



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0529/1

RPN:wlj:jfl

2

Wanted
2/9 noon

2005 BILL

repeal

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

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1 21.11 (3), 21.49 (4) (c), 21.80 (3) (g), 25.17 (1) (xp), 25.17 (1) (yv), 25.36 (1), 25.37,
2 28.035 (3) (a), 29.219 (2) (c), 29.506 (7m) (a), 29.563 (3) (a) 8., 36.27 (2) (b) 4.,
3 36.27 (3r), 38.24 (6), 40.05 (4g) (a) 4., 46.27 (1) (b), 46.27 (1) (dr), 46.27 (6) (a)
4 2. cm., 49.19 (9), 49.45 (3) (e) 7m., 49.45 (6m) (bg), 49.855 (4m) (b), 50.034 (4),
5 50.135 (3), 50.39 (3), 51.20 (10) (cm), 51.35 (6) (a), 51.45 (13) (h), 59.52 (16) (b)
6 (title), 59.52 (16) (b) 2., 59.535 (1) (a), 59.535 (4), 59.65, 66.0509 (title), 66.1201
7 (9) (x), 67.015, 69.30 (1) (bm), 69.30 (2), 70.11 (1), 70.11 (3a), 70.11 (9), 71.05 (6)
8 (b) 28. (intro.), 86.03 (4), 86.03 (6), 120.13 (37) (a) 3., 125.14 (2) (e), 125.26 (6),
9 125.51 (10), 132.16 (1) (a), 139.31 (3), 139.76 (2), 146.997 (1) (c), 150.31 (5m),
10 150.46 (1), 150.84 (2), 150.93 (5), 150.95 (2), 155.01 (6), 157.637, 182.028,
11 186.113 (14) (a), 188.26, 215.21 (2), 224.71 (3) (b) 7., 230.03 (14) (b), 230.03 (14)
12 (c), 230.08 (2) (xm), 230.315 (1) (c), 230.36 (1m) (b) 1. (intro.), 234.03 (13m),
13 234.40 (1), 234.40 (3), 234.41 (1), 234.41 (2), 234.60 (3) (a), 234.60 (3) (b), 252.14
14 (1) (d), 341.14 (6) (a), 341.26 (2) (g), 421.203 (1), 421.301 (6), 460.05 (1) (e) 1.,
15 563.11 (1) (intro.), 565.10 (14) (a) (intro.), 610.70 (1) (e), 812.30 (9), 814.29 (1)
16 (d) 1., 815.18 (13) (k), 851.09, subchapter II (title) of chapter 880 [precedes
17 880.60], 880.60 (title), 880.60 (1) (a), 880.60 (5) (b), 880.60 (19), 944.21 (8) (b)
18 3. a. and 948.11 (4) (b) 3. a.; **to repeal and recreate** chapter 45; and **to create**
19 21.74, 21.78, 21.79, subchapter V (title) of chapter 39 [precedes 39.90], 39.90,
20 86.03 (7) and 230.04 (17) of the statutes; **relating to:** the powers and duties of
21 the Department of Veterans Affairs, veterans assistance, educational
22 programs, burials, cemeteries, homes, housing loans, memorials, and
23 museums, the employment rights and benefits available to persons who are in
24 or who return from military service, the Educational Approval Board, granting

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

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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.

e. Allowing deceased persons who served under honorable conditions in the national guard or reserves to receive military funeral honors. Currently, military funeral honors are limited to deceased persons who served in the U.S. armed forces.

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. |
| 45.01 | Definitions. |
| 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. |

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

BILL**Veterans Homes**

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

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 Grants to counties and tribes for improvement of services.
45.83 Transportation services grants to counties.
45.84 Burial allowance.
45.85 Care of graves.
45.86 County tax for needy veterans.

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:

BILL**SECTION 3**

1 16.96 (2) (f) Persons who are members in the Wisconsin Veterans Home at King
2 shall be considered residents of the town of Farmington and of Waupaca County,
3 persons who are members in the Wisconsin Veterans Home at Chippewa Falls shall
4 be considered residents of the city of Chippewa Falls and of Chippewa County, and
5 persons who are members in the Wisconsin veterans facility in southeastern
6 Wisconsin Veterans Home at Union Grove shall be considered residents of the town
7 of Dover and of Racine County for purposes of the state revenue sharing distribution
8 under subch. I of ch. 79.

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

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

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

19 18.04 (5) (a) To acquire public debt contracted to make funds available for
20 veterans' veterans housing loans under sub. (2).

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

22 18.04 (5) (b) To fund or refund public debt contracted to make funds available
23 for veterans' veterans housing loans under sub. (2).

