

ASSEMBLY BILL 734**TUITION AND FEE REIMBURSEMENT****GRANTS TO NEEDY VETERANS,****VETERANS TUITION REIMBURSEMENT****AND RETRAINING GRANTS, AND****REIMBURSEMENT OF VETERANS FOR****TRIBAL COLLEGE TUITION**

SECTION 2. VA 1.11 (intro.) of the administrative code is amended to read:

VA 1.11 (intro.) The administrative and executive duties of the department shall be vested in the secretary to be administered under the rules and regulations of the department ~~and subject to and in accordance with the policies established by the board.~~ The secretary shall:

SECTION 3. VA 1.11 (2) of the administrative code is amended to read:

VA 1.11 (2) Administer and supervise all programs of the department, ~~and shall serve as an ex-officio member of all advisory, standing and special committees appointed by the board, unless specifically exempted.~~

SECTION 4. VA 1.11 (11) of the administrative code is amended to read:

VA 1.11 (11) Present to the legislature all proposed legislation ~~recommended by the board~~ and shall make such reports to and appearances before the legislature on such other matters as it may request.

SECTION 5. VA 1.11 (13) of the administrative code is repealed.

SECTION 6. VA 1.11 (15) of the administrative code is amended to read:

VA 1.11 (15) Make and establish rules and regulations necessary to carry out the statutes pursuant to the policies established by the ~~board~~ department, and make such publication and distribution of these rules and regulations as the secretary may deem necessary.

ASSEMBLY BILL 734

1 **SECTION 7.** VA 1.11 (18) of the administrative code is repealed.

2 **SECTION 8.** VA 1.18 of the administrative code is amended to read:

3 **VA 1.18 Trust fund stabilization loans.** The department may execute a
4 subordination agreement or release a portion of the property providing security for
5 its mortgage on a loan under s. 45.356, 1995 Stats., if the mortgagor's equity in the
6 property secured by the mortgage is greater than ~~10%~~ 15 percent of the property's
7 value after the execution of the subordination agreement or partial release, the
8 applicant is current on the loan and the repayment history for the 6 months
9 immediately preceding the request has been satisfactory.

10 **SECTION 9.** VA 2.01 (2) (b) 1. of the administrative code is amended to read:

11 VA 2.01 (2) (b) 1. 'All applicants.' Except for applicants who are eligible under
12 subd. 3., the applicant's income shall not exceed ~~130%~~ 180 percent of the federal
13 poverty guidelines, in effect on the date the application arrives at the department's
14 central office, for the number of family members living in the primary residence. An
15 applicant may apply for subsistence aid, health care aid, or both. Applications
16 approved by the department shall have the balance of the maximum available aid
17 allocated towards each type of aid requested, unless the applicant indicates a lesser
18 amount in writing. Applications shall be denied if no unallocated funds are available
19 at the time of application. The department shall indicate on each description of
20 benefits the type of health care or subsistence aid authorized, the date the
21 department confirmed that the applicant was eligible for the grant, a date 90
22 calendar days from that date, the unallocated amount available for each type of aid
23 and for the cumulative limits of this section, and the amount of aid being authorized.
24 No more than one description of benefits may be outstanding at any time, except
25 where all health care providers have submitted binding quotes prior to the issuance

ASSEMBLY BILL 734**SECTION 9**

1 of more than one description of benefits, and are willing to accept payment from this
2 program in full for any service rendered to the applicant in accordance with the
3 description of benefits. The department shall pay the lesser of the actual cost of
4 services invoiced or the binding quote submitted by the health care provider. No
5 payment shall be made by the department unless an itemized written invoice is
6 received by the department within ~~30~~ 60 days of the expiration date, or any approved
7 extension of that expiration date, as identified in the applicable description of
8 benefits. Authorized applications for health care aid may not be withdrawn without
9 the agreement of the provider of the health care aid.

10 **SECTION 10.** VA 2.01 (3) (b) of the administrative code is amended to read:

11 VA 2.01 (3) (b) *Subsistence aid.* Subsistence aid is available for the ~~90-day~~
12 90-day period following the date of the verified loss of income due to illness, injury,
13 or a natural disaster. Applications may be made for any ~~30-day~~ 30-day period within
14 the ~~90~~ 120 days following the date of the verified loss of income. No more than ~~three~~
15 ~~30-day~~ 3 30-day periods of subsistence aid may be granted for any verified loss of
16 income due to illness, injury, or natural disaster. ~~No subsistence aid will be granted~~
17 ~~for any period prior to the date the application for subsistence aid is received.~~
18 Subsistence aid shall be limited to the difference between the amount of earned and
19 unearned income available before the loss of income and the earned and unearned
20 income being received after the loss of income, subject to the limitations under s.
21 45.40 (1m) (b) and (3), Stats. The applicant shall verify the loss of income by
22 submitting verification of income forms, certified public accounting statements, or
23 any other evidence as the department deems credible. Illness or injury ~~must~~ shall
24 be verified in writing on a form approved by the department. When the department
25 has evidence that the incapacitation will cause an income loss for 90 days or longer,

ASSEMBLY BILL 734

1 subsistence grants will be prorated for each of the ~~30-day~~ 30-day periods unless the
2 department determines that an alternate distribution of the grant would benefit the
3 applicant. If the loss of income is the result of alcohol or other drug abuse, the
4 applicant shall verify current participation in an approved treatment program.

5 **SECTION 11.** VA 2.02 (3) (b) of the administrative code is repealed.

6 **SECTION 12.** VA 2.03 (1) (b) of the administrative code is amended to read:

7 VA 2.03 (1) (b) “Course of instruction” ~~has the meaning specified in s. VA 9.01~~
8 (3) means any series of classroom or shop courses that have a unified purpose and
9 lead to a diploma or degree or to an occupational or vocational objective.

