

1 **AN ACT** *to repeal* 45.25 (title), (1g) and (1m) and 45.396 (5) (b), (6) and (9); *to*
2 *renumber* 45.10 and 45.396 (title); *to renumber and amend* 45.25 (2), 45.25 (3),
3 45.25 (4) (b), 45.396 (1), 45.396 (5) (a), 45.396 (7) and 45.397; *to consolidate,*
4 *renumber and amend* 45.25 (4) (title), (a) and (c), 45.396 (2), (3) and (4) and 45.396
5 (5m) and (8) of the statutes; and *to affect* 45.10 (title), (1) (title), (2) (title) and (3)
6 (title) of the statutes; **relating to:** veterans education and training.

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

COMMENT: This draft consolidates 2 sections of the statutes: (1) s. 45.25, which relates to the veterans tuition reimbursement program; and (2) s. 45.396, which relates to correspondence courses and part-time classroom study. The new section will be s. 45.10 and will be structured as follows:

45.10 Veterans education programs.

(1) GENERAL PROVISIONS.

- (a) Definitions.
- (b) Income limit.
- (c) Reimbursement limit.
- (d) Child support or maintenance delinquency.

(2) TUITION REIMBURSEMENT PROGRAM.

- (a) Eligibility.
- (b) Program benefits.
- (c) Limitations.

(3) CORRESPONDENCE COURSES AND PART-TIME CLASSROOM STUDY.

- (a) Program benefits.
- (b) Limitations.

A separate draft, WLC: 0049/PI, shows how s. 45.10 will appear as a result of the renumbering and amending in this draft.

In addition, the draft renumbers s. 45.397, which relates to retraining grants, to be s. 45.11.

1 **SECTION 1.** 45.10 of the statutes is renumbered ____.

2 **SECTION 2.** 45.10 (title), (1) (title), (2) (title) and (3) (title) of the statutes are created

3 to read:

4 **45.10** (title) **Veterans education programs.** **(1)** (title) GENERAL PROVISIONS.

5 **(2)** (title) TUITION REIMBURSEMENT PROGRAM.

6 **(3)** (title) CORRESPONDENCE COURSES AND PART-TIME CLASSROOM STUDY.

7 **SECTION 3.** 45.25 (title), (1g) and (1m) of the statutes are repealed.

8 **SECTION 4.** 45.25 (2) of the statutes is renumbered 45.10 (2) (a) and amended to read:

9 45.10 **(2)** (a) ~~ELIGIBILITY~~ *Eligibility*. A veteran is eligible for the tuition reimbursement
10 program under this subsection if he or she meets all of the following criteria:

11 ~~(a) The annual income of the veteran and his or her spouse does not exceed the amount~~
12 ~~under s. 45.396 (7) (a).~~

13 ~~(e) 1.~~ 1. The veteran applies for the tuition reimbursement program for courses begun
14 within 10 years after separation from the service.

15 ~~(d) 2.~~ 2. The veteran is a resident at the time of application for the tuition reimbursement
16 program and was a Wisconsin resident at the time of entry or reentry into service or was a
17 resident for any consecutive 12-month period after entry or reentry into service and before
18 the date of his or her application. ~~If a person applying for a benefit under this section meets~~
19 ~~the residency requirement of 12 consecutive months, the department may not require the~~
20 ~~person to reestablish that he or she meets that residency requirement when he or she later~~
21 ~~applies for any other benefit under this chapter that requires that residency.~~

1 (e) 3. The veteran is enrolled for at least 12 credits during the semester for which
2 reimbursement is sought.

3 **SECTION 5.** 45.25 (3) of the statutes is renumbered 45.10 (2) (b) and amended to read:

4 45.10 (2) (b) ~~PROGRAM BENEFITS. (a) Except as provided in par. (am), a~~ (b) Program
5 benefits. 1. A veteran who meets the requirements under ~~sub. (2) par. (a),~~ upon satisfactory
6 completion of a full-time undergraduate semester in any institution of higher education, as
7 defined in s. 45.396 (1) (a), in this state, any school that is approved under s. 45.35 (9m), any
8 proprietary school that is approved under s. 45.54 39.90, or any institution from which the
9 veteran receives a waiver of nonresident tuition under s. 39.47, may be reimbursed an amount
10 not to exceed the total cost of the veteran's tuition minus any grants or scholarships that the
11 veteran receives specifically for the payment of the tuition, ~~or the standard cost of tuition for~~
12 ~~a state resident for an equivalent undergraduate semester at the University of~~
13 ~~Wisconsin-Madison, whichever is less.~~ Reimbursement is available only for tuition that is
14 part of a curriculum that is relevant to a degree in a particular course of study at the institution.

