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**CHAPTER 222**

**AN ACT to create 59.07 (86) and to amend 319.295 (1) and 319.33 (4) of the statutes, relating to general powers of county boards, guardians or conservators for insane patients at state or county institutions, and the United States uniform veterans' guardianship act.**

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

**SECTION 1. 59.07 (86) of the statutes is created to read:**

**59.07 (86) GUARDIAN OF OR CONSERVATOR FOR COUNTY HOSPITAL PATIENTS.** In any county having a population of 100,000 or more, the county board may authorize the county as a body corporate to act as guardian or conservator of the respective estates of patients in its county hospital or mental hospital, and also as guardians or conservators of the respective estates of residents of its county home or infirmary.

**SECTION 2. 319.295 (1) of the statutes is amended to read:**

**319.295 GUARDIAN FOR MENTALLY ILL PATIENT OR CONSERVATOR FOR COUNTY HOSPITAL PATIENT OR COUNTY HOME RESIDENT.** (1) When a patient in any state or county hospital or \* \* \* *mental hospital* or in any state institution for the mentally deficient, or a resident of the county home or infirmary, appears to have property in this state, and does not have a guardian, the state department of public

welfare by its collection and deportation counsel, and in counties having a population of \* \* \* 100,000 or more, any corporation counsel or district attorney if there is no corporation counsel, may apply to the county court of the county in which such patient resided at the time of his commitment for the appointment of a guardian of his person and estate, or either, or for the appointment of a conservator of his estate, and the court, upon such application, shall appoint such guardian or conservator in the manner provided for the appointment of guardians under s. 319.08 (1) or for the appointment of conservators under s. 319.31, but no notice shall be required for the appointment of a successor guardian. Where application is made by a corporation counsel or district attorney if such be the case for appointment of a guardian of the estate of such patient or resident, or by such patient or resident for appointment of a conservator of his estate, the court may designate the county as guardian or conservator and the county shall not be required to make or file any oath or give any bond or security, except in the discretion of the court making such appointment, as similarly provided under s. 223.03 (8) in the case of the appointment of a trust company bank corporation. Before any county employe administers the funds of a person's estate of which the county has been appointed guardian or conservator, such employe must be designated as securities agent in the classified service of the county, and such employe's designation as securities agent shall appear on all court papers which he signs in the name of the county as guardian or conservator. Such securities agent, before entering upon his duties, shall also furnish an official bond in such amount and with such sureties as the county board determines, subject to the prior approval of such amount by the judges of the probate division of the county court. Such bond shall be filed in the office of the register in probate, and a duplicate original thereof filed in the office of the county clerk.

SECTION 3. 319.33 (4) of the statutes is amended to read:

319.33 (4) No person or corporate entity other than a county having a population of 100,000 or more, a bank or trust company or the commandant of the Grand Army home for veterans at King shall be guardian of more than 5 wards at one time, unless all the wards are members of one family. Such county shall act only for patients in its county hospital or mental hospital and for residents of its county home or infirmary, and shall serve without fee. The commandant shall act only for members of the Grand Army home for veterans and shall serve without fee. Upon presentation of a petition by an attorney of the veterans administration or other interested person, alleging that a guardian is acting in a fiduciary capacity for more than 5 wards as herein provided and requesting his discharge for that reason, the court, upon proof substantiating the petition, shall require a final accounting forthwith from such guardian and shall discharge him from guardianship in excess of 5 and forthwith appoint a successor.

Approved July 31, 1963.