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

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1 18.04 (5) (c) To acquire public debt, other than public debt that is contracted
2 to make funds available for veterans' veterans housing loans under sub. (2), for the
3 purpose of investment for the veterans primary mortgage loan program under s.
4 ~~45.79~~ 45.37.

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

6 18.04 (6) (b) The commission may direct that moneys resulting from any public
7 debt contracted under this section be deposited in the funds or accounts created or
8 designated by resolution of the commission or established by resolution under s.
9 ~~45.79 (7)~~ 45.37 (7), including escrow accounts established under refunding escrow
10 agreements that are authorized by the commission.

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

12 18.04 (6) (c) Notwithstanding s. 25.17, moneys deposited or held in funds or
13 accounts under par. (b) and all other moneys received under s. ~~45.79 (7) (a) (intro.)~~
14 45.37 (7) (a) (intro.) may be invested in any obligations, either through cash purchase
15 or exchange, as specified by resolution of the commission.

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

17 18.06 (7) (intro.) Notwithstanding subs. (2) to (5), the following procedures
18 apply to public debt contracted for any of the purposes under s. 18.04 (5) or contracted
19 for the purpose of making funds available for veterans' veterans housing loans:

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

21 20.435 (4) (vt) *Veterans trust fund; nurse stipends.* From the veterans trust
22 fund, the amounts in the schedule for the state share of the medical assistance costs
23 related to the provision of stipends under s. ~~45.365 (7)~~ 45.50 (9).

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

25 20.485 (1) (title) ~~HOMES AND FACILITIES FOR VETERANS~~ VETERANS HOMES.

BILL**SECTION 13**

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

2 20.485 (1) (d) *Cemetery maintenance and beautification.* The amounts in the
3 schedule for cemetery maintenance and beautification at the Central Wisconsin
4 Veterans Memorial Cemetery at the Wisconsin Veterans Home at King.

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

6 20.485 (1) (e) *Lease rental payments.* A sum sufficient to pay the rentals
7 required to be made on facilities under leases entered into under s. ~~45.38~~ 45.03 (5).

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

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

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

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

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

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

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

2 20.485 (1) (go) *Self-amortizing housing facilities; principal repayment and*
3 *interest.* From the moneys received for providing housing services at the Wisconsin
4 ~~Veterans Home at King and the Wisconsin veterans facility in southeastern~~
5 ~~Wisconsin veterans homes under s. 45.50~~, a sum sufficient to reimburse s. 20.866 (1)
6 (u) for the principal and interest costs incurred in acquiring, constructing,
7 developing, enlarging or improving housing facilities at the Wisconsin Veterans
8 ~~Home at King and the Wisconsin veterans facility in southeastern Wisconsin~~
9 ~~veterans homes under s. 45.50~~ and to make the payments determined by the building
10 commission under s. 13.488 (1) (m) that are attributable to the proceeds of
11 obligations incurred in financing such the facilities.

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

13 20.485 (1) (h) *Gifts and bequests.* All moneys received under s. 45.37 ~~(10) and~~
14 ~~(11)~~ 45.51 (10) and (11), or any moneys received by gifts or bequests, to carry out the
15 purposes of ss. 45.365, 45.37 ~~and 45.385~~ 45.50 and 45.51.

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

17 20.485 (1) (hm) *Gifts and grants.* All moneys received from gifts and grants
18 specifically for the purpose of s. 45.365 ~~(1) (d)~~ 45.50 (1) (c), to carry out the purpose
19 of s. 45.365 ~~(1) (d)~~ 45.50 (1) (c).

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

21 20.485 (1) (i) *State-owned housing maintenance.* The amounts in the schedule
22 for maintenance of state-owned housing at ~~the Wisconsin Veterans Home at King~~
23 ~~and the veterans facility in southeastern Wisconsin veterans homes under s. 45.50.~~
24 All moneys received by the department from rentals of state-owned housing shall
25 be credited to this appropriation account.

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

2 20.485 (1) (j) *Geriatric program receipts.* All moneys received from program
3 operations by the geriatric evaluation, research, and education program, to carry out
4 the purpose of s. ~~45.365 (1) (d)~~ 45.50 (1) (c).

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

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

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

13 20.485 (1) (mj) *Federal aid; geriatric unit.* All moneys received from the federal
14 government for the geriatric program at the ~~Wisconsin Veterans Home at King and~~
15 ~~veterans facilities~~ veterans homes, to carry out the purpose of s. ~~45.365 (1) (d)~~ 45.50
16 (1) (c).

