

**2015 DRAFTING REQUEST**

**Bill**

Received: 2/26/2015 Received By: zwyatt  
Wanted: As time permits Same as LRB: -1872  
For: Governor 266-9709 By/Representing: Waylon Hurlburt  
May Contact: Drafter: agary  
Subject: Higher Education - tech. college Addl. Drafters:  
Extra Copies:

Submit via email: YES  
Requester's email: waylon.hurlburt@wisconsin.gov  
Carbon copy (CC) to: zachary.wyatt@legis.wisconsin.gov  
aaron.gary@legis.wisconsin.gov

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Resident fees for nonresident veterans and their spouses and children attending technical colleges

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**Instructions:**

Wants technical college part of -1054 removed and turned into a separate bill

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 2/26/2015	kfollett 2/27/2015	rschluet 2/27/2015	_____			
/P1	agary 3/2/2015	kfollett 3/2/2015	rschluet 3/2/2015	_____	srose 2/27/2015		State S&L
/1				_____	srose 3/2/2015	srose 3/2/2015	State S&L

FE Sent For:

→ At  
Intro.

<END>

**Gary, Aaron**

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**To:** Wyatt, Zachary  
**Subject:** RE: Draft review: LRB -1054/P2 Topic: Making technical changes to laws governing veterans affairs; resident fees for nonresident veterans and their spouses and children attending technical colleges

**From:** Wyatt, Zachary  
**Sent:** Thursday, February 26, 2015 9:07 AM  
**To:** Gary, Aaron  
**Subject:** FW: Draft review: LRB -1054/P2 Topic: Making technical changes to laws governing veterans affairs; resident fees for nonresident veterans and their spouses and children attending technical colleges

Aaron,

Attached is a draft I prepared for Waylon Hurlburt in the Governor's office making various changes to veteran's affairs. You added a treatment relating to tuition for veterans attending technical colleges. Waylon just called and said they want a standalone bill with just that portion.

Zack

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**From:** LRB.Legal  
**Sent:** Tuesday, February 24, 2015 3:18 PM  
**To:** Wyatt, Zachary  
**Subject:** Draft review: LRB -1054/P2 Topic: Making technical changes to laws governing veterans affairs; resident fees for nonresident veterans and their spouses and children attending technical colleges

**Draft Requester: Governor**

**Following is the PDF version of draft LRB -1054/P2 and drafter's note.**

relevant parts of file from - 1054

**Gallagher, Michael**

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**From:** Hurlburt, Waylon - GOV <Waylon.Hurlburt@wisconsin.gov>  
**Sent:** Monday, December 29, 2014 9:36 AM  
**To:** Gallagher, Michael; Wyatt, Zachary  
**Subject:** Bill Draft Request  
**Attachments:** Allison Hickey.pdf; DVA Clean Up Bill.pdf

**Department of Veterans Affairs Statutory Changes (Attachments Included)**

- ~~Repeal appropriation - 45-03(13)(i) (Page 1)~~ ✓
- ~~Repeal appropriation - 45-03(13)(k) (Page 2)~~ ✓
- ~~Repeal 45-03(1)(c)(4) and (c) (Page 3)~~ ✓
- ~~Statutory modifications to 45-50 and 45-51 (Page 4)~~ ✓
- ~~Statutory modifications to 45-48 (Page 5)~~ ✓
- Federal change to Veterans Access, Choice and Accountability Act (Page 6 and Allison Hickey Attachment - WTCS only) ARG
- ~~Statutory modifications to 45-48 (Page 7)~~ ✓

On page 7, item 11 please contact Kathy Marschman at WDVA for the unused appropriations. ✓

Thanks.

Waylon Hurlburt  
Policy Director  
Office of Governor Scott Walker  
608-266-9709

# Federal Change—Veterans Access, Choice and Accountability Act

- New changes to compliance for GI Bill recipients
  - Requirement for all veterans (nonresident) and qualified dependents to receive the current in-state tuition rates at public institutions
  - Compliance date set for July 1, 2015
    - If compliance is not met, veterans will not be able to use GI education payments to attend Wisconsin institutions not in compliance
  - In order to have the Technical College System in compliance, a statutory language needs to be added to state law to address the change
    - Add change through biennial budget process or separate legislation?





THE UNDER SECRETARY OF VETERANS AFFAIRS FOR BENEFITS  
WASHINGTON, D.C. 20420

OCT 29 2014

The Honorable Scott Walker  
Governor of Wisconsin  
Madison, WI 53707

Jason  
Policy

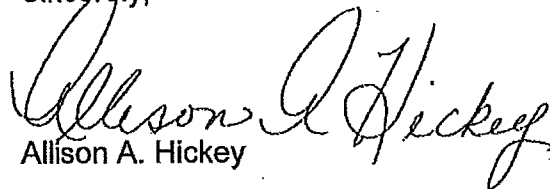
Dear Governor Walker:

The President recently signed into law the Veterans Access, Choice and Accountability Act of 2014 ("Choice Act"). Section 702 of the Choice Act requires the Department of Veterans Affairs (VA) to disapprove programs of education under the Post-9/11 GI Bill and Montgomery GI Bill at a public institution of higher learning if the school charges qualifying Veterans and dependents tuition and fees in excess of the rate for resident students. Section 702 is effective for terms beginning after July 1, 2015.

VA's preliminary review indicates that most states and U.S. territories are not currently compliant with all of the provisions of this new law. In order to effectively assess the impact of Section 702 on Veterans attending public institutions, we are seeking to understand each State's intent and ability to comply with the provisions of the law. I therefore request your response to the questions in the enclosed Governor's Questionnaire. We have included a Fact Sheet and Guide to Determining Section 702 Compliance to assist your office in responding.

I would appreciate your immediate attention on this extremely important matter. Thank you for your commitment to our Nation's Veterans and their families.

Sincerely,

  
Allison A. Hickey

Enclosures

## **Governor's Questionnaire**

- Will your State require all public institutions of higher learning to charge in-state tuition and fees to qualifying Veterans and dependents as described in Section 702?

(Please see the enclosure entitled "Guide to Determining Section 702 Compliance" to assist in determining if your State complies with all of the requirements.)

- What is the process required to make any changes necessary to bring your State into compliance?
- By what date do you expect all public institutions of higher learning within your State to be compliant?

VA would appreciate your reply by November 28, 2014. Given the short timeframe for the request, you may submit your responses and/or questions regarding Section 702 by email to the following mailbox: [Section702.Vbavaco@va.gov](mailto:Section702.Vbavaco@va.gov).

## EDUCATION AND TRAINING



### VETERANS ACCESS, CHOICE AND ACCOUNTABILITY ACT OF 2014

## SECTION 702 OF THE CHOICE ACT

Section 702 of the Veterans Access, Choice and Accountability Act of 2014 (“Choice Act”), requires VA to disapprove programs of education for payment of benefits under the Post-9/11 GI Bill and Montgomery GI Bill-Active Duty at public institutions of higher learning if the schools charge qualifying Veterans and dependents tuition and fees in excess of the rate for resident students for terms beginning after July 1, 2015.

These new requirements will ensure that our Nation’s recently discharged Veterans, and their eligible family members, will not have to bear the cost of out-of-state charges while using their well-deserved education benefits.

