

1999 DRAFTING REQUEST

Bill

Received: **05/26/1999**

Received By: **nelsorpl**

Wanted: **As time permits**

Identical to LRB:

For: **Terry Musser (608) 266-7461**

By/Representing: **Kathie**

This file may be shown to any legislator: NO

Drafter: **nelsorpl**

May Contact:

Alt. Drafters:

Subject: **Veterans - housing loans**
Veterans - miscellaneous
Veterans - Wisconsin home

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Veterans policy changes regarding loans, veterans museum and facilities

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	nelsorp 1 08/30/1999	wj ackson 09/08/1999	kfollet 09/09/1999	_____			State
	nelsorp 1 09/13/1999	wjackson 09/17/1999		_____			
/P2	nelsorp 1 09/20/1999	wj ackson 10/27/1999	haugeca 09/17/1999	_____	lrb-docadmin 09/20/1999		State
	nelsorp 1 10/26/1999			_____			
			hhagen 10/27/1999	_____	lrb-docadmin 10/27/1999		S&L

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/2	nelsorp 1 11/17/1999	wjackson 11/18/1999	kfollet 11/18/1999	_____	lrb_docadmin 11/18/1999	lrb_docadminS&L 01/18/2000	

FE Sent For:

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01-24-00
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Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

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<END>

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Wanted: **As time permits**

Identical to LRB:

For: **Terry Musser (608) 266-7461**

By/Representing: **Kathie**

This file may be shown to any legislator: **NO**

Drafter: **nelsorp1**

May Contact:

Alt. Drafters:

Subject: **Veterans - housing loans**
Veterans - miscellaneous
Veterans - Wisconsin home

Extra Copies:

Pre Topic:

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Instructions:

See Attached *Companion w/-3402*

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			<i># 10/27</i>	<i>#/JF 10/27</i>			

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By/Representing: Kathie

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May Contact:

Alt. Drafters:

Subject: Veterans - housing loans
Veterans - miscellaneous
Veterans - Wisconsin home

Extra Copies: John Scocos,
Dept. of Vets' Affairs

Pre Topic:

No specific pre topic given

Topic:

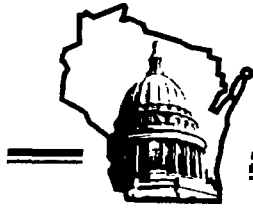
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/?	nelsorp 1	/p1 WLj 9/17	KJF 9/18	KJF/WLj 9/19			
		/p2 WLj 9/17	CH 9-17	CH SF 9-17			
FE Sent For:				<END>			



STATE REPRESENTATIVE
TERRY MUSSER

CHAIR, VETERANS & MILITARY AFFAIRS COMMITTEE

5/25/99

Bob -

Please draft the
attached (policy - not
budget)

I understand John Secos
or someone else from WDVA
has mentioned these to you.

Thanks!

Kathie

6-7441

92nd ASSEMBLY DISTRICT



STATE OF WISCONSIN, DEPARTMENT OF VETERANS AFFAIRS

30 west Mifflin Street, P. O. Box 7843, Madison, WI 53707-7843
Tommy G. Thompson, Governor
Raymond G. Boland, Secretary

TO: Representative Terry Musser
Assembly, Chairman of Veterans and Military Affairs

FROM: ~~John A. Scoones~~, Executive Assistant
Wisconsin Department of Veterans Affairs

DATE: April 23, 1999

RE: Statutory Language for a Veterans Bill

The Department requests that you authorize the following attached legislation. The legislation addresses statutory changes not covered in the budget.

DOA:.....Uecker - Southern center facilities for veterans

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

1 **AN ACT relating to:** the budget.

Analysis by the Legislative Reference Bureau
VETERANS AND MILITARY AFFAIRS

Currently, the department of veterans affairs (DVA) has authority to and does operate a home for veterans at King, Wisconsin. In addition, in 1997 Wisconsin Act 121, DVA received authority to operate residential, treatment and nursing care facilities in southeastern Wisconsin for veterans. This bill makes the changes necessary in the law to implement DVA authority to operate the southeastern facilities and makes the eligibility, rights and responsibilities of members of those facilities generally the same as members of the veterans home at King.

