



**ASSEMBLY SUBSTITUTE AMENDMENT 2,
TO 1995 ASSEMBLY BILL 706**

March 22, 1996 - Offered by JOINT COMMITTEE ON FINANCE.

1 **AN ACT** *to repeal* 45.76 (1) (c) 1. a. to d.; *to renumber* 45.35 (5) (a) to (h); *to*
2 *renumber and amend* 45.35 (5) (intro.), 45.35 (5m), 45.358 (1), 45.71 (16) (a)
3 1. to 10., 45.76 (1) (c) 1. (intro.), 71.03 (7) and 71.85 (3); *to consolidate,*
4 *renumber and amend* 45.71 (16) (intro.) and (a) (intro.); *to amend* 25.36 (1),
5 45.01, 45.16, 45.25 (2) (b), 45.25 (2) (d), 45.25 (3) (a), 45.34 (title), 45.35 (5) (title),
6 45.358 (2), 45.358 (3), 45.37 (1a), 45.37 (3) (b), 45.37 (15) (a) and (b), 45.42 (1),
7 45.42 (2), 45.43 (1) (a), 45.43 (6) (b), 45.71 (16) (b) and (c), 45.73 (2), 45.74 (1)
8 (intro.), 45.745 (1), 45.79 (5) (a) 9., 230.03 (14) (b), 230.03 (14) (c), 341.08 (7),
9 341.14 (6) (a) and 343.20 (4); and *to create* 20.485 (2) (yg), 45.015, 45.34 (5),
10 45.35 (5) (a) 1. (intro.) and 2. (intro.), 45.35 (5m) (b), 45.358 (1) (a), 45.358 (3)
11 (e), (f) and (g), 45.43 (8), 45.71 (16) (a) 1m. (intro.) and 2m. (intro.), 71.03 (7) (b),
12 71.05 (6) (b) 22., 71.05 (6) (b) 23. and 71.85 (3) (b) of the statutes; **relating to:**
13 eligibility for veterans programs; defining service in the Balkan area;
14 exemption of veterans cemeteries from certain requirements; acquisition of
15 home loan revenue bonds; delaying the expiration dates of operator's licenses
16 and motor vehicle registration of certain active-duty U.S. armed forces

1 personnel; extending eligibility and employer contributions toward premium
2 payments for health insurance coverage under the state health insurance plan
3 for certain state and authority employees who are serving in the Balkan area;
4 creating an individual income tax exemption for pay received from the federal
5 government by certain members of the armed forces participating in Operation
6 Balkan Endeavor; abating the interest and penalties otherwise due on certain
7 tax returns for certain members of the military; exempting certain members of
8 the armed forces participating in Operation Balkan Endeavor or a successor
9 operation from interest otherwise due for filing income tax returns after April
10 15, 1996; and making an appropriation.

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

11 **SECTION 1.** 20.485 (2) (yg) of the statutes is created to read:

12 20.485 (2) (yg) *Acquisition of 1981 revenue bond mortgages.* A sum sufficient
13 to acquire the outstanding mortgages issued with the proceeds of the 1981 veterans
14 home loan revenue bond issuance.

15 **SECTION 2.** 25.36 (1) of the statutes, as affected by 1995 Wisconsin Act 27, is
16 amended to read:

17 25.36 (1) Except as provided in sub. (2), all moneys appropriated or transferred
18 by law shall constitute the veterans trust fund which shall be used exclusively for the
19 purchase of mortgages issued with the proceeds of the 1981 veterans home loan
20 revenue bond issuance in an amount sufficient to retire that bond issue or for the
21 veterans programs under ss. 20.485 (2) (m), (mn), (tm), (u), (v), (vo), (w), (z) and (zm),
22 45.01, 45.25, 45.351 (1) and (2), 45.353, 45.356, 45.357, 45.396, 45.397 and 45.43 (7)
23 and administered by the department of veterans affairs, including all moneys

1 received from the federal government for the benefit of veterans or their dependents;
2 all moneys paid as interest on and repayment of loans under the post-war
3 rehabilitation fund; soldiers rehabilitation fund, veterans housing funds as they
4 existed prior to July 1, 1961; all moneys paid as interest on and repayment of loans
5 under this fund; all moneys paid as expenses for, interest on and repayment of
6 veterans trust fund stabilization loans; all mortgages issued with the proceeds of the
7 1981 veterans home loan revenue bond issuance purchased with moneys in the
8 veterans trust fund; and all gifts of money received by the board of veterans affairs
9 for the purposes of this fund.

10 **SECTION 3.** 45.01 of the statutes is amended to read:

11 **45.01 Wisconsin veterans museum; space for.** The department of
12 administration shall provide suitable space for the purpose of a memorial hall,
13 designated as the Wisconsin veterans museum, dedicated to the men and women of
14 Wisconsin who served in the armed forces of the United States in the civil war of 1861
15 to 1865 or in any subsequent wars, as enumerated in s. 45.35 (5) ~~(a) to (g)~~ (e), or in
16 Bosnia, Grenada, Lebanon, Panama, Somalia or a Middle East crisis under s. 45.34,
17 and the department of veterans affairs shall operate and conduct the Wisconsin
18 veterans museum.

19 **SECTION 4.** 45.015 of the statutes is created to read:

20 **45.015 Eligibility for benefits.** Any person whose service on active duty with
21 the U.S. armed forces or in forces incorporated as part of the U.S. armed forces makes
22 that person eligible for general U.S. department of veterans affairs benefits shall be
23 considered to have served under honorable conditions for purposes of this chapter.

