) (vt) of the statutes is amended to read:

17 20.435 (4) (vt) *Veterans trust fund; nurse stipends.* From the veterans trust
18 fund, the amounts in the schedule for the state share of the medical assistance costs
19 related to the provision of stipends under s. ~~45.365 (7)~~ 45.50 (9).

20 **SECTION 12.** 20.485 (1) (title) of the statutes is amended to read:

21 20.485 (1) (title) ~~HOMES AND FACILITIES FOR VETERANS~~ VETERANS HOMES.

22 **SECTION 13.** 20.485 (1) (d) of the statutes is amended to read:

23 20.485 (1) (d) *Cemetery maintenance and beautification.* The amounts in the
24 schedule for cemetery maintenance and beautification at the Central Wisconsin
25 Veterans Memorial Cemetery ~~at the Wisconsin Veterans Home at King.~~

1 SECTION 14. 20.485 (1) (e) of the statutes is amended to read:

2 20.485 (1) (e) *Lease rental payments.* A sum sufficient to pay the rentals
3 required to be made on facilities under leases entered into under s. 45.38 45.03 (5).

4 SECTION 15. 20.485 (1) (g) of the statutes is amended to read:

5 20.485 (1) (g) *Home exchange.* The amounts in the schedule for the purchase
6 of the necessary materials, supplies and equipment for the operation of the home
7 exchange, and compensation for members' labor. All moneys received from the sale
8 of products authorized by s. 45.37 (9) 45.51 (7) shall be credited to this appropriation.

9 SECTION 16. 20.485 (1) (gd) of the statutes is amended to read:

10 20.485 (1) (gd) *Veterans home cemetery operations.* All moneys received from
11 the estate of the decedents under s. 45.37 (15) (e) 45.61 (5) for the burial of veterans
12 and non-veterans in the a Wisconsin Veterans Memorial Cemetery at the Wisconsin
13 Veterans Home at King veterans cemetery under 45.61 (1), to be used for that
14 purpose.

15 SECTION 17. 20.485 (1) (gk) of the statutes is amended to read:

16 20.485 (1) (gk) *Institutional operations.* The amounts in the schedule for the
17 care of the ^{members of the} ~~Wisconsin Veterans Home at King, the Southern Wisconsin Veterans~~
18 ~~Retirement Center, and veterans facilities~~ veterans homes under s. 45.50, and for the
19 payment of stipends under s. 45.365 (7) 45.50 (9). All moneys received under par. (m)
20 and s. 45.37 (9) (d) and (9d) 45.51 (7) (b) and (8) shall be credited to this appropriation.

21 SECTION 18. 20.485 (1) (go) of the statutes is amended to read:

22 20.485 (1) (go) *Self-amortizing housing facilities; principal repayment and*
23 *interest.* From the moneys received for providing housing services at ~~the Wisconsin~~
24 ~~Veterans Home at King and the Wisconsin veterans facility in southeastern~~
25 Wisconsin veterans homes under s. 45.50, a sum sufficient to reimburse s. 20.866 (1)

1 (u) for the principal and interest costs incurred in acquiring, constructing,
2 developing, enlarging or improving housing facilities at the Wisconsin Veterans
3 Home at King and the Wisconsin veterans facility in southeastern Wisconsin
4 veterans homes under s. 45.50 and to make the payments determined by the building
5 commission under s. 13.488 (1) (m) that are attributable to the proceeds of
6 obligations incurred in financing such the facilities.

7 **SECTION 19.** 20.485 (1) (h) of the statutes is amended to read:

8 20.485 (1) (h) *Gifts and bequests.* All moneys received under s. ~~45.37 (10) and~~
9 ~~(11)~~ 45.51 (10) and (11), or any moneys received by gifts or bequests, to carry out the
10 purposes of ss. ~~45.365, 45.37 and 45.385~~ 45.50 and 45.51.

11 **SECTION 20.** 20.485 (1) (hm) of the statutes is amended to read:

12 20.485 (1) (hm) *Gifts and grants.* All moneys received from gifts and grants
13 specifically for the purpose of s. ~~45.365 (1) (d)~~ 45.50 (1) (c), to carry out the purpose
14 of s. ~~45.365 (1) (d)~~ 45.50 (1) (c).

15 **SECTION 21.** 20.485 (1) (i) of the statutes is amended to read:

16 20.485 (1) (i) *State-owned housing maintenance.* The amounts in the schedule
17 for maintenance of state-owned housing at ~~the Wisconsin Veterans Home at King~~
18 ~~and the veterans facility in southeastern Wisconsin~~ veterans homes under s. 45.50.
19 All moneys received by the department from rentals of state-owned housing shall
20 be credited to this appropriation account.

21 **SECTION 22.** 20.485 (1) (j) of the statutes is amended to read:

22 20.485 (1) (j) *Geriatric program receipts.* All moneys received from program
23 operations by the geriatric evaluation, research, and education program, to carry out
24 the purpose of s. ~~45.365 (1) (d)~~ 45.50 (1) (c).

25 **SECTION 23.** 20.485 (1) (m) of the statutes is amended to read:

1 20.485 (1) (m) *Federal aid; care at veterans ~~home and facilities~~ homes*. All
2 moneys received from the federal government for care of veterans of any war or
3 military expedition of the United States who have been admitted to and cared for at
4 ~~the Wisconsin Veterans Home at King and veterans facilities~~ Wisconsin veterans
5 homes under s. 45.50. The net revenues accruing under this paragraph shall be
6 credited to the appropriation under par. (gk).

7 **SECTION 24.** 20.485 (1) (mj) of the statutes is amended to read:

8 20.485 (1) (mj) *Federal aid; geriatric unit*. All moneys received from the federal
9 government for the geriatric program at ~~the Wisconsin Veterans Home at King and~~
10 ~~veterans facilities~~ veterans homes, to carry out the purpose of s. ~~45.365 (1) (d)~~ 45.50
11 (1) (c).

12 **SECTION 25.** 20.485 (1) (t) of the statutes is amended to read:

13 20.485 (1) (t) *Veterans homes ~~and facilities~~ member accounts*. From the
14 ~~Wisconsin Veterans Home at King and veterans facilities~~ homes members fund, all
15 moneys received under s. 25.37 to make payments as provided under s. ~~45.37 (9e),~~
16 ~~(10) and (11)~~ 45.51 (8), (10), and (11).

