



2013 ASSEMBLY BILL 922

April 3, 2014 - Introduced by Representatives GOYKE, WACHS, HESSELBEIN, RICHARDS, OHNSTAD, HINTZ, BARNES, HULSEY, SINICKI and PASCH, cosponsored by Senator HARRIS. Referred to Committee on Veterans.

1 **AN ACT** *to repeal* 45.43 (1m); *to amend* 20.485 (2) (rm), 20.485 (2) (rm), 45.43
2 (1) and 45.43 (1); and *to create* 45.43 (1m) of the statutes; **relating to:** creating
3 a pilot program to provide civil legal services for veterans who are residents of
4 Milwaukee, Chippewa, Eau Claire, or Dunn county, granting rule-making
5 authority, and making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Veterans Affairs (DVA) administers a program to provide assistance to veterans whose need for services is based upon homelessness, incarceration, or other circumstances designated by DVA by rule. DVA currently provides a variety of services under the program, including assistance with medical and dental care, employment, education, and housing.

This bill requires, until June 30, 2017, DVA to provide civil legal services to veterans who meet the criteria set by DVA for needing services under the current program and who live in Milwaukee, Chippewa, Eau Claire, or Dunn county. The bill requires DVA to establish, by rule, the types of civil legal services it will provide under the program and allows DVA to contract with one or more nonprofit agencies or organizations to provide the civil legal services. Under the bill, DVA must submit an annual report to the legislature on its administration of the civil legal services assistance program.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 20.485 (2) (rm) of the statutes, as affected by 2013 Wisconsin Act
2 20, is amended to read:

3 20.485 (2) (rm) *Veterans assistance programs; fish and game vouchers.*
4 Biennially, the amounts in the schedule for general program operations of the
5 veterans assistance program under s. 45.43, including providing civil legal services
6 under s. 45.43 (1m), for grants under s. 45.03 (13) (j), and for reimbursements to the
7 department of natural resources under s. 29.1945 (2).

8 **SECTION 2.** 20.485 (2) (rm) of the statutes, as affected by 2013 Wisconsin Act
9 (this act), is amended to read:

10 20.485 (2) (rm) *Veterans assistance programs; fish and game vouchers.*
11 Biennially, the amounts in the schedule for general program operations of the
12 veterans assistance program under s. 45.43, ~~including providing civil legal services~~
13 ~~under s. 45.43 (1m)~~, for grants under s. 45.03 (13) (j), and for reimbursements to the
14 department of natural resources under s. 29.1945 (2).

15 **SECTION 3.** 45.43 (1) of the statutes, as affected by 2013 Wisconsin Act 20, is
16 amended to read:

17 45.43 (1) The department shall administer a program to provide assistance to
18 persons who served in the U.S. armed forces or in forces incorporated as part of the
19 U.S. armed forces and who were discharged under conditions other than
20 dishonorable. The department shall provide assistance under this section to persons
21 whose need for services is based upon homelessness, incarceration, or other

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1 circumstances designated by the department by rule. The eligibility requirements
2 under s. 45.02 (2) do not apply to a person applying for assistance under this section.
3 The department shall, pursuant to sub. (1m), provide civil legal services to veterans
4 and shall designate the other assistance available under this section, ~~which. Other~~
5 assistance may include assistance in receiving medical care, dental care, education,
6 employment, single room occupancy housing, and transitional housing. The
7 department may provide payments to facilitate the provision of services under this
8 section.

9 **SECTION 4.** 45.43 (1) of the statutes, as affected by 2013 Wisconsin Act (this
10 act), is amended to read:

11 45.43 (1) The department shall administer a program to provide assistance to
12 persons who served in the U.S. armed forces or in forces incorporated as part of the
13 U.S. armed forces and who were discharged under conditions other than
14 dishonorable. The department shall provide assistance under this section to persons
15 whose need for services is based upon homelessness, incarceration, or other
16 circumstances designated by the department by rule. The eligibility requirements
17 under s. 45.02 (2) do not apply to a person applying for assistance under this section.
18 The department shall, ~~pursuant to sub. (1m), provide civil legal services to veterans~~
19 ~~and shall~~ designate other the assistance available under this section. ~~Other~~
20 ~~assistance, which~~ may include assistance in receiving medical care, dental care,
21 education, employment, single room occupancy housing, and transitional housing.
22 The department may provide payments to facilitate the provision of services under
23 this section.

24 **SECTION 5.** 45.43 (1m) of the statutes is created to read:

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1 45.43 (1m) (a) The department shall administer a pilot program to provide civil
2 legal services to veterans who meet the eligibility criteria set forth in sub. (1) and who
3 are residents of Milwaukee, Chippewa, Eau Claire, or Dunn county. The department
4 shall promulgate rules to determine the kinds of civil matters for which it will
5 provide legal services under this subsection. The department may enter into a
6 contract with one or more nonprofit agencies or organizations to provide civil legal
7 services under this subsection.

8 (b) Before June 30 of each year, beginning in 2015 and ending in 2017, the
9 department shall provide a report on the program under this subsection to the
10 legislature under s. 13.172 (2). The report shall include the number of veterans for
11 whom the department provided civil legal services, the criteria the department used
12 to determine who would receive civil legal services, a list of agencies or organizations
13 with which the department contracted to provide civil legal services under this
14 subsection, and the kinds of civil legal matters for which the department provided
15 civil legal services under this subsection.

16 **SECTION 6.** 45.43 (1m) of the statutes, as created by 2013 Wisconsin Act (this
17 act), is repealed.

SECTION 7. Fiscal changes.

19 (1) CIVIL LEGAL SERVICES FOR VETERANS. In the schedule under section 20.005 (3)
20 of the statutes for the appropriation to the department of veterans affairs under
21 section 20.485 (2) (rm) of the statutes, as affected by the acts of 2013, the dollar
22 amount is increased by \$70,000 for the first fiscal year of the fiscal biennium in which
23 this subsection takes effect to provide legal services to veterans pursuant to section
24 45.43 (1m) of the statutes. In the schedule under section 20.005 (3) of the statutes
25 for the appropriation to the department of veterans affairs under section 20.485 (2)

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1 (rm) of the statutes, as affected by the acts of 2013, the dollar amount is increased
2 by \$70,000 for the second fiscal year of the fiscal biennium in which this subsection
3 takes effect to provide legal services to veterans pursuant to section 45.43 (1m) of the
4 statutes.

5 **SECTION 8. Effective dates.** This act takes effect on the day after publication,
6 except as follows:

7 (1) The amendment of sections 20.485 (2) (rm) (by SECTION 2) and 45.43 (1) (by
8 SECTION 4) of the statutes and the repeal of section 45.43 (1m) of the statutes take
9 effect on July 1, 2017.

10 (END)