24 **SECTION 5.** 45.16 of the statutes is amended to read:

1 **45.16 Burial allowance.** Each county veterans' service officer shall cause to
2 be interred in a decent and respectable manner in any cemetery in this state, other
3 than those used exclusively for the burial of paupers, the body of any person who
4 served in any war of the United States, in the Korean conflict, in the Vietnam war,
5 under section 1 of executive order 10957, dated August 10, 1961, or had service that
6 entitled the person to receive the armed forces expeditionary medal, established by
7 executive order 10977 on December 4, 1961, the Vietnam service medal established
8 by executive order 11231 on July 8, 1965, the navy expeditionary medal or the marine
9 corps expeditionary medal or who served in Bosnia, Grenada, Lebanon, Panama,
10 Somalia or a Middle East crisis under s. 45.34 and who was discharged under
11 honorable conditions after 90 days or more of active service, in the U.S. armed forces,
12 or if having served less than 90 days was honorably discharged for a disability
13 incurred in line of duty and who was living in the county at the time of death, and
14 who dies not leaving sufficient means to defray the necessary expenses of a decent
15 burial, or under financial circumstances that would distress the person's family to
16 pay the expenses of the burial, and the body of a spouse or surviving spouse of the
17 person who dies not leaving such means or under the same financial circumstances
18 and who was living in the county at the time of death, at an expense to the county
19 of not more than \$300 in addition to the burial allowance payable under laws
20 administered by the U.S. department of veterans affairs.

21 **SECTION 6.** 45.25 (2) (b) of the statutes is amended to read:

22 45.25 (2) (b) The individual served on active duty, except service on active duty
23 for training purposes, under honorable conditions ~~other than dishonorable~~ in the
24 U.S. armed forces for 2 continuous years or more or the full period of the individual's
25 initial service obligation, whichever is less. An individual discharged for reasons of

1 hardship or a service-connected disability or released due to a reduction in the U.S.
2 armed forces prior to the completion of the required period of service is eligible,
3 regardless of the actual time served.

4 **SECTION 7.** 45.25 (2) (d) of the statutes is amended to read:

5 45.25 (2) (d) The individual is a resident at the time of application for the
6 tuition and fee reimbursement program and was a Wisconsin resident at the time of
7 entry or reentry into service or ~~for the 5-year period immediately preceding~~
8 ~~application for the tuition and fee reimbursement program~~ was a resident for any
9 consecutive 5-year period after completing service on active duty and before the time
10 of application. If a person applying for a benefit under this section meets that
11 5-consecutive-year residency requirement, the department may not require the
12 person to reestablish that he or she meets the 5-consecutive-year residency
13 requirement when he or she later applies for any other benefit under this chapter
14 that requires a 5-consecutive-year residency.

15 **SECTION 8.** 45.25 (3) (a) of the statutes, as affected by 1995 Wisconsin Act 27,
16 is amended to read:

17 45.25 (3) (a) An individual who meets the requirements under sub. (2), upon
18 satisfactory completion of an undergraduate semester in any institution or center
19 within the university of Wisconsin system or a semester at any technical college
20 district school under ch. 38, may be reimbursed for up to ~~35%~~ 50% of the individual's
21 tuition and fees, other than textbooks and other costs, charged by the institution,
22 center or school, or the difference between the individual's tuition and fees and the
23 grants or scholarships, including those made under s. 21.49, that the individual
24 receives specifically for the payment of the tuition or fees, whichever is less.
25 Reimbursement is available only for tuition and fees that are part of a curriculum

1 that is relevant to a degree in a particular course of study at the institution, center
2 or school.

3 **SECTION 9.** 45.34 (title) of the statutes is amended to read:

4 **45.34 (title) Lebanon, Grenada, Middle East crisis, Panama, Bosnia and**
5 **Somalia.**

6 **SECTION 10.** 45.34 (5) of the statutes is created to read:

7 45.34 (5) SERVICE IN BOSNIA. A person shall be considered to have served in
8 Bosnia if the person served for 90 days or more in support of Operation Balkan
9 Endeavor or served for 90 days or more in Austria, Bosnia-Hezegovina, Czech
10 Republic, Croatia, Hungary, Macedonia, Montenegro, Serbia including the
11 autonomous provinces of Kosovo and Vojvodina, Slovakia or Slovenia, or in
12 territorial waters adjacent to any of those countries, under all of the following
13 conditions:

14 (a) Under an active duty order, an involuntary extension of an active duty order
15 or a unit assignment order.

16 (b) Under honorable conditions.

17 (c) Between December 1, 1995, and the ending date of Operation Balkan
18 Endeavor or a successor operation, as established by the department of veterans
19 affairs by rule.

20 **SECTION 11.** 45.35 (5) (title) of the statutes is amended to read:

21 45.35 (5) (title) VETERAN DEFINED; ~~BENEFIT.~~

22 **SECTION 12.** 45.35 (5) (intro.) of the statutes is renumbered 45.35 (5) (a) (intro.)
23 and amended to read:

24 45.35 (5) (a) (intro.) "Veteran" as used in this chapter, except in s. 45.37 and
25 unless otherwise modified, means any person who has served on active duty under

1 honorable conditions in the U.S. armed forces or in forces incorporated as part of the
2 U.S. armed forces, except service on active duty for training purposes, and who meets
3 the following conditions:

4 1. a. Has served in Bosnia, Grenada, Lebanon, Panama, Somalia or a Middle
5 East crisis under s. 45.34 or whose service,

6 b. Was entitled the veteran to receive the armed forces expeditionary medal,
7 established by executive order 10977 on December 4, 1961, the Vietnam service
8 medal established by executive order 11231 on July 8, 1965, the navy expeditionary
9 medal or the marine corps expeditionary medal or any person who served,

10 c. Has served for 90 days or more during a war period as enumerated under
11 pars. (a) to (h) par. (e) or under section 1 of executive order 10957 dated August 10,
12 1961, or if having served less than 90 days was honorably discharged for a
13 service-connected disability or for a disability subsequently adjudicated to have
14 been service connected or died in service, who is either a resident of and living in this
15 state at the time of making application or is deceased, and whose,

16 2. a. His or her selective service local board, if any, and home of record at time
17 of entry or reentry into active service as shown on the veteran's report of separation
18 from the U.S. armed forces for a qualifying period were in this state or who was
19 either;

20 b. Was a resident of this state at the time of entry or reentry into active duty
21 or has,

22 c. Has been a resident of this state for at least 10 years next preceding the
23 veteran's any consecutive 5-year period after completing service on active duty and
24 before his or her application or death. If a person applying for a benefit under this
25 subchapter meets that 5-consecutive-year residency requirement, the department

1 may not require the person to reestablish that he or she meets the
2 5-consecutive-year residency requirement when he or she later applies for any other
3 benefit under this chapter that requires a 5-consecutive-year residency.