### **DO PUBLIC SCHOOLS HAVE TO OFFER IN-STATE RATES TO ALL VETERANS AND DEPENDENTS TO MEET THE REQUIREMENTS OF SECTION 702?**

No. To remain approved for VA’s GI Bill programs, schools must charge in-state tuition and fee amounts to “covered individuals.” A “covered individual” is defined in the Choice Act as:

- A Veteran who lives in the state in which the institution of higher learning is located (regardless of his/her formal state of residence) and enrolls in the school within three years of discharge from a period of active duty service of 90 days or more.
- A spouse or child using transferred benefits who lives in the state in which the institution of higher learning is located (regardless of his/her formal state of residence) and enrolls in the school within 3 years of the transferor’s discharge from a period of active duty service of 90 days or more.
- A spouse or child using benefits under the Marine Gunnery Sergeant John David Fry Scholarship who lives in the state in which the institution of higher learning is located (regardless of his/her formal state of residence) and enrolls in the school within three years of the Servicemember’s death in the line of duty following a period of active duty service of 90 days or more.





*Note: Individuals who initially meet the requirements above will maintain "covered individual" status as long as they remain continuously enrolled at the institution of higher learning, even if they are outside the 3-year window or enroll in multiple programs.*

#### **WHAT HAPPENS IF A STATE DOES NOT OFFER IN-STATE TUITION AND FEES TO ALL "COVERED INDIVIDUALS"?**

The law requires VA to disapprove programs of education for everyone training under the Post-9/11 GI Bill and the Montgomery GI Bill –Active Duty (MGIB-AD) if in-state tuition and fees are not offered to all "covered individuals."

#### **WHAT STEPS MUST BE TAKEN TO ENSURE THAT VETERANS AND THEIR FAMILY MEMBERS CAN RECEIVE VA GI BILL BENEFITS AT PUBLIC SCHOOLS IN MY STATE?**

States must ensure all public institutions of higher learning offering VA-approved programs charge in-state tuition and fees to "covered individuals" as described, to include same-sex spouses and children (biological, adopted, pre-adoptive, and stepchildren of same-sex spouses) after July 1, 2015. To ensure compliance, States should consider offering in-state tuition and fees to all individuals eligible for benefits under the Post-9/11 and MGIB-AD programs.

#### **WHEN DO STATES HAVE TO MEET THESE REQUIREMENTS?**

Public institutions must offer in-state tuition and fees to all "covered individuals" for Veterans and family members to be eligible to receive GI Bill benefits for training beginning after July 1, 2015. VA will not issue payments for any students eligible for the Post-9/11 GI Bill or the MGIB-AD until the school becomes fully compliant. VA is in the process of developing waiver criteria for States that are actively pursuing changes to comply with these provisions. More information regarding the waiver criteria will be included in a regulation published in the Federal Register.

#### **IF MY SCHOOL BECOMES COMPLIANT AFTER JULY 1, 2015, WHEN WILL VA BEGIN ISSUING PAYMENTS?**

VA will not issue payments under the Post-9/11 GI Bill and MGIB-AD for all students in terms beginning after July 1, 2015, if the requirements of Section 702 are not met, unless a waiver is granted. If the in-state tuition and fee policies are brought into compliance with the requirements after July 1, 2015, and no waiver was previously granted, VA will begin making payments for terms, quarters, or semesters that begin on or after the date that the compliant policies take effect.

#### **WHERE CAN I GO TO GET MORE INFORMATION?**

Questions regarding the provisions of Section 702 may be submitted to [Section702.Vbavaco@va.gov](mailto:Section702.Vbavaco@va.gov). VA will provide updates on its website at [www.benefits.va.gov/gibill](http://www.benefits.va.gov/gibill).



## Guide to Determining Section 702 Compliance

The questions below can be used to identify potential areas of non-compliance with the new requirements of Section 702 of the Veterans Access, Choice, and Accountability Act ("Choice Act"). The Fact Sheet also enclosed provides a description of "covered individuals." If you have specific questions regarding eligibility for your State, please email [Section702.Vbavaco@va.gov](mailto:Section702.Vbavaco@va.gov).

### Veterans

Veterans eligible for educational assistance under the Post-9/11 GI Bill and Montgomery GI Bill are the primary group of individuals who are considered "covered individuals." Benefit eligibility may be established based on one, or more than one, period of active duty service, and qualifying service may be earned in the various branches of the armed forces and uniformed services.

- VA will use any period of fully honorable service to establish eligibility under the Post-9/11 GI Bill and Montgomery GI Bill. For individuals with more than one period of service, the final discharge need not be fully honorable. Consequently, an individual who receives an other-than-honorable or less than fully honorable final discharge (e.g. general- under honorable conditions or bad conduct) can still be eligible for GI Bill benefits and "covered individual" status.
- "Covered individual" can include Veterans of the regular components of Army, Navy, Air Force, Marine Corps, and Coast Guard; Veterans who performed certain full-time service in, or were called up from, the reserve components or the National Guard; and Veterans of the commissioned corps of the Public Health Service or National Oceanic and Atmospheric Administration are also included.

Please keep these facts in mind when answering the following question.

1. Are public institutions of higher learning (IHLs) in your State required to charge in-state tuition and fees for a Veteran eligible for benefits under the Post-9/11 GI Bill or Montgomery GI Bill who-
  - a. Enrolls within 3 years of being discharged from active duty service of 90 days or more, and
  - b. Lives in your State, regardless of his/her state of residency?

## **Family Members Using Transferred Entitlement**

Spouses and children using transferred entitlement under the Post-9/11 GI Bill and Montgomery GI Bill are considered "covered individuals." VA requires the family member to meet the definition of a spouse or child at the time that he/she is determined to be eligible for benefits. Please note that eligibility is retained even if the status changes at some later point in time.

- A spouse, for the purposes of determining eligibility for transferred GI Bill benefits includes those wedded through both same-sex and opposite-sex marriages. Divorced spouses (including same-sex spouses) retain eligibility, even if they remarry, as long as the Veteran chooses not to revoke the transfer.
- A child, for the purposes of determining eligibility for transferred GI Bill benefits includes biological children, adopted children, pre-adoptive children, and stepchildren. A child does not have to be financially dependent on the parent or have been listed on the current or previous tax return. A stepchild (including the child of a same-sex spouse) retains eligibility if the Veteran divorces the child's biological parent, even if the parent remarries, as long as the Veteran chooses not to revoke the transfer. Children may use benefits up to the age of 26, and a child's marital status has no effect on benefit eligibility.

Please keep these facts in mind when answering the following question.

2. Are public IHLs in your State required to charge in-state tuition and fees for family members using transferred entitlement under the Post-9/11 GI Bill and Montgomery GI Bill who-
  - a. Enroll within 3 years of the transferor's release from active duty service of 90 days or more, and
  - b. Live in the State, regardless of their state of residency (regardless of whether the transferring Veteran is a resident of, or lives in, your state)?

## **Family Members Using Benefits Under the Marine Gunnery Sergeant John David Fry Scholarship provisions of the Post-9/11 GI Bill**

Surviving spouses and children eligible for the Fry Scholarship are considered "covered individuals" as well. VA requires the family member to meet the definition of a spouse or child at the time that he/she is determined to be eligible for benefits..

- A spouse, for the purposes of determining eligibility for the Fry Scholarship, includes those wedded through both same-sex and opposite-sex marriages. Remarriage results in the loss of benefit eligibility.