15 ~~(am) Any individual who is eligible to receive reimbursement under par. (a) shall be~~
16 ~~reimbursed an amount not to exceed the amount determined under s. 45.25 (3) (am), 2001~~
17 ~~stats.~~

18 (b) 2. An application for reimbursement of tuition under ~~par. (a)~~ this subsection shall
19 meet all of the following requirements:

20 1. a. Be completed and received by the department no later than 60 days after the
21 completion of the semester. The department may accept an application received more than
22 60 days after the completion of the semester if the applicant shows good cause for the delayed
23 receipt.

1 ~~2.~~ b. Contain the information necessary to establish eligibility as determined by the
2 department.

3 ~~3.~~ c. Be on the application form established by the department.

4 4. d. Contain the signatures of both the applicant and a representative of the institution
5 or school certifying that the applicant has satisfactorily completed the semester.

6 ~~(e)~~ 3. Reimbursement provided under this ~~section~~ subsection shall be paid from the
7 appropriation under s. 20.485 (2) (tf). If the amount of funds applied for exceeds the amount
8 available under s. 20.485 (2) (tf), the department may deny applications for reimbursement
9 that would otherwise qualify under this ~~section~~ subsection. In those cases, the department
10 shall determine eligibility on the basis of the dates on which applications for reimbursement
11 were received.

12 ~~(d)~~ 4. Reimbursement of tuition and fees for a course may be provided at an institution
13 or school under ~~par. (a)~~ subd.1. other than the one from which the veteran is receiving his or
14 her degree if all of the following apply:

15 1. a. The curriculum at the institution or school consists only of courses necessary to
16 complete a degree in a particular course of study.

17 2. b. The course is accepted as transfer credits at the institution or school listed under
18 ~~par. (a)~~ subd.1. from which the veteran is receiving his or her degree but is not available at that
19 institution or school.

20 **SECTION 6.** 45.25 (4) (title), (a) and (c) of the statutes are consolidated, renumbered
21 45.10 (2) (c) and amended to read:

22 45.10 (2) (c) ~~LIMITATIONS.—(a)~~ Limitations. 1. A veteran is not eligible for
23 reimbursement under ~~sub. (2)~~ this subsection for more than 120 credits or 8 full semesters of
24 full-time study at any institution of higher education, ~~as defined in s. 45.396 (1) (a), in this~~

1 state, 60 credits or 4 full semesters of full-time study at any institution of higher education,
2 as defined in s. 45.396 (1) (a), in this state that offers a degree upon completion of 60 credits,
3 or an equivalent amount of credits at a school that is approved under s. 45.35 (9m), at a
4 proprietary school that is approved under s. 45.54 39.90, or at an institution where he or she
5 is receiving a waiver of nonresident tuition under s. 39.47.

6 (e) 2. A veteran may not receive reimbursement under ~~sub. (2)~~ this subsection for any
7 semester in which he or she received a ~~grant~~ reimbursement under s. 21.49 or 45.396 sub. (3).

8 **SECTION 7.** 45.25 (4) (b) of the statutes is renumbered 45.10 (1) (d) and amended to read:
9 45.10 (1) (d) *Child support or maintenance delinquency*. The department may provide
10 reimbursement under sub. (2) or (3) to a veteran who is delinquent in child support or
11 maintenance payments or who owes past support, medical expenses or birth expenses, as
12 established by appearance of the veteran's name on the statewide support lien docket under
13 s. 49.854 (2) (b), only if the veteran provides the department with one of the following:

14 1. A repayment agreement that the veteran has entered into, that has been accepted by
15 the county child support agency under s. 59.53 (5) and that has been kept current for the
16 6-month period immediately preceding the date of the application.

17 2. A statement that the veteran is not delinquent in child support or maintenance
18 payments and does not owe past support, medical expenses, or birth expenses, signed by the
19 department of workforce development or its designee within 7 working days before the date
20 of the application.

COMMENT: The current statutes on child support delinquency for the 2
educational programs are slightly different in their references to
maintenance. This draft incorporates the more elaborate of the 2
provisions, but the subcommittee should review this. The current
statutes are ss. 45.25 (4) (b) and 45.396 (6).

21 **SECTION 8.** 45.396 (title) of the statutes is renumbered 45.10 (3) (title).

1 **SECTION 9.** 45.396 (1) of the statutes is renumbered 45.10 (1) (a) and amended to read:

2 45.10 (1) (a) Definitions. In this section:

3 (a) 1. “Institution of higher education” has the meaning given in 20 USC 1001 (a).