The bill provides that the eligibility for membership in the southeastern facilities is the same as the eligibility for membership in the veterans home at King, except that the limited eligibility for veterans' surviving spouses and parents at King is not included. For state revenue sharing purposes, the bill specifies the town and county of residence for the members of the southeastern facilities. The bill gives the southeastern facilities members the same right to free fishing licenses as the members of the veterans home at King have. The bill makes the changes necessary in the appropriation accounts consistent with the operation of the southeastern facility. The bill subjects the nursing home at the southeastern facilities to the same conditions as those that apply to the nursing home at the veterans home at King. The bill provides the same income protection to fire fighters at the southeastern facilities for injuries resulting from the performance of the duties that applies to fire fighters at the veterans home at King.

The bill deletes a provision in the uniform veterans guardianship act that permits the commandant of the veterans home at King to be the guardian of more than five wards who are veterans.

For further information see the **state** 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.** 16.96 (2) (f) of the statutes is amended to read:

2 16.96 (2) (f) Persons who are members in the Wisconsin ~~veterans home~~
3 Veterans Home at King shall be considered residents of the town of Farmington and
4 of Waupaca ~~county~~ County and persons who are members in the Wisconsin veterans
5 facility in southeastern Wisconsin shall be considered residents of the town of Dover
6 and of Racine County for purposes of the state revenue sharing distribution under
7 subch. ~~II~~ I of ch. 79.

8 **SECTION 2.** 20.485 (1) (title) of the statutes is amended to read:

9 20.485 (1) (title) ~~Home~~ **HOMES AND FACILITIES** FOR VETERANS.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

10 **SECTION 3.** 20.485 (1) (gk) of the statutes is amended to read:

11 20.485 (1) (gk) *Institutional operations.* The amounts in the schedule for the
12 care of the Wisconsin ~~veterans home~~ Veterans Home and facilities. All moneys
13 received under par. (m) and s. 45.37 (9) (d) and (9d) shall be credited to this
14 appropriation.

15 **SECTION 4.** 20.485 (1) (gm) of the statutes is repealed.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

16 **SECTION 5.** 20.485 (1) (go) of the statutes is amended to read:

1 20.485 (1) (go) *Self-amortizing housing facilities; principal repayment and*
2 *interest.* From the moneys received for providing housing services at the Wisconsin
3 Veterans Home at King and the Wisconsin veterans facilities in southeastern
4 Wisconsin, a sum sufficient to reimburse s. 20.866 (1) (u) for the principal and
5 interest costs incurred in acquiring, constructing, developing, enlarging or
6 improving housing facilities at the Wisconsin Veterans Home at King and the
7 Wisconsin veterans facilities in southeastern Wisconsin and to make the payments
8 determined by the building commission under s. 13.488 (1) (m) that are attributable
9 to the proceeds of obligations incurred in financing such facilities.

10 **SECTION 6.** 20.485 (1) (h) of the statutes is amended to read:

11 20.485 (1) (h) *Gifts and bequests.* All moneys received under s. 45.37 (10) and
12 (ll), or any moneys received by gifts or bequests, to carry out the purposes of ss.
13 45.365 ~~and~~, 45.37 ~~and~~ 45.385.

14 **SECTION 7.** 20.485 (1) (i) of the statutes is amended to read:

15 20.485 (1) (i) *State-owned housing maintenance.* The amounts in the schedule
16 for maintenance of state-owned housing at the Wisconsin ~~veterans home~~ Veterans
17 Home and veterans facilities in southeastern Wisconsin. All moneys received by the
18 department from rentals of state-owned housing shall be credited to this
19 appropriation account.

20 **SECTION 8.** 20.485 (1) (m) of the statutes is amended to read:

21 20.485 (1) (m) *Federal aid; care at veterans home and facilities.* All moneys
22 received from the federal government for care of veterans of any war or military
23 expedition of the United States who have been admitted to and cared for at the
24 Wisconsin ~~veterans home~~ Veterans Home and facilities. The net revenues accruing
25 under this paragraph shall be credited to the appropriation under par. (gk).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 SECTION 9. 20.485 (1) (mj) of the statutes is amended to read:

2 20.485 (1) (mj) Federal *aid; geriatric* unit. All moneys received from the federal
3 government for the geriatric program at the Wisconsin ~~veterans home~~ Veterans
4 Home and facilities, to carry out the purpose of s. 45.365 (1) (d).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 SECTION 10. 20.485 (1) (mn) of the statutes is amended to read:

6 20.485 (1) (mn) *Federal projects*. All moneys received from the federal
7 government for specific veterans programs other than for the care of veterans at the
8 Wisconsin ~~veterans home~~ Veterans Home and facilities, for such purposes.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9 SECTION 11. 20.485 (1) (t) of the statutes is amended to read:

10 20.485 (1) (t) *Veterans ~~home~~ homes and facilities member accounts*. From the
11 Wisconsin ~~veterans home~~ Veterans Home and facilities members fund, all moneys
12 received under s. 25.37 to make payments as provided under s. 45.37 (9c), (10) and
13 (11).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

14 SECTION 12. 25.17 (1) (yv) of the statutes is amended to read:

15 25.17 (1) (yv) Wisconsin ~~veterans home~~ Veterans Home and facilities members
16 fund (s. 25.37);

17 SECTION 13. 25.37 of the statutes is amended to read:

18 25.37 Wisconsin ~~veterans home~~ facilities members fund. There is
19 established a separate nonlapsible trust fund designated as the Wisconsin veterans
20 ~~home~~ facilities members fund. The fund shall consist of moneys belonging to persons

1 ~~residing in Wisconsin veterans facilities, including~~ members of the Wisconsin
2 ~~veterans home Veterans Home,~~ that are paid to the home ~~and facilities~~ and that are
3 transferred into the fund by the department of veterans affairs under s. 45.37 (9c).

4 **SECTION 14.** 29.219 (2) (c) of the statutes is amended to read:

5 29.219 (2) (c) A resident annual fishing license issued to any resident who is
6 a member of the Wisconsin Veterans Home at King ~~or at the facilities operated by the~~
7 ~~department of veterans affairs under s. 45.385~~ shall be issued at no charge.

8 **SECTION 15.** 29.563 (3) (a) 8. of the statutes is amended to read:

9 29.563 (3) (a) 8. Annual fishing issued to a resident at Wisconsin Veterans
10 Home at King ~~and at the facilities operated by the department of veterans affairs~~
11 ~~under s. 45.385: \$0.~~

12 **SECTION 16.** 40.02 (48) (am) of the statutes is amended to read:

13 40.02 (48) (am) "Protective occupation participant" includes any participant
14 whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm) and who
15 is a conservation warden, conservation patrol boat captain, conservation patrol boat
16 engineer, conservation pilot, conservation patrol officer, forest fire control assistant,
17 member of the state patrol, state motor vehicle inspector, police officer, fire fighter,
18 sheriff, undersheriff, deputy sheriff, state probation and parole officer, county traffic
19 police officer, state forest ranger, fire watcher employed ~~by the~~ at Wisconsin veterans
20 ~~home facilities,~~ state correctional-psychiatric officer, excise tax investigator
21 employed by the department of revenue, special criminal investigation agent in the
22 department of justice, assistant or deputy fire marshal, or person employed under
23 s. **61.66** (1).

24 **SECTION 17.** 45.356 (1) (am) of the statutes is created to read:

1 45.356 (1) (am) The department shall operate the home, and employ a
2 commandant, and the officers, nurses, attendants and other personnel necessary for
3 the proper conduct of the home. In compliance with the compensation plan
4 established pursuant to s. 230.12 (3), the commandant may recommend to the
5 director of personnel charges for meals, living quarters, laundry and other services
6 furnished to employes and members of the employes' family maintained at the home.
7 Complete personal maintenance and medical care to include programs and facilities
8 which promote comfort, recreation, well-being or rehabilitation shall be furnished
9 to all members of the home under the policy of the department.

10 **SECTION 18.** 45.365 (title) of the statutes is amended to read:

11 45.365 (title) **Wisconsin veterans—home Veterans Home and**
12 **southeastern facilities; management.**

13 **SECTION 19. 45.365** (1) (a) of the statutes is repealed and recreated to read:

14 45.365 (1) (a) In this section and s. 45.37:

15 1. "Department" means the department of veterans affairs.

16 2. "Home" means the Wisconsin Veterans Home at King.

17 3. "Southeastern facility" means any of the residential, treatment or nursing
18 care facilities operated by the department in southeastern Wisconsin under s.
19 45.385.

20 **SECTION 20.** 45.365 (1) (b) and (d) of the statutes are amended to read:

21 45.365 (1) (b) All money received in reimbursement for services to ~~institutional~~
22 ~~home or southeastern~~ employes under par. (a) or in payment for meals served to
23 guests at the ~~institution~~ home or southeastern facility shall be accumulated in an
24 account named "employe maintenance credits" and shall be paid into the general

1 fund within one week after receipt and credited to the appropriation under s. 20.485
2 (1) (gk).