4 (b) If the person had more than one qualifying term of service under par. (a) 1.,
5 at least one term of service must have been under honorable conditions or have been
6 terminated by an honorable discharge for the purpose of establishing eligibility
7 under this section and s. 45.37 (1a).

8 (c) Veterans who are otherwise eligible and who are serving on active duty in
9 the U.S. armed forces need not be living in this state on date of application to qualify
10 for benefits from the department.

11 (d) The benefits available to veterans are also available to the unremarried
12 surviving spouses and minor or dependent children of deceased veterans if the
13 unremarried surviving spouses or minor or dependent children are residents of and
14 living in this state at the time of making application. ~~Any person whose service on~~
15 ~~active duty with the U.S. armed forces or in forces incorporated as part of the U.S.~~
16 ~~armed forces makes the person eligible for general U.S. department of veterans~~
17 ~~affairs benefits shall be deemed to have served under honorable conditions for the~~
18 ~~purpose of this subsection and s. 45.37 (1a).~~

19 (e) The following are designated as war periods:

20 **SECTION 13.** 45.35 (5) (a) to (h) of the statutes are renumbered 45.35 (5) (e) 1.
21 to 8.

22 **SECTION 14.** 45.35 (5) (a) 1. (intro.) and 2. (intro.) of the statutes are created to
23 read:

24 45.35 (5) (a) 1. (intro.) The person is a resident of and living in this state at the
25 time of making application, or is deceased, and meets one of the following conditions:

1 2. (intro.) The person is a resident of and living in this state at the time of
2 making application or is deceased, and meets one of the following conditions:

3 **SECTION 15.** 45.35 (5m) of the statutes is renumbered 45.35 (5m) (a), and 45.35
4 (5m) (a) 2., as renumbered, is amended to read:

5 45.35 **(5m)** (a) 2. Any child of the veteran under 18 years of age, or under the
6 age of 26 if in full attendance at a recognized school of instruction, or of any age if
7 incapable of self-support by reason of mental or physical disability. “Child” as used
8 in this section means any natural child, any legally adopted child, any stepchild or
9 child if a member of the veteran’s household or any nonmarital child if the veteran
10 acknowledges paternity or the same has been otherwise established.

11 **SECTION 16.** 45.35 (5m) (b) of the statutes is created to read:

12 45.35 **(5m)** (b) For purposes of defining “dependent” under this subsection,
13 “veteran” includes a person who served on active duty under honorable conditions
14 in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces,
15 who was a resident of this state at the time of entry or reentry into active duty and
16 who died while on active duty if that death was not the result of the veteran’s wilful
17 misconduct.

18 **SECTION 17.** 45.358 (1) of the statutes, as created by 1995 Wisconsin Act 27, is
19 renumbered 45.358 (1) (intro.) and amended to read:

20 45.358 **(1)** (title) ~~DEFINITION~~ DEFINITIONS. (intro.) In this section, “veteran”;

21 (b) “Veteran” means a person who has served on active duty in the U.S. armed
22 forces.

23 **SECTION 18.** 45.358 (1) (a) of the statutes is created to read:

24 45.358 **(1)** (a) “Dependent child” means any natural or adoptive child under 18
25 years of age, or under the age of 26 if in full attendance at a recognized school of

1 instruction, or of any age if the child is unmarried and incapable of self-support by
2 reason of mental or physical disability.

3 **SECTION 19.** 45.358 (2) of the statutes, as affected by 1995 Wisconsin Act 27,
4 is amended to read:

5 45.358 (2) CONSTRUCTION AND OPERATION OF CEMETERIES. Subject to
6 authorization under ss. 13.48 (10) and 20.924 (1), the department of veterans affairs
7 may construct and operate veterans cemeteries in northwestern and southeastern
8 Wisconsin and may employ such personnel as are necessary for the proper
9 management of the cemeteries. The department may acquire, by gift, purchase or
10 condemnation, lands necessary for the purposes of the cemeteries. Title to the
11 properties shall be taken in the name of this state. Every deed of conveyance shall
12 be immediately recorded in the office of the proper register of deeds and thereafter
13 filed with the secretary of state. All cemeteries operated by the department are
14 exempt from the requirements of ss. 157.061 to 157.70 and 440.90 to 440.95.

15 **SECTION 20.** 45.358 (3) of the statutes, as created by 1995 Wisconsin Act 27, is
16 amended to read:

17 45.358 (3) ELIGIBILITY. The following persons are eligible for burial at a
18 cemetery constructed and operated under sub. (2) or s. 45.37 (15):

19 (a) A veteran who died while on active duty or who was discharged or released
20 from active duty in the U.S. armed forces under honorable conditions and who was
21 a resident of this state at the time of his or her entry or reentry into active service
22 and his or her dependent children and unremarried surviving spouse ~~who are~~
23 ~~residents of this state at the time of their deaths.~~

24 (b) A veteran who was discharged or released from active duty in the U.S.
25 armed forces under honorable conditions ~~other than dishonorable~~ and who was a

1 resident of this state at the time of his or her death and his or her dependent children
2 and unremarried surviving spouse ~~who are residents of this state at the time of their~~
3 ~~deaths.~~

4 (c) The spouse or dependent child of a veteran who is serving an on active duty
5 at the time of the spouse's or dependent child's death if the veteran was a resident
6 of this state at the time of the veteran's entry or reentry into active service ~~and if the~~
7 ~~spouse was a resident of this state at the time of the spouse's death.~~

8 (d) The spouse or dependent child of a veteran if the veteran was a resident of
9 this state at the time of his or her entry or reentry into active service and was
10 discharged or released from active duty in the U.S. armed forces under honorable
11 conditions ~~other than dishonorable and if the veteran and spouse were residents of~~
12 ~~this state at the time of the spouse's death.~~

13 **SECTION 21.** 45.358 (3) (e), (f) and (g) of the statutes are created to read:

14 45.358 (3) (e) The spouse or dependent child of a veteran who was discharged
15 or released from active duty in the U.S. armed forces under honorable conditions if
16 the veteran and spouse or dependent child were residents of this state at the time of
17 the spouse's or dependent child's death.

