

2015 DRAFTING REQUEST

Senate Amendment (SA-SB(LRBx1848/1))

Received: 4/22/2015 Received By: agary
Wanted: As time permits Same as LRB:
For: Governor By/Representing: Waylon Hurlburt, Kathy Marschm
May Contact: Drafter: agary
Subject: Higher Education - tech. college Addl. Drafters:
Extra Copies: MDK

Submit via email: YES
Requester's email: Waylon.Hurlburt@wisconsin.gov
Carbon copy (CC) to: aaron.gary@legis.wisconsin.gov
Kathy.Marschman@dva.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Charging resident fees to nonresident veterans attending technical colleges; continuous enrollment

Instructions:

See attached

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>
/P1	agary 5/7/2015			_____			
/1		kfollett 5/8/2015		_____	sbasford 5/8/2015	sbasford 5/8/2015	

FE Sent For:

<END>

↓
jackets sent to
Sen. Petrowski per
ARG

Gary, Aaron

From: Marschman, Kathy <Kathy.Marschman@dva.wisconsin.gov>
Sent: Thursday, May 07, 2015 11:09 AM
To: Gary, Aaron
Cc: Hurlburt, Waylon - GOV; Punches, Derek
Subject: RE: Legislation LRB 1848 FW: Wisconsin Status

Aaron,

The amendment, LRB-a0397/P1, is good to go. Senator Petrowski has the jacket for LRB-1848. Will you please sent the amendment to him?

Thanks,
Kathy

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From: Gary, Aaron [mailto:Aaron.Gary@legis.wisconsin.gov]
Sent: Wednesday, April 22, 2015 3:55 PM
To: Marschman, Kathy
Cc: Hurlburt, Waylon - GOV
Subject: RE: Legislation LRB 1848 FW: Wisconsin Status

4/22 - left VM message for
Kathy

Hi Kathy,

Following up on my long voice mail message, here is a stab at the amendment – at least what I'd like it to look like to address the concern in the US DVA email. Call with any questions.

Aaron

↳ attached was rough draft of a0397

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

From: Marschman, Kathy [mailto:Kathy.Marschman@dva.wisconsin.gov]
Sent: Tuesday, April 21, 2015 3:52 PM
To: Gary, Aaron
Cc: Hurlburt, Waylon - GOV
Subject: FW: Legislation LRB 1848 FW: Wisconsin Status

Hi Aaron.

Waylon asked me to contact your regarding LRB-1848. At the bottom of this string please find comments from the USDVA regarding their assessment of whether the draft is compliant with the federal law.

Please contact me if you have questions regarding drafting. I believe LRB-1848 is already jacketed, so please draft this as an amendment.

Thanks!

Kathy Marschman

Assistant Deputy Secretary | Wisconsin Department of Veterans Affairs
608.266.2256 | WisVets.com | Facebook.com/WisVets | Twitter.com/WisVets

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From: Hurlburt, Waylon - GOV
Sent: Tuesday, April 21, 2015 3:43 PM
To: Marschman, Kathy
Cc: Polzin, Cindy M - GOV; Lundgren, DeeJ - GOV (Douglas)
Subject: RE: Legislation LRB 1848 FW: Wisconsin Status

I think this is with the legislature.

Kathy, can you contact the drafter of the bill and work on an amendment that is good for US DVA? We will then be able to get that to the authors.

Thanks.

Waylon

From: VAVBAWAS/CO/Section702 [<mailto:Section702.Vbavaco@va.gov>]
Sent: Tuesday, April 21, 2015 2:43 PM
To: Marschman, Kathy
Subject: Wisconsin Status

Thank you for your response and for your support of America's Veterans and eligible dependents. Thank you for taking such swift action to draft new legislation to comply with the provisions of Section 702 of the Choice Act. We have reviewed the language provided and have provided comments below.

In proposed §38.24(3m)(c), the receipt of in-state tuition and fees is made contingent upon maintaining continuous enrollment at the public IHL. This requirement is more restrictive than what's set by Section 702 and does not meet the requirements. The provisions of Section 702 allow a covered individual to change institutions at any time within three years of discharge, and the individual will still be entitled to in-state tuition at a public IHL. For example, an individual attended a public IHL in State A, but the next semester the individual does not attend any institution. During the subsequent semester, the student attends a different public IHL in a different state than the first institution. Provided that the student is within the three year window, the student remains entitled to in-state tuition rates at the second institution.

Continuous enrollment is significant for those individuals who attend a public institution of higher learning (IHL) outside of the three year window. If the three year window lapses while the individual

is enrolled at a public IHL, then the individual will maintain covered individual status as long as he/she remains continuously enrolled at that same institution of higher learning, even though he/she is outside of the three year window or enrolls in multiple programs.

In proposed §38.24(3m)(c), VA recommends deleting the phrase “is continuously enrolled” and inserting the phrase “maintains continuous enrollment once the covered individual reaches the three year window.” The changes would look like the following:

(c) After a covered individual living in this state is enrolled at a technical college and is charged fees in accordance with par. (b), fees established in accordance with this subsection, rather than sub. (3)(a), shall continue to be charged to the covered individual for as long as the covered individual ~~is continuously enrolled~~ maintains continuous enrollment once the covered individual reaches the three year window at the technical college.

Please confirm that the Section 3 Initial applicability [This act first applies to students enrolled for the first semester or session beginning after the effective date of this subsection.] means that the policy in the legislation will be effective starting the first semester or session that begins after the legislation is passed. For example, the legislation is passed on July 31, 2015 and the next semester or session to begin in the system is on August 15, 2015. The policy would be effective starting with the semester or session that begins on August 15, 2015.

The Board of Regents policy that was adopted for the University of Wisconsin system is currently under review by VA.

Thank you for your support of our Nation’s Veterans.



Gary, Aaron

From: Gary, Aaron
Sent: Wednesday, April 22, 2015 3:55 PM
To: 'Marschman, Kathy'
Cc: Hurlburt, Waylon - GOV
Subject: RE: Legislation LRB 1848 FW: Wisconsin Status
Attachments: 15a0397_P1.pdf

rough - unedited

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Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
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Kathy Marschman

Assistant Deputy Secretary | Wisconsin Department of Veterans Affairs
608.266.2256 | WisVets.com | [Facebook.com/WisVets](https://www.facebook.com/WisVets) | [Twitter.com/WisVets](https://twitter.com/WisVets)

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Subject: RE: Legislation LRB 1848 FW: Wisconsin Status



State of Wisconsin
2015 - 2016 LEGISLATURE

in
5/7

LRBa0397/1
ARG.....

Wanted
Fri. 5/8

**SENATE AMENDMENT ,
TO SENATE BILL (LRB-1848/1)**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 12: delete lines 12 to 16 and substitute:

3 “(c) If a covered individual living in this state is enrolled at a technical college,
4 and has been charged fees in accordance with par. (b), on the date that begins the
5 ^{e 3rd} third year after the veteran described in 38 USC 3679 (c) (2) (A) that is or is associated
6 with the covered individual was discharged or released from service, the covered
7 individual shall continue to be charged fees established in accordance with this
8 subsection, rather than sub. (3) (a), for as long as the covered individual maintains
9 continuous enrollment at the technical college.”

10

(END)