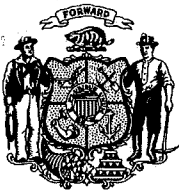
- A child, for the purposes of determining eligibility for the Fry Scholarship, includes biological children, adopted children, pre-adoptive children, and stepchildren. A child does not have to be financially dependent on the parent or have been listed on the current or previous tax return. A child (including the child of a same-sex spouse) retains eligibility even if the surviving spouse remarries. Generally, children may use benefits up to the age of 33, and a child's marital status has no effect on benefit eligibility.

Please keep these facts in mind when answering the following question.

3. Are public IHLs in your State required to charge in-state tuition and fees for family members using benefits under the Marine Gunnery Sergeant John David Fry Scholarship provisions of the Post-9/11 GI Bill who-
  - a. Enroll within 3 years of the Servicemember's death in the line of duty following active duty service of 90 days or more, and
  - b. Live in the State, regardless of their State of residency (regardless of whether the transferring Veteran is a resident of, or lives in, your State)?

#### **All Types of Beneficiaries**

4. Are public IHLs in your State required to continue to charge in-state tuition and fee rates for the individuals described above for as long as they remain continuously enrolled?
5. Are public IHLs in your State required to charge in-state tuition and fee rates for the individuals described above for all approved programs they offer (e.g. certificate, undergraduate, graduate, etc.)?



State of Wisconsin  
2015 - 2016 LEGISLATURE

\*\*\* from  
IP2

-1848/P1  
LRB-1034/P2  
ZDW&ARG:kjf:rs

in 2/26

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

wanted  
Mon. 3/2

B-Note

Legon

1 **AN ACT to repeal** 20.485 (1) (gd), 20.485 (1) (mn), 20.485 (1) (u), 20.485 (2) (b),  
2 20.485 (2) (d), 20.485 (2) (e), 20.485 (2) (vy), 20.485 (2) (yg), 20.485 (3) (v), 20.485  
3 (3) (w), 45.03 (4) (c), 45.03 (4) (d), 45.03 (4) (e), 45.03 (13) (j), 45.03 (13) (k) and  
4 45.70 (1m); **to renumber** 20.485 (1) (d), 20.485 (3) (sm), 45.51 (8), 45.51 (11) and  
5 45.51 (12); **to renumber and amend** 20.485 (1) (kg), 45.51 (6m), 45.51 (7) and  
6 45.51 (10); **to amend** 20.485 (1) (g), 20.485 (1) (gk), 20.485 (1) (h), 20.485 (1)  
7 (hm), 20.485 (1) (t), 20.485 (2) (a) (title), 20.485 (2) (rm), 20.485 (2) (rp), 20.485  
8 (2) (z) (title), 20.485 (4) (g), 20.485 (4) (m), 20.485 (5) (mn) (title), 20.485 (5) (wd)  
9 (title), 25.36 (1), 25.37, 38.24 (3) (a), 45.01 (9), 45.02 (2) (intro.), 45.03 (3) (a),  
10 45.03 (5) (a) 1., 45.03 (5) (a) 2., 45.03 (5) (c) 1. a., 45.03 (5) (c) 1. b., 45.03 (5) (c)  
11 1. c., 45.03 (5) (c) 3., 45.03 (5) (c) 4., 45.03 (12) (a), 45.03 (12) (b), 45.03 (15), 45.37  
12 (4) (a), 45.37 (4) (b) 1., 45.37 (4) (b) 2., 45.37 (6) (a) 2., 45.37 (6) (c) 2., 45.37 (7)  
13 (a) (intro.), 45.37 (7) (b), 45.37 (10) (a), 45.43 (title) and (1), 45.50 (4) (a), 45.51  
14 (3) (b), 45.51 (3) (c) 1. d., 45.51 (3) (c) 1m. c., 45.51 (3) (c) 2., 45.57 (1), 45.70 (1b)  
15 (a), 45.70 (1b) (b), 45.70 (2) (b), 45.82 (1) and 851.09; **to repeal and recreate**

1 20.485 (1) (b) (title), 20.485 (2) (u) (title), 20.485 (5) (c) (title) and 20.485 (5) (zm)  
2 (title); **to create** 19.56 (3) (g), 20.485 (6) (title), 20.485 (6) (k), 38.24 (3m) and  
3 45.50 (2m) (cm) of the statutes; and **to affect** 2011 Wisconsin Act 32, section  
4 9101 (2u); **relating to:** charging resident fees to nonresident veterans and their  
5 family members attending technical colleges and making technical changes to  
6 laws governing veterans affairs and making an appropriation.

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### ***Analysis by the Legislative Reference Bureau***

Under current law, the Technical College System (TCS) Board establishes program fees that the technical college districts must charge students. With exceptions, the fees for nonresidents are 150 percent of the fees for residents. The TCS Board must establish procedures to determine the residence of students attending technical colleges, but statutes specify that certain students must be considered residents of this state, including veterans verified by the Department of Veterans Affairs (DVA) as being residents for purposes of receiving specified benefits. Current law also provides for full fee remission at technical colleges for certain resident veterans and qualifying family members under certain circumstances.

This bill requires technical college districts to charge resident fees to: 1) a veteran living in this state, regardless of whether the veteran is a resident, if the veteran was discharged or released from at least 90 days of active service within the three years before the date of enrollment in the technical college; and 2) the veteran's spouse or child, living in this state, who is eligible for certain federal benefits by virtue of his or her relationship to the veteran. After a veteran or qualifying spouse or child is enrolled at a technical college, the technical college district must continue to charge resident fees for as long as the veteran or spouse or child is continuously enrolled.

~~Under current law, no state public official may use his or her public position or office to obtain financial gain for the benefit of himself or herself or for an organization with which he or she is associated. This bill allows a state public official who is an officer or employee of DVA to solicit, receive, and retain on behalf of the state anything of value for the purpose of supporting veterans homes and members and veterans programs, benefits, and services.~~

~~Under current law, the Board of Veterans Affairs has various powers, including creating policies and making determinations relating to the disposition of moneys, the making of loans, and the acquisition and conveyance of buildings and real property. This bill transfers most of the board's powers to DVA and its secretary.~~

~~Under current law, DVA is required to employ regional coordinators, claims officers, and mobile claims officers to provide claims and benefits assistance to veterans. This bill eliminates those requirements.~~

Under current law, DVA may enter into a contract with a private entity to operate the Wisconsin Veterans Home at Chippewa Falls (Home), provided that the contractor maintain at least a four-star rating. This bill eliminates the contractor rating requirement and allows DVA to promulgate rules to establish performance standards for operation of the Home.

This bill also makes various technical changes to laws governing veterans affairs, including repealing obsolete or outdated appropriations. This bill also makes an appropriation allowing DVA to receive moneys from other state agencies and to expend those moneys for the purposes for which received.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

**SECTION 1.** 19.56 (3) (g) of the statutes is created to read:

19.56 (3) (g) A state public official who is an officer or employee of the department of veterans affairs may solicit, receive, and retain on behalf of the state anything of value for the purpose of supporting veterans homes and members and veterans programs, benefits, and services.

**SECTION 2.** 20.485 (1) (b) (title) of the statutes is repealed and recreated to read:

20.485 (1) (b) (title) *Homes operation; general fund supplement.*

**SECTION 3.** 20.485 (1) (d) of the statutes is renumbered 20.485 (4) (a).

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

20.485 (1) (g) *Home exchange.* The amounts in the schedule for the purchase of the necessary materials, supplies and equipment for the operation of the home exchange, and compensation for members' labor. All moneys received from the sale of products authorized by s. 45.51 (7) 45.50 (12) shall be credited to this appropriation.