18 (f) A person who was a resident of this state at the time of his or her death and
19 who has 20 or more years of creditable military service for retirement pay as a
20 member of the Wisconsin army national guard or air national guard or a reserve
21 component of the U.S. armed forces or who would have been entitled to that
22 retirement pay except that the person was under 60 years of age at the time of his
23 or her death, and the person's spouse, unremarried surviving spouse and dependent
24 children who are residents of this state at the time of the spouse's, unremarried
25 surviving spouse's or dependent children's death.

1 (g) A veteran who was discharged or released from active duty in the U.S.
2 armed forces under honorable conditions and who was a resident of the state for at
3 least 5 consecutive years after completing service on active duty.

4 **SECTION 22.** 45.37 (1a) of the statutes is amended to read:

5 45.37 (1a) DEFINITION OF VETERAN. “Veteran” as used in this section Except as
6 provided in sub. (15) (a) and (b), in this section “veteran” means any person who
7 served on active duty under honorable conditions in the U.S. armed forces or in forces
8 incorporated as part of the U.S. armed forces who was entitled to receive the armed
9 forces expeditionary medal, established by executive order 10977 on December 4,
10 1961, the Vietnam service medal established by executive order 11231 on July 8,
11 1965, the navy expeditionary medal or the marine corps expeditionary medal or who
12 served in Bosnia, Grenada, Lebanon, Panama, Somalia or a Middle East crisis under
13 s. 45.34 or any person who served for at least one day during a war period, as defined
14 in s. 45.35 (5) (a) to (h) (e) or under section 1 of executive order 10957, dated August
15 10, 1961, and who was officially reported missing in action, or killed in action or who
16 died in service, or who was discharged under honorable conditions ~~therefrom~~ after
17 90 days or more of active service, or if having served less than 90 days was honorably
18 discharged for a service-connected disability or for a disability subsequently
19 adjudicated to have been service connected, or who died as a result of
20 service-connected disability.

21 **SECTION 23.** 45.37 (3) (b) of the statutes, as affected by 1995 Wisconsin Act 123,
22 is amended to read:

23 45.37 (3) (b) *Nonresident.* A veteran who was not a resident of this state at the
24 time of enlistment or induction into service but who is otherwise qualified for
25 membership may be admitted if the veteran has been a resident of this state for ~~the~~

1 ~~5 years next preceding any consecutive 5-year period after completing service on~~
2 ~~active duty and before the date of application. If a person applying for a benefit under~~
3 ~~this subchapter meets that 5-consecutive-year residency requirement, the~~
4 ~~department may not require the person to reestablish that he or she meets the~~
5 ~~5-consecutive-year residency requirement when he or she later applies for any other~~
6 ~~benefit under this chapter that requires a 5-consecutive-year residency.~~

7 **SECTION 24.** 45.37 (15) (a) and (b) of the statutes are amended to read:

8 45.37 (15) (a) ~~A veteran who at the time of death is a resident of this state or~~
9 ~~who was a resident of the state for at least 15 consecutive years~~ person who is eligible
10 under s. 45.358 (3) for burial at a veterans cemetery is eligible for burial and
11 interment at the cemetery of the home known as the "Wisconsin Veterans Memorial
12 Cemetery". ~~Cost~~ The cost of preparing the grave and the erection of a marker for a
13 veteran, as defined in s. 45.358 (1) (b), shall be paid from the appropriation made by
14 s. 20.485 (1) (gk).

15 (b) ~~Burial shall be provided in the cemetery of the home for any spouse,~~
16 ~~surviving spouse or parent of a veteran if the spouse, surviving spouse or parent at~~
17 ~~the time of death was a member of the home. Burial shall also be provided in the~~
18 ~~cemetery of the home for the parent, spouse or surviving spouse of a veteran, even~~
19 ~~if the parent, spouse or surviving spouse is not a member of the home at the time of~~
20 ~~death, if the parent, spouse or surviving spouse is a resident of this state at the time~~
21 ~~of death or was a resident of the state for at least 15 consecutive years. Application~~
22 ~~for burial shall be made to the department for permission to be buried therein at the~~
23 ~~person's own expense. The surviving spouse of the veteran, as defined in s. 45.358~~
24 (1) (b), shall have the privilege of selecting a lot next to the veteran if available.

1 Permission shall be given by the department for a period of one year from date of
2 granting, but may be extended, on request, for additional one-year periods.

3 **SECTION 25.** 45.42 (1) of the statutes is amended to read:

4 45.42 (1) The department may compile a record of the burial places within the
5 state of persons who served in the U.S. armed forces in time of war as defined in s.
6 45.35 (5) ~~(a) to (h)~~ (e) or in Bosnia, Grenada, Lebanon, Panama, Somalia or a Middle
7 East crisis under s. 45.34, or under section 1 of executive order 10957, dated August
8 10, 1961, or whose service entitled them to receive the armed forces expeditionary
9 medal, established by executive order 10977 on December 4, 1961, the Vietnam
10 service medal established by executive order 11231 on July 8, 1965, the navy
11 expeditionary medal or the marine corps expeditionary medal. The record, so far as
12 practicable, may indicate the name of each person; the service in which engaged; the
13 appropriate designation of armed forces unit; the rank and period of service; the
14 name and location of the cemetery or other place in which the body is interred; the
15 location of the grave in the cemetery or other place; and the character of headstone
16 or other marker, if any, at the grave.

17 **SECTION 26.** 45.42 (2) of the statutes is amended to read:

18 45.42 (2) The department may have blank forms prepared whereby the
19 information required for the record may be transmitted to it and may distribute the
20 forms to county veterans' service officers. The county veterans' service officer within
21 whose county and cemetery or burial place is located in which are interred the bodies
22 of persons who served in the U.S. armed forces in time of war as defined in s. 45.35
23 (5) ~~(a) to (h)~~ (e) or in Bosnia, Grenada, Lebanon, Panama, Somalia or a Middle East
24 crisis under s. 45.34 or under section 1 of executive order 10957, dated August 10,
25 1961, or whose service entitled them to receive the armed forces expeditionary

1 medal, established by executive order 10977 on December 4, 1961, the Vietnam
2 service medal established by executive order 11231 on July 8, 1965, the navy
3 expeditionary medal or the marine corps expeditionary medal shall submit the facts
4 required for such record to the department on the forms provided by it, if so requested
5 by the department.