10 **SECTION 13.** VA 2.03 (1) (c) of the administrative code is amended to read:

11 VA 2.03 (1) (c) “Earned income” ~~has the meaning specified in s. VA 9.01 (5)~~
12 means all anticipated monthly and academic year take-home earnings from
13 employment, including armed forces reserve and national guard pay and
14 work-study pay, after all payroll deductions of the veteran and the veteran’s spouse,
15 except payroll deductions for savings plans and payment of debts.

16 **SECTION 14.** VA 2.03 (1) (d) of the administrative code is amended to read:

17 VA 2.03 (1) (d) “FAO” ~~has the meaning specified in s. VA 9.01 (6)~~ means a
18 school’s financial aids officer.

19 **SECTION 15.** VA 2.03 (1) (g) of the administrative code is amended to read:

20 VA 2.03 (1) (g) “Unearned income” ~~has the meaning specified in s. VA 9.01 (14)~~
21 means the estimated amount the veteran and spouse will receive during the
22 academic year from VA educational assistance allowance (G.I. Bill) benefits,
23 scholarships, fellowships, grants, tuition and fee waivers, all other definite awards
24 other than loans, including amounts paid to the veteran or to the school on behalf of
25 the veteran for vocational rehabilitation by the VA or any other agency, income from

ASSEMBLY BILL 734**SECTION 15**

1 trusts or inheritances, unemployment compensation, worker’s compensation, social
2 security payments, net rentals from real estate, interest or dividend income, or other
3 unearned income, but does not include disability compensation paid to the veteran
4 by the VA for service-connected disabilities, armed forces disability retirement pay,
5 or parental contributions.

6 **SECTION 16.** VA 2.03 (1) (h) of the administrative code is amended to read:

7 VA 2.03 (1) (h) “Unusual expenses” ~~has the meaning specified in s. VA 9.01 (16)~~
8 means monthly or academic year payments that a veteran will be required to make
9 on medical and dental expenses or alimony being paid under a final judgment or
10 decree of divorce.

11 **SECTION 17.** VA 2.03 (2) (b) of the administrative code is amended to read:

12 VA 2.03 (2) (b) *Amount of grant.* Applicants who qualify for a retraining grant
13 under the provisions of this section and s. 45.21, Stats., are entitled to a grant equal
14 to their need during the grant period or the statutory maximum grant, whichever is
15 less. Except as provided in par. (h), need shall be determined by deducting ~~75%~~ 75
16 percent of earned income and all unearned income to be received by the applicant
17 during the grant period, available liquid assets in excess of \$2,400 plus 6 ~~months~~
18 months’ living expenses computed as set forth in s. VA 9.03 2.04 held by the applicant
19 at the time of application and all other financial aid which will be received by the
20 applicant during the grant period from the amount needed during the grant period.
21 The amount needed will be the sum of the amount shown on the standard student
22 budget described in s. VA 9.03 2.04 for the appropriate time period and for the
23 appropriate number of family members ~~plus the cost of tuition, fees, supplies and~~
24 ~~books as reported by the school for the courses to be taken during the grant period~~
25 plus any unusual expenses reported by the applicant.

ASSEMBLY BILL 734

1 **SECTION 18.** VA 2.06 of the administrative code is created to read:

2 **VA 2.06 Tribal college tuition reimbursement program. (1) DEFINITIONS.**

3 In this section:

4 (a) “Tuition” has the meaning given in s. 45.205 (1) (b), Stats.

5 (b) “Veteran” has the meaning given in s. 45.01 (12), Stats.

6 **(2) REIMBURSEMENT APPLICATION.** (a) An applicant for tuition reimbursement
7 under this section shall submit an application on a form approved by the department.
8 The applicant may submit the application electronically, and the applicant shall
9 submit the application either directly to the department or through a county
10 veterans service officer or other agent authorized by the department. Each initial
11 application shall be received by the department or its designee no later than 60 days
12 after the starting date of the course, term, or semester for which reimbursement is
13 requested. The department shall consider an initial application received under this
14 paragraph once all required student information in the initial application is
15 completed and a physical or electronic date stamp is affixed to the application.

16 (b) The tribal college veterans coordinator shall complete an application
17 submitted under par. (a) by verifying the applicant’s semester completion date and
18 cost of tuition, any other assistance received or applied for by the applicant, the
19 number of credits in which the applicant enrolled during the semester, and the
20 applicant’s semester grade point average. The department shall deny each
21 application that is not completed within 60 days after the last day of the course, term,
22 or semester for which reimbursement is being requested unless the applicant shows
23 good cause for the delay. An application is considered completed under this
24 paragraph once the department has received all of the information required for
25 reimbursement.

ASSEMBLY BILL 734**SECTION 18**

1 **(3) LIMITATIONS.** (a) *Undergraduate enrollment.* The department may make
2 a reimbursement under this section only if a representative of the tribal college
3 certifies that the veteran was enrolled as an undergraduate during the semester for
4 which reimbursement is sought and that the veteran does not already have a
5 bachelor's degree.

6 (b) *Veterans benefits.* A veteran may not receive reimbursement for any
7 semester or course for which he or she is eligible or received a grant under s. 321.40,
8 Stats., or 10 USC 2007. A veteran who is eligible for but does not receive a grant
9 under s. 321.40, Stats., or 10 USC 2007 because the veteran fails to comply with
10 applicable procedural requirements for the grant or maintain the requisite grade
11 point average to receive the grant, or who takes any other action that prevents the
12 veteran from receiving the grant, is considered eligible for the grant for purposes of
13 this paragraph.

14 (c) *Duplicate benefits.* Reimbursement is limited to that portion of a veteran's
15 tuition not paid for by other grants or scholarships, including any offsets or
16 remissions to which the veteran is entitled under any other program.

17 (d) *Grade point average.* The department shall utilize the grade point average
18 calculated and reported by the veteran's school.

19 **SECTION 19.** VA 4.01 (7) of the administrative code is amended to read:

20 VA 4.01 (7) "Dependent child" means any natural child, any legally adopted
21 child, or any stepchild of ~~a veteran as defined in s. 45.71 (16) (a)~~ an "eligible person,"
22 as listed in s. 45.33 (1), Stats., who is at least 18 years of age and under the age of
23 26 if in full attendance at a recognized school of instruction or any age if incapable
24 of self-support by reason of mental or physical disability.