17 **SECTION 26.** 20.485 (2) (c) of the statutes is amended to read:

18 20.485 (2) (c) *Operation of Wisconsin veterans museum*. From the general fund,
19 the amounts in the schedule for the operation of the Wisconsin veterans museum
20 under s. ~~45.014~~ 45.07.

21 **SECTION 27.** 20.485 (2) (d) of the statutes is amended to read:

22 20.485 (2) (d) *Veterans memorials at ~~The~~ the Highground*. From the general
23 fund, as a continuing appropriation, the amounts in the schedule to construct
24 ~~memorials for World War I, World War II and a memorial for~~ memorials for Persian Gulf war
25 veterans at ~~The~~ the Highground.

1 **SECTION 28.** 20.485 (2) (e) of the statutes is repealed.

2 **SECTION 29.** 20.485 (2) (em) of the statutes is repealed.

3 **SECTION 30.** 20.485 (2) (g) of the statutes is amended to read:

4 20.485 (2) (g) *Consumer reporting agency fees.* From the general fund, all
5 moneys received from consumer reporting agencies under s. ~~45.36 (5m)~~ 45.04 (7) for
6 the purpose of providing information to those agencies under s. ~~45.36 (5m)~~ 45.04 (7).

7 **SECTION 31.** 20.485 (2) (kt) of the statutes is amended to read:

8 20.485 (2) (kt) *Operation of Wisconsin veterans museum; Indian gaming*
9 *receipts.* The amounts in the schedule for the operation of the Wisconsin veterans
10 museum under s. ~~45.014~~ 45.07. All moneys transferred from the appropriation
11 account under s. 20.505 (8) (hm) 13v. shall be credited to this appropriation account.
12 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year
13 shall revert to the appropriation account under s. 20.505 (8) (hm).

14 **SECTION 32.** 20.485 (2) (q) of the statutes is amended to read:

15 20.485 (2) (q) *Military honors funerals funeral honors.* Biennially, the amounts
16 in the schedule to provide military ~~honors funerals~~ funeral honors for veterans under
17 s. ~~45.19 (1)~~ 45.60.

18 **SECTION 33.** 20.485 (2) (rm) of the statutes is amended to read:

19 20.485 (2) (rm) *Veterans assistance program.* Biennially, the amounts in the
20 schedule for general program operations of the veterans assistance program under
21 s. ~~45.357~~ 45.43.

22 **SECTION 34.** 20.485 (2) (rp) of the statutes is amended to read:

23 20.485 (2) (rp) *Veterans assistance program receipts.* The amounts in the
24 schedule for the provision of assistance to veterans under s. ~~45.357 (1)~~ 45.43 (1). All

1 moneys received from fees under s. 45.357 (2) 45.43 (2) shall be credited to this
2 appropriation account.

3 SECTION 35. 20.485 (2) (s) of the statutes is amended to read:

4 20.485 (2) (s) *Transportation grant payment.* The amounts in the schedule to
5 provide transportation services ~~grants~~ ^{plain} ~~payments~~ ^{and} ~~under~~ ^{SYSTEM} ss. 45.353 (3m) 45.41 (4) and
6 45.43 (7m) ~~45.80 (9)~~ ^{450 P3}

7 SECTION 36. 20.485 (2) (tf) of the statutes is amended to read:

8 20.485 (2) (tf) *Veterans' Veterans* ^{payments and grants ...} ~~program.~~ ^{@12-5} Biennially,
9 the amounts in the schedule for the ~~program.~~ ^{LPS: 12-5} on reimbursement ^{Should read}
10 program under s. 45.25 45.20 (2). Notwithstanding s. 20.001 (3) (a), the department
11 may encumber moneys under this appropriation for the biennium up to 60 days after
12 the end of that biennium if an estimate is first submitted to the department of
13 administration showing the amounts that will be encumbered during that 60-day
14 period.

15 SECTION 37. 20.485 (2) (th) of the statutes is amended to read:

16 20.485 (2) (th) *Correspondence courses and part-time classroom study.*
17 Biennially, the amounts in the schedule for the ~~veterans'~~ veterans correspondence
18 courses and part-time classroom study program under s. 45.396 45.20 (3).
19 Notwithstanding ss. 16.52 (5) and 20.001 (3) (a), after June 30, 1998, the department
20 may encumber moneys under this appropriation for the biennium up to 60 days after
21 the end of that biennium if an estimate is first submitted to and approved by the
22 secretary of administration showing the amounts that will be encumbered during
23 that 60-day period.

24 SECTION 38. 20.485 (2) (tj) of the statutes is amended to read:

1 20.485 (2) (tj) *Retraining grant assistance program*. The amounts in the
2 schedule for the veterans' veterans retraining grant assistance program under s.
3 ~~45.397~~ 45.21.

4 **SECTION 39.** 20.485 (2) (u) of the statutes is amended to read:

5 20.485 (2) (u) *Administration of loans and aids to veterans*. The amounts in
6 the schedule for the administration of loans and aids to veterans, and for payment
7 of legal services under s. ~~45.35 (14) (d)~~ 45.03 (13) (d).

8 **SECTION 40.** 20.485 (2) (vg) of the statutes is amended to read:

9 20.485 (2) (vg) *Health care aid grants*. The amounts in the schedule for the
10 payment of benefits to veterans and their dependents under s. ~~45.351 (1)~~ 45.40 (2).

11 **SECTION 41.** 20.485 (2) (vm) of the statutes is amended to read:

12 20.485 (2) (vm) *Subsistence grants aid*. The amounts in the schedule for
13 payment of subsistence grants aid to veterans and their dependents under s. ~~45.351~~
14 ~~(1)~~ 45.40 (1).

15 **SECTION 42.** 20.485 (2) (vw) of the statutes is amended to read:

16 20.485 (2) (vw) *Payments to veterans organizations for claims service*. The
17 amounts in the schedule to pay veterans organizations for claims services as
18 prescribed in s. ~~45.353~~ 45.41.

19 **SECTION 43.** 20.485 (2) (vx) of the statutes is amended to read:

20 20.485 (2) (vx) *County grants*. The amounts in the schedule for payment of
21 grants under s. 45.43 (7) ~~45.80 (8)~~ ⁴⁵⁰⁸².