**SECTION 5.** 20.485 (1) (gd) of the statutes is repealed.

**SECTION 6.** 20.485 (1) (gk) of the statutes is amended to read:

1       20.485 (1) (gk) *Institutional Homes operations*. The amounts in the schedule  
2 for the care of the members of the Wisconsin veterans homes under s. 45.50, for the  
3 payment of stipends under s. 45.50 (2m) (f), for the transfer of moneys to the  
4 appropriation account under s. 20.435 (4) (ky) for payment of the state share of the  
5 medical assistance costs related to the provision of stipends under s. 45.50 (2m) (f),  
6 for the payment of assistance to indigent veterans under s. 45.43 to allow them to  
7 reside at the Wisconsin Veterans Home at Union Grove, for the transfer of moneys  
8 to the appropriation account under ~~par. (kg) sub. (2) (ks)~~, and for the payment of  
9 grants under s. 45.82. Not more than 1 percent of the moneys credited to this  
10 appropriation account may be used for the payment of assistance to indigent  
11 veterans under s. 45.43. All moneys received under par. (m) and s. 45.51 (7) (b) and  
12 (8) ~~45.50 (12) (b) and (13)~~ and all moneys received for the care of members under  
13 medical assistance, as defined in s. 49.43 (8), shall be credited to this appropriation  
14 account.

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

16       20.485 (1) (h) *Gifts, grants, and bequests*. All moneys received under s. 45.51  
17 (10) ~~45.50 (14)~~ and (11) ~~(15)~~, or any moneys received by gifts, ~~grants~~, or bequests, to  
18 carry out the purposes of ss. 45.50 and 45.51.

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

20       20.485 (1) (hm) *Gifts and grants, grants, and bequests*. All moneys received  
21 from gifts and ~~grants, grants, or bequests~~, specifically for the purpose of s. 45.50 (2m)  
22 (d), to carry out the purpose of s. 45.50 (2m) (d).

23       **SECTION 9.** 20.485 (1) (kg) of the statutes is renumbered 20.485 (2) (ks) and  
24 amended to read:



1           20.485 (2) (ks) *Grants to counties.* ~~The~~ From the general fund, the amounts in  
2 the schedule for the payments of grants made under s. 45.82 (1) to (3). All moneys  
3 transferred from the appropriation account under ~~par. sub. (1) (gk)~~ shall be credited  
4 to this appropriation account.

5           **SECTION 10.** 20.485 (1) (mn) of the statutes is repealed.

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

7           20.485 (1) (t) *Veterans homes member accounts.* From the Wisconsin veterans  
8 homes members fund, all moneys received under s. 25.37 to make payments as  
9 provided under s. 45.51 (8), (10), 45.50 (13), (14), and (11) (15).

10          **SECTION 12.** 20.485 (1) (u) of the statutes is repealed.

11          **SECTION 13.** 20.485 (2) (a) (title) of the statutes is amended to read:

12          20.485 (2) (a) (title) ~~General program operations; loans and aids fund~~  
13 operations.

14          **SECTION 14.** 20.485 (2) (b) of the statutes is repealed.

15          **SECTION 15.** 20.485 (2) (d) of the statutes is repealed.

16          **SECTION 16.** 20.485 (2) (e) of the statutes is repealed.

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

18          20.485 (2) (rm) ~~Veterans assistance programs; fish and game vouchers housing~~  
19 and recovery programs. Biennially, the amounts in the schedule for general program  
20 operations of the veterans assistance program housing and recovery programs under  
21 s. 45.43, ~~for grants under s. 45.03 (13) (j),~~ and for reimbursements to the department  
22 of natural resources under s. 29.1945 (2).

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

1       20.485 (2) (rp) *Veterans assistance program receipts housing and recovery*  
2 *programs fees*. All moneys received from fees under s. 45.43 (2) for the provision of  
3 assistance housing and recovery programs to veterans under s. 45.43 (1).

4       **SECTION 19.** 20.485 (2) (u) (title) of the statutes is repealed and recreated to  
5 read:

6       20.485 (2) (u) (title) *Veteran trust fund operations*.

7       **SECTION 20.** 20.485 (2) (vy) of the statutes is repealed.

8       **SECTION 21.** 20.485 (2) (yg) of the statutes is repealed.

9       **SECTION 22.** 20.485 (2) (z) (title) of the statutes is amended to read:

10       20.485 (2) (z) (title) *Gifts, grants, and bequests*.

11       **SECTION 23.** 20.485 (3) (sm) of the statutes is renumbered 20.485 (2) (se).

12       **SECTION 24.** 20.485 (3) (v) of the statutes is repealed.

13       **SECTION 25.** 20.485 (3) (w) of the statutes is repealed.

14       **SECTION 26.** 20.485 (4) (g) of the statutes is amended to read:

15       20.485 (4) (g) *Cemetery operations*. The amounts in the schedule for the care  
16 and operation of the veterans memorial cemeteries under s. 45.61 other than those  
17 costs provided under pars. (q) and (r). All moneys received under s. 45.61 (3) and from  
18 the estate of decedents under s. 45.61 (5) shall be credited to this appropriation  
19 account.

20       **SECTION 27.** 20.485 (4) (m) of the statutes is amended to read:

21       20.485 (4) (m) *Federal aid; cemetery operations and burials*. All moneys  
22 received from the federal government for specific veterans programs other than for  
23 the care of veterans at the Wisconsin Veterans Home at King and veterans facilities,  
24 for such purposes, and all moneys received from the federal government for the

1 operation of veterans memorial cemeteries under s. 45.61 as authorized by the  
2 governor under s. 16.54, to be used for that purpose.

3 **SECTION 28.** 20.485 (5) (c) (title) of the statutes is repealed and recreated to  
4 read:

5 20.485 (5) (c) (title) *Museum operations; general fund.*

6 **SECTION 29.** 20.485 (5) (mn) (title) of the statutes is amended to read:

7 20.485 (5) (mn) (title) *Federal projects; museum acquisitions and operations.*

8 **SECTION 30.** 20.485 (5) (wd) (title) of the statutes is amended to read:

9 20.485 (5) (wd) (title) *Operation of Wisconsin Veterans Museum operations.*

10 **SECTION 31.** 20.485 (5) (zm) (title) of the statutes is repealed and recreated to  
11 read:

12 20.485 (5) (zm) (title) *Gifts, grants, and bequests.*

13 **SECTION 32.** 20.485 (6) (title) of the statutes is created to read:

14 20.485 (6) (title) ADMINISTRATION.

15 **SECTION 33.** 20.485 (6) (k) of the statutes is created to read:

16 20.485 (6) (k) *Funds received from other state agencies.* All moneys received  
17 from other state agencies, for the purposes for which received.

