

**ASSEMBLY BILL 378 (LRB -2040)**

An Act to renumber and amend 39.48; to amend 36.11 (47) (intro.) and 38.12 (13) (intro.); and to create 39.48 (1) of the statutes; relating to: college reenrollment of persons called into active military service.

**2005**

05-12. A. Introduced by Representatives **Musser, Gard, Kreibich, Ballweg, Nass, Towns, Boyle, Pettis, Petrowski, J. Fitzgerald, Pridemore, Van Roy, Gunderson, Ainsworth, LeMahieu, Hahn, Cullen, Krawczyk, Vos, Owens, Bies, Freese, Gundrum, Wood, Hines, Davis, McCormick, Albers, Ott, Hundertmark, Pocan and Suder**; cosponsored by Senators **Kedzie, Leibham, Breske, Darling, Hansen, Lassa, Roessler and Grothman.**

04-27. A. Read first time and referred to committee on Military Affairs ..... 205

05-04. A. Public hearing held.

05-04. A. Executive action taken.

05-12. A. Report passage recommended by committee on Military Affairs, Ayes 8, Noes 0 ..... 239

05-12. A. Referred to committee on Rules ..... 239

06-09. A. Placed on calendar 6-14-2005 by committee on Rules.

06-14. A. Representative Nischke added as a coauthor ..... 278

06-14. A. Read a second time ..... 278

06-14. A. Ordered to a third reading ..... 278

06-14. A. Rules suspended ..... 278

06-14. A. Read a third time and **passed**, Ayes 96, Noes 0 ..... 278

06-14. A. Ordered immediately messaged ..... 278

06-15. S. Received from Assembly ..... 257

06-15. S. Read first time and referred to committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform ..... 259

08-03. S. Public hearing held.

08-24. S. Senator Brown added as a cosponsor ..... 330

08-24. S. Executive action taken.

08-31. S. Report concurrence recommended by committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform, Ayes 5, Noes 0 ..... 334

08-31. S. Available for scheduling.

**2006**

03-08. S. Placed on calendar 3-9-2006 by committee on Senate Organization.

03-09. S. Read a second time.

03-09. S. Ordered to a third reading.

03-09. S. Rules suspended.

03-09. S. Read a third time and **concurred in.**

03-09. S. Ordered immediately messaged.

03-09. A. Received from Senate concurred in ..... 937

SB

**2005  
ENROLLED BILL**

05en A B-378

**ADOPTED DOCUMENTS:**

Orig

Engr

\_\_\_ SubAmdt \_\_\_

05-2040/1

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Rel

3/13/06  
Date

JR Miller  
Enrolling Drafter

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## 2005 ASSEMBLY BILL 378

April 27, 2005 - Introduced by Representatives MUSSER, GARD, KREIBICH, BALLWEG, NASS, TOWNS, BOYLE, PETTIS, PETROWSKI, J. FITZGERALD, PRIDEMORE, VAN ROY, GUNDERSON, AINSWORTH, LEMAHIEU, HAHN, CULLEN, KRAWCZYK, VOS, OWENS, BIES, FREESE, GUNDRUM, WOOD, HINES, DAVIS, McCORMICK, ALBERS, OTT, HUNDERTMARK, POCAN and SUDER, cosponsored by Senators KEDZIE, LEIBHAM, BRESKE, DARLING, HANSEN, LASSA, ROESSLER and GROTHMAN. Referred to Committee on Military Affairs.

- 1 **AN ACT to renumber and amend 39.48; to amend 36.11 (47) (intro.) and 38.12**  
2 **(13) (intro.); and to create 39.48 (1) of the statutes; relating to: college**  
3 **reenrollment of persons called into active military service.**

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### *Analysis by the Legislative Reference Bureau*

Current law requires public colleges and universities, including technical colleges, to allow a student who is forced to withdraw from school after September 11, 2001, because he or she is called into active military service to reimburse the student for tuition, fees, and prorated room and board or to grant the student an incomplete and allow the student to complete the courses within six months of leaving service without paying additional tuition or fees. Current law requires a private college or university to grant such a student an incomplete and allow the student to complete the courses within six months of leaving service, without paying additional tuition or fees, but does not give a private college or university the option of reimbursing tuition, fees, and prorated room and board instead of granting an incomplete and permitting the student to complete the course.

This bill requires the colleges and universities, in addition to the protections described above, to reenroll the student beginning in the semester following his or her military discharge or the next succeeding semester, whichever the student prefers.

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

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1           **SECTION 1.** 36.11 (47) (intro.) of the statutes is amended to read:

2           **36.11 (47) ARMED FORCES.** (intro.) If a student who is ~~a resident of Wisconsin~~  
3           and a member of a national guard or a member of a reserve unit of the U.S. armed  
4           forces withdraws from school after September 11, 2001, because he or she is called  
5           into state active duty ~~under ch. 21~~ or into active service with the U.S. armed forces  
6           for at least 30 days, the board shall reenroll the student beginning in the semester  
7           following his or her discharge from active duty or the next succeeding semester,  
8           whichever the student prefers, and, at the student's request, do one of the following  
9           for all courses from which the student had to withdraw:

10           **SECTION 2.** 38.12 (13) (intro.) of the statutes is amended to read:

11           **38.12 (13) ARMED FORCES.** (intro.) If a student who is ~~a resident of Wisconsin~~  
12           and a member of a national guard or a member of a reserve unit of the U.S. armed  
13           forces withdraws from school after September 11, 2001, because he or she is called  
14           into state active duty ~~under ch. 21~~ or into active service with the U.S. armed forces  
15           for at least 30 days, the district board shall reenroll the student beginning in the  
16           semester following his or her discharge from active duty or the next succeeding  
17           semester, whichever the student prefers, and, at the student's request, do one of the  
18           following for all courses from which the student had to withdraw:

19           **SECTION 3.** 39.48 of the statutes is renumbered 39.48 (intro.) and amended to  
20           read:

21           **39.48 Armed forces.** (intro.) If a student who is ~~a resident of Wisconsin and~~  
22           a member of a national guard or a member of a reserve unit of the U.S. armed forces  
23           withdraws from a private nonprofit college or university located in this state after  
24           September 11, 2001, because he or she is called into state active duty ~~under ch. 21~~

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1 or into active service with the U.S. armed forces for at least 30 days, the college or  
2 university shall, at the student's request, ~~grant~~ do all of the following:

3 (2) Grant the student an incomplete in all of the courses from which the student  
4 had to withdraw and permit the student to complete the courses, within 6 months  
5 after leaving state service or active service, without paying additional tuition or fees.

6 **SECTION 4.** 39.48 (1) of the statutes is created to read:

7 39.48 (1) Reenroll the student beginning in the semester following his or her  
8 discharge from active duty or the next succeeding semester, whichever the student  
9 prefers.

10

(END)