22 **SECTION 44.** 20.485 (2) (vz) of the statutes is amended to read:

23 20.485 (2) (vz) *American Indian grants*. The amounts in the schedule for
24 grants to American Indian tribes and bands under s. ~~45.35 (14) (h)~~ ~~45.80 (8) (a)~~ ^{45.82 (4)}.

25 **SECTION 45.** 20.485 (2) (wd) of the statutes is amended to read:

1 20.485 (2) (wd) *Operation of Wisconsin veterans museum Veterans Museum.*

2 The amounts in the schedule for the operation of the Wisconsin veterans museum
3 Veterans Museum under s. ~~45.014~~ 45.07.

4 **SECTION 46.** 20.485 (2) (x) of the statutes is amended to read:

5 20.485 (2) (x) *Federal per diem payments.* The amounts in the schedule for the
6 provision of assistance to veterans under s. ~~45.357~~ 45.43. All moneys received from
7 the federal government as per diem payments for veterans participating in the
8 veterans assistance program under s. ~~45.357~~ 45.43 shall be credited to this
9 appropriation account.

10 **SECTION 47.** 20.485 (2) (yn) of the statutes is amended to read:

11 20.485 (2) (yn) *Veterans trust fund loans and expenses.* Biennially, the amounts
12 in the schedule for the purpose of providing loans under s. ~~45.356~~ 45.42 and for the
13 payment of expenses and other payments as a consequence of being a mortgagee or
14 owner under home improvement loans made under s. 45.79 (7) (c), 1997 stats., or
15 under s. 45.351 (2), 1995 stats., s. 45.352, 1971 stats., s. 45.80, 1989 stats., and s.
16 ~~45.356~~ 45.42. All moneys received under ss. ~~45.356 (9) (a) and (b)~~ 45.42 (8) (a) and
17 (b) and ~~45.79 (7) (e)~~ 45.37 (7) (c) for the purpose of providing loans under the personal
18 loan program under s. ~~45.356~~ 45.42 shall be credited to this appropriation account.
19 All payments of interest and repayments of principal for loans made under s. 45.351
20 (2), 1995 stats., s. 45.352, 1971 stats., s. 45.80, 1989 stats., s. 45.356, and s. 45.79 (7)
21 (c), 1997 stats., shall revert to the veterans trust fund.

22 **SECTION 48.** 20.485 (2) (yo) of the statutes is amended to read:

23 20.485 (2) (yo) *Debt payment.* A sum sufficient for the payment of obligations
24 incurred for moneys received under s. ~~45.356 (9) (a) and (b)~~ 45.42 (8) (a) and (b).

25 **SECTION 49.** 20.485 (2) (z) of the statutes is amended to read:

1 20.485 (2) (z) *Gifts*. All moneys received under s. ~~45.35 (13) (a)~~ 45.03 (12) (a)
2 to be used as provided in that subsection.

3 **SECTION 50.** 20.485 (2) (zm) of the statutes is amended to read:

4 20.485 (2) (zm) *Museum gifts and bequests*. All moneys received under s. 45.35
5 ~~(13) (b)~~ 45.03 (12) (b) to be used as provided in that subsection.

6 **SECTION 51.** 20.485 (3) (b) of the statutes is amended to read:

7 20.485 (3) (b) *Self insurance*. A sum sufficient to cover deficiencies in the
8 amounts necessary to repay principal and interest on veterans housing loans made
9 under s. ~~45.79~~ 45.37 and financed by bonds sold pursuant to under s. 234.40.

10 **SECTION 52.** 20.485 (3) (e) of the statutes is amended to read:

11 20.485 (3) (e) *General program deficiency*. A sum sufficient to pay any general
12 program deficiency under s. ~~45.79~~ 45.37, including any deficiency in the capital
13 reserve fund requirement under s. 234.42.

14 **SECTION 53.** 20.485 (3) (q) of the statutes is amended to read:

15 20.485 (3) (q) *Foreclosure loss payments*. As a continuing appropriation from
16 the veterans mortgage loan repayment fund, all moneys deposited and held in
17 accounts in the veterans mortgage loan repayment fund to pay costs under s. ~~45.79~~
18 ~~(7) (a) 3. and 7.~~ 45.37 (7) (a) 3. and 7., for the purpose of paying costs under s. ~~45.79~~
19 ~~(7) (a) 3. and 7.~~ 45.37 (7) (a) 3. and 7.

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

21 20.485 (3) (rm) *Other reserves*. As a continuing appropriation from the
22 veterans mortgage loan repayment fund, all moneys deposited and held in the
23 veterans mortgage loan repayment fund to pay costs under s. ~~45.79 (7) (a) 5. to 8. and~~
24 ~~10.~~ 45.37 (7) (a) 5. to 8. and 10., for the purposes under s. ~~45.79 (7) (a) 5. to 8. and 10~~
25 45.37 (7) (a) 5. to 8. and 10.

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

2 20.485 (3) (s) *General program operations.* The amounts in the schedule from
3 the veterans mortgage loan repayment fund for general program operations of the
4 veterans mortgage loan program under s. ~~45.79~~ 45.37.

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

6 20.485 (3) (sm) *County grants.* The amounts in the schedule from the veterans
7 mortgage loan repayment fund for payment of grants made under s. ~~45.43 (7)~~ 45.80 ^{P2} ✓

8 ~~45.80~~
9 **SECTION 57.** 20.485 (3) (t) of the statutes is amended to read:

10 20.485 (3) (t) *Debt service.* As a continuing appropriation from the veterans
11 mortgage loan repayment fund, all moneys deposited and held in accounts in the
12 veterans mortgage loan repayment fund to reimburse s. 20.866 (1) (u) for the
13 payment of debt service costs incurred in providing veterans mortgage loans under
14 s. ~~45.79 (6) (a)~~ 45.37 (6) (a) and for debt service costs incurred in contracting public
15 debt for any of the purposes under s. 18.04 (5), for these purposes.

