

1 Subsistence aid is grants shall be limited to a maximum of 3 months in a 12-month period
2 unless the department determines that the need for a subsistence aid grant in excess of this
3 maximum time period is caused by the aid recipient's person's relapse.

COMMENTS: 1. Does the dependent have to be incapacitated to receive a subsistence grant?

2. The phrase "want or distress" seems archaic. Is "undue hardship" a good substitute?

3. Should "incapacitated" be defined? Also, who determines whether the incapacitation will be longer than 3 months?

4. What are sources (of income or aid) "other than those listed in the application"? Should this provision specify what income and aid is to be listed in the application?

5. Should the maximum amount of a grant be stated?

4 (b) The department may submit a request to the joint committee on finance for
5 supplemental funds from the veterans trust fund to be credited to the appropriation account
6 under s. 20.485 (2) (vm) ~~for subsistence grants to veterans~~ to provide payments under this
7 section. ~~If the cochairpersons of the committee do not notify the secretary within 14 working~~
8 ~~days after the date of the department's submittal that the committee intends to schedule a~~
9 ~~meeting to review the request, the appropriation account shall be supplemented as provided~~
10 ~~in the request. If, within 14 working days after the date of the department's submittal, the~~
11 ~~cochairpersons of the committee notify the secretary that the committee intends to schedule~~
12 ~~a meeting to review the request, the appropriation account shall be supplemented only as~~
13 ~~approved by the committee.~~ The joint committee on finance may, from the appropriation
14 under s. 20.865 (4) (u), supplement the appropriation under s. 20.485 (2) (vm) in an amount
15 equal to the amount that the department expects to expend under this section. Notwithstanding
16 s. 13.101 (3) (a), the committee is not required to find that an emergency exists.

1 ~~(1j)~~ **(2)** HEALTH CARE AID GRANTS. The department may ~~grant~~ provide to ~~any a~~ veteran
2 or ~~dependents such~~ the dependent of a veteran a temporary health care aid as grant if the
3 department considers it advisable to prevent ~~want or distress~~ undue hardship. ~~Health A health~~
4 care aid grant to ~~meet~~ pay medical or hospital bills under this subsection is limited to a payment
5 of up to \$5,000 per veteran or dependent for a 12-month period beginning with on the first
6 day of care for which the person seeks reimbursement under this subsection. The department
7 may issue a certificate of entitlement stating that a veteran or dependent is eligible for a health
8 care aid grant under this subsection if the treatment is received within a time period that the
9 department promulgates by rule. The department may not ~~grant~~ provide a health care aid grant
10 to pay for care provided to the veteran or dependent before the time period identified in the
11 certificate of entitlement, except for emergency care, as determined by the department, if the
12 application for the health care aid is submitted within 90 days after the emergency care ends.
13 ~~Health A health~~ care aid grant may be used to provide payment for the treatment of alcoholism
14 or other drug addiction or to provide payment for health care required because of alcoholism
15 or other drug addiction or alcohol or other drug abuse. The department may not grant health
16 care aid under this subsection unless the ~~aid recipient's~~ person's health care provider agrees
17 to accept, as full payment for the medical treatment for which the aid is to be granted, the
18 amount of the grant, the amount of the ~~recipient's~~ person's health insurance or other 3rd-party
19 payments, if any, and the amount that the department determines the aid ~~recipient~~ person is
20 capable of paying. The department may not grant health care aid under this subsection if the
21 combined liquid assets of the ~~applicant for aid~~ person applying for aid, and of the veteran and
22 veteran's dependents who are living in the same household with the applicant, are in excess
23 of \$1,000.

COMMENTS: 1. Is there a difference between “alcoholism or other drug addiction” and “alcohol or other drug abuse”? Also, is there a reason why the grant may be used to pay for *treatment* only of the latter, but for the *health care* required because of either?

2. The last sentence should be reviewed because it appears to say that the applicant for aid could be a different person than the veteran or dependent, whereas only the veteran and dependent are eligible for this aid, according to the current language on page 2, lines 14–15.

1 **(3) APPROPRIATIONS.** The department may award grants under this section from the
2 appropriation in s. 20.485 (2) (vm). Nothing in this section empowers the department to incur
3 any state debt.

4 **SECTION 3.** 45.353 of the statutes is renumbered 45.41 and amended to read:

5 **45.41 Grants to veterans organizations. (1)** In this section:

6 (a) “Regional office” means the U.S. department of veterans affairs regional office in
7 Wisconsin.

8 (b) “State veterans organization” means a the state organization or department of a
9 national veterans organization, ~~which national organization~~ is incorporated by an act of
10 congress.