4 (b) 2. “Part-time classroom study” means any of the following:

5 1. a. Enrollment by a graduate student in courses for which no more than 8 semester or
6 the equivalent trimester or quarter credits will be given upon satisfactory completion.

7 2. b. Enrollment by a graduate student in courses that upon satisfactory completion will
8 fulfill no more than the minimum semester or equivalent trimester or quarter credit
9 requirements of the program or school in which the student is enrolled.

10 3. c. Enrollment by any other eligible student in courses for which no more than 11
11 semester or the equivalent trimester or quarter credits will be given upon satisfactory
12 completion.

13 4. d. Study during a summer semester or session.

14 (c) 3. “Tuition” ~~has the meaning given in s. 45.25 (1g), when referring to the University~~
15 of Wisconsin System, means “academic fees”, as described in s. 36.27 (1), and when referring
16 to the technical colleges, means “program fees”, as described in s. 38.24 (1m) (a) and (b).

17 **SECTION 10.** 45.396 (2), (3) and (4) of the statutes are consolidated, renumbered 45.10
18 (3) (a) and amended to read:

19 45.10 (3) (a) Program benefits. 1. ~~Any A~~ A veteran, upon the completion of ~~any a~~
20 a correspondence course or part-time classroom study from an institution of higher education
21 located in this state, from a school that is approved under s. 45.35 (9m), from a proprietary
22 school that is approved under s. ~~45.54~~ 39.90, or from any public or private high school, may
23 be reimbursed in part for the cost of the course by the department ~~upon presentation.~~ The
24 veteran shall present to the department ~~of~~ a certificate from the school indicating that the

1 veteran has completed the course and stating the cost of the course and ~~upon application~~ shall
 2 apply for reimbursement ~~completed by the veteran and~~ on an application that is received by
 3 the department no later than 60 days after the termination of the course for which the
 4 application for reimbursement is made. The department shall accept and process an
 5 application received more than 60 days after the termination of the course if the applicant
 6 shows good cause for the delayed receipt. The department may not require that an application
 7 be received sooner than 60 days after a course is completed. Benefits granted under this
 8 section shall be paid out of the appropriation under s. 20.485 (2) (th).

COMMENT: Can "tuition" be substituted for "the cost of the course"?

Can the sentence that prohibits the department from requiring submission of an application earlier than 60 days after course completion be eliminated?

Is the reference to costs of high school courses appropriate, especially with regard to public high schools?

9 ~~(3)~~ 2. A veteran who is a resident of this state and otherwise qualified to receive benefits
 10 under this ~~section~~ subsection may receive the benefits under this ~~section~~ subsection upon the
 11 completion of any correspondence courses or part-time classroom study from an institution
 12 of higher education located outside this state, from a school that is approved under s. 45.35
 13 (9m), or from a proprietary school that is approved under s. ~~45.54~~ 39.90, if any of the following
 14 applies:

15 ~~(a)~~ a. The part-time classroom study is not offered within 50 miles of the veteran's
 16 residence by any school or institution under sub. (2) and the educational institution from which
 17 the study is offered is located not more than 50 miles from the boundary line of this state.

18 ~~(b)~~ b. The correspondence course is not offered in this state.

19 ~~(4)~~ 3. Enrolled part-time classroom study or direct correspondence courses from a
 20 qualified educational institution may be authorized and the veteran reimbursed in part by the

1 department when ~~such~~ the courses are related to one's occupational, professional or
2 employment objectives, and to the extent that payment or reimbursement is not available from
3 any other sources, or, in cases where reimbursement is not specifically for tuition, to the extent
4 that ~~such~~ the reimbursement is insufficient to cover all educational costs.

5 **SECTION 11.** 45.396 (5) (a) of the statutes is renumbered 45.10 (1) (c) and amended to
6 read:

7 45.10 (1) (c) ~~Except as provided in par. (b), the~~ Reimbursement limit. The amount of
8 the reimbursement under sub. (2) or (3) may not exceed the total cost of the veteran's tuition
9 or the standard cost for a state resident for tuition for an equivalent undergraduate course at
10 the University of Wisconsin-Madison per course, whichever is less, minus any grants or
11 scholarships that the veteran receives specifically for the payment of tuition ~~and may not be~~
12 ~~provided to a veteran more than 4 times during any consecutive 12-month period.~~

13 **SECTION 12.** 45.396 (5) (b), (6) and (9) of the statutes are repealed.

14 **SECTION 13.** 45.396 (5m) and (8) of the statutes are consolidated, renumbered 45.10 (3)
15 (b) and amended to read:

16 45.10 (3) (b) Limitations. 1. a. No veteran or eligible dependent who has obtained a
17 master's degree or its equivalent is eligible for ~~grants~~ reimbursement under this section
18 subsection.