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

18 20.485 (1) (t) *Veterans homes and facilities member accounts.* From the
19 ~~Wisconsin Veterans Home at King and veterans facilities~~ homes members fund, all
20 moneys received under s. 25.37 to make payments as provided under s. ~~45.37 (9e),~~
21 ~~(10) and (11)~~ 45.51 (8), (10), and (11).

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

23 20.485 (2) (c) *Operation of Wisconsin veterans museum.* From the general fund,
24 the amounts in the schedule for the operation of the Wisconsin veterans museum
25 under s. ~~45.014~~ 45.07.

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

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

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

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

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

9 20.485 (2) (g) *Consumer reporting agency fees.* From the general fund, all
10 moneys received from consumer reporting agencies under s. ~~45.36 (5m)~~ 45.04 (7) for
11 the purpose of providing information to those agencies under s. ~~45.36 (5m)~~ 45.04 (7).

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

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

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

20 20.485 (2) (q) *Military ~~honors funerals~~ funeral honors.* Biennially, the amounts
21 in the schedule to provide military ~~honors funerals~~ funeral honors for veterans under
22 s. ~~45.19 (1)~~ 45.60.

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

BILL**SECTION 33**

1 20.485 (2) (rm) *Veterans assistance program*. Biennially, the amounts in the
2 schedule for general program operations of the veterans assistance program under
3 s. ~~45.357~~ 45.43.

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

5 20.485 (2) (rp) *Veterans assistance program receipts*. The amounts in the
6 schedule for the provision of assistance to veterans under s. ~~45.357(1)~~ 45.43 (1). All
7 moneys received from fees under s. ~~45.357(2)~~ 45.43 (2) shall be credited to this
8 appropriation account.

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

10 20.485 (2) (s) *Transportation grant payment*. The amounts in the schedule to
11 provide transportation services payments and grants under ss. ~~45.353(3m)~~ 45.41
12 (4) and ~~45.43(7m)~~ 45.83.

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

14 20.485 (2) (tf) *Veterans' Veterans tuition reimbursement program*. Biennially,
15 the amounts in the schedule for the ~~veterans'~~ veterans tuition reimbursement
16 program under s. ~~45.25~~ 45.20 (2). Notwithstanding s. 20.001 (3) (a), the department
17 may encumber moneys under this appropriation for the biennium up to 60 days after
18 the end of that biennium if an estimate is first submitted to the department of
19 administration showing the amounts that will be encumbered during that 60-day
20 period.

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

22 20.485 (2) (th) *Correspondence courses and part-time classroom study*.
23 Biennially, the amounts in the schedule for the ~~veterans'~~ veterans correspondence
24 courses and part-time classroom study program under s. ~~45.396~~ 45.20 (3).
25 Notwithstanding ss. 16.52 (5) and 20.001 (3) (a), after June 30, 1998, the department

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1 may encumber moneys under this appropriation for the biennium up to 60 days after
2 the end of that biennium if an estimate is first submitted to and approved by the
3 secretary of administration showing the amounts that will be encumbered during
4 that 60-day period.

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

6 20.485 (2) (tj) *Retraining grant assistance program.* The amounts in the
7 schedule for the veterans' veterans retraining grant assistance program under s.
8 ~~45.397~~ 45.21.

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

10 20.485 (2) (u) *Administration of loans and aids to veterans.* The amounts in
11 the schedule for the administration of loans and aids to veterans, and for payment
12 of legal services under s. ~~45.35 (14) (d)~~ 45.03 (13) (d).

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

14 20.485 (2) (vg) *Health care aid grants.* The amounts in the schedule for the
15 payment of benefits to veterans and their dependents under s. ~~45.351 (1)~~ 45.40 (2).

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

17 20.485 (2) (vm) *Subsistence grants aid.* The amounts in the schedule for
18 payment of subsistence grants aid to veterans and their dependents under s. ~~45.351~~
19 ~~(1)~~ 45.40 (1).

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

21 20.485 (2) (vw) *Payments to veterans organizations for claims service.* The
22 amounts in the schedule to pay veterans organizations for claims services as
23 prescribed in s. ~~45.353~~ 45.41.

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

BILL**SECTION 43**

1 20.485 (2) (vx) *County grants*. The amounts in the schedule for payment of
2 grants under s. 45.43 (7) ~~49.82~~⁵.

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

4 20.485 (2) (vz) *American Indian grants*. The amounts in the schedule for
5 grants to American Indian tribes and bands under s. 45.35 (14) (h) 45.82 (4).

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

7 20.485 (2) (wd) *Operation of Wisconsin veterans museum* Veterans Museum.
8 The amounts in the schedule for the operation of the Wisconsin veterans museum
9 Veterans Museum under s. 45.014 45.07.