COMMENT: Is this incorporation language needed or is it archaic?

11 **(2)** Upon application the department shall make a payment to any state veterans
12 organization that establishes that it, or its national organization, or both, has maintained a
13 full-time service office at the regional office for at least 5 of the 10 years preceding the date
14 of application. The payment shall equal 25% of all salaries and travel expenses under sub. (3)
15 paid during the previous fiscal year by the state veterans organization to employees engaged
16 in veterans claims service and stationed at the regional office, except that the sum paid to a
17 state veterans organization annually shall ~~not~~ be not less than ~~either~~ \$2,500, or the amount of

1 salaries and travel expenses paid by the state veterans organization to employees stationed at
2 the regional office, whichever is less, nor more than \$30,000.

COMMENT: Are the 2 requirements in the last sentence inconsistent?

3 (3) ~~Application by any such~~ A state veterans organization shall be ~~filed~~ file an
4 application annually with the department for the previous 12-month period commencing on
5 April 1 and ending on March 31 of the year in which it is filed. ~~An~~ The application shall
6 contain a statement of salaries and travel expenses paid to employees of the organization
7 engaged in veterans claims service ~~maintained~~ activities at the regional office by ~~such~~ the state
8 veterans organization covering the period for which application for a grant is made, ~~which,~~
9 ~~The statement has been~~ shall be certified as correct by a certified public accountant licensed
10 or certified under ch. 442 and sworn to as correct by the adjutant or principal officer of the state
11 veterans organization. The application shall ~~also contain~~ include the state organization's
12 financial statement for ~~its last completed~~ the previous fiscal year and ~~such~~ evidence of claims
13 service activity as that the department requires. ~~Sufficient~~ The state veterans organization
14 shall submit with its initial application sufficient evidence ~~shall be submitted with an initial~~
15 ~~application~~ to establish that ~~the state veterans organization,~~ it or its national organization, or
16 both, has maintained a full-time service office at the regional office without interruption
17 ~~throughout for~~ for 5 years out of the 10-year period immediately preceding ~~such~~ the application.
18 Subsequent applications ~~must~~ shall be accompanied by an affidavit by the adjutant or principal
19 officer of ~~such~~ the state veterans organization stating that the organization, on its own or with
20 its national organization, maintained a full-time service office ~~was maintained~~ at the regional
21 office by ~~such state veterans organization, or by such state organization and its national~~
22 ~~organization,~~ for the entire 12-month period for which application for a grant is made.

COMMENTS: 1. Should a date be given by which the application must be filed?

2. Would the adjutant always be the principal officer, so that just "principal officer" could be used?

1 ~~(3m)~~ (4) From the appropriation under s. 20.485 (2) (s), the department shall annually
2 provide a grant of \$100,000 to the Wisconsin department of the Disabled American Veterans
3 for the provision of transportation services to veterans.

4 ~~(4)~~ (5) The board may promulgate such rules as are necessary to administer this section.

COMMENT: Is this rule provision needed, given the general rule-making provision for the board in current s. 45.35 (3), stats., and for all state agencies, in s. 227.11 (2) (a), stats.?

5 **SECTION 4.** 45.356 of the statutes is renumbered 45.42 and amended to read:

6 **45.42 Veterans personal loans. (1)** It is determined that the loan program established
7 under this section is a special purpose credit program for an economically disadvantaged class
8 of persons for the purposes of the federal equal credit opportunity act, 15 USC 1691-1691f.

9 **(2)** The department may lend a veteran, a veteran's unremarried surviving spouse, or
10 a deceased veteran's child not more than \$25,000, or a lesser amount established by the
11 department under sub. ~~(10)~~ (11). The department may prescribe loan conditions, but the term
12 of the loan may not exceed 10 years. The department shall ensure that the proceeds of any loan
13 made under this section shall first be applied to pay any delinquent child support or
14 maintenance payments and then to pay any past support, medical expenses, or birth expenses.

COMMENT: Whose child support or maintenance obligation is referred to here? Is it just the veteran's obligation or does it also pertain to an obligation of the surviving spouse or child?

15 **(3)** The department may lend not more than \$25,000, or a lesser amount established by
16 the department under sub. ~~(10)~~ (11), to a veteran's remarried surviving spouse or to the parent
17 of a deceased veteran's child for the education of a the child.

COMMENT: Does the phrase “for the education of the child” pertain to a loan both to the remarried surviving spouse and to the parent of a deceased veteran’s child, or only to the latter?

1 ~~(3m)~~ (4) To be eligible for a loan under this section, an applicant must be a resident
2 of and living in this state on the date of the application.