6 **SECTION 27.** 45.43 (1) (a) of the statutes is amended to read:

7 45.43 (1) (a) Except as provided under par. (b), the county board shall elect a
8 county veterans' service officer who shall be a Wisconsin resident who served on
9 active duty under honorable conditions in the U.S. armed forces or in forces
10 incorporated as part of the U.S. armed forces for 2 consecutive years, except service
11 on active duty for training purposes, ~~for 90 days or more in time of war as set forth~~
12 ~~in s. 45.35 (5) (a) to (h) or, if having served less than 90 days, was honorably~~
13 ~~discharged for a service-connected disability or for a disability subsequently~~
14 ~~adjudicated to have been service-connected; who served in Grenada, Lebanon,~~
15 ~~Panama, Somalia or a Middle East crisis under s. 45.34; who served under section~~
16 ~~1 of executive order 10957 dated August 10, 1961; or whose service entitled the~~
17 ~~veteran to receive the armed forces expeditionary medal established by executive~~
18 ~~order 10977 on December 4, 1961, the Vietnam service medal established by~~
19 ~~executive order 11231 on July 8, 1965, the navy expeditionary medal or the marine~~
20 ~~corps expeditionary medal. An individual who is discharged for reasons of hardship~~
21 ~~or a service-connected disability or released due to a reduction in the U.S. armed~~
22 ~~forces or for the good of the service prior to the completion of the required period of~~
23 ~~service is eligible for election to the office, regardless of the actual time served.~~

24 **SECTION 28.** 45.43 (6) (b) of the statutes is amended to read:

1 45.43 (6) (b) Except as provided under par. (c), the county board may appoint
2 assistant county veterans' service officers who shall be Wisconsin residents who
3 served on active duty under honorable conditions in the U.S. armed forces or in forces
4 incorporated as part of the U.S. armed forces for 2 consecutive years, except service
5 on active duty for training purposes, ~~for 90 days or more in time of war as set forth~~
6 ~~in s. 45.35 (5) (a) to (h) or, if having served less than 90 days, was honorably~~
7 ~~discharged for a service-connected disability or for a disability subsequently~~
8 ~~adjudicated to have been service-connected; who served in Grenada, Lebanon,~~
9 ~~Panama, Somalia or a Middle East crisis under s. 45.34; who served under section~~
10 ~~1 of executive order 10957 dated August 10, 1961; or whose service entitled the~~
11 ~~veteran to receive the armed forces expeditionary medal established by executive~~
12 ~~order 10977 on December 4, 1961, the Vietnam service medal established by~~
13 ~~executive order 11231 on July 8, 1965, the navy expeditionary medal or the marine~~
14 ~~corps expeditionary medal. An individual who is discharged for reasons of hardship~~
15 ~~or a service-connected disability or released due to a reduction in the U.S. armed~~
16 ~~forces or for the good of the service prior to the completion of the required period of~~
17 ~~service is eligible for appointment to the office, regardless of the actual time served.~~

18 **SECTION 29.** 45.43 (8) of the statutes is created to read:

19 45.43 (8) QUALIFICATIONS APPLICATION. The qualifications necessary to be a
20 county veterans' service officer or assistant county veterans' service officer under
21 subs. (1) (a) and (6) (b) apply only to persons elected to serve as county veterans'
22 service officers or assistant county veterans' service officers on or after the effective
23 date of this subsection [revisor inserts date], who have not served as county
24 veterans' service officers or assistant county veterans' service officers before the
25 effective date of this subsection [revisor inserts date].

1 **SECTION 30.** 45.71 (16) (intro.) and (a) (intro.) of the statutes are consolidated,
2 renumbered 45.71 (16) (a) (intro.) and amended to read:

3 45.71 (16) (a) (intro.) “Veteran” means: ~~(a) Any~~ any person who has served on
4 active duty under honorable conditions in the U.S. armed forces or in forces
5 incorporated as part of the U.S. armed forces, except service on active duty for
6 training purposes, and who ~~is~~ meets the following conditions:

7 1m. a. Is entitled to receive the armed forces expeditionary medal, established
8 by executive order 10977 on December 4, 1961, the Vietnam service medal
9 established by executive order 11231 on July 8, 1965, the navy expeditionary medal
10 or the marine corps expeditionary medal ~~or who served.~~

11 b. Has served in Bosnia, Grenada, Lebanon, Panama, Somalia or a Middle East
12 crisis under s. 45.34 ~~or any person who served.~~

13 c. Has served for 90 days or more during a war period as enumerated under
14 subds. ~~1. to 9. par. (am)~~ or under section 1 of executive order 10957, dated August 10,
15 1961, except service on active duty for training purposes, or if having served less than
16 90 days was honorably discharged for a service-connected disability or for a
17 disability subsequently adjudicated to have been service-connected or died in
18 service, ~~or who served.~~

19 d. Has served on active duty for more than 6 months during the period between
20 February 1, 1955, and August 4, 1964, and was honorably discharged, ~~and who has.~~

21 2m. a. Has been a resident of this state for at least 5 years ~~next preceding an~~
22 any consecutive 5-year period after completing service on active duty and before his
23 or her application or death or who was. If a person applying for a benefit under this
24 subchapter meets that 5-consecutive-year residency requirement, the department
25 may not require the person to reestablish that he or she meets the

1 5-consecutive-year residency requirement when he or she applies for any other
2 benefit under this chapter that requires a 5-consecutive-year residency.

3 b. Was a resident of this state at the time of enlistment or induction into service
4 ~~and is either a resident of and living in this state at the time of making application~~
5 ~~or is deceased.~~

6 (af) If the person had more than one qualifying term of service, at least one term
7 of service must have been under honorable conditions or have been terminated by an
8 honorable discharge.

9 (aj) Veterans who are otherwise eligible and who are serving on active duty in
10 the U.S. armed forces need not be living in this state on date of application to qualify
11 for a loan under this chapter.