3 (d) The home and southeastern facilities shall include a geriatric evaluation,
4 research and education program. The program staff shall be funded from the
5 appropriations under s. 20.485 (1) (hm), (j) and (mj).

6 **SECTION 21.** 45.365 (2a) of the statutes is amended to read:

7 45.365 (2a) The department may use moneys appropriated pursuant to s.
8 20.485 (1) (h) to purchase, erect, construct or remodel buildings, and to provide
9 additions and improvements thereto, and to provide equipment therefor and to
10 provide materials, supplies and services necessary for the purposes of the home and
11 southeastern facilities, and for such expenses as may be necessary and incidental to
12 acquisition of property pursuant to s. 45.37 (10) and (11).

13 **SECTION 22.** 45.365 (2b) of the statutes is amended to read:

14 45.365 (2b) The department may accept gifts, bequests, grants or donations of
15 money or of property from private sources to be administered by the department for
16 the purposes of the home and southeastern facilities. All moneys so received shall
17 be paid into the general fund and are appropriated therefrom as provided in s. 20.485
18 (1)(h), except that gifts or grants received specifically for the purposes of the geriatric
19 program at the home and southeastern facilities are appropriated as provided in s.
20 20.485 (1) (hm). The department shall not apply to the gifts and bequests fund
21 interest on certificate of savings deposits for those members who do not receive
22 maximum monthly retained income. The department shall establish for such
23 persons upon their request individual accounts with savings and interest applied
24 pursuant to such member requests.

25 **SECTION 23.** 45.365 (5) of the statutes is amended to read:

1 45.365 (5) The fire department at the home or southeastern facility in response
2 to emergency fire calls may make runs and render fire fighting service beyond the
3 confines of the home or southeastern facility.

4 ✕ **SECTION 24.** 45.365 (6) of the statutes is amended to read:

5 45.365 (6) The home ~~is and the nursing care facility within the southeastern~~
6 facility are subject to ch. 150, as specified in s. 150.46.

7 **SECTION 25.** 45.37 (1) of the statutes is amended to read:

8 45.37 (1) **GENERAL STATEMENT.** Within the limitations of the ~~facilities of the~~
9 home and southeastern facilities, the department may admit to membership in the
10 home and southeastern facilities persons who meet the qualifications set forth in this
11 section.

12 **SECTION 26.** 45.37 (2) (intro.) of the statutes is amended to read:

13 45.37 (2) **BASIC ELIGIBILITY REQUIREMENTS.** (intro.) A veteran may be admitted
14 to the home or southeastern facility if the veteran:

15 **SECTION 27.** 45.37 (2) (a) of the statutes is amended to read:

16 45.37 (2) (a) *Residence.* Was a resident of this state at the time of entering
17 service with the armed forces and is a resident of this state on the date of admission
18 to the home or southeastern facility

19 **SECTION 28.** 45.37 (2) (f) of the statutes is amended to read:

20 45.37 (2) (f) *Financial information.* Provides a complete financial statement
21 containing information that the department determines is necessary to evaluate the
22 financial circumstances of the veteran and his or her spouse. The department may
23 require a member of the home or southeastern facility to provide the department
24 with information necessary for the department to determine the financial
25 circumstances of the member and his or her spouse. If a member fails to provide the

1 additional information, the department may discharge the member from the home
2 or southeastern facility.

3 SECTION 29. 45.37 (2) (h) of the statutes is amended to read:

4 45.37 (2) (h) *Cure needs.* Has care needs which the home or southeastern
5 facility is able to provide within the resources allocated for the care of members of
6 the home or southeastern facility.

7 SECTION 30. 45.37 (4) (a) of the statutes is amended to read:

8 45.37 (4) (a) *Order of eligibility of veterans.* Applications from veterans except
9 in cases where there is an immediate need for physical care or economic assistance
10 shall be passed upon in order of priority based upon the date of receipt of the
11 application by the home or southeastern facility. Establishment of the priority date
12 of the application may be deferred to the date that the home or southeastern facility
13 is able to verify its ability to provide appropriate care to the applicant or to assure
14 that the appropriate care setting is available within the home or southeastern
15 facility

16 SECTION 31. 45.37 (4) (b) of the statutes is amended to read:

17 45.37 (4) (b) *Basis for eligibility of nonveterans.* Spouses, surviving spouses
18 and parents derive their eligibility from the eligibility of the veteran upon whose
19 service it is based. Surviving spouses and parents of eligible veterans shall not be
20 eligible for admission at a southeastern facility. Surviving spouses and parents of
21 eligible veterans shall not be eligible for admission at the home except for those
22 admitted to the home prior to May 5, 1976, or unless the home's overall occupancy
23 level is below an optimal level as determined by the board.