3 ~~(4)~~ (5) The department may execute necessary instruments, collect interest and
4 principal, compromise indebtedness, sue and be sued, post bonds, and write off indebtedness
5 that it considers uncollectible. If a loan under this section is secured by a real estate mortgage,
6 the department may exercise the rights of owners and mortgagees generally and the rights and
7 powers set forth in s. ~~45.72~~ 45.32. The department shall pay all interest and principal repaid
8 on the loan into the veterans trust fund.

9 ~~(5)~~ (6) The department may charge loan expenses incurred under this section to a the
10 loan applicant. The department shall pay all expenses received under this subsection into the
11 veterans trust fund.

12 ~~(6)~~ (7) The department may provide a loan under this section to an applicant whose
13 name appears on the statewide support lien docket under s. 49.854 (2) (b) only if the applicant
14 does one of the following:

15 (a) Provides to the department a repayment agreement that the applicant has entered
16 into, that has been accepted by the county child support agency under s. 59.53 (5), and that
17 has been kept current for the 6-month period immediately preceding the date of the
18 application.

19 (b) Provides to the department a statement that the applicant is not delinquent in child
20 support or maintenance payments and does not owe past support, medical expenses, or birth
21 expenses, signed by the department of workforce development or its designee within 7
22 working days before the date of the application.

1 (c) Agrees to use the loan proceeds to pay any delinquent child support or maintenance
2 payments and to pay any past support, medical expenses, or birth expenses if the applicant fails
3 to meet the requirements under par. (a) or (b).

4 ~~(7)~~ **(8)** The department shall promulgate rules for the distribution of loans under this
5 section that include all of the following:

6 (a) Underwriting criteria.

7 (b) Application procedures.

8 (c) Other provisions that the department determines are necessary to ensure efficient
9 administration of this section.

COMMENT: Is par. (c) necessary?

10 ~~(8)~~ **(9)** No person may receive a loan under this section in an amount that, when added
11 to the balance outstanding on the person's existing loans under s. 45.351 (2), 1995 stats., and
12 s. 45.356, 1995 stats., would result in a total indebtedness to the department of more than
13 \$25,000.

14 ~~(9)~~ **(10)** (a) The department may borrow from the veterans mortgage loan repayment
15 fund under s. 45.79 ~~(7)~~ ~~(a)~~ 45.37 (7) (a) to obtain money to make loans under this section.

16 (b) The department may enter into transactions with the state investment board to obtain
17 money to make loans under this section. Transactions authorized under this paragraph may
18 include the sale of loans.

19 ~~(10)~~ **(11)** Subject to the limit established in subs. (2) and (3), the department may
20 periodically adjust the maximum loan amount based upon financial market conditions, funds
21 available, needs of the veterans trust funds, or other factors that the department considers
22 relevant.

1 ~~(11)~~ (12) The department may periodically adjust the interest rates for loans made under
2 this section, which may vary based upon the term of the loan, the type of security offered, the
3 method of payment, or other factors that the department considers relevant.

4 ~~(12)~~ (13) Each loan made under this section, except a loan of \$5,000 or less made to
5 an applicant whose total indebtedness for loans made under this section is \$5,000 or less, shall
6 be evidenced by a promissory note and secured by a mortgage on real estate located in this
7 state. A loan of \$5,000 or less made to an applicant whose total indebtedness for loans made
8 under this section is \$5,000 or less shall be evidenced by a promissory note and secured by
9 a guarantor or by a mortgage on real estate located in this state. A mortgage securing a loan
10 made under this section is acceptable if the applicant has equity in the property subject to the
11 mortgage equal to or exceeding a minimum amount that the department establishes by rule.

COMMENT: Does the maximum of \$5,000 include the amount of the new
 loan or does it refer only to the amount of a previous loan?

12 **SECTION 5.** 45.357 of the statutes is renumbered 45.43 and amended to read:

13 **45.43 Veterans assistance program.** (1) The department shall administer a program
14 to provide assistance to persons who served in the U.S. armed forces or in forces incorporated
15 as part of the U.S. armed forces and who were discharged under conditions other than
16 dishonorable. The department shall provide assistance to persons whose need for services is
17 based upon homelessness, incarceration, or other circumstances designated by the department
18 by rule. The department shall designate the assistance available under this section, which may
19 include assistance in receiving medical care, dental care, education, employment, and
20 transitional housing. The department may provide grants to facilitate the provision of services
21 under this section.

COMMENTS: 1. Should “except service on active duty for training
 purposes” be inserted after “U.S. armed forces” on line 15, above?