18 **SECTION 34.** 25.36 (1) of the statutes is amended to read:

19 25.36 (1) Except as provided in sub. (2), all moneys appropriated or transferred  
20 by law shall constitute the veterans trust fund which shall be used for the lending  
21 of money to the mortgage loan repayment fund under s. 45.37 (5) (a) 12. and for the  
22 veterans programs under ss. 20.485 (2) (m), (tm), (u), (v), and (z), and (5) (mn), (v),  
23 (vo), and (zm), 45.03 (19), 45.07, 45.20, 45.21, 45.40 (1m), 45.41, 45.42, 45.43, and  
24 45.82 and administered by the department of veterans affairs, including all moneys  
25 received from the federal government for the benefit of veterans or their dependents;

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

13 **SECTION 35.** 25.37 of the statutes is amended to read:

14 **25.37 Wisconsin veterans homes members fund.** There is established a  
15 separate nonlapsible trust fund designated as the Wisconsin veterans homes  
16 members fund. The fund shall consist of moneys belonging to persons residing in  
17 Wisconsin veterans homes, that are paid to the homes, and that are transferred into  
18 the fund by the department of veterans affairs under s. 45.51 (8) ~~45.50 (13)~~.

19 **SECTION 36.** 38.24 (3) (a) of the statutes is amended to read:

20 38.24 (3) (a) ~~For~~ Except as provided in sub. (3m), for all students who are not  
21 residents of this state, nor subject to reciprocal agreements with the board, annually  
22 the board shall establish a fee based on 150 percent of program fees established  
23 under sub. (1m) (a) and (b).

24 **SECTION 37.** 38.24 (3m) of the statutes is created to read:

1           **38.24 (3m)** NONRESIDENT FEE EXEMPTION FOR VETERANS AND THEIR SPOUSES AND  
2 CHILDREN. (a) In this subsection, “covered individual” has the meaning given in 38  
3 USC 3679 (c) (2).

4           (b) The district boards shall charge covered individuals living in this state the  
5 fees established under sub. (1m) (a) and (b).

6           (c) After a covered individual living in this state is enrolled at a technical college  
7 and is charged fees in accordance with par. (b), fees established in accordance with  
8 this subsection, rather than sub. (3) (a), shall continue to be charged to the covered  
9 individual for as long as the covered individual is continuously enrolled at the  
10 technical college.

11           (d) This subsection does not affect any other fee exemption or fee remission for  
12 which a covered individual may be eligible under this section.

13           **SECTION 38.** 45.01 (9) of the statutes is amended to read:

14           45.01 (9) “Permanently and totally disabled veteran” means a person who is  
15 receiving 100 percent disability compensation from the U.S. department of veterans  
16 affairs under 38 USC 301 to 315, 331 to 337, and 350 to 362 1110 to 1155, due to a  
17 permanent and total service-connected disability.

18           **SECTION 39.** 45.02 (2) (intro.) of the statutes is amended to read:

19           45.02 (2) (intro.) Except as provided in sub. (3) and s. 45.51 (6m) (1m), to be  
20 eligible for benefits under this chapter an applicant shall be a resident of and living  
21 in this state at the time of making application or the veteran from whom the  
22 applicant derives eligibility is deceased, and the veteran from whom eligibility is  
23 derived meets one of the following conditions:

24           **SECTION 40.** 45.03 (3) (a) of the statutes is amended to read:

**SECTION 40**

1       45.03 (3) (a) The council on veterans programs created under s. 15.497 shall  
2 advise the board and the department on solutions and policy alternatives relating  
3 to the problems of veterans.

4       **SECTION 41.** 45.03 (4) (c) of the statutes is repealed.

5       **SECTION 42.** 45.03 (4) (d) of the statutes is repealed.

6       **SECTION 43.** 45.03 (4) (e) of the statutes is repealed.

7       **SECTION 44.** 45.03 (5) (a) 1. of the statutes is amended to read:

8       45.03 (5) (a) 1. "Existing building" in relation to any conveyance, lease, or  
9 sublease made under par. (c) 1. means all detention, treatment, administrative,  
10 recreational, infirmary, hospital, vocational, and academic buildings; all  
11 dormitories and cottages; all storage facilities, heating plants, and sewage disposal  
12 plants, and other buildings, structures, facilities, and permanent improvements that  
13 in the judgment of the board department are needed or useful for the purposes of the  
14 department, and all equipment for them and all improvements and additions to them  
15 that were erected, constructed, or installed prior to the making of the conveyance,  
16 lease, or sublease.

17       **SECTION 45.** 45.03 (5) (a) 2. of the statutes is amended to read:

18       45.03 (5) (a) 2. "New building" in relation to any conveyance, lease, or sublease  
19 made under par. (c) 1. means all detention, treatment, administrative, recreational,  
20 infirmary, hospital, vocational, and academic buildings; all dormitories and  
21 cottages; all storage facilities, heating plants, and sewage disposal plants, and other  
22 buildings, structures, facilities, and permanent improvements as in the judgment of  
23 the board department are needed or useful for the purposes of the department, and  
24 all equipment for them and all improvements and additions to them that are erected,  
25 constructed, or installed after the making of the conveyance, lease, or sublease.

1           **SECTION 46.** 45.03 (5) (c) 1. a. of the statutes is amended to read:

2           45.03 (5) (c) 1. a. Without limitation by reason of any other provisions of the  
3 statutes except ss. 13.48 (14) (am) and 16.848 (1), unless otherwise required by law,  
4 the power to sell and to convey title in fee simple to a nonprofit corporation any land  
5 and any existing buildings owned by the state that are under the jurisdiction of the  
6 department for the consideration and upon the terms and conditions as in the  
7 judgment of the ~~board~~ department are in the public interest.

8           **SECTION 47.** 45.03 (5) (c) 1. b. of the statutes is amended to read:

9           45.03 (5) (c) 1. b. Unless otherwise required by law, the power to lease to a  
10 nonprofit corporation for a term or terms not exceeding 50 years each any land and  
11 any existing buildings owned by the state that are under the jurisdiction of the  
12 department upon the terms and conditions as in the judgment of the ~~board~~  
13 department are in the public interest.

14           **SECTION 48.** 45.03 (5) (c) 1. c. of the statutes is amended to read:

15           45.03 (5) (c) 1. c. The power to lease or sublease from the nonprofit corporation,  
16 and to make available for public use, any land, or any land and existing buildings  
17 conveyed or leased to such nonprofit corporation under subd. 1. a. and b., and any  
18 new buildings erected upon such land or upon any other land owned by the nonprofit  
19 corporation, upon the terms, conditions, and rentals, subject to available  
20 appropriations, as in the judgment of the ~~board~~ department are in the public interest.

21           **SECTION 49.** 45.03 (5) (c) 3. of the statutes is amended to read:

22           45.03 (5) (c) 3. Nothing in this subsection empowers the ~~board~~ or the  
23 department to incur any state debt.

24           **SECTION 50.** 45.03 (5) (c) 4. of the statutes is amended to read:

1     ~~45.03 (5) (c) 4. All powers and duties conferred upon the board or the~~  
2     ~~department under this subsection shall be exercised and performed by resolution of~~  
3     ~~the board. All conveyances, leases, and subleases made under this subsection, when~~  
4     ~~authorized by resolution of the board, shall be made, executed, and delivered in the~~  
5     ~~name of the department and shall be signed by the secretary and sealed with the seal~~  
6     ~~of the department.~~

7     **SECTION 51.** 45.03 (12) (a) of the statutes is amended to read:

8     45.03 (12) (a) The department may receive gifts and bequests in its name for  
9     the benefit of Wisconsin veterans and their dependents ~~in accordance with policies~~  
10    ~~adopted by the board.~~ Moneys received shall be credited to the veterans trust fund.