12 (am) The following are designated as war periods:

13 **SECTION 31.** 45.71 (16) (a) 1. to 10. of the statutes are renumbered 45.71 (16)
14 (am) 1. to 10., and 45.71 (16) (am) 9., as renumbered, is amended to read:

15 45.71 **(16)** (am) 9. Vietnam war: Between August 5, 1964, and a ~~date of~~
16 ~~termination to be established by the legislature~~ January 1, 1977, excepting service
17 on active duty for training purposes only.

18 **SECTION 32.** 45.71 (16) (a) 1m. (intro.) and 2m. (intro.) of the statutes are
19 created to read:

20 45.71 **(16)** (a) 1m. (intro.) The person meets one of the following conditions:

21 2m. (intro.) The person is either a resident of and living in this state at the time
22 of making application, or is deceased, and meets one of the following conditions:

23 **SECTION 33.** 45.71 (16) (b) and (c) of the statutes are amended to read:

24 45.71 **(16)** (b) An unremarried spouse of a deceased veteran shall be considered
25 a veteran under this subchapter.

1 (c) A minor or dependent child of a deceased veteran shall be considered a
2 veteran under this subchapter.

3 **SECTION 34.** 45.73 (2) of the statutes is amended to read:

4 45.73 (2) ALLOCATION OF LIMITED LOAN RESOURCES. If the department estimates
5 that applications for loans under this subchapter will exceed the moneys available
6 for such loans, the department shall give priority to the most necessitous cases and
7 take all action necessary to spread the available moneys among the maximum
8 possible number of veterans. The board of veterans affairs shall establish procedures
9 whereby veterans of the Vietnam war, as defined in s. 45.71 (16) ~~(a)~~ (am) 9., receive
10 first priority.

11 **SECTION 35.** 45.74 (1) (intro.) of the statutes is amended to read:

12 45.74 (1) ANNUAL INCOME LIMITATION. (intro.) For persons identified under s.
13 45.79 (7) (c) 1. ~~and 2.~~, the annual income of the person or both the person and the
14 person's spouse exceeds whichever of the following applies:

15 **SECTION 36.** 45.745 (1) of the statutes is amended to read:

16 45.745 (1) ANNUAL INCOME LIMITATION. For persons identified under s. 45.79 (7)
17 (c) 1. ~~and 2.~~, the annual income of the person or both the person and the person's
18 spouse does not exceed 140% of the amount specified under s. 45.74 (1).

19 **SECTION 37.** 45.76 (1) (c) 1. (intro.) of the statutes is renumbered 45.76 (1) (c)
20 1. and amended to read:

21 45.76 (1) (c) 1. A loan of not more than \$15,000 to improve a home, including
22 construction of a garage ~~but not including any of the following:~~

23 **SECTION 38.** 45.76 (1) (c) 1. a. to d. of the statutes are repealed.

24 **SECTION 39.** 45.79 (5) (a) 9. of the statutes is amended to read:

1 45.79 (5) (a) 9. With prior approval of the building commission, retire all
2 veterans mortgage revenue bonds, 1980 series A or all 1981 veterans home loan
3 revenue bonds and transfer any assets remaining in the bond funds fund after
4 retirement into the veterans trust fund. The department may sell the assets
5 transferred to the veterans trust fund under this subdivision and deposit the
6 proceeds of any sale into the veterans trust fund. ~~The proceeds of any sale of assets~~
7 ~~transferred to the veterans trust fund under this subdivision shall be used to provide~~
8 ~~loans under s. 45.356.~~

9 **SECTION 40.** 71.03 (7) of the statutes is renumbered 71.03 (7) (intro.) and
10 amended to read:

11 71.03 (7) EXTENSION OF TIME TO FILE. (intro.) Returns of natural persons and
12 fiduciaries that require a statement of amounts or information contained or entered
13 on a corresponding return under the internal revenue code shall be filed within the
14 time fixed under that code for filing of the corresponding federal return. Any
15 extension of time granted by law or by the internal revenue service for the filing of
16 that corresponding federal return extends the time for filing under this chapter if a
17 copy of the taxpayer's application to the internal revenue service requesting the
18 extension is filed with the return under this chapter or if a copy of any request for
19 an extension required by the internal revenue service is filed with the return under
20 this chapter or at an earlier date that the department prescribes by rule and if the
21 taxpayer pays the Wisconsin tax in the manner applicable to federal income taxes
22 under the internal revenue code. Taxes payable upon the filing of the return do not
23 become delinquent during the period of an extension but are subject to interest at the
24 rate of 12% per year during such period, ~~except, for~~ except as follows:

1 (a) For taxable years beginning after December 31, 1989, and before January
2 1, 1991, for persons who served in support of Operation Desert Shield, Operation
3 Desert Storm or an operation that is a successor to Operation Desert Shield or
4 Operation Desert Storm in the United States, or for persons who served in Egypt,
5 Israel, Diego Garcia or Germany, or for persons who qualify for a federal extension
6 of time to file under 26 USC 7508, who served outside the United States because of
7 their participation in Operation Desert Shield, Operation Desert Storm or an
8 operation that is a successor to Operation Desert Shield or Operation Desert Storm
9 in the Desert Shield or Desert Storm theater of operations.

10 **SECTION 41.** 71.03 (7) (b) of the statutes is created to read:

11 71.03 (7) (b) For taxable years beginning after December 31, 1994, and before
12 January 1, 1997, for persons who served in support of Operation Balkan Endeavor
13 or an operation that is a successor to Operation Balkan Endeavor, or for persons who
14 served in Croatia, Bosnia and Herzegovina, Serbia, Macedonia, Montenegro,
15 Hungary, Austria, Slovakia, Czech Republic or Slovenia, or for persons who qualify
16 for a federal extension of time to file under 26 USC 7508, who served outside the
17 United States because of their participation in Operation Balkan Endeavor or an
18 operation that is a successor to Operation Balkan Endeavor in the Balkan Endeavor
19 theater of operations.