24 SECTION 32. 45.37 (4) (c) (intro.) of the statutes is amended to read:

1 45.37 (4) (c) *Order of priority.* (intro.) The order of priority for admission to the
2 home or southeastern facility shall be as follows:

3 **SECTION 33.** 45.37 (4) (c) 3. of the statutes is amended to read:

4 45.37 (4) (c) 3. Surviving spouses of eligible veterans shall be given 3rd priority
5 for admission to the home;

6 **SECTION 34.** 45.37 (4) (c) 4. of the statutes is amended to read:

7 45.37 (4) (c) 4. Parents of eligible veterans shall be given 4th priority for
8 admission to the home;

9 **SECTION 35.** 45.37 (8) of the statutes is repealed.

10 **SECTION 36.** 45.37 (9) (c) of the statutes is amended to read:

11 45.37 (9) (c) *Work therapy program compensation.* The board shall establish
12 a pay plan for compensation of members for services rendered to the home or
13 southeastern facility under its work therapy program.

14 **SECTION 37.** 45.37 (9) (d) of the statutes is amended to read:

15 45.37 (9) (d) *Member payments.* Members shall pay the amount due the state
16 for care and maintenance of the member within 30 days after the receipt of the home's
17 or southeastern facility's billing statement by the member or by the member's
18 personal representative. The department may subject any bill not paid within 30
19 days after receipt of the billing statement to an interest assessment of 1% per month
20 or fraction of a month. If payment is not made within 60 days after the receipt of the
21 billing statement, the department may discharge the member from the home or
22 southeastern facility.

23 **SECTION 38.** 45.37 (9) (g) of the statutes is amended to read:

24 45.37 (9) (g) *Work therapy or hobby shop income.* A member is not required to
25 use income received from services rendered to the home or southeastern facility

1 under its work therapy program or from the sale of products or services through the
2 hobby shop as payment for the care or maintenance of the member at the home or
3 southeastern facility.

4 **SECTION 39.** 45.37 (9) (h) of the statutes is amended to read:

5 45.37 (9) (h) *Home or southeastern facility exchange.* The operation of the home
6 or southeastern facility exchange, including the operation of the hobby shop for the
7 sale of products made by all members, shall be conducted under the supervision of
8 the department.

9 **SECTION 40.** 45.37 (9c) of the statutes is amended to read:

10 45.37 (9c) **PERSONAL FUNDS OF MEMBER.** A member may, in writing, authorize
11 the home or southeastern facility to receive, hold and account for his or her personal
12 funds. Section 49.498 (8) and the rules promulgated under that subsection apply to
13 the funds of a member held by the home or southeastern facility under this
14 subsection. The department may transfer the personal funds of a member received
15 under this subsection to the Wisconsin veterans ~~home facilities~~ members fund under
16 s. 25.37. Upon request of the member, the department shall pay to the member the
17 amount of the member's personal funds requested by the member.

18 **SECTION 41.** 46.27 (1) (b) of the statutes is amended to read:

19 46.27 (1) (b) "Nursing home" means a facility that meets the definition in s.
20 50.01 (3) and that is licensed under s. 50.03 (1) and includes a state center for the
21 developmentally disabled ~~and, the Wisconsin veterans home~~ Veterans Home at King
22 and the nursing care facility operated by the department of veterans affairs under
23 s. 45.385.

24 **SECTION 42.** 46.27 (1) (dr) of the statutes is amended to read:

46.27 (1) (dr) "State-operated long-term care facility" means a state center for the developmentally disabled ~~and, the Wisconsin veterans home~~ Veterans Home at King and the nursing care facility operated by the department of veterans affairs under s. 45.385.