11    **SECTION 52.** 45.03 (12) (b) of the statutes is amended to read:

12    45.03 (12) (b) The department may receive moneys or other gifts and bequests  
13    in its name for the benefit of the Wisconsin Veterans Museum. Moneys received shall  
14    be credited to the veterans trust fund and used, as far as practicable, in accordance  
15    with the wishes of the donors ~~and in accordance with the board's policies.~~

16    **SECTION 53.** 45.03 (13) (j) of the statutes is repealed.

17    **SECTION 54.** 45.03 (13) (k) of the statutes is repealed.

18    **SECTION 55.** 45.03 (15) of the statutes is amended to read:

19    45.03 (15) DEFERRAL OF PAYMENTS AND INTEREST ON LOANS. When a veteran or  
20    a member of the veteran's family makes application for deferment of payment of  
21    monthly installments and waiver of interest charges on veterans loans made under  
22    this chapter, showing that the ability of the veteran to make payment is materially  
23    and adversely affected by reason of military service, the department may, ~~with the~~  
24    ~~approval of the board,~~ defer payment of monthly installments and waive interest  
25    charges on veterans loans made under this chapter for the duration of any period of



1 service in the armed forces of the United States during a national emergency or in  
2 time of war or under P.L. 87-117 and 6 months from date of discharge or separation  
3 and the time for payment may be extended for the same period. However, when funds  
4 estimated to be received in the veterans mortgage loan repayment fund to pay debt  
5 service on public debt contracted under s. 20.866 (2) (zn) and (zo) are less than the  
6 funds estimated to be required for the payment of the debt service, the board  
7 department may grant deferral of payments and interest on loans provided under s.  
8 45.37 only when so required by federal law.

9 **SECTION 56.** 45.37 (4) (a) of the statutes is amended to read:

10 45.37 (4) (a) The ~~board~~ department shall determine the interest rate on loans  
11 made under this section. Except as provided in sub. (11), the interest rate  
12 determined may not be increased during the term of the loan. Except as provided  
13 in sub. (11), the interest rate shall be as low as possible but shall be sufficient to fully  
14 pay all expenses and to provide reserves that are reasonably expected to be required  
15 in the judgment of the board in accordance with par. (b) and sub. (7) (a) 3.

16 **SECTION 57.** 45.37 (4) (b) 1. of the statutes is amended to read:

17 45.37 (4) (b) 1. The ~~board~~ department shall select and implement the methods  
18 of insuring against losses arising from delinquency and default in the repayment of  
19 loans funded under sub. (6) (a) and shall select and implement the methods of  
20 managing and selling any property securing loans funded under sub. (6) (a).

21 **SECTION 58.** 45.37 (4) (b) 2. of the statutes is amended to read:

22 45.37 (4) (b) 2. The ~~board~~ department shall charge or cause to be charged to  
23 borrowers all costs necessary to insure against losses under subd. 1.

24 **SECTION 59.** 45.37 (6) (a) 2. of the statutes is amended to read:

**SECTION 59**

1       45.37 (6) (a) 2. The ~~chairperson of the board~~ secretary shall certify that the  
2 ~~chairperson~~ secretary does not expect proceeds of state debt issued under this  
3 paragraph to be used in a manner that would cause the debt to be arbitrage bonds  
4 as defined in the Internal Revenue Code, if that debt is a bond that is exempt from  
5 federal taxation.

6       **SECTION 60.** 45.37 (6) (c) 2. of the statutes is amended to read:

7       45.37 (6) (c) 2. The ~~chairperson of the board~~ secretary shall certify that the  
8 ~~board and the department do~~ does not expect and shall not use proceeds of revenue  
9 obligations issued under this paragraph in a manner that would cause the revenue  
10 obligations to be arbitrage bonds as defined in the Internal Revenue Code, where  
11 that debt is a bond that is exempt from federal taxation.

12       **SECTION 61.** 45.37 (7) (a) (intro.) of the statutes is amended to read:

13       45.37 (7) (a) (intro.) There is created the veterans mortgage loan repayment  
14 fund. All moneys received by the department for the repayment of loans funded  
15 under sub. (6) (a) except for servicing fees required to be paid to authorized lenders,  
16 net proceeds from the sale of mortgaged properties, any repayment to the  
17 department of moneys paid to authorized lenders, gifts, grants, other  
18 appropriations, and interest earnings accruing, any repayment of moneys borrowed  
19 under s. 45.42 (8) (a), all moneys received under sub. (5) (a) 6., and any moneys  
20 deposited or transferred under s. 18.04 (6) (b) or (d) shall be promptly deposited into  
21 the veterans mortgage loan repayment fund. The ~~board~~ department shall establish  
22 by resolution a system of accounts providing for the maintenance and disbursement  
23 of moneys of the veterans mortgage loan repayment fund to fund loans under sub.  
24 (6) (a) or to fund, refund, or acquire public debt as provided in s. 18.04 (5). The system  
25 of accounts shall record and provide moneys for all of the following purposes:

1       **SECTION 62.** 45.37 (7) (b) of the statutes is amended to read:

2       45.37 (7) (b) The ~~board~~ department may amend the system of accounts  
3 established under par. (a) only by resolution of the board that is approved by the  
4 building commission.

5       **SECTION 63.** 45.37 (10) (a) of the statutes is amended to read:

6       45.37 (10) (a) All moneys received from any source for repayment of loans,  
7 mortgages, or mortgage loan notes funded with proceeds of revenue obligations  
8 issued under sub. (6) (c) shall be deposited into one or more separate nonlapsible  
9 trust funds in the state treasury or with a trustee appointed for that purpose by the  
10 authorizing resolution for the revenue obligations. The ~~board~~ department may  
11 pledge revenues received by the funds to secure revenue obligations issued under  
12 sub. (6) (c) and shall have all other powers necessary and convenient to distribute the  
13 proceeds of the revenue obligations and loan repayments in accordance with subch.  
14 II of ch. 18. Unrestricted balances in the funds may be used to fund additional loans  
15 issued under sub. (6) (c) and pay the balances owing on loans after the assumptions  
16 of the loans or the closings of the sales of residences under sub. (11) (c).

17       **SECTION 64.** 45.43 (title) and (1) of the statutes are amended to read:

18       45.43 (title) **Veterans assistance program housing and recovery**  
19 **programs; aid to indigent veterans.** (1) The department shall administer a  
20 ~~program programs~~ to provide assistance to persons who served in the U.S. armed  
21 forces or in forces incorporated as part of the U.S. armed forces and who were  
22 discharged under conditions other than dishonorable. The department shall provide  
23 assistance under this section to persons whose need for services is based upon  
24 homelessness, incarceration, or other circumstances designated by the department  
25 by rule. The eligibility requirements under s. 45.02 (2) do not apply to a person

1 applying for assistance under this section. The department shall designate the  
2 assistance available under this section, which may include assistance in receiving  
3 medical care, dental care, education, employment, single room occupancy housing,  
4 ~~and transitional housing, and, notwithstanding s. 45.51 (14), housing in an assisted~~  
5 ~~living facility.~~ The department may provide payments to facilitate the provision of  
6 services under this section.

7 **SECTION 65.** 45.50 (2m) (cm) of the statutes is created to read:

8 45.50 (2m) (cm) The department may promulgate rules to establish  
9 performance standards for services provided under par. (c).