25 **SECTION 20.** VA 4.01 (16) of the administrative code is amended to read:

ASSEMBLY BILL 734

1 VA 4.01 (16) “Veteran” means either a veteran as defined in s. 45.71 (16) (a)
2 45.01 (12), Stats., or a deceased veteran’s unremarried surviving spouse or minor or
3 dependent child who is a resident of and living in this state at the time of making
4 application for a certificate of eligibility or a primary loan person who is eligible for
5 a loan under s. 45.33, Stats.

6 **SECTION 21.** VA 4.08 (1) (c) of the administrative code is amended to read:

7 VA 4.08 (1) (c) If the applicant is a veteran who was a resident of the state of
8 Wisconsin at the time of entry into military service or has been a resident of this state
9 for any consecutive ~~5-year~~ 12-month period after entry or reentry into service on
10 active duty, the certificate of eligibility shall be issued for an indefinite period. If the
11 applicant qualifies as a veteran by virtue of being the unremarried spouse of a
12 deceased veteran, the certificate shall become null and void upon the remarriage of
13 the applicant and shall so state upon its face.

14 **SECTION 22.** VA 4.09 (4) of the administrative code is amended to read:

15 VA 4.09 (4) SUBORDINATION AGREEMENT AND PARTIAL RELEASE OF MORTGAGE. The
16 department may execute a subordination agreement or release a portion of the
17 property providing security for its mortgage if the mortgagor’s equity in the property
18 secured by the mortgage is verified by the department to be greater than 10% 15
19 percent after the execution of the subordination agreement or partial release, the
20 applicant is current on the loan, the applicant meets current underwriting criteria,
21 and the repayment history for the 6 months immediately preceding the request has
22 been satisfactory on the loan.

23 **SECTION 23.** VA 4.14 (3) (c) 2. of the administrative code is amended to read:

24 VA 4.14 (3) (c) 2. A copy of the prior year’s income tax returns except if the
25 applicant’s employer, type of employment or method of compensation has changed.

ASSEMBLY BILL 734**SECTION 23**

1 Applicants verifying their income by the prior year's income tax returns shall submit
2 a complete copy of the state and federal tax return including all schedules, W-2s, and
3 attachments.

4 **SECTION 24.** VA 4.14 (3) (c) 6. of the administrative code is amended to read:

5 VA 4.14 (3) (c) 6. Depreciation as listed on an applicant's federal tax return may
6 be used as income ~~at the request of the applicant~~.

7 **SECTION 25.** VA 5.03 (intro.) of the administrative code is amended to read:

8 VA 5.03 (intro.) The director under the direction of the secretary shall operate
9 and conduct the Wisconsin veterans museum pursuant to Wisconsin Statutes ~~and in~~
10 ~~accordance with the policies established by the board~~. The director shall:

11 **SECTION 26.** VA 5.03 (3) of the administrative code is amended to read:

12 VA 5.03 (3) Restore, preserve and safeguard all articles in the memorial
13 collection. The director may not sell, mortgage, transfer or dispose of in any manner
14 or remove from the museum, except for temporary purposes, any articles which are
15 a part of the memorial collection, except that, upon the recommendation of the
16 secretary ~~and the approval of the board~~, any duplicate articles or articles outside the
17 field of the memorial collection may be sold or exchanged for the purpose of procuring
18 additional materials for display.

19 **SECTION 27.** VA 5.03 (11) of the administrative code is amended to read:

20 VA 5.03 (11) Prepare an annual report ~~to the board~~ on the operation of the
21 museum and make such other reports as the secretary may require.

22 **SECTION 28.** Chapter VA 6 (title) of the administrative code is amended to read:

23 **Chapter VA 6**

24 **WISCONSIN VETERANS HOME HOMES**

25 **SECTION 29.** VA 6.01 (1) of the administrative code is amended to read:

ASSEMBLY BILL 734

1 VA 6.01 (1) OBJECTIVE. The department or its designated contractor under s.
2 45.50 (2m) (c), Stats., shall maintain and operate the Wisconsin veterans home
3 homes and shall admit as members eligible veterans,; their eligible spouses,
4 surviving spouses, and parents,; and eligible parents of any child who died while
5 serving in the armed forces of the United States. The department or its designated
6 contractor shall furnish provide directly to all members, or ensure that all members
7 receive, personal maintenance, and medical and nursing care to include, including
8 programs and facilities which promote comfort, recreation, well-being, and
9 rehabilitation. The department shall be the payer of last resort for the personal
10 maintenance care, medical and nursing care, programs, and facilities provided
11 under this subsection and subs. (11) and (12) that are not paid for by the designated
12 contractor or 3rd parties.

13 **SECTION 30.** VA 6.01 (2) of the administrative code is renumbered VA 6.01 (2)
14 (a) and amended to read:

15 VA 6.01 (2) (a) ~~No~~ Except as provided in par. (b), no person shall may be
16 admitted until such to a home unless the person has submitted an application on
17 forms furnished by the home and ~~such~~ the application has been approved by the
18 commandant. Each question ~~must~~ shall be fully and accurately answered and the
19 completed application shall be properly executed. An applicant shall authorize the
20 department to conduct a background check of his or her criminal record. Upon
21 admission of the applicant as a member, the completed application shall be a valid
22 and binding contract by and between the member and the home.

23 **SECTION 31.** VA 6.01 (2) (b) of the administrative code is created to read:

24 VA 6.01 (2) (b) A person may be admitted into a home on a conditional basis
25 pending the completion of the processing of his or her application.

ASSEMBLY BILL 734**SECTION 32**

1 **SECTION 32.** VA 6.01 (3) (title) of the administrative code is amended to read:

2 VA 6.01 (3) (title) ~~EXHIBITS~~ DOCUMENTS REQUIRED.

3 **SECTION 33.** VA 6.01 (3) (a) of the administrative code is renumbered VA 6.01
4 (3) (a) (intro.) and amended to read:

5 VA 6.01 (3) (a) (intro.) ~~Each~~ For the purpose of proving eligibility under s. 45.51
6 (2), Stats., the applicant shall provide all of the following documents with the
7 application shall be accompanied by a:

8 1. A complete financial statement of the applicant, ~~a~~.