SECTION 43. 46.27 (6) (a) 2. cm. of the statutes is amended to read:

46.27 (6) (a) 2. cm. Persons ~~under subd. 1.~~ seeking admission to or about to be admitted to the Wisconsin ~~veterans home~~ Veterans Home at King under subd. 1. or to the nursing care facility operated by the department of veterans affairs under s. 45.385 who are informed about the program but waive the assessment.

SECTION 44. 46.271 (2m) (c) 3. of the statutes is amended to read:

46.271 (2m) (c) 3. Persons seeking admission to or about to be admitted to the Wisconsin ~~Veteran's~~ Veterans Home at King or to the nursing care facility operated by the department of veterans affairs under s. 45.385 who are informed about the pilot project but waive the assessment.

SECTION 45. 49.45 (6m) (bg) of the statutes is amended to read:

49.45 (6m) (bg) The department shall determine payment levels for the provision of skilled, intermediate, limited, personal or residential care or care for the mentally retarded in the state centers for the developmentally disabled ~~and, in the Wisconsin veterans home~~ Veterans Home at King and in the nursing care facility operated by the department of veterans affairs under s. 45.385 separately from the payment principles, applicable costs and methods established under this subsection.

SECTION 46. 50.034 (4) of the statutes is amended to read:

50.034 (4) LIMITATION. A nursing home or a community-based residential facility may not convert a separate area of its total area to a residential care apartment complex unless the department first approves the conversion. A nursing

1 home, other than the nursing ~~home homes~~ operated at the Wisconsin Veterans Home
2 at King or in southeastern Wisconsin by the department of veterans affairs under s.
3 45.385, that intends to convert a separate area of its total area to a residential care
4 apartment complex shall also agree to reduce its licensed nursing home beds by the
5 corresponding number of residential care apartment complex residential units
6 proposed for the conversion.

7 **SECTION 47. 70.11 (3a)** (title) of the statutes is amended to read:

8 70.11 (3a) (title) BUILDINGS AT THE WISCONSIN VETERANS HOME AT KING OR IN
9 SOUTHEASTERN WISCONSIN.

10 **SECTION 48. 150.31 (5m)** of the statutes is amended to read:

11 150.31 (5m) The department shall decrease the statewide bed limit specified
12 in sub. (1) to account for any reduction in the approved bed capacity of the nursing
13 home operated at the Wisconsin Veterans Home at King or at the nursing care facility
14 operated by the department of veterans affairs under s. 45.385, as specified in s.
15 45.375 (2).

16 **SECTION 49. 150.46 (1)** of the statutes is amended to read:

17 150.46 (1) This subchapter applies to the Wisconsin Veterans Home at King
18 and to the nursing care facility operated by the denartment of veterans affairs under
19 s. 45.385 only with respect to the statewide bed limit under s. 150.31 ~~and with respect~~
20 ~~to the application, review and approval procedures relating to an increase in the~~
21 ~~nursing home bed capacity of the Wisconsin Veterans Home, under ss. 150.21 (2),~~
22 ~~150.33, 150.35, 150.39, 150.40, 150.41 and 150.43~~

23 **SECTION 50. 230.36 (1)** of the statutes is amended to read:

24 230.36 (1) If a conservation warden, conservation patrol boat captain,
25 conservation patrol boat engineer, state forest ranger, conservation field employe of

1 the department of natural resources who is subject to call for fire control duty,
2 member of the state patrol, state motor vehicle inspector, lifeguard, excise tax
3 investigator employed by the department of revenue, special criminal investigation
4 agent employed by the department of justice, special tax agent, state drivers' license
5 examiner, state fair park police officer, University of Wisconsin System police officer
6 and other state facilities police officer and patrol officer, security officer, watcher,
7 engineer, engineering aide, building construction superintendent, fire fighter
8 employed at the Wisconsin Veterans Home at King or at the facilities operated by the
9 department of veterans affairs under s. 45.385, or guard or institutional aide or a
10 state probation, extended supervision and parole officer or any other employe whose
11 duties include supervision and discipline of inmates or wards of the state at a state
12 penal institution, including a secured correctional facility, as defined in s. 938.02
13 (15m), or while on parole supervision or extended supervision outside of the confines
14 of the institutions, or supervision of persons placed on probation by a court of record,
15 or supervision and care of patients at a state mental institution, and the University
16 of Wisconsin Hospitals and Clinics suffers injury while in the performance of his or
17 her duties, as defined in subs. (2) and (3); or any other state employe who is not listed
18 in this subsection and who is ordered by his or her appointing authority to accompany
19 any employe listed in this subsection while the listed employe is engaged in the
20 duties defined in sub. (3), or any other state employe who is not listed in this
21 subsection and who is ordered by his or her appointing authority to perform the
22 duties, when permitted, in lieu of the listed employe and while so engaged in the
23 duties defined in sub. (3), suffers injury as defined in sub. (2) the employe shall
24 continue to be fully paid by the employing agency upon the same basis as paid prior
25 to the injury, with no reduction in sick leave credits, compensatory time for overtime