10 **SECTION 66.** 45.50 (4) (a) of the statutes is amended to read:

11 45.50 (4) (a) The department may use moneys appropriated under s. 20.485 (1)  
12 (h) to purchase, erect, construct, or remodel buildings, to provide additions and  
13 improvements, to provide equipment, materials, supplies, and services necessary for  
14 the purposes of veterans homes, and for expenses that are necessary and incidental  
15 to acquisition of property under s. ~~45.51 (10)~~ 45.50 (14) and ~~(11) (15)~~.

16 **SECTION 67.** 45.51 (3) (b) of the statutes is amended to read:

17 45.51 (3) (b) Spouses, surviving spouses, and parents derive their eligibility  
18 from the eligibility of the person under sub. (2) (a) 1. or 2. Surviving spouses and  
19 parents of eligible persons under sub. (2) (a) 1. or 2. shall not be eligible for admission  
20 to the Wisconsin Veterans Home at Union Grove, the Wisconsin Veterans Home at  
21 King, or the Wisconsin Veterans Home at Chippewa Falls unless a home's overall  
22 occupancy level is below an optimal level as determined by the ~~board~~ department.

23 **SECTION 68.** 45.51 (3) (c) 1. d. of the statutes is amended to read:

24 45.51 (3) (c) 1. d. Parents of eligible persons under sub. (2) (a) 1. ~~or 2.~~ to 3. have  
25 4th priority for admission.

1       **SECTION 69.** 45.51 (3) (c) 1m. c. of the statutes is amended to read:

2       45.51 (3) (c) 1m. c. A person who is not a resident of the state on the date of  
3       application for membership in a veterans home eligible under sub. (1m) has 3rd  
4       priority for admission.

5       **SECTION 70.** 45.51 (3) (c) 2. of the statutes is amended to read:

6       45.51 (3) (c) 2. The department may deviate from this sequence ~~upon order of~~  
7       the board to prevent the separation of a husband and wife.

8       **SECTION 71.** 45.51 (6m) of the statutes is renumbered 45.51 (1m) and amended  
9       to read:

10       45.51 (1m) RESIDENCY. In Notwithstanding s. 45.02 (2) and subject to sub. (3),  
11       in order to be eligible for benefits under this subchapter, a person ~~specified under~~  
12       ~~sub. (2) (a) 1., 2., or 3.~~ does not have to be a resident of this state on the date of  
13       application for membership.

14       **SECTION 72.** 45.51 (7) of the statutes is renumbered 45.50 (12), and 45.50 (12)  
15       (a), as renumbered, is amended to read:

16       45.50 (12) (a) The ~~board~~ department shall establish a pay plan for  
17       compensation of members for services rendered to a veterans home under its work  
18       therapy program.

19       **SECTION 73.** 45.51 (8) of the statutes is renumbered 45.50 (13).

20       **SECTION 74.** 45.51 (10) of the statutes is renumbered 45.50 (14), and 45.50 (14)  
21       (a) and (b), as renumbered, are amended to read:

22       45.50 (14) (a) Except as otherwise provided in this subsection, the application  
23       and admission of any applicant admitted under ~~this section s. 45.51~~ shall constitute  
24       a valid and binding contract between a member and the department. If a member  
25       dies leaving a relative that is entitled to an interest in the property of the member

1 under the rules of intestate succession or a will the existence of which is made known  
2 to the commandant of the veterans home within 60 days of the member's death, the  
3 member's property shall constitute a part of the member's estate, except the  
4 commandant may distribute personal effects of nominal monetary value of a  
5 deceased member who is not survived by a member spouse to surviving relatives of  
6 the member who request the personal effects within a reasonable time after the  
7 member's death.

8 (b) The department may manage, sell, lease, or transfer property passing to the  
9 state pursuant to ~~this section~~ s. 45.51 or conveyed to it by members, defend and  
10 prosecute all actions concerning it, pay all just claims against it, and do all other  
11 things necessary for the protection, preservation, and management of the property.  
12 All expenditures necessary for the execution of functions under this paragraph or  
13 ~~sub. s. 45.51~~ (14) shall be made from the appropriation in s. 20.485 (1) (h).

14 **SECTION 75.** 45.51 (11) of the statutes is renumbered 45.50 (15).

15 **SECTION 76.** 45.51 (12) of the statutes is renumbered 45.50 (16).

16 **SECTION 77.** 45.57 (1) of the statutes is amended to read:

17 45.57 (1) The department may transfer all or part of the unencumbered balance  
18 of any of the appropriations under s. 20.485 (1) (g), (gd), (gk), or (i) to the veterans  
19 trust fund or to the veterans mortgage loan repayment fund.

20 **SECTION 78.** 45.70 (1b) (a) of the statutes is amended to read:

21 45.70 (1b) (a) The Except as provided in sub. (2)(b), the board may approve,  
22 recommend, and veto any proposed plans, modifications, and changes or policies  
23 with respect to established state memorials and any future veterans state  
24 memorials, and may recommend the creation and establishment of future veterans  
25 state memorials.

1           **SECTION 79.** 45.70 (1b) (b) of the statutes is amended to read:

2           45.70 (1b) (b) ~~The board may act~~ secretary shall consult the board on any  
3 proposal under par. (a) only if the department estimates that the cost of  
4 implementing the proposal for an established or future state memorial will exceed  
5 \$25,000.

6           **SECTION 80.** 45.70 (1m) of the statutes is repealed.

7           **SECTION 81.** 45.70 (2) (b) of the statutes is amended to read:

8           45.70 (2) (b) No structures, other than memorials approved by the board  
9 department, and no walks, roads, or subterranean footings may be placed or erected  
10 upon Camp Randall Memorial Park, Madison, Wisconsin, as described in par. (c),  
11 unless authorized by the legislature, nor shall the park be used for any permanent  
12 purpose other than a memorial park and no event may be held within the park unless  
13 approved by the department.

14           **SECTION 82.** 45.82 (1) of the statutes is amended to read:

15           45.82 (1) Each county may annually apply to the department for a grant for the  
16 improvement of service to former military personnel of the county through the  
17 county veterans service office. A county may not allocate any portion of a grant for  
18 use by another county department nor may the county reduce funding to a county  
19 veterans service office based upon receipt of a grant. The county veterans service  
20 officer of any county applying for the grant shall enter into an agreement with the  
21 department. The agreement shall state the goals and objectives to be attained by the  
22 county veterans service office during the remainder of the year covered by the grant  
23 application. ~~The department shall prepare the basic form of this agreement in~~  
24 ~~consultation with the county veterans service officers association and provide a copy~~  
25 ~~and an explanation of that agreement to each county veterans service officer. The~~

1 department shall develop reasonable budget and operating standards to assure  
2 improved services, but full operating control of the county office shall be left to each  
3 county.

4 **SECTION 83.** 851.09 of the statutes is amended to read:

5 **851.09 Heir.** "Heir" means any person, including the surviving spouse, who  
6 is entitled under the statutes of intestate succession to an interest in property of a  
7 decedent. The state is an heir of the decedent and a person interested under s. 45.51  
8 ~~(10) 45.50 (14) and (11) (15)~~ when the decedent was a member of a Wisconsin veterans  
9 home operated by the department of veterans affairs under s. 45.50 at the time of the  
10 decedent's death.

11 **SECTION 84.** 2011 Wisconsin Act 32, section 9101 (2u) is repealed.

12 **SECTION 85. Initial applicability.**

13 (1) VETERAN'S NONRESIDENT FEE EXEMPTION. The treatment of section 38.24 (3)  
14 (a) and (3m) of the statutes first applies to students enrolled for the first semester  
15 or session beginning after the effective date of this subsection.