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

17 20.485 (3) (v) *Revenue obligation repayment.* All moneys received in the fund
18 or funds created under s. ~~45.79 (9)~~ 45.37 (10) for the purposes of retiring revenue
19 obligations, providing reserves, funding additional loans, purchasing assumed
20 mortgages and funding program operations under s. ~~45.79 (6) (e) and (9)~~ 45.37 (6) (c)
21 and (10). All moneys received are irrevocably appropriated in accordance with
22 subch. II of ch. 18 and further established in resolutions authorizing the issuance of
23 revenue obligations and setting forth the distribution of funds received thereafter.

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

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

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

8 20.485 (3) (wd) *Loan-servicing administration*. From the veterans mortgage
9 loan repayment fund, the amounts in the schedule for administrative costs of
10 servicing loans under s. ~~45.79 (5) (a) 10~~ 45.37 (5) (a) 10.

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

12 20.485 (3) (wg) *Escrow payments, recoveries, and refunds*. From the veterans
13 mortgage loan repayment fund, all moneys received by the department under s.
14 ~~45.79 (5) (a) 6.~~ 45.37 (5) (a) 6. to make payments required of the department under
15 s. ~~45.79 (5) (a) 6~~ 45.37 (5) (a) 6.

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

17 20.485 (3) (wp) *Loan-servicing rights*. Biennially, from the veterans mortgage
18 loan repayment fund, the amounts in the schedule to purchase loan-servicing rights
19 from authorized lenders under s. ~~45.79 (5) (a) 10~~ 45.37 (5) (a) 10.

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

21 20.485 (4) (g) *Cemetery operations*. The amounts in the schedule for the care
22 and operation of the veterans memorial cemeteries under s. ~~45.358~~ 45.61 other than
23 those costs provided under pars. (q) and (r). All moneys received under s. ~~45.358 (3m)~~
24 45.61 (3) shall be credited to this appropriation account.

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

1 20.485 (4) (h) *Gifts, grants and bequests.* All moneys received under s. 45.358
2 (4) 45.61 (1) as gifts, grants or bequests to be expended for the purposes made.

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

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

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

9 20.485 (4) (q) *Cemetery administration and maintenance.* From the veterans
10 trust fund, the amounts in the schedule for the administrative and maintenance
11 costs of operating the veterans memorial cemeteries under s. 45.358 45.61.

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

13 20.485 (4) (r) *Cemetery energy costs.* From the veterans trust fund, the amounts
14 in the schedule to be used at the veterans memorial cemeteries operated under s.
15 45.358 45.61 for utilities and for fuel, heat and air conditioning and for costs incurred
16 by or on behalf of the department of veterans affairs under ss. 16.858 and 16.895.

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

18 20.485 (5) (g) *Proprietary school programs.* The amounts in the schedule for
19 the examination and approval of proprietary school programs. All moneys received
20 from the issuance of solicitor's permits under s. 45.54 (8) 39.90 (6) and from the fees
21 under s. 45.54 (10) 39.90 (7) shall be credited to this appropriation, except those fees
22 credited to par. (gm).

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

1 20.485 (5) (gm) *Student protection*. All moneys received from the fees received
2 under s. 45.54 (10) (e) 4. 39.90 (7) (c) 4., for the purpose of indemnifying students,
3 parents, or sponsors under s. 45.54 (10) (a) 39.90 (7) (a).

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

5 20.866 (2) (zn) *Veterans affairs; self-amortizing mortgage loans*. From the
6 capital improvement fund, a sum sufficient for the department of veterans affairs for
7 loans to veterans under s. 45.79 (6) (a) 45.37 (6) (a). The state may contract public
8 debt in an amount not to exceed \$2,120,840,000 for this purpose.

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

10 21.11 (3) The adjutant general may activate members of the national guard for
11 the purpose of serving on an honors detail of ~~a~~ military honors funeral funeral
12 honors for a deceased veteran ^{person described under} under s. 45.19 45.60.⁽¹⁾

13 **SECTION 72.** 21.16 (1) of the statutes is amended to read: ~~repealed~~

14 21.16 (1) No person may wear the uniform of the national guard or of the U.S.
15 army, air force, navy, or marine corps, or a reserve component of the U.S. armed
16 forces, except a person who is regularly enrolled in the U.S. army, air force, navy, or
17 marine corps, a reserve component of the U.S. armed forces, the national guard of
18 one of the states or one of the student cadet companies armed and recognized by the
19 national or a state government, a person retired from active service or a reserve
20 component, or a person who is an inmate a member of any veterans' or soldiers'
21 veterans home. Any person violating this subsection shall forfeit not less than \$10
22 nor more than \$100. The district attorney of the county in which any such offense
23 is committed shall bring an action in the name of the state against the offender.

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

1 21.49 (4) (c) No guard member may receive a grant under sub. (3) for any
2 semester in which he or she received a grant payment under s. ~~45.25~~ 45.20 (2).

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

4 **21.74 Soldiers and sailors civil relief act; federal service.** (1) In this
5 section, unless the context indicates otherwise:

6 (a) “Interest and penalties” means interest and penalties accruing on taxes
7 during the period of military service and 6 months thereafter. In case several owners
8 jointly own property, other than property held jointly or as marital property with the
9 spouse of the person in military service, interest and penalties means the
10 proportionate share of the total interest and penalties commensurate with the equity
11 in the property of the person in military service.

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

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

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

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

1 (3) Any person while in the military service of the United States or within 6
2 months after terminating service, or the person's agent or attorney during that
3 period, may petition the circuit court of any county in which the person owns
4 property for relief under this section. Upon filing of the petition the court shall make
5 an order fixing the time of hearing and requiring the giving of notice of the hearing.
6 If after the hearing the court finds that the person is, or within 6 months next
7 preceding the filing of the petition was, in the military service of the United States
8 and owns property within the county on which taxes have fallen or will fall due, and
9 that the person's ability to pay the taxes has been materially adversely affected by
10 reason of being in military service, the court shall enter an order determining that
11 the person is entitled to relief under this section. The court may suspend proceedings
12 for the collection of taxes on the property for a period not exceeding 6 months after
13 termination of the military service of the person, or for the time reasonably necessary
14 to complete the agreement provided in sub. (7). Thereafter, the property shall not
15 be included in tax certificates issued to enforce collection of taxes on property, and
16 all proceedings for that purpose shall be suspended, except under terms that the
17 court may order.

