



2019 ASSEMBLY BILL 150

April 5, 2019 - Introduced by Representatives KULP, VANDERMEER, MURSAU, EDMING, SPIROS, TUSLER, THIESFELDT, PRONSCHINSKE and SKOWRONSKI, cosponsored by Senators NASS, CARPENTER, BERNIER and JACQUE. Referred to Committee on Local Government.

1 **AN ACT** *to amend* 45.85 (1), 45.85 (2) and 45.85 (3); and *to create* 20.485 (2) (cm)
2 and 45.85 (2m) of the statutes; **relating to:** care of the graves of veterans and
3 making an appropriation.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Veterans Affairs to reimburse cities, villages, and towns for costs incurred in the care of veterans' graves, subject to the following limitations:

1. A city, village, or town may not receive more than \$5 per grave per year.
2. All cities, villages, and towns located in the same county may not receive more than a total of \$10,000 under the bill per year.

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:

4 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
5 the following amounts for the purposes indicated:

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SECTION 1

2019-20

2020-21

1 **20.485 Veterans affairs, department of**

2 (2) LOANS AND AIDS TO VETERANS

3 (cm) Care of graves; local assistance GPR A 720,000 720,000

4 **SECTION 2.** 20.485 (2) (cm) of the statutes is created to read:

5 20.485 (2) (cm) *Care of graves; local assistance.* The amounts in the schedule
6 for the purpose of making reimbursement payments to municipalities under s. 45.85
7 (2m) for expenses incurred in caring for veterans' graves.

8 **SECTION 3.** 45.85 (1) of the statutes is amended to read:

9 45.85 (1) Every town board, village board, ~~or~~ and common council of every city
10 shall at all times see that the graves and tombstones located in each cemetery owned
11 by, operated by, maintained by, or under the control of the city, village, or town of all
12 veterans, including women's auxiliary organizations created by act of Congress, who
13 shall at any time have served in any branch of the armed forces of the United States,
14 and of the spouses or surviving spouses of all those veterans, receive proper and
15 decent care, and may employ all necessary assistance to carry out this section. The
16 Subject to reimbursement under subs. (2m) and (3), the expense of the care of the
17 graves and tombstones shall be borne by the county city, village, or town that owns,
18 operates, maintains, or controls the cemetery where the graves are located, ~~except~~
19 ~~where suitable care is otherwise provided.~~ ~~The amount of expense charged the~~
20 ~~county for the care may not exceed the charge made for the care of other graves in~~
21 ~~the same cemetery.~~

22 **SECTION 4.** 45.85 (2) of the statutes is amended to read:

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1 45.85 (2) ~~The governing body specified in sub. (1) shall report to the county~~
2 ~~clerk of its county~~ Each city, village, or town may, on or before September 1 of each
3 year, submit an application for reimbursement under sub. (2m) to the department.
4 The application shall include the locations of the graves cared for by the governing
5 body city, village, or town under sub. (1), including the name and location of the
6 cemetery, together with the names of the deceased and the amount claimed expended
7 for care of the graves for the fiscal year from the previous July 1 to June 30.

8 **SECTION 5.** 45.85 (2m) of the statutes is created to read:

9 45.85 (2m) (a) From the appropriation under s. 20.485 (2) (cm) and subject to
10 the limitations under par. (b), the department shall reimburse each city, village, or
11 town for the expenditure amounts shown in its application for reimbursement under
12 sub. (2).

13 (b) 1. All cities, villages, and towns located in the same county may not receive
14 more than \$10,000 under par. (a) in the aggregate in any fiscal year. If the aggregate
15 amount of expenditures shown in all applications for reimbursement submitted
16 under sub. (2) by cities, villages, and towns located in the same county exceeds
17 \$10,000 in a fiscal year, the department shall prorate the amounts paid under par.
18 (a) among those cities, villages, and towns.

19 2. No city, village, or town may receive a reimbursement under par. (a) in any
20 fiscal year that exceeds \$5 per grave cared for under sub. (1).

21 **SECTION 6.** 45.85 (3) of the statutes is amended to read:

22 45.85 (3) The chairperson of the county board and the county clerk, ~~upon~~
23 ~~receipt of the report under sub. (2), shall~~ of the county in which a cemetery is located
24 may draw an order on the county treasurer for the amount of the expenses incurred
25 in caring expended for the care of graves, payable to the person or persons designated

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SECTION 6

1 ~~in the report as being entitled to the payment under sub. (1) by the city, village, or~~
2 ~~town that owns, operates, maintains, or controls the cemetery for which the city,~~
3 ~~village, or town does not receive reimbursement under sub. (2m).~~

4 **SECTION 7. Effective date.**

5 (1) This act takes effect on the day after publication, or on the 2nd day after
6 publication of the 2019 biennial budget act, whichever is later.

7 (END)