9 2. A physician's report of physical examination of the applicant, ~~a certified copy~~
10 ~~of the applicant's birth certificate or other acceptable evidence relating to the~~
11 ~~applicant's birth, and~~.

12 3. An original or ~~a~~ certified copies or verifiable copy of reports ~~each report~~ of
13 separation or ~~discharges~~ discharge of the applicant or the veteran upon whose
14 eligibility the applicant is relying for all periods of active service in the armed forces
15 of the United States during one wartime period as enumerated in s. 45.01 (12), Stats.,
16 ~~or which establish that the veteran was entitled to receive the Armed Forces~~
17 ~~Expeditionary Medal, the Navy Expeditionary Medal, the Marine Corps~~
18 ~~Expeditionary Medal or the Vietnam Service Medal or served pursuant to section 1~~
19 ~~of executive order 10957, or served under s. 45.01 (11), Stats., in Lebanon between~~
20 ~~August 1, 1982 and August 1, 1984, in Grenada between October 23, 1983 and~~
21 ~~November 21, 1983, in Panama or in a Middle East Crisis and, except in the case of~~
22 ~~a Wisconsin resident at the time of entry into active service or the spouse of such a~~
23 ~~veteran applicant, 1 affidavit attesting to the applicant's Wisconsin residence.~~

24 (b) All exhibits except documents required under par. (a), other than originals
25 or certified or verifiable copies of reports of separation ~~will,~~ shall be required of an

ASSEMBLY BILL 734

1 applicant who applies for readmission to a home more than 60 days after discharge
2 ~~but an affidavit in lieu of exhibits~~ from the home. Updates of documents required
3 under par. (a) may be ~~accepted~~ requested from an applicant who applies for
4 readmission within 60 days of discharge.

5 **SECTION 34.** VA 6.01 (4) of the administrative code is amended to read:

6 VA 6.01 (4) SPOUSE. ~~A veteran's~~ In addition to the documents required under
7 sub. (3), an applicant who is a spouse of a veteran shall also furnish a certified copy
8 of his or her certificate of marriage to the veteran or any other verifiable evidence of
9 marriage that is acceptable to the department.

10 **SECTION 35.** VA 6.01 (5) of the administrative code is amended to read:

11 VA 6.01 (5) SURVIVING SPOUSE. ~~The application of a veteran's~~ In addition to the
12 documents required under subs. (3) and (4), an applicant who is a surviving spouse
13 of a veteran shall ~~be accompanied by a certified copy of the certificate of marriage of~~
14 ~~the applicant to the eligible veteran and with~~ furnish a certified or verifiable copy of
15 such the veteran's death certificate.

16 **SECTION 36.** VA 6.01 (6) of the administrative code is amended to read:

17 VA 6.01 (6) PARENT. ~~The application of the~~ In addition to the information
18 required under sub. (3), an applicant who is a parent of a veteran or of a child who
19 died while serving in the armed forces of the United States shall ~~also be accompanied~~
20 ~~by the~~ furnish a certified or verifiable copy of the public record of birth of the veteran
21 or child through whom eligibility is claimed, ~~and either a complete physician's report~~
22 ~~of physical examination of such veteran and a complete financial statement and 2~~
23 ~~residence affidavits pertaining to such veteran or~~ and a certified or verifiable copy
24 of such the veteran's or the child's death certificate.

25 **SECTION 37.** VA 6.01 (8) of the administrative code is amended to read:

ASSEMBLY BILL 734**SECTION 37**

1 VA 6.01 (8) READMISSION. A former member may be readmitted to the a home
2 only if ~~a he or she submits a new application has been submitted~~ with the documents
3 required under sub. (3) (b) and the application is approved by the commandant on
4 the basis of the commandant's determination that the home ~~can~~ is able to provide
5 suitable appropriate care for the applicant. A former member who was given an
6 undesirable or dishonorable discharge may be readmitted only if the commandant
7 is satisfied that the conduct leading to such ~~the~~ discharge will not be repeated. The
8 commandant may also require that an applicant for readmission shall have paid all
9 moneys which the applicant owed to the home.

10 **SECTION 38.** VA 6.01 (9) of the administrative code is amended to read:

11 VA 6.01 (9) DEPENDENTS OF MEMBERS. Nonmember dependents of members may
12 not be quartered or maintained at the a home, except under the policy for guests
13 established by the commandant.

14 **SECTION 39.** VA 6.01 (11) of the administrative code is amended to read:

15 VA 6.01 (11) ~~CLOTHING AND COMFORT ITEMS~~ PERSONAL MAINTENANCE. ~~Clothing,~~
16 The department or its designated contractor under s. 45.50 (2m) (c), Stats., shall
17 provide directly to all members, or shall ensure as payer of last resort that all
18 members receive, items for personal maintenance as their needs may require. These
19 items shall include clothing, toiletries, and necessary aids to good grooming,
20 including barber and beautician services, ~~shall be furnished to members as their~~
21 ~~needs may require.~~

22 **SECTION 40.** VA 6.01 (12) of the administrative code is amended to read:

23 VA 6.01 (12) MEDICAL AND NURSING CARE. ~~Medical~~ The department or its
24 designated contractor under s. 45.50 (2m) (c), Stats., shall provide directly to all
25 members, or shall ensure as payer of last resort that all members receive, medical

ASSEMBLY BILL 734

1 and nursing care, as their needs may require. Medical and nursing care includes
2 physician's services, ~~nursing care~~, hospitalization, medications, special diets, dental
3 care including dental prosthesis, eye glasses, braces, hearing aid batteries and
4 repairs, and ancillary medical care services ~~will be furnished members as their needs~~
5 ~~may require.~~

6 **SECTION 41.** VA 6.01 (15) of the administrative code is amended to read:

7 VA 6.01 (15) ADMISSION, DENIAL, OR DEFERRAL. Notwithstanding the ~~other~~
8 ~~provisions of this section sub. (1)~~, the department may defer or deny an applicant's
9 admission to the a home when the commandant determines that the home ~~will be~~ is
10 unable to provide appropriate care to the applicant.