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

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

1 (6) The person owning or having an interest in any property in respect to which
2 the order under sub. (3) is made, or the person's agent or attorney, may file a certified
3 copy of the order of suspension with the county treasurer or with the city treasurer
4 of cities authorized by law to sell lands for the nonpayment of taxes as to the taxes
5 and assessments. The person shall file with the order an affidavit in triplicate, sworn
6 to by the person or agent or attorney, setting forth the name of the owner, the legal
7 description of the property, the type of property, when acquired, volume and page
8 number where the deed was recorded if acquired by deed, and the name of the estate
9 if acquired by descent, amount of delinquent taxes if any, and the names of the
10 holders of any outstanding mortgage, lien, or other encumbrance. Upon receipt of
11 the filing, the county treasurer or city treasurer shall record the order in the office
12 of the register of deeds of the county and file a copy in the office of the treasurer, who
13 shall make proper notation that a person in military service is the holder of the legal
14 title and has made application for special relief. The county treasurer or city
15 treasurer shall immediately forward an additional copy of the order and affidavit to
16 the office of the clerk of the town, city, or village where the property is located, or if
17 it is located in a city, authorized to sell lands for nonpayment of its taxes, to the
18 commissioner of assessments, who shall make an appropriate notation in the
19 records.

20 (7) Any person seeking relief under this section, within 6 months after
21 termination of military service, or the person's agent or attorney, or in case of death
22 of the person, the personal representative, surviving spouse, or heir, may apply to the
23 county treasurer of the county, or the city treasurer of a city authorized by law to sell
24 lands for the nonpayment of taxes, where the property is located, for an agreement
25 for scheduled installment payments, covering the taxes accrued during the person's

1 period of military service, provided that the taxes will be paid over a period of time
2 equal to a period no longer than twice the length of military service of the person, in
3 equal periodic installments of not less than \$10, and subject to any other terms as
4 may be just and reasonable.

5 (8) In the event the applicant defaults in the performance of any of the
6 provisions of the agreement, the treasurer shall notify the applicant of the default
7 and the amount and date due, by written notice either served personally or by
8 registered mail, return receipt requested, to the address set forth in the application.
9 If the defaulted payment is not fully made within 10 days after service of the notice,
10 then the treasurer, without further notice, may declare that the entire amount of the
11 tax subject to the scheduled installments is immediately due and payable and that
12 the agreement is terminated. The county treasurer shall notify the register of deeds
13 and the town, city, or village treasurer of the termination, or if the city treasurer of
14 cities authorized by law to sell lands for the nonpayment of taxes, the latter shall
15 notify the register of deeds, the county treasurer, and the local officers and shall
16 make appropriate notations of the termination on their records. The county
17 treasurer, or city treasurer as to taxes of cities authorized by law to sell land for the
18 nonpayment of taxes, may without further order of the court enforce the collection
19 of such tax or assessment and sell such tax certificates together with the penalties
20 and interest as may have accrued on the property from the date of default of the
21 scheduled installment payment.

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

23 **21.78 Employees or officers in military service.** (1) The governing body
24 of any county, town, city, village, school district, or technical college district may
25 grant a leave of absence to any employee or officer who is inducted or who enlists in

1 the U.S. armed forces for a period of military service of not more than 4 years unless
2 the employee is involuntarily retained for a longer period. No salary or compensation
3 of the employee or officer shall be paid, nor claim for the salary or compensation exist,
4 during the leave of absence, except as provided in this section. If the employee's or
5 officer's salary or compensation is less in the U.S. armed forces than was paid by the
6 county, town, city, village, school district, or technical college district, that
7 governmental unit may pay the employee or officer the difference between the salary
8 or compensation paid by the U.S. armed forces and the salary or compensation that
9 the employee or officer was paid by the county, town, city, village, school district, or
10 technical college district at the time that he or she enlisted in or was inducted into
11 the U.S. armed forces.

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

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

18 (4) If the leave of absence under sub. (1) is granted to an elected or appointed
19 official or employee and the official or employee has begun service in the U.S. armed
20 forces, a temporary vacancy exists and a successor may be appointed to fill the
21 unexpired term of the official or employee, or until the official or employee returns
22 and files election to resume the office if the date of the filing is prior to the expiration
23 of the term. The appointment shall be made in the manner provided for the filling
24 of vacancies caused by death, resignation, or otherwise, except that no election need
25 be held to fill a temporary vacancy. The appointee has all the powers, duties,

1 liabilities, and responsibilities and shall be paid and receive the compensation and
2 other benefits of the office or position, unless otherwise provided by the governing
3 body. Within 40 days after the termination of service in the U.S. armed forces, the
4 elected or appointed official or employee, upon filing with the clerk of the
5 governmental unit, a statement under oath of termination and that the official or
6 employee elects to resume the office or position, may resume the office or position for
7 the remainder of the term for which elected or appointed. The person temporarily
8 filling the vacancy shall cease to hold the office on the date of the filing.

9 (5) In cities of the 3rd class with a commission plan of government, in case of
10 temporary or permanent vacancies in the office of mayor, the vice mayor shall
11 temporarily succeed to the office of mayor for the balance of the unexpired term for
12 which the mayor was elected unless sooner terminated as provided in s. 17.035 (3).
13 A temporary or permanent vacancy created in the office of council member may be
14 filled as provided in this section. The term of the person appointed temporarily to
15 the office of council member shall not extend beyond the expiration of the term of the
16 office vacated and the temporary term shall be vacated sooner as provided for in s.
17 17.035 (3).

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

19 **21.79 Reemployment after completion of military service.** (1) (a) Any
20 person who has enlisted or enlists in or who has been or is inducted or ordered into
21 active service in the U.S. armed forces pursuant to 50 App. USC 301, 401, and 451,
22 or P.L. 87-117, and any person whose services are requested by the federal
23 government for national defense work as a civilian during a period officially
24 proclaimed to be a national emergency or a limited national emergency, who, to
25 perform the training or service, has left or leaves a position, other than a temporary

1 position, in the employ of any political subdivision of the state or in the employ of any
2 private or other employer, shall be restored to that position or to a position of like
3 seniority, status, pay, and salary advancement as though service toward seniority,
4 status, pay, or salary advancement had not been interrupted by the absence, if all of
5 the following conditions are met:

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

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

10 3. The person makes application for reemployment and resumes work within
11 90 days after completion of the training or service, military or civilian, or was so
12 discharged from the U.S. armed forces, or within 6 months after release from
13 hospitalization for service-connected injury or disease.