16 (END)

change component

This act

D-Note



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1848/P1dn  
ARG:.....

ATTN: Waylon Hurlburt

This draft incorporates the technical colleges piece of LRB-1054/P2, drafted as a stand-alone bill. Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible “/1” draft.

Aaron R. Gary  
Senior Legislative Attorney  
(608) 261-6926  
aaron.gary@legis.wisconsin.gov

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1848/P1dn  
ARG:kjf:rs

February 27, 2015

ATTN: Waylon Hurlburt

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Senior Legislative Attorney  
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**Gary, Aaron**

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**From:** Hurlburt, Waylon - GOV <Waylon.Hurlburt@wisconsin.gov>  
**Sent:** Monday, March 02, 2015 1:06 PM  
**To:** Gary, Aaron  
**Subject:** Please send me jacketing approval or jacket for approval.  
**Attachments:** 15-1848\_P1.pdf

Thank you.

Waylon Hurlburt  
Policy Director  
Office of Governor Scott Walker  
608-266-1212



TODAY

in 3/2

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

No change

Regen

1 **AN ACT to amend 38.24 (3) (a); and to create 38.24 (3m) of the statutes; relating**  
2 **to: charging resident fees to nonresident veterans and their family members**  
3 **attending technical colleges.**

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***Analysis by the Legislative Reference Bureau***

Under current law, the Technical College System (TCS) Board establishes program fees that the technical college districts must charge students. With exceptions, the fees for nonresidents are 150 percent of the fees for residents. The TCS Board must establish procedures to determine the residence of students attending technical colleges, but statutes specify that certain students must be considered residents of this state, including veterans verified by the Department of Veterans Affairs (DVA) as being residents for purposes of receiving specified benefits. Current law also provides for full fee remission at technical colleges for certain resident veterans and qualifying family members under certain circumstances.

This bill requires technical college districts to charge resident fees to: 1) a veteran living in this state, regardless of whether the veteran is a resident, if the veteran was discharged or released from at least 90 days of active service within the three years before the date of enrollment in the technical college; and 2) the veteran's spouse or child, living in this state, who is eligible for certain federal benefits by virtue of his or her relationship to the veteran. After a veteran or qualifying spouse or child is enrolled at a technical college, the technical college district must continue to charge resident fees for as long as the veteran or spouse or child is continuously enrolled.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 38.24 (3) (a) of the statutes is amended to read:

2           38.24 (3) (a) ~~For~~ Except as provided in sub. (3m), for all students who are not  
3 residents of this state, nor subject to reciprocal agreements with the board, annually  
4 the board shall establish a fee based on 150 percent of program fees established  
5 under sub. (1m) (a) and (b).

6           **SECTION 2.** 38.24 (3m) of the statutes is created to read:

7           38.24 (3m) NONRESIDENT FEE EXEMPTION FOR VETERANS AND THEIR SPOUSES AND  
8 CHILDREN. (a) In this subsection, “covered individual” has the meaning given in 38  
9 USC 3679 (c) (2).

10           (b) The district boards shall charge covered individuals living in this state the  
11 fees established under sub. (1m) (a) and (b).

12           (c) After a covered individual living in this state is enrolled at a technical college  
13 and is charged fees in accordance with par. (b), fees established in accordance with  
14 this subsection, rather than sub. (3) (a), shall continue to be charged to the covered  
15 individual for as long as the covered individual is continuously enrolled at the  
16 technical college.

17           (d) This subsection does not affect any other fee exemption or fee remission for  
18 which a covered individual may be eligible under this section.

19           **SECTION 3. Initial applicability.**



## Rose, Stefanie

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**From:** Hurlburt, Waylon - GOV <Waylon.Hurlburt@wisconsin.gov>  
**Sent:** Monday, March 02, 2015 2:47 PM  
**To:** Gary, Aaron  
**Cc:** Rose, Stefanie  
**Subject:** RE: Please send me jacketing approval or jacket for approval.

No. Thank you.

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**From:** Gary, Aaron [mailto:Aaron.Gary@legis.wisconsin.gov]  
**Sent:** Monday, March 02, 2015 2:46 PM  
**To:** Hurlburt, Waylon - GOV  
**Cc:** Rose, Stefanie A - LEGIS  
**Subject:** RE: Please send me jacketing approval or jacket for approval.

Great. Thank you.

The two LRB numbers are 1848 and 1872. Does it matter which is jacketed for the assembly and which is jacketed for the senate?

Aaron

Aaron R. Gary  
Attorney, Legislative Reference Bureau  
608.261.6926 (voice)  
608.264.6948 (fax)  
[aaron.gary@legis.state.wi.us](mailto:aaron.gary@legis.state.wi.us)

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**From:** Hurlburt, Waylon - GOV [mailto:Waylon.Hurlburt@wisconsin.gov]  
**Sent:** Monday, March 02, 2015 2:45 PM  
**To:** Gary, Aaron  
**Cc:** Rose, Stefanie  
**Subject:** RE: Please send me jacketing approval or jacket for approval.

No problem. So you're not rushed why don't I stop by tomorrow morning.

Thanks.

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**From:** Gary, Aaron [mailto:Aaron.Gary@legis.wisconsin.gov]  
**Sent:** Monday, March 02, 2015 2:40 PM  
**To:** Hurlburt, Waylon - GOV  
**Cc:** Rose, Stefanie A - LEGIS  
**Subject:** RE: Please send me jacketing approval or jacket for approval.

OK, but I will have to put another draft through – identical to LRB-1848 but with a different number. Please allow half an hour before picking them up, as I'll need time to run it through the process.

Thanks. Aaron

Aaron R. Gary  
Attorney, Legislative Reference Bureau

608.261.6926 (voice)  
608.264.6948 (fax)  
[aaron.gary@legis.state.wi.us](mailto:aaron.gary@legis.state.wi.us)

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**From:** Hurlburt, Waylon - GOV [<mailto:Waylon.Hurlburt@wisconsin.gov>]  
**Sent:** Monday, March 02, 2015 2:38 PM  
**To:** Gary, Aaron  
**Cc:** Rose, Stefanie  
**Subject:** RE: Please send me jacketing approval or jacket for approval.

One for both please. I will pick them up at the same time. Thank you.

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**From:** Gary, Aaron [<mailto:Aaron.Gary@legis.wisconsin.gov>]  
**Sent:** Monday, March 02, 2015 2:31 PM  
**To:** Hurlburt, Waylon - GOV  
**Cc:** Rose, Stefanie A - LEGIS  
**Subject:** RE: Please send me jacketing approval or jacket for approval.

Hi Waylon,

This bill is ready to be jacketed and then picked up from our front desk. For which house did you want this bill jacketed?

Thanks. Aaron

Aaron R. Gary  
Attorney, Legislative Reference Bureau  
608.261.6926 (voice)  
608.264.6948 (fax)  
[aaron.gary@legis.state.wi.us](mailto:aaron.gary@legis.state.wi.us)

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**From:** Hurlburt, Waylon - GOV [<mailto:Waylon.Hurlburt@wisconsin.gov>]  
**Sent:** Monday, March 02, 2015 1:06 PM  
**To:** Gary, Aaron  
**Subject:** Please send me jacketing approval or jacket for approval.

Thank you.

Waylon Hurlburt  
Policy Director  
Office of Governor Scott Walker  
608-266-1212