20 **SECTION 42.** 71.05 (6) (b) 22. of the statutes is created to read:

21 71.05 (6) (b) 22. Any amount of basic, special and incentive pay income or
22 compensation, as those terms are used in 37 USC chapters 3 and 5, received from the
23 federal government by a person who is a member of a reserve component of the U.S.
24 armed forces, as defined in 26 USC 7701 (a) (15), and is below the grade of
25 commissioned officer, for services performed for Operation Balkan Endeavor. In this

1 subdivision, “services performed for Operation Balkan Endeavor” means service in
2 a unit of the U.S. armed forces if:

3 a. The person is activated for Operation Balkan Endeavor; and

4 b. The service occurs during the period that there is in effect a designation by
5 the president of the United States that the service is part of Operation Balkan
6 Endeavor.

7 **SECTION 43.** 71.05 (6) (b) 23. of the statutes is created to read:

8 71.05 (6) (b) 23. Up to \$500 per month of basic, special and incentive pay income
9 or compensation, as those terms are used in 37 USC chapters 3 and 5, received from
10 the federal government by a person who is a member of a reserve component of the
11 U.S. armed forces, as defined in 26 USC 7701 (a) (15), and is a commissioned officer,
12 for services performed for Operation Balkan Endeavor. In this subdivision, “services
13 performed for Operation Balkan Endeavor” means service in a unit of the U.S. armed
14 forces if:

15 a. The person is activated for Operation Balkan Endeavor; and

16 b. The service occurs during the period that there is in effect a designation by
17 the president of the United States that the service is part of Operation Balkan
18 Endeavor.

19 **SECTION 44.** 71.85 (3) of the statutes is renumbered 71.85 (3) (intro.) and
20 amended to read:

21 71.85 (3) ABATEMENT OF INTEREST AND PENALTIES. (intro.) No penalty or interest
22 that has been imposed under this subchapter on a taxpayer who is eligible for the
23 exemption under s.:

24 (a) Section 71.05 (6) (b) 13. or 14. may continue to accrue while the taxpayer
25 is in the Operation Desert Shield or Operation Desert Storm theater of operations

1 and for 180 days after the taxpayer leaves the Operation Desert Shield or Operation
2 Desert Storm theater of operations.

3 **SECTION 45.** 71.85 (3) (b) of the statutes is created to read:

4 71.85 (3) (b) Section 71.05 (6) (b) 22. or 23. may continue to accrue while the
5 taxpayer is in the Operation Balkan Endeavor theater of operations and for 180 days
6 after the taxpayer leaves the Operation Balkan Endeavor theater of operations.

7 **SECTION 46.** 230.03 (14) (b) of the statutes is amended to read:

8 230.03 (14) (b) A person who served on active duty under honorable conditions
9 in the U.S. armed forces in Bosnia, Grenada, Lebanon, Panama, Somalia or a Middle
10 East crisis under s. 45.34.

11 **SECTION 47.** 230.03 (14) (c) of the statutes is amended to read:

12 230.03 (14) (c) A person who served on active duty under honorable conditions
13 in the U.S. armed forces for at least one day during a war period, as defined in s. 45.35
14 (5) ~~(a) to (h)~~ (e) or under section 1 of executive order 10957 dated August 10, 1961.

15 **SECTION 48.** 341.08 (7) of the statutes is amended to read:

16 341.08 (7) A vehicle's registration does not expire on the date of expiration of
17 registration under ss. 341.25 to 341.36 if, on that date of expiration, the registrant
18 is serving on active-duty in the U.S. armed forces ~~in the Middle East or in the~~
19 ~~territorial or international waters adjacent to the Middle East as a participant in or~~
20 ~~in support of Operation Desert Shield or Desert Storm~~ and is absent from this state.
21 Any registration extended under this subsection expires ~~30~~ on the date that the
22 registrant returns to this state or 90 days after the registrant ~~completes his or her~~
23 ~~military service in that geographic area as a participant in or in support of those~~
24 ~~operations~~ is discharged from active duty, whichever is earlier. If a registration is

1 renewed after an extension under this subsection, the renewal period shall begin on
2 the day after the date of expiration of registration.

3 **SECTION 49.** 341.14 (6) (a) of the statutes is amended to read:

4 341.14 (6) (a) Upon application to register an automobile or station wagon or
5 a motor truck or dual purpose farm truck which has a gross weight of not more than
6 8,000 pounds by any person who was a member of any of the U.S. armed services and
7 who was held as a prisoner of war during any of the conflicts described in s. 45.35 (5)
8 ~~(b) to (g)~~ (e) 2. to 8. or in Bosnia, Grenada, Lebanon, Panama, Somalia or a Middle
9 East crisis under s. 45.34, and upon submission of a statement from the U.S.
10 department of veterans affairs certifying that the person was a prisoner of war
11 during one of the conflicts described in s. 45.35 (5) ~~(b) to (g)~~ (e) 2. to 8. or in Grenada,
12 Lebanon, Panama, Somalia or a Middle East crisis under s. 45.34, the department
13 shall issue to the person a special plate which is colored red, white and blue and
14 which has the words “ex-prisoner of war” placed on the plate in the manner
15 designated by the department.

16 **SECTION 50.** 343.20 (4) of the statutes is amended to read:

17 343.20 (4) Any license issued under this chapter does not expire on the
18 expiration date on the license if, on that expiration date, the licensee is serv
19 ing on active-duty in the U.S. armed forces ~~in the Middle East or in the territorial or~~
20 ~~international waters adjacent to the Middle East as a participant in or in support of~~
21 ~~Operation Desert Shield or Desert Storm~~ and is absent from this state. Any license
22 extended under this subsection expires ~~30~~ on the date that the license returns to this
23 state or 90 days after the licensee completes his or her military service in that
24 geographic area as a participant in or in support of those operations is discharged
25 from active duty, whichever is earlier. If a license is renewed after an extension under

1 this subsection, the renewal period shall begin on the day after the expiration date
2 on the license.

3 **SECTION 51. Nonstatutory provisions; group health insurance coverage**
4 **of certain state and authority employes participating in Operation Balkan**
5 **Endeavor.**

6 (1) In this section:

7 (a) "Eligible employe" means a state employe, as defined in section 40.02 (54t)
8 of the statutes, as created by 1995 Wisconsin Act 27, to whom all of the following
9 apply:

10 1. On or after December 1, 1995, is activated to perform service for the
11 operation.