1 accumulations or vacation and no reduction in the rate of earning sick leave credit
2 or vacation. The full pay shall continue while the employe is unable to return to work
3 as the result of the injury or until the termination of his or her employment upon
4 recommendation of the appointing authority. At any time during the employe's
5 period of disability the appointing authority may order physical or medical
6 examinations to determine the degree of disability at the expense of the employing
7 agency.

8 **SECTION 51. 230.36 (3)** (a) (intro.) of the statutes is amended to read:

9 230.36 (3) (a) (intro.) A forest ranger or field employe of the department of
10 natural resources who is subject to call for forest fire control duty or fire watcher
11 employed at the Wisconsin ~~veterans home~~ Veterans Home at Kine or at the facilities
12 operated by the denartment of veterans affairs under s. 45.385, and lifeguard, at all
13 times while:

14 **SECTION 52. 851.09** of the statutes is amended to read:

15 **851.09 Heir.** "Heir" means any person, including the surviving spouse, who
16 is entitled under the statutes of intestate succession to an interest in property of a
17 decedent. The state is an heir of the decedent and a person interested under s. 45.37
18 (10) and (11) when the decedent was a member of the Wisconsin ~~veterans home~~
19 Veterans Home at King or at the facilities operated by the denartment of veterans
20 affairs under s. 45.385 at the time of the decedent's death.

21 **SECTION 53. 880.60 (4)** of the statutes is amended to read:

22 **880.60 (4) LIMITATION ON NUMBER OF WARDS.** No person or corporate entity other
23 than a county having a population of 100,000 or more, or a bank or trust company
24 ~~or the commandant of the Wisconsin veterans home at King~~ shall be guardian of
25 more than 5 wards at one time, unless all the wards are members of one family. ~~Such~~

1 ~~A~~ county shall act only for patients in its county hospital or mental hospital and for
2 residents of its county home or infirmary, and shall serve without fee. The
3 ~~commandant shall act only for members of the Wisconsin veterans home and shall~~
4 ~~serve without fee.~~ Upon presentation of a petition by an attorney of the U.S.
5 department of veterans affairs or other interested person, alleging that a guardian
6 is acting in a fiduciary capacity for more than 5 wards ~~as herein provided~~ and
7 requesting the guardian's discharge for that reason, the court, upon proof
8 substantiating the petition, shall require a final accounting ~~forthwith~~ from ~~such the~~
9 guardian and shall discharge the guardian from guardianship in excess of 5 and
10 ~~forthwith~~ appoint a successor.

11 (END)



30 West Mifflin Street, P. O. Box 7843, Madison, WI 53707-7843
Tommy G. Thompson, Governor
Raymond G. Boland, Secretary

DATE: April 22, 1999
TO: John Scocos
FROM: John Rosinski *JRC*
RE: Federal Home Loan Mortgage Corporation - Statutory Changes

The following statutory language changes will enable the department to utilize Federal Home Loan Mortgage Corporation standards in evaluating primary mortgage loan applications.

SECTION 1. 45.71(6m) of the statutes is created to read:

45.71(6m) "Federal Home Loan Mortgage Corporation" means the corporation created under 12 USC 1451 to 1459.

SECTION 2. 45.71(7) of the statutes is amended to read:

45.71(7) "Funds" include cash on hand; and liquid investments - ~~conversion of which to cash would not result in a substantial loss, except as provided under s.45.85.~~ The funds of a veteran include all funds owned by the veteran and spouse, individually or jointly, unless the veteran and spouse are permanently separated.