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

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

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

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

1 (2) The service of any person who is or was restored to a position in accordance
2 with sub. (1) shall be considered not to be interrupted by the absence, except for the
3 receipt of pay or other compensation for the period of the absence and he or she shall
4 be entitled to participate in insurance, pensions, retirement plans, or other benefits
5 offered by the employer under established rules and practices relating to employees
6 on furlough or leave of absence in effect with the employer at the time the person
7 entered or was enlisted, inducted, or ordered into the forces and service. The person
8 whose position was restored may not be discharged from the position without cause
9 within one year after restoration and the discharge is subject to all federal or state
10 laws affecting any private employment and to the provisions of contracts that may
11 exist between employer and employee. Each county, town, city, or village shall
12 contribute or pay all contributions of the employer to the applicable and existent
13 pension, annuity, or retirement system as though the service of the employee had not
14 been interrupted by military service.

15 (3) If an employer fails or refuses to comply with subs. (1) and (2), a person
16 entitled to the benefits under subs. (1) and (2) may petition the circuit court to require
17 the employer to comply with those subsections. Upon the filing of the petition and
18 on reasonable notice to the employer, the court may require the employer to comply
19 with those subsections and to compensate the person for any loss of wages or benefits
20 suffered by reason of the employer's action. The court shall order a speedy hearing
21 and shall advance the case on the calendar. No fees or court costs may be taxed
22 against a person petitioning the court under this subsection. The action commenced
23 under this subsection against a private employer, and the trial or hearing of the
24 action, shall be in any county in which the employment took place or in which the

1 private employer maintains a place of business, and in all other cases shall be as
2 provided in s. 801.50.

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

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

10 (6) The restoration of classified employees of the state shall be governed by s.
11 230.32. The restoration of unclassified state employees shall be governed by this
12 section.

***NOTE: This section includes references to the state, political subdivisions of the state, private and other employers, and county, town, city, and village governments that appear to be inconsistent. Subsection (1) requires political subdivisions of the state and private or other employers to restore to his or her previous position those persons returning after completing active service in the U.S. armed forces. Subsection (2) requires only counties, cities, towns, and villages to pay contributions of the returning employee as though the employee's employment had not been interrupted by military service. Subsection (4) provides that no person who is appointed in the service of the state or of any county, city, town, or village to fill the place of a person entering active service in the U.S. armed forces acquires permanent tenure during the period of that replacement service. Private employers or other political subdivisions of the state are not mentioned in sub. (2) or (4). Should these provisions use consistent terms? Apparently "political subdivision of the state" is suppose to mean "county, city, town, or village." The Wisconsin School Board Association says that school boards do not contribute to the retirement program and the attorney who drafts in the state retirement area says the state does not contribute to the retirement program. Only counties, cities, towns, and villages are required to do so. Apparently school districts, sewerage districts, lake districts, and others are "special purpose districts."

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

14 21.80 (3) (g) *Veterans preferences.* The right of a person to reemployment under
15 this subsection does not entitle the person to retention, preference, or displacement
16 rights over any person who has a superior claim under s. 45.35 (4) 45.03 (4), 62.13

1 (4) (d), 63.08 (1) (f), 63.37, 63.39 (2m), 66.0509 (1), 230.15 (2m), 230.16 (7) or (7m),
2 230.21 (1m), 230.25, or 230.275.

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

4 25.17 (1) (xp) Veterans mortgage loan repayment fund (s. ~~45.79 (7)~~ 45.37 (7));

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

6 25.17 (1) (yv) Wisconsin Veterans Home at King and veterans facilities homes
7 members fund (s. 25.37);

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

9 25.36 (1) Except as provided in sub. (2), all moneys appropriated or transferred
10 by law shall constitute the veterans trust fund which shall be used for the lending
11 of money to the mortgage loan repayment fund under s. ~~45.35 (22)~~ 45.37 (5) (a) 12.
12 and for the veterans programs under ss. 20.485 (2) (m), (mn), (tm), (u), (v), (vo), (vy),
13 (vz), (w), (z), and (zm), ~~45.014, 45.25, 45.35 (23), 45.351 (1), 45.353, 45.356, 45.357,~~
14 ~~45.396, 45.397, and 45.43 (7)~~ 45.03 (19), 45.07, 45.20, 45.21, 45.40 (1), 45.41, 45.42,
15 45.43, and ⁴⁵⁰⁸²~~45.80 (8)~~ and administered by the department of veterans affairs,
16 including all moneys received from the federal government for the benefit of veterans
17 or their dependents; all moneys paid as interest on and repayment of loans under the
18 post-war rehabilitation fund; soldiers rehabilitation fund, veterans housing funds
19 as they existed prior to July 1, 1961; all moneys paid as interest on and repayment
20 of loans under this fund; all moneys paid as expenses for, interest on, and repayment
21 of veterans trust fund stabilization loans under s. 45.356, 1995 stats.; all moneys
22 paid as expenses for, interest on, and repayment of veterans personal loans; the net
23 proceeds from the sale of mortgaged properties related to veterans personal loans;
24 all mortgages issued with the proceeds of the 1981 veterans home loan revenue bond
25 issuance purchased with moneys in the veterans trust fund; all moneys received from

1 the state investment board under s. ~~45.356 (9) (b)~~ 45.42 (8) (b); all moneys received
2 from the veterans mortgage loan repayment fund under s. ~~45.79 (7) (a) and (c)~~ 45.37
3 (7) (a) and (c); and all gifts of money received by the board of veterans affairs for the
4 purposes of this fund.

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

6 **25.37 Wisconsin veterans facilities homes members fund.** There is
7 established a separate nonlapsible trust fund designated as the Wisconsin veterans
8 facilities homes members fund. The fund shall consist of moneys belonging to
9 persons residing in Wisconsin veterans facilities, ~~including members of the~~
10 ~~Wisconsin Veterans Home at King~~ homes, that are paid to the ~~home and veterans~~
11 facilities homes, and that are transferred into the fund by the department of veterans
12 affairs under s. ~~45.37 (9c)~~ 45.51 (8).