12 2. On the date on which he or she is activated to perform service for the
13 operation, is insured and is receiving employer contributions under section 40.05 (4)
14 of the statutes.

15 3. On the date on which he or she is activated to perform service for the
16 operation, is either a member of the Wisconsin national guard; a member of a reserve
17 component of the U.S. armed forces, as defined in section 40.02 (57m) of the statutes;
18 or an individual who is recalled to active military duty from inactive reserve status
19 and had been either discharged from active duty, discharged from a unit of the
20 Wisconsin national guard or a reserve component of the U.S. armed forces, as defined
21 in section 40.02 (57m) of the statutes, or retired from active military service.

22 4. Has received a military leave of absence under section 230.32 (3) (a) or 230.35
23 (3) of the statutes, under a collective bargaining agreement under subchapter V of
24 chapter 111 of the statutes or under rules promulgated by the secretary of
25 employment relations as a result of being activated to perform service for the

1 operation, or is eligible for reemployment under section 45.50 of the statutes after
2 completion of his or her service for the operation.

3 (b) "Employer" means the state agency, as defined in section 40.02 (54) of the
4 statutes, by whom an eligible employe was employed on the date on which the eligible
5 employe was activated to perform service for the operation.

6 (c) "Employer contributions" means contributions paid toward the premium
7 payments of an eligible employe by the employer of the eligible employe.

8 (d) "Insured" means eligible for coverage under and properly enrolled in the
9 state plan.

10 (e) "Operation" means Operation Balkan Endeavor or an operation that is a
11 successor to Operation Balkan Endeavor.

12 (f) "Premium" means the health insurance premium under the state plan.

13 (g) "Service for the operation" means federal military duty as a participant in
14 or in support of the operation.

15 (h) "State plan" means the state group health insurance plan provided under
16 subchapter IV of chapter 40 of the statutes.

17 (2) (a) Notwithstanding sections 40.05 (4) and 40.51 (2) of the statutes, an
18 eligible employe who is not insured may have his or her insurance under the state
19 plan reinstated without furnishing evidence of insurability satisfactory to the
20 insurer and may receive employer contributions under subsection (4) if the employe
21 or the employe's designated representative makes a written election to have his or
22 her insurance under the state plan reinstated and to receive employer contributions
23 under subsection (4) and pays the amount of any employe contributions that are
24 required to be paid under section 40.05 (4) of the statutes toward the premium
25 payments.

1 (b) Notwithstanding section 40.05 (4) of the statutes, an eligible employe who
2 is insured may receive employer contributions under subsection (4) if the employe
3 or the employe's designated representative makes a written election to receive the
4 employer contributions under subsection (4) and pays the amount of any employe
5 contributions that are required to be paid under section 40.05 (4) of the statutes
6 toward the premium payments.

7 (c) An eligible employe or his or her designated representative shall make an
8 election under paragraph (a) or (b) on a form provided by his or her employer not later
9 than 60 days after the date on which the eligible employe begins to perform service
10 for the operation or 60 days after the effective date of this paragraph, whichever is
11 later.

12 (d) The group insurance board shall take any action necessary to include the
13 period under paragraph (c) in the enrollment period under the state plan for eligible
14 employes who are not insured.

15 (3) Not later than 30 days after the effective date of this subsection, the
16 employer of an eligible employe shall mail to the eligible employe or to the eligible
17 employe's designated representative a written notification of the eligible employe's
18 rights under this SECTION, along with the form required under subsection (2) (c).

19 (4) Notwithstanding sections 40.05 (4) and 40.51 (2) of the statutes, the
20 employer of an eligible employe who makes or whose designated representative
21 makes an election under subsection (2) shall pay employer contributions toward the
22 premium payments of the eligible employe during the period in which the eligible
23 employe is performing service for the operation as follows:

24 (a) The amount of the employer contributions paid toward each premium
25 payment shall be equal to the amount of the employer contributions under section

1 40.05 (4) of the statutes that would have been paid toward the premium payment if
2 the eligible employe had continued employment with the employer instead of
3 performing service for the operation.

4 (b) If the eligible employe has been insured during the period beginning on the
5 date on which the eligible employe left employment with the employer to perform
6 service for the operation and ending on the date on which the eligible employe or the
7 eligible employe's designated representative makes the election under subsection
8 2but the eligible employe did not receive employer contributions under section 40.05
9 (4) of the statutes toward one or more of the premium payments during that period,
10 the employer shall pay to the eligible employe in a lump sum an amount equal to the
11 employer contributions that would have been paid toward those premium payments
12 under section 40.05 (4) of the statutes if the eligible employe had continued
13 employment with the employer during that period instead of performing service for
14 the operation.

15 (c) The number of months for which the eligible employe receives employer
16 contributions under paragraphs (a) and (b), when added to the number of months for
17 which the eligible employe received employer contributions under section 40.05 (4)
18 of the statutes during the period beginning on the date on which the eligible employe
19 left employment with the employer to perform service for the operation and ending
20 on the date on which the eligible employe ceases to perform service for the operation,
21 may not exceed a total of 12 months.

22 (d) No employer contributions may be paid under this subsection after the last
23 day of the 24th month beginning after the effective date of this paragraph.

24 (5) Notwithstanding sections 111.84 (1) and (2), 111.91 (1) and (2) and 111.93
25 (3) of the statutes, this SECTION applies to an eligible employe and to the employer

1 regardless of whether the eligible employe is unrepresented or represented by a labor
2 organization, as defined in section 111.81 (12) of the statutes.

3 **SECTION 52. Initial applicability.**

4 (1) The treatment of sections 71.03 (7), 71.05 (6) (b) 22. and 23. and 71.85 (3)
5 of the statutes and the creation of sections 71.03 (7) (b) and 71.85 (3) (b) of the statutes
6 first apply to taxable years beginning on January 1, 1995.

7 **SECTION 53. Effective dates.** This act takes effect on the first day of the first
8 month beginning after publication, except as follows:

9 (1) SECTION 51 (3) of this act takes effect on the day after publication.

10 (2) The treatment of section 45.25 (3) (a) of the statutes takes effect on July 1,
11 1997.

12 (END)