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

11 20.485 (2) (x) *Federal per diem payments*. The amounts in the schedule for the
12 provision of assistance to veterans under s. 45.357 45.43. All moneys received from
13 the federal government as per diem payments for veterans participating in the
14 veterans assistance program under s. 45.357 45.43 shall be credited to this
15 appropriation account.

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

17 20.485 (2) (yn) *Veterans trust fund loans and expenses*. Biennially, the amounts
18 in the schedule for the purpose of providing loans under s. 45.356 45.42 and for the
19 payment of expenses and other payments as a consequence of being a mortgagee or
20 owner under home improvement loans made under s. 45.79 (7) (c), 1997 stats., or
21 under s. 45.351 (2), 1995 stats., s. 45.352, 1971 stats., s. 45.80, 1989 stats., and s.
22 ~~45.356~~ 45.42. All moneys received under ss. ~~45.356 (9) (a) and (b)~~ 45.42 (8) (a) and
23 (b) and ~~45.79 (7) (e)~~ 45.37 (7) (c) for the purpose of providing loans under the personal
24 loan program under s. ~~45.356~~ 45.42 shall be credited to this appropriation account.
25 All payments of interest and repayments of principal for loans made under s. 45.351

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1 (2), 1995 stats., s. 45.352, 1971 stats., s. 45.80, 1989 stats., s. 45.356, and s. 45.79 (7)
2 (c), 1997 stats., shall revert to the veterans trust fund.

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

4 20.485 (2) (yo) *Debt payment.* A sum sufficient for the payment of obligations
5 incurred for moneys received under s. ~~45.356 (9) (a) and (b)~~ 45.42 (8) (a) and (b).

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

7 20.485 (2) (z) *Gifts.* All moneys received under s. ~~45.35 (13) (a)~~ 45.03 (12) (a)
8 to be used as provided in that subsection.

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

10 20.485 (2) (zm) *Museum gifts and bequests.* All moneys received under s. 45.35
11 ~~(13) (b)~~ 45.03 (12) (b) to be used as provided in that subsection.

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

13 20.485 (3) (b) *Self insurance.* A sum sufficient to cover deficiencies in the
14 amounts necessary to repay principal and interest on veterans housing loans made
15 under s. ~~45.79~~ 45.37 and financed by bonds sold pursuant to under s: 234.40.

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

17 20.485 (3) (e) *General program deficiency.* A sum sufficient to pay any general
18 program deficiency under s. ~~45.79~~ 45.37, including any deficiency in the capital
19 reserve fund requirement under s. 234.42.

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

21 20.485 (3) (q) *Foreclosure loss payments.* As a continuing appropriation from
22 the veterans mortgage loan repayment fund, all moneys deposited and held in
23 accounts in the veterans mortgage loan repayment fund to pay costs under s. ~~45.79~~
24 ~~(7) (a) 3. and 7.~~ 45.37 (7) (a) 3. and 7., for the purpose of paying costs under s. ~~45.79~~
25 ~~(7) (a) 3. and 7.~~ 45.37 (7) (a) 3. and 7.

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

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

8 **36.27 (3r) FEE REMISSIONS FOR FUNERAL ASSISTANTS.** The board shall grant a \$25
9 remission of nonresident tuition or academic fees to any student enrolled in the
10 system as an undergraduate for each valid voucher issued to the student under s.
11 ~~45.19 (3)~~ 45.60 (3).

12 **SECTION 88.** 38.24 (6) of the statutes is amended to read:

13 **38.24 (6) FEE REMISSIONS FOR FUNERAL ASSISTANTS.** The district board shall grant
14 a \$25 remission of fees under subs. (1m) and (3) to a student for each valid voucher
15 issued to the student under s. ~~45.19 (3)~~ 45.60 (3).

16 **SECTION 89.** Subchapter V (title) of chapter 39 [precedes 39.90] of the statutes
17 is created to read:

CHAPTER 39**SUBCHAPTER V****EDUCATIONAL APPROVAL BOARD**

21 **SECTION 90.** 39.90 of the statutes is created to read:

22 **39.90 Educational approval board. (1) DEFINITIONS.** In this section, unless
23 the context clearly requires otherwise:

24 (a) “Board” means the educational approval board.

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

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

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

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

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

15 40.05 (4g) (a) 4. Has received a military leave of absence under s. 230.32 (3) (a)
16 or 230.35 (3), under a collective bargaining agreement under subch. V of ch. 111 or
17 under rules promulgated by the director of the office of state employment relations
18 or is eligible for reemployment with the state under s. 45-50 21.79 after completion
19 of his or her service in the U.S. armed forces.

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

CHAPTER 45**VETERANS****SUBCHAPTER I****GENERAL PROVISIONS**