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

14 28.035 (3) (a) The written lease entered into between the Wisconsin state
15 department of the American Legion and the department of natural resources dated
16 June 15, 1944, which leases Camp American Legion for a period of 10 years
17 commencing June 1, 1944, shall continue in full force for an additional 10 years, and
18 may be renewed for additional 10-year periods ~~thereafter~~, notwithstanding the
19 expiration of the term expressed ~~therein~~ in the lease, so long as the Wisconsin state
20 department of the American Legion or any of the American Legion posts organized
21 under s. 188.08 maintains on ~~such~~ the property structures which were constructed
22 prior to May 31, 1956, at the expense of the Wisconsin state department of the
23 American Legion or any ~~such~~ post, for the purpose of the rehabilitation, restoration,
24 or recreation of veterans and their dependents of the Spanish-American war War,
25 the Philippine ~~insurrection~~ Insurrection, the Mexican border service, World Wars I

1 and II, the Korean conflict, the Vietnam war War, the Iraq war War, and Grenada,
2 Lebanon, Panama, Somalia or a Middle East service in a crisis under s. 45.34 zone,
3 as defined in s. 45.01 (11).

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

5 29.219 (2) (c) A resident annual fishing license issued to any resident who is
6 a member of the ~~Wisconsin Veterans Home at King or at the facilities operated by the~~
7 ~~department of veterans affairs under s. 45.385~~ a Wisconsin veterans home under s.
8 45.50 shall be issued at no charge.

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

10 29.506 (7m) (a) The department shall issue a taxidermy school permit to a
11 person who applies for the permit; who, on August 15, 1991, holds a valid
12 taxidermist permit issued under this section; and who, on August 15, 1991, operates
13 a taxidermy school approved by the educational approval board under s. 45.54 39.90.

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

15 29.563 (3) (a) 8. Annual fishing issued to a resident at ~~Wisconsin Veterans~~
16 ~~Home at King and at the facilities operated by the department of veterans affairs~~
17 ~~under s. 45.385~~ a Wisconsin veterans home under s. 45.50: \$0.

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

19 36.27 (2) (b) 4. A person who ~~has served on active duty under honorable~~
20 ~~conditions in the U.S. armed forces or in forces incorporated in the U.S. armed forces,~~
21 ~~except service on active duty for training purposes, who meets one of the conditions~~
22 ~~in s. 45.001 (4) (a) 1. a. to d.~~ is a veteran, as defined in s. 45.01 (12), and who is a
23 resident for purposes of receiving benefits under ch. 45, is entitled to the exemption
24 under par. (a).

25 SECTION 87. 36.27 (3r) of the statutes is amended to read:

1 (e) “School” means any private trade, correspondence, business, or technical
2 school, but does not include any of the following:

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

7 2. Schools that are supported mainly by taxes.

8 3. Schools of a parochial or denominational character offering courses having
9 a sectarian objective.

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

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

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

15 7. Schools approved by the department of public instruction for the training of
16 teachers.

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

18 (f) “Solicitor” means a person employed by or representing a school located
19 either within or outside this state that, in places other than the actual business
20 premises of the school, personally attempts to secure the enrollment of a student in
21 the school.

22 (g) “Teaching location” means the area and facilities designated for use by a
23 school required to be approved by the board under this section.

24 **(2) RESPONSIBILITIES.** The board shall protect the general public by inspecting
25 and approving private trade, correspondence, business, and technical schools doing

1 business within this state, whether located within or outside this state, changes of
2 ownership or control of the schools, teaching locations used by the schools, and
3 courses of instruction offered by the schools and regulate the soliciting of students
4 for correspondence or classroom courses and courses of instruction offered by the
5 schools.

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

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

14 (5) APPROVAL OF SCHOOLS GENERALLY. To protect students, prevent fraud and
15 misrepresentation in the sale and advertising of courses and courses of instruction,
16 and encourage schools to maintain courses and courses of instruction consistent in
17 quality, content, and length with generally accepted educational standards, the
18 board shall do all of the following:

19 (a) Investigate the adequacy of courses and courses of instruction offered by
20 schools to residents of this state and establish minimum standards for those courses
21 of instruction.

22 (b) Investigate the adequacy of schools' facilities, equipment, instructional
23 materials, and instructional programs and establish minimum standards for those
24 facilities, equipment, materials, and programs.

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

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

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

8 (f) Require schools offering courses and courses of instruction to residents of
9 this state to furnish information concerning their facilities, curricula, instructors,
10 enrollment policies, tuition and other charges and fees, refund policies, and policies
11 concerning negotiability of promissory instruments received in payment of tuition
12 and other charges.

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

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

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

20 **(6) SOLICITING OF STUDENTS.** (a) *In general.* No solicitor representing any school
21 offering any course or course of instruction shall sell any course or course of
22 instruction or solicit students for a course or course of instruction in this state for a
23 consideration or remuneration, except upon the actual business premises of the
24 school, unless the solicitor first secures a solicitor's permit from the board. If the

1 solicitor represents more than one school, a separate permit shall be obtained for
2 each school the solicitor represents.

3 (b) *Solicitor's permit.* The application for a solicitor's permit shall be made on
4 a form furnished by the board and shall be accompanied by a fee and a surety bond
5 acceptable to the board in the sum of \$2,000. The board shall, by rule, specify the
6 amount of the fee for a solicitor's permit. The bond may be continuous and shall be
7 conditioned to provide indemnification to any student suffering loss as the result of
8 any fraud or misrepresentation used in procuring his or her enrollment or as a result
9 of the failure of the school to perform faithfully the agreement the solicitor made with
10 the student, and may be supplied by the solicitor or by the school itself either as a
11 blanket bond covering each of its solicitors in the amount of \$2,000 or the surety bond
12 under sub. (5) (i). Upon approval of a permit, the board shall issue an identification
13 card to the solicitor giving his or her name and address, the name and address of the
14 employing school, and certifying that the person whose name appears on the card is
15 authorized to solicit students for the school. A permit shall be valid for one year from
16 the date issued. Liability under this paragraph of the surety on the bond for each
17 solicitor covered by the bond shall not exceed the sum of \$2,000 as an aggregate for
18 any and all students for all breaches of the conditions of the bond. The surety of a
19 bond may cancel the bond upon giving 30 days' notice in writing to the board and
20 shall be relieved of liability under this paragraph upon giving the notice for any
21 breach of condition occurring after the effective date of the cancellation. An
22 application for renewal shall be accompanied by a fee, a surety bond acceptable to
23 the board in the sum of \$2,000 if a continuous bond has not been furnished, and such
24 information as the board requests of the applicant. The board shall, by rule, specify
25 the amount of the fee for renewal of a solicitor's permit.