11 **SECTION 42.** VA 6.01 (16) of the administrative code is amended to read:

12 VA 6.01 (16) CHARGES FOR CARE AND MAINTENANCE. Charges for care and
13 maintenance shall be computed every January for the various categories of care
14 provided by the a home. The computations shall be based upon the estimated costs
15 of care to be incurred by the home for the succeeding annual period. The department
16 may update charges in July to reflect changes in costs during the year. Charges shall
17 be made for actual care and maintenance provided to a member.

18 **SECTION 43.** VA 6.01 (17) of the administrative code is amended to read:

19 VA 6.01 (17) DEFINITION -- "PUBLISHED". For the purposes of this chapter,
20 "published" means printing of regulations, making them available to members,
21 employees, and visitors, and posting them on a bulletin board in a public place on the
22 ~~home grounds~~ of a home.

23 **SECTION 44.** VA 6.02 (intro.) of the administrative code is amended to read:

24 **VA 6.02 Duties and responsibilities of the commandant.** (intro.) The
25 commandant of a veterans home, under the direction of the secretary, shall operate

ASSEMBLY BILL 734**SECTION 44**

1 the ~~Wisconsin~~ veterans home pursuant to Wisconsin Statutes and in accordance with
2 the policies established by the ~~board~~ department. The commandant shall:

3 **SECTION 45.** VA 6.02 (12) of the administrative code is repealed.

4 **SECTION 46.** VA 6.03 (1) of the administrative code is amended to read:

5 VA 6.03 (1) DRIVER'S LICENSE REQUIRED. No person may operate any motor
6 vehicle on any roadway, or driveway or in any parking lot of the a home unless the
7 person holds a valid and current operator's license or unless he or she is exempt from
8 the requirement that ~~such a~~ an operator's license be held in order to operate a motor
9 vehicle on the highways of this state, ~~and no.~~ No person may operate a motor vehicle,
10 other than an authorized maintenance motor vehicle, anywhere on the ~~home~~
11 grounds of a home except on a roadway, or driveway or in a parking lot. Members
12 using power wheelchairs are exempt from the requirements of this subsection.

13 **SECTION 47.** VA 6.03 (2) of the administrative code is amended to read:

14 VA 6.03 (2) VEHICLE LICENSE REQUIRED. No person may operate any motor
15 vehicle on any roadway, or driveway, or in any parking lot of the a home unless the
16 vehicle has been properly registered or unless it is exempt from the requirement that
17 the vehicle be registered in order that it may be operated on the highways of this
18 state. Members using power wheelchairs are exempt from the requirements of this
19 subsection.

20 **SECTION 48.** VA 6.03 (4) of the administrative code is amended to read:

21 VA 6.03 (4) DUMPING PROHIBITED. The dumping of any waste, trash, debris, or
22 other rubbish on the ~~home~~ grounds of a home or along the ~~home~~ grounds any
23 lakeshore on or abutting the grounds of a home is prohibited, except in disposal areas
24 designated by the commandant or elsewhere as may be specifically designated by the
25 commandant.

ASSEMBLY BILL 734

1 **SECTION 49.** VA 6.03 (5) of the administrative code is amended to read:

2 VA 6.03 (5) ~~REMOVING PROPERTY PROHIBITED.~~ The removal of any shrubs, trees,
3 plants, wood, rocks, earth, or other natural products or materials from the ~~home~~
4 grounds of a home is prohibited except as may be authorized by the commandant.

5 **SECTION 50.** VA 6.03 (6) of the administrative code is amended to read:

6 VA 6.03 (6) ~~WILDLIFE MOLESTATION PROHIBITED.~~ The removal, destruction, or
7 molestation of any wildlife within the boundaries of the ~~home~~ grounds of a home is
8 prohibited except as may be authorized by the commandant.

9 **SECTION 51.** VA 6.03 (7) of the administrative code is amended to read:

10 VA 6.03 (7) ~~DAMAGING PROPERTY.~~ The defacing of, damage to, or wanton
11 destruction of any structures, buildings, improvements, shrubs, trees, or plants on
12 the ~~home~~ grounds of a home is prohibited.

13 **SECTION 52.** VA 6.03 (8) of the administrative code is amended to read:

14 VA 6.03 (8) ~~DRUNKENNESS~~ INTOXICATION PROHIBITED. Any person who is found
15 in an intoxicated condition on the ~~home~~ grounds of a home may be subject to arrest
16 and prosecution.

17 **SECTION 53.** VA 6.03 (9) of the administrative code is amended to read:

18 VA 6.03 (9) ~~CANVASSING, PEDDLING, AND SOLICITING.~~ Canvassing, peddling, or
19 soliciting is prohibited on the grounds or in the buildings of ~~the~~ a home, except that
20 the commandant may authorize home posts and chapters of veterans organizations
21 and their auxiliaries to conduct ~~fund-raising~~ fundraising activities at designated
22 times and places, and to solicit membership. ~~The~~ A commandant of a home may
23 authorize and establish conditions for solicitations at the home by other charitable
24 organizations.

25 **SECTION 54.** VA 6.03 (10) of the administrative code is amended to read:

ASSEMBLY BILL 734**SECTION 54**

1 VA 6.03 (10) LAKESHORE USE. Except as specifically authorized by the
2 commandant of a home, use of the ~~home~~ lakeshore, beaches, piers, or boating and
3 swimming facilities on or abutting the grounds of the home by persons other than
4 members and employees or guests of members or employees is prohibited. Use of
5 such facilities shall be at the risk of the individuals using them and shall be limited
6 to daylight hours.