19 ~~(b)~~ b. No veteran or eligible dependent who has obtained at least a baccalaureate degree
20 or its equivalent but not a master's degree or its equivalent is eligible for ~~grants~~ reimbursement
21 offered under this ~~section~~ subsection if the person has remaining U.S. department of veterans
22 affairs education benefits.

COMMENT: The only reference in current s. 45.396 to eligible dependents is in the provisions dealing with ineligibility. Since the

provisions dealing with eligibility provide only that veterans are eligible, it appears that these references to eligible dependents should be deleted.

1 (e) c. For the purpose of this section subsection, any student who has received a
2 baccalaureate degree shall be deemed to be a graduate student whether he or she is taking
3 graduate or undergraduate courses.

4 (8) 2. The department may not ~~make a grant~~ provide reimbursement under this section
5 subsection unless the department determines that a course for which an application is made
6 is related to the applicant's occupational, professional or employment objectives.

7 3. A veteran may not be reimbursed under this subsection more than 4 times during any
8 consecutive 12-month period.

9 **SECTION 14.** 45.396 (7) of the statutes is renumbered 45.10 (1) (b) and amended to read:

10 45.10 (1) (b) Income limit. 1. No veteran may receive a ~~grant~~ reimbursement under
11 this section if the department determines that the income of the veteran and his or her spouse
12 exceeds \$50,000 plus \$1,000 for each dependent in excess of 2 dependents.

13 (b) 2. In determining eligibility for ~~grants~~ under this section, the department shall verify
14 all reported income amounts by contacting the employer designated by the veteran or spouse,
15 securing a copy of their prior year's income tax returns or obtaining a profit and loss statement
16 from the veteran for at least 6 of the 12 months immediately preceding the ~~loan~~ application
17 date.

18 **SECTION 15.** 45.397 of the statutes is renumbered 45.11 and amended to read:

19 **45.11 Retraining grant program. (1) GRANT AMOUNT AND APPLICATION.** The
20 department may grant a veteran not more than \$3,000 for retraining to enable the veteran to
21 obtain gainful employment. The department shall determine the amount of the grant based
22 on the veteran's financial need. A veteran may apply for a grant to the county veterans'

1 veterans service officer of the county in which the veteran is living. The department may, on
2 behalf of a veteran who is engaged in a structured on-the-job training program and who meets
3 the requirements under sub. (2), pay a retraining grant under this subsection to the veteran's
4 employer.

5 (2) ELIGIBILITY. The department may make a grant under this section if all of the
6 following apply:

7 (a) The veteran is enrolled in a training course in a technical college under ch. 38 or in
8 a proprietary school in the state approved by the educational approval board under s. 45.54
9 39.90, other than a proprietary school offering a 4-year degree or 4-year program, or is
10 engaged in a structured on-the-job training program that meets program requirements
11 promulgated by the department by rule.

12 (b) The veteran meets the financial assistance criteria established under sub. (3) (c).

13 (c) The veteran is unemployed, underemployed, as defined by administrative rule, or
14 has received a notice of termination of employment.

15 ~~(em)~~ (d) The veteran requesting a grant has not received reimbursement under s. 45.25
16 ~~or 45.396~~ 45.10 for courses completed during the same semester for which a grant would be
17 received under this section.

18 ~~(d)~~ (e) The department determines that the veteran's proposed program will provide
19 retraining that could enable the veteran to find gainful employment. In making its
20 determination, the department shall consider whether the proposed program provides
21 adequate employment skills and is in an occupation for which favorable employment
22 opportunities are anticipated.

23 (3) RULES. The department shall promulgate rules for the distribution of grants under
24 this program, including all of the following:

- 1 (a) Standard budgets for single and married veterans.
- 2 (b) Selection procedures.
- 3 (c) Uniform need determination procedures.
- 4 (d) Application procedures.
- 5 ~~(dg)~~ (e) Coordination with other occupational training programs.
- 6 (e) ~~(f)~~ Other provisions the department deems necessary to assure uniform
- 7 administration of this program.

8 ~~(5)~~ (4) REPORT. ~~Beginning in 1993, the~~ The department shall include in its biennial

9 report under s. 15.04 (1) (d) information relating to the veterans retraining grant program,

10 including the number of veterans obtaining gainful employment after receiving a grant and

11 a description of the veterans receiving grants, including their sex, age, race, educational level,

12 service-connected disability status, and income before and after obtaining gainful

13 employment. This information may be based on a valid statistical sample.

14 (END)