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

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

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

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

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

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

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

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

17 (d) *Notice of refusal to issue or renew permit.* Notice of refusal to issue or renew
18 a permit or of the revocation of a permit shall be sent by registered mail to the last
19 address of the applicant or permit holder shown in the records of the board.
20 Revocation of a permit shall be effective 10 days after the notice of revocation has
21 been mailed to the permit holder.

22 (e) *Request for appearance.* Within 20 days of the receipt of notice of the board's
23 refusal to issue or renew a permit or of the revocation of a permit, the applicant or
24 holder of the permit may request permission to appear before the board in person,
25 with or without counsel, to present reasons why the permit should be issued,

1 renewed, or reinstated. Upon receipt of a request, the board shall grant a hearing
2 to the applicant or holder of the permit within 30 days giving that person at least 10
3 days' notice of the date, time, and place.

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

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

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

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

16 (7) PROPRIETARY SCHOOL APPROVAL. (a) *Authority.* All proprietary schools shall
17 be examined and approved by the board before operating in this state. Approval shall
18 be granted to schools meeting the criteria established by the board for a period not
19 to exceed one year. No school may advertise in this state unless approved by the
20 board. All approved schools shall submit quarterly reports, including information
21 on enrollment, number of teachers and their qualifications, course offerings, number
22 of graduates, number of graduates successfully employed, and such other
23 information as the board considers necessary. If a school closure results in losses to
24 students, parents, or sponsors, the board may authorize the full or partial payment
25 of those losses from the appropriation under s. 20.485 (5) (gm).

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

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

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

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

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

17 4. Specify a student protection fee.

18 (cm) *Limit on student protection fee.* The board shall discontinue collecting
19 annual student protection fees under par. (c) 4. during the period that the balance
20 in the fund created by those fees exceeds \$1,000,000.

21 (d) *Enforcement.* The attorney general or any district attorney may bring an
22 action in circuit court for the enforcement of this subsection, including bringing an
23 action to restrain by temporary or permanent injunction any violation of par. (a).

1 (e) *Penalties.* Any person who violates par. (a) may be required to forfeit not
2 more than \$500. Each day of operation in violation of par. (a) constitutes a separate
3 offense.

4 (f) *Other remedies.* In addition to any other remedies provided by law, a student
5 who attends a school that is in violation of par. (a) may bring a civil action to recover
6 fees paid to the school in violation of par. (a) together with costs and disbursements,
7 including reasonable attorney fees.

8 **SECTION 91.** 40.05 (4g) (a) 4. of the statutes is amended to read:

9 40.05 (4g) (a) 4. Has received a military leave of absence under s. 230.32 (3) (a)
10 or 230.35 (3), under a collective bargaining agreement under subch. V of ch. 111 or
11 under rules promulgated by the director of the office of state employment relations
12 or is eligible for reemployment with the state under s. ~~45.50~~ 21.79 after completion
13 of his or her service in the U.S. armed forces.

14 **SECTION 92.** Chapter 45 of the statutes is repealed and recreated to read:

15 **CHAPTER 45**

16 **VETERANS**

17 **SUBCHAPTER I**

18 **GENERAL PROVISIONS**

19 **45.001 Recognition of persons who served in the armed forces.** The
20 state of Wisconsin recognizes, as veterans, the men and women of Wisconsin who
21 served on active duty in the U.S. armed forces or in forces incorporated in the U.S.
22 armed forces, the men and women who served in a reserve unit of the U.S. armed
23 forces, and the men and women who served in the national guard.

****NOTE: This language is added at the request of James Endres, Past Department
Commander of the AMVETS.

1 **45.01 Definitions.** In this chapter, unless the context otherwise requires:

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

3 (2) “Active duty for training purposes” has the meaning given in 38 USC 101
4 (22).

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

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

****NOTE: Current ch. 45 does not contain a general definition of “child” or “dependent.” Instead, those terms are used in various places in the chapter to mean different things. This bill creates a definition of “child,” with minor wording changes, and makes it applicable to the entire chapter rather than just to certain provisions. The bill also creates a definition of “dependent,” which is slightly broader than the current definition in that it applies to all surviving spouses, rather than to just unremarried surviving spouses.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15 b. Under honorable conditions.

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

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

22 a. Under an active duty order, a unit assignment order, or an involuntary
23 extension of an active duty order.

24 b. Under honorable conditions.

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

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

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

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

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

21 2. Under honorable conditions.

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

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

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.

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.

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

~~****NOTE: In this bill, the following 3 categories of persons are included in the
definition of "veteran" that are not included under current law:~~

~~a. A person who is missing in action while serving in the U.S. armed forces or in
forces incorporated as part of the armed forces.~~

~~b. A person who dies as a result of a service-connected disability.~~

~~c. A person who dies in the line of duty while on inactive or active duty for training
purposes in the U.S. armed forces, or forces incorporated in the 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.

~~****NOTE: This bill defines the term "veterans home" to mean the 3 veterans homes
— at King, Union Grove, and Chippewa Falls. Thus, particularly in subch. V provisions
where "veterans home" or "veterans homes" appears, the term pertains to all 3 facilities.
Under current law, many of the provisions refer by name to just one or 2 of the homes.~~

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.

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

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

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

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

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

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

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

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

****NOTE: The language in par. (n), above, is not in current ch. 45. It is intended to provide a mechanism for designating future war periods without having to enact legislation each time. Instead, the department of veterans affairs (DVA) would be authorized to determine and designate a war period by rule, after reviewing criteria used to establish existing war periods and consulting with the U.S. DOD, when the U.S. is in a conflict that places persons at such risk that the DVA concludes the period should be designated a war period.