7 **SECTION 55.** VA 6.03 (11) of the administrative code is amended to read:

8 VA 6.03 (11) CAMPING AND PICNICKING. Camping on the ~~home~~ grounds of a home
9 is prohibited. Picnicking may be authorized by the commandant of a home on the
10 home's grounds in areas specifically designated by the commandant as picnic
11 grounds. The commandant shall establish rules governing permitted picnic hours,
12 the disposal of garbage and other refuse, and such any other matters ~~as may be~~
13 ~~deemed~~ that the commandant determines to be necessary.

14 **SECTION 56.** VA 6.03 (12) of the administrative code is amended to read:

15 VA 6.03 (12) FIREARMS. The carrying or use of firearms within the limits of the
16 a home, except by firing squads or for police or military purposes, is prohibited unless
17 authorized by the commandant of the home.

18 **SECTION 57.** VA 6.04 (1) of the administrative code is amended to read:

19 VA 6.04 (1) RULES AND REGULATIONS. Members of a home shall obey all rules of
20 the home and all rules and regulations prescribed by the commandant of the home.

21 **SECTION 58.** VA 6.04 (5) of the administrative code is amended to read:

22 VA 6.04 (5) ADMINISTRATION OF ~~MEMBERS~~ MEMBERS' PERSONAL FINANCES. Members
23 of a home shall be permitted to receive, disburse, and manage their personal finances
24 as long as they are capable of doing so. Upon determination by the medical staff that
25 a member is unable to manage funds wisely, the commandant of the home shall

ASSEMBLY BILL 734

1 automatically assume control over the member's funds and prepare a letter setting
2 forth ~~such~~ the determination and assumption of control, ~~copies~~ a copy of which shall
3 be mailed to any relatives concerned and to the secretary of the department.
4 Immediately upon assumption of control over a member's funds by the commandant,
5 they shall be deposited in a personal account in the ~~home~~ administrative office of the
6 home, and withdrawals from ~~such~~ the account shall be confirmed by the
7 commandant or the commandant's designee. Relatives and friends of members
8 whose funds are under the control of the commandant may not be permitted to
9 receive or disburse these members' funds or exercise control over their funds unless
10 specifically authorized by appropriate court order.

11 **SECTION 59.** VA 6.04 (9) of the administrative code is amended to read:

12 VA 6.04 (9) DISPOSAL OF CLOTHING PROHIBITED. A member shall of a home may
13 not sell, give away, throw away ~~nor, or~~ destroy clothing issued by the home.

14 **SECTION 60.** VA 6.04 (10) of the administrative code is amended to read:

15 VA 6.04 (10) ALCOHOLIC BEVERAGES PROHIBITED. Members of a home may not
16 bring any alcoholic beverages onto the ~~home~~ grounds of the home or keep ~~such~~
17 alcoholic beverages in their quarters.

18 **SECTION 61.** VA 6.04 (14) of the administrative code is amended to read:

19 VA 6.04 (14) GIFT OF PROPERTY BY A MEMBER. A gift of property by a member of
20 a home shall be invalid unless physical possession of the property is transferred to
21 the donee at the time the gift is made and ~~unless~~ the property is removed from the
22 premises of the home before the death of the member. A gift of property by a member
23 during the member's lifetime with the understanding that the member may retain
24 physical possession of ~~such~~ the property until the member's death or a gift of property
25 which is to take effect upon the death of the member donor is invalid.

ASSEMBLY BILL 734**SECTION 62**

1 **SECTION 62.** VA 6.04 (15) of the administrative code is amended to read:

2 VA 6.04 (15) LOAN OF PROPERTY TO MEMBER. Property loaned to a member of a
3 home by a nonmember ~~must~~ shall be declared to be loaned property at the time its
4 possession is transferred to the member, ~~and the.~~ The nonmember loaning the
5 property to the member ~~must~~ shall at such the time of the loan file a sales slip,
6 invoice, or other evidence of ownership with the ~~home~~ office of the home and shall
7 affix an identifying tag to the loaned property ~~which.~~ The tag ~~must~~ shall remain
8 affixed to such the property during the term of the member's stay at the home. Any
9 property not so identified ~~will be deemed~~ shall become the property of the member
10 upon death, and ~~will~~ shall be distributed to the state.

11 **SECTION 63.** VA 6.05 (1) of the administrative code is amended to read:

12 VA 6.05 (1) DISCIPLINARY PROCEDURE FOR SERIOUS ~~OFFENCES~~ OFFENSES. ~~The~~ Each
13 home shall maintain a complete record of each offense by a member of the home for
14 which the member could be given a dishonorable discharge under sub. (7), showing
15 the name of the offender, date and place of the offense, and the nature of the offense.
16 Each member charged with such an offense shall be furnished with a copy of the
17 charge or charges placed against the member. No member may be given a
18 dishonorable discharge or disciplined in any way for the offense without a hearing
19 before the commandant of the home at a time and place to be fixed by the
20 commandant. Each member charged with an offense shall be furnished with a copy
21 of the charge or charges placed against the member. ~~No member may be given a~~
22 ~~dishonorable discharge or disciplined in any way for the offense without a hearing~~
23 ~~before the commandant at a time and place to be fixed by the commandant.~~ A
24 summary of evidence introduced, and the findings and the decision of the
25 commandant shall be filed in each case.

ASSEMBLY BILL 734

1 **SECTION 64.** VA 6.05 (2) of the administrative code is amended to read:

2 VA 6.05 (2) DISCIPLINARY ORDERS, REVIEW, AND APPEAL. A member found guilty
3 by ~~the~~ a commandant under sub. (1) of an offense may be dishonorably discharged,
4 given an enforced leave of absence for a period not exceeding 60 days, restricted to
5 the ~~home grounds~~ of the home or designated ~~portions thereof~~ parts of the grounds,
6 or disciplined in such any other manner as the commandant ~~deems~~ determines to be
7 just and proper. Upon written application by the member involved within 10 days
8 of issuance of a disciplinary order by the commandant, the secretary shall review any
9 discharge, enforced leave of absence, restriction, or other disciplinary action ordered
10 by the commandant, and shall confirm, modify, or reverse the order. The member
11 involved may, within 10 days of action by the secretary, ~~appeal from the decision by~~
12 ~~the department before the appropriate departmental committee. In these cases,~~
13 ~~recommendations by the committee shall be submitted promptly to the board for~~
14 ~~review and final action on the appeal. Upon application for review or appeal~~ file a
15 request for a hearing under s. 227.42, Stats. If a request for hearing is filed, the
16 disciplinary order involved shall be stayed pending ~~determination of the review or~~
17 ~~appeal~~ the final decision by the department.