SECTION 3. 45.71(9) of the statutes is amended to read:

45.71(9) "Income" means the amount of adjusted gross income a veteran is receiving for regular work together with any income from other sources that may reasonably be expected to be regular and dependable - ~~s.45.85.~~

~~(a) Part time or overtime pay, unemployment insurance and income of the veteran's spouse are considered income only if the department or authorized lender deems such sources of income to be regular and dependable.~~

~~(b) Unless temporary in nature and except as provided under s.45.85, pensions and disability compensation shall be considered income.~~

SECTION 4. 45.71(12) of the statutes is amended to read:

45.71(12) ~~“Mobile home”~~ “Manufactured home” means a ~~mobile home~~ structure, as defined ~~under s.340.01(20)~~, by the Federal Home Loan Mortgage Corporation which:

- (a) Is used as the veteran’s principal place of residence; and
- (b) Meets or exceeds the statutory size under s.348.07(2).

SECTION 5. 45.73(2) of the statutes is repealed.

SECTION 6. 45.74(intro) of the statutes is amended to read:

45.74 Eligible persons; disqualifying factors. Except as provided under s.45.745 ~~or 45.85~~, no person may receive a loan under this subchapter if the department or authorized lender determines that any of the following applies:

SECTION 7. 45.74(3) of the statutes is repealed.

SECTION 8. 45.74(5) of the statutes is repealed.

SECTION 9. 45.745(3) of the statutes is repealed.

SECTION 10. 45.745(5) of the statutes is repealed.

SECTION 11. 45.76(3)(a) of the statutes is amended to read:

(3) CONDITIONS. (a) **Cost and value of property. No** loan may be made under this subchapter if the department or authorized lender determines that+

~~1. The~~ the total cost of the property exceeds its market value unless the amount by which the cost of the property exceeds its market value is paid by the borrower in addition to the downpayment required by 45.77. This ~~subdivision~~ paragraph does not apply to a person who qualifies under **s.45.745.**

~~2. The value of the land and nonhousing improvements thereon is disproportionate to the value of the housing accommodation.~~

SECTION 12. 45.79(2)(c) of the statutes is repealed.

SECTION 13. 45.79(3)(a) of the statutes is amended to read:

(3) LOANS TO BE SECURED. (a) ~~First or 2nd mortgage~~ Mortgage **or guarantor required.** ~~1.~~ Each loan made under this section, except a loan of \$3,000 or less for a purpose specified under s.45.76(1)(c), shall be evidenced by a promissory

instalment note and secured by a mortgage on the real estate in respect to which the loan is granted. A loan of \$3,000 or less made for a purpose specified under s.45.76(1)(c) shall be evidenced by a promissory instalment note and shall be secured by a guarantor or by a mortgage on the real estate in respect to which the loan is granted. Any loan having as its source funds provided through sub. (6)(a) and secured by a mortgage shall have the mortgage name the department as mortgagee and payee. Any loan having as its source funds provided through (6)(b) and secured by a mortgage shall have the mortgage name the authorized lender involved as mortgagee and payee, and such mortgage and note shall be assigned by the authorized lender to the authority immediately upon execution. A mortgage securing a loan made for a purpose specified in s.45.76(1)(a), (b) or (d) must have priority over all liens against the mortgaged premises and the buildings and improvements thereon, except tax and special assessment liens filed after the recording of the mortgage. A mortgage securing a loan made for a purpose specified under s.45.76(1)(c) ~~may be junior and subject to not more than one prior mortgage, and, except for that prior mortgage, must have priority over all liens against the mortgaged premises and the buildings and improvements on those premises, except tax and special assessment liens filed after the recording of the mortgage,~~ is acceptable if the applicant can establish a minimum equity in the property as established by the department by rule.

~~2. No loan may be made under this section for the purchase or improvement of a mobile home unless such loan is secured by both a first mortgage on real estate and a primary chattel security agreement covering the mobile home itself.~~

SECTION 14. 45.85 of the statutes is repealed.


cc: Ken Abrahamsen



30 West Mifflin Street, P. O. Box 7543, Madison, WI 53707-7843
Tommy G. Thompson, Governor
Raymond G. Boland, Secretary

DATE: March 25, 1999

TO: John Scocos
Executive Assistant

FROM: John Rosinski 
Chief Legal Counsel

RE: Statutory Language For A Veterans Bill

Several weeks ago we met to discuss a strategy for the enactment of statutory language deleted from the budget bill or otherwise determined to be necessary and appropriate. The following statutory language addresses the relevant issues: except the SWIB borrowing/bonding authority. I am still waiting for the language to be developed by Capital Finance. Perhaps J.T. could rattle their cages. If anyone has any questions or additions, let me know.

