

CR 94-161

CERTIFICATE

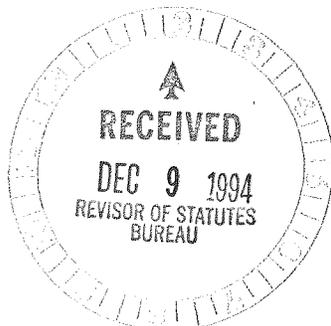
STATE OF WISCONSIN)
)
DEPARTMENT OF VETERANS AFFAIRS)

I, Raymond G. Boland, Secretary of the Department of Veterans Affairs and custodian of the official records of said department do hereby certify that the annexed rules, relating to various benefits available from the Department of Veterans Affairs were duly approved and adopted by the Board of Veterans Affairs of the Department of Veterans Affairs.

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Veterans Affairs at 30 W. Mifflin Street, in the city of Madison, Wisconsin this 9th day of December, 1994.

BY: Raymond G. Boland
RAYMOND G. BOLAND, SECRETARY



2-1-95

ORDER OF THE
DEPARTMENT OF VETERANS AFFAIRS
AMENDING AND CREATING RULES



The Wisconsin Department of Veterans Affairs proposes an order to amend VA 1.06 and Chapter VA 2 (title) and create VA 2.04 of the Wisconsin Administrative Code relating to the veterans tuition and fee reimbursement program.

Analysis Prepared by the Department of Veterans Affairs

Statutory Authority: s.45.35(3), Stats.

Statute Interpreted: s.45.25, Stats.

By creating Section VA 2.04 of the Wisconsin Administrative Code the department provides supplemental authority to administer the tuition and fee reimbursement program authorized by the legislature upon enactment of 1993 Wisconsin Act 254.

The proposed rules define the term "income." The rules also state that grant applications may be obtained at a county veterans service office and may not be submitted to the department until the completion of the semester for which reimbursement is sought. Finally, the rules state that reimbursement for fees is limited to uniform and mandatory fees, verification by the school of undergraduate status is required and conversion of part-time and full-time attendance is identified for the purpose of enforcing the credit/semester restrictions of s.45.25(4)(a), Stats.

TEXT OF RULE

SECTION 1. VA 1.06 is amended to read:

VA 1.06 Definition - "veteran". (s.45.35(5), Stats.) For the purposes of this chapter and chs. VA 2 and 3, except as provided in s. VA 2.04, "veteran" shall mean either a veteran as defined in s.45.35(5) Stats., or a deceased veteran's unremarried widow or widower or dependent child who is a resident of and living in this state at the time of making application for benefits.

SECTION 2. Chapter VA 2 (title) is amended to read:

CHAPTER VA 2 (title)

EMERGENCY, CORRESPONDENCE AND PART TIME STUDY
AND, RETRAINING AND TUITION AND FEE REIMBURSEMENT GRANTS

SECTION 3. VA 2.04 is created to read:

VA 2.04 TUITION AND FEE REIMBURSEMENT GRANTS.

(1) DEFINITIONS. In this section the following terms shall have the designated meanings:

(a) "Income" means the annualized adjusted gross income of the veteran and the veteran's spouse reportable on their federal tax return.

(b) "Veteran" means a veteran as defined in s.45.25(2)(b), Stats.

(2) GRANT APPLICATION. A grant application under s.45.25, Stats. may be obtained at a county veterans service office. The application shall meet the requirements of s.45.25(3)(b), Stats., and may not be submitted until the semester for which reimbursement is requested has been completed.

(3) LIMITATIONS. (a) Fees. Reimbursement for fees shall be limited to those fees which are mandatory and uniform for the courses in which the veteran was enrolled and which were paid to the educational institution, center or school identified in s.45.25(1), Stats.

(b) Undergraduate enrollment. Reimbursement may be made only if a representative of the educational institution, center or school certifies that the veteran was enrolled as an undergraduate during the semester for which reimbursement is sought.

(c) Credit and semester restrictions. Veterans attending school on a part-time basis shall have each 15 credits converted to a full semester and veterans attending school on a full-time basis shall have each full semester converted to 15 credits in determining eligibility. A veteran attending an educational institution, center or school which operates on other than a semester basis shall be considered to be attending on a part-time basis for the purpose of evaluating eligibility.

(d) Transfer of credits. Credits transferred to or from a technical college under ch. 38, Stats. or any institution or center within the university of Wisconsin system shall count towards the credit limitations provided in s.45.25(4)(a), Stats. if the transferred credits have been reimbursed under s.45.25, Stats.

(e) Income. No veteran may receive a grant under s.45.25, Stats. if the department determines that the income of the veteran and his or her spouse exceeds the amount under s.45.396(7)(a), Stats.

(f) Effective date. Reimbursement may be made only for semesters which begin after December 31, 1994.



STATE OF WISCONSIN, DEPARTMENT OF VETERANS AFFAIRS

30 West Mifflin Street, P. O. Box 7843, Madison, WI 53707-7843
Tommy G. Thompson, Governor
Raymond G. Boland, Secretary

December 9, 1994

Revisor of Statutes Bureau
Gary L. Poulson, Deputy Revisor
131 W. Wilson Street, Suite 800
Madison WI 53703-3233

Re: Publication of Clearinghouse Rule 94-161

Dear Mr. Poulson:

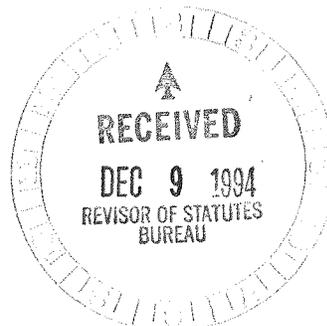
I have enclosed for filing certified and uncertified copies of the rule identified above for publication in the administrative register. I would appreciate publication of the rule in the end of the month register for January 1995.

I have filed a certified copy of the rule with the secretary of state on this date.

Sincerely,

John Rosinski, Chief Legal Counsel
Department of Veterans Affairs

Enclosure





The State of Wisconsin

REVISOR OF STATUTES BUREAU

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MADISON, WIS. 53703-3233

Bruce Munson
Revisor of Statutes

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Gary L. Poulson
Deputy Revisor of Statutes
Asst. Revisor-Administrative Code

MEMO

To: John Rosinski
Legal Counsel
Dept. of Veterans Affairs

From: Gary L. Poulson
Deputy Revisor of Statutes

Date: December 20, 1994

Subject: Reprinting VA Code

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I have taken the opportunity to reformat the complete VA Code in conjunction with your revision of chs. VA 1 and 2. In reprinting the entire Code, I have used my authority under s. 13.93 (2m) (b) to do the following:

- 1) Correct numerous statutory references.
- 2) Supply gender-neutral language.
- 3) Correct spelling errors.

Please review your recent rule changes and return proofs to me by December 22, 1994.

I would appreciate your assistance in correcting references in ch. VA 9. Section 45.28, Stats., was repealed by 1993 Wis. Act 16. I have used s. 45.35 (5), Stats., for references to s. 45.28 (1) (b), Stats. Is that appropriate? I will need guidance as to the correct cite replacing s. 45.28 (1) (c), which is cited in s. VA 9.02 (5).

Thank you.