18 **SECTION 65.** VA 6.05 (3) of the administrative code is amended to read:

19 VA 6.05 (3) OFF-LIMITS. The commandant of a home may prohibit any member
20 of the home from entering any tavern or establishment in the vicinity of the home
21 and may declare any such establishment off-limits to any ~~or all members~~ member
22 if such action is necessary for the maintenance of discipline and control.

23 **SECTION 66.** VA 6.05 (4) of the administrative code is amended to read:

24 VA 6.05 (4) GRIEVANCE PROCEDURE. Any member having of a home who has a
25 grievance or complaint of any kind against the home or its management may present

ASSEMBLY BILL 734**SECTION 66**

1 such the grievance or complaint in writing to the commandant. ~~In the event of the~~
2 home. If the member is not satisfied with action by the commandant upon ~~such on~~
3 the grievance or complaint, the member may refer the matter to the secretary, and
4 the commandant shall promptly transmit such the grievance or complaint together
5 with a written report of investigation and action ~~thereon on the grievance or~~
6 complaint to the secretary. ~~In the event the member is not satisfied with action by~~
7 ~~the commandant and the secretary upon such grievance or complaint he or she may~~
8 ~~appeal the matter to the board.~~

9 **SECTION 67.** VA 6.05 (5) of the administrative code is amended to read:

10 VA 6.05 (5) HONORABLE DISCHARGE. A member of a home may receive an
11 honorable discharge from membership at the home upon application, provided that
12 he or she has paid all money due the home, and has accounted for all property issued
13 that is not suitable for reissue, that no disciplinary action has been currently
14 imposed or is pending against the member, and that he or she is able to exercise
15 sound judgment in planning and providing for his or her own physical welfare. When
16 a member requires special living or travel facilities or is unable to exercise sound
17 judgment in planning for his or her own physical welfare, the commandant of the
18 home may refer the request for discharge to the county veterans service officer in the
19 member's home county for assistance, and may delay granting an honorable
20 discharge until proper facilities for his or her care and travel are assured.

21 **SECTION 68.** VA 6.05 (6) of the administrative code is amended to read:

22 VA 6.05 (6) UNDESIRABLE DISCHARGE. A member of a home may be given an
23 undesirable discharge if an obligation to the home is not paid within 60 days of the
24 date of the member's or personal representative's receipt of a billing statement from

ASSEMBLY BILL 734

1 the home or if the member leaves the home without satisfying the conditions for an
2 honorable discharge.

3 **SECTION 69.** VA 6.05 (7) of the administrative code is amended to read:

4 VA 6.05 (7) DISHONORABLE DISCHARGE. A member of a home may be given a
5 dishonorable discharge for frequent or habitual intoxication; for willful
6 disobedience of proper orders; for failure to maintain restrictions imposed as a
7 disciplinary measure; for habitual use of profane, obscene, or abusive language; for
8 defacing the defacement of, damage to, or destruction of any structures, buildings,
9 improvements, shrubs, trees, or plants on the ~~home~~ grounds, of the home; for
10 unauthorized discharge of firearms within the limits of the home; for assault on
11 another person; for theft; for committing any other crime; or for immoral or
12 indecent conduct.

13 **SECTION 70.** VA 6.05 (8) of the administrative code is amended to read:

14 VA 6.05 (8) LEAVES OF ABSENCE. Leaves of absence may be granted by the
15 commandant of a home for a period of not to exceed 60 days during a calendar year,
16 but may be extended by the secretary if circumstances warrant. Payments to the
17 state, as required by s. 45.51 (7), Stats., shall continue during the period of absence.
18 The home will not be responsible for any expense incurred by ~~members~~ a member
19 while absent from the home except for emergency medical expenses authorized by
20 a ~~home~~ home's physician, ~~providing~~ provided notice is given to the home within 24
21 hours of the onset of the emergency. Quarters will not be reserved during any
22 absence unless ~~such~~ the absence is authorized by the commandant.

23 **SECTION 71.** VA 6.05 (9) of the administrative code is amended to read:

24 VA 6.05 (9) LEAVES OF ABSENCE, MEDICAL. Leaves of absence from a home will
25 be granted to veteran members while undergoing treatment in a veterans

ASSEMBLY BILL 734**SECTION 71**

1 administration hospital, or in another authorized hospital, and to non-veteran
2 members while in any hospital or sanatorium away from the home, ~~and this.~~ This
3 leave shall not be charged to the ~~60-day~~ 60-day annual allowance.

4 **SECTION 72.** VA 6.06 (5) of the administrative code is repealed.

5 **SECTION 73.** VA 7.05 of the administrative code is amended to read:

6 **VA 7.05 Administration.** The provisions of this chapter shall be administered
7 by the secretary, who shall determine the eligibility of a state veterans organization
8 for a grant and the amount of the grant for which it qualifies, and shall prescribe
9 uniform forms for reporting number of claims processed. When an application has
10 been filed, if the secretary determines that the state veterans organization concerned
11 has not adequately established its claim for a grant, the secretary may require
12 additional information. Any state veterans organization dissatisfied with a
13 determination of the secretary may appeal such determination ~~to the board as~~
14 provided under s. VA 1.03.

15 **SECTION 74.** VA 8.02 (1) of the administrative code is amended to read:

16 VA 8.02 (1) APPLICATION. Application for county veterans' service grants shall
17 be made by the county not later than ~~6 months after the start~~ May 15 of the fiscal
18 calendar year for which the grant is claimed on forms prepared by the department.
19 An application must be accompanied by a copy of the budget proposed for the county
20 veterans' service office for the fiscal year for which the grant is claimed. Application
21 shall be made annually, and the county must meet minimum budget and operating
22 standards established by the department for the county veterans' service office in
23 order to qualify for the initial grant and for each succeeding grant.

24 **SECTION 75.** VA 8.04 of the administrative code is repealed.

ASSEMBLY BILL 734

1 **SECTION 76.** Chapter VA 9 (title) and VA 9.01, 9.02, 9.04 and 9.05 of the
2 administrative code are repealed.

3 **SECTION 77.** VA 9.03 of the administrative code is renumbered VA 2.04.

4 **SECTION 78.** VA 12.02 (3) (a) of the administrative code is amended to read:

5 VA 12.02 (3) (a) Copies of check stubs from the applicant's employment for a
6 ~~recent month~~ 30-day period dated within 3 months of the date of application.

7 **SECTION 79.** VA 12.02 (3) (b) of the administrative code is amended to read:

8 VA 12.02 (3) (b) A copy of the prior year's income tax returns except if the
9 applicant's employer, type of employment, or method of compensation has changed.
10 Applicants verifying their income by the prior year's income tax returns shall submit
11 a complete copy of the state and federal tax return including all schedules, W-2s, and
12 attachments.

13 **SECTION 80.** VA 12.02 (3) (f) of the administrative code is amended to read:

14 VA 12.02 (3) (f) Depreciation as listed on an applicant's federal tax return may
15 be used as income ~~at the request of the applicant.~~

16 **SECTION 81.** VA 12.02 (9) of the administrative code is amended to read:

17 VA 12.02 (9) DELINQUENT SUPPORT, SEPARATE MAINTENANCE PAYMENTS, MEDICAL
18 AND BIRTH EXPENSES. If the department has not received a certification under s. 49.854
19 (2) (b), Stats., that the applicant is delinquent in child support or maintenance
20 payments or owes past support, medical expenses or birth expenses, the applicant's
21 credit may be considered favorable if medical or birthing expenses do not exist or
22 payments for such expenses are being made in accordance with a court order and
23 child support and maintenance payments are current as of the date of approval of the
24 personal loan program loan by the department. Evidence that the applicant is
25 current shall be required if the child support or maintenance is not paid in the state

ASSEMBLY BILL 734**SECTION 81**

1 of Wisconsin. If the applicant is in arrears or expenses exist, then a personal loan
2 program loan may ~~only~~ be made to that applicant, only if the amount necessary for
3 to satisfy the arrearage or expense is ~~to be~~ paid from proceeds of the department's
4 loan.

5 **SECTION 82.** VA 12.02 (13) of the administrative code is amended to read:

6 VA 12.02 (13) SUBORDINATION AGREEMENT AND PARTIAL RELEASE OF MORTGAGE.

7 The department may execute a subordination agreement or release a portion of the
8 property providing security for its mortgage if the department verifies that the
9 mortgagor's equity in the property secured by the mortgage is greater than ~~10%~~ 15
10 percent after the execution of the subordination agreement or partial release, the
11 applicant is current on the loan, the applicant meets current underwriting criteria
12 and the repayment history for the 6 months immediately preceding the request has
13 been satisfactory.

14 **SECTION 83.** VA 12.05 (2) of the administrative code is amended to read:

15 VA 12.05 (2) APPRAISALS. If an applicant wishes to provide a property appraisal
16 ~~is being used to determine the value an appraiser who is selected by the applicant~~
17 ~~and, the appraiser must be~~ licensed by the state of Wisconsin department of safety
18 ~~and professional services, shall perform the appraisal and complete the appraisal~~
19 ~~form prescribed by the department. The applicant is responsible for payment of the~~
20 appraisal expenses.

21 **SECTION 84.** VA 12.05 (2) (note) of the administrative code is repealed.

22 **SECTION 85.** VA 13.01 (5) of the administrative code is repealed.

23 **SECTION 86.** VA 14.02 (title) of the administrative code is amended to read:

24 **VA 14.02 (title) Interment and disinterment fees and assessments.**

25 **SECTION 87.** VA 14.02 (1) (intro.) of the administrative code is amended to read:

ASSEMBLY BILL 734

1 VA 14.02 (1) INTERMENT AND DISINTERMENT FEES. (intro.) The department may
2 not assess a fee for the interment of a veteran, guard, or reserve member in a veterans
3 cemetery. The department may assess the following fee for each interment or
4 disinterment at a veterans cemetery:

5 **SECTION 88.** VA 14.02 (1) (a) of the administrative code is repealed.

6 **SECTION 89.** VA 14.02 (2) of the administrative code is amended to read:

7 VA 14.02 (2) **ASSESSMENTS.** The department may assess the funeral director
8 involved in an interment the amount necessary to reimburse the department for the
9 average cost of ~~providing a columbarium niche or an in-ground container for the~~
10 ~~interment of cremains or of providing and installing an outer burial container,~~
11 ~~whichever is applicable.~~ A funeral director may provide and install an outer burial
12 container in lieu of paying that assessment. The department may periodically adjust
13 the assessment, upon 30 days notice, to reflect current costs. The department shall
14 publish the notice and assessment on its web site.

15 **SECTION 90.** VA 15.02 (1) of the administrative code is amended to read:

16 VA 15.02 (1) **APPLICATION.** Application for American Indian grants shall be
17 made by the governing body of a Wisconsin American Indian tribe or band not later
18 than ~~June 30~~ May 15 of each the calendar year for which the grant is claimed, on
19 forms prepared by the department. An application shall be accompanied by a copy
20 of the budget proposed for the tribal veterans' service office for the fiscal year for
21 which the grant is claimed. Application shall be made annually. The tribe or band
22 must agree to meet minimum budget and operating standards established by the
23 department for the tribal veterans' service office in order to qualify for the initial
24 grant and for each succeeding grant.

25 **SECTION 91.** VA 15.03 (1) of the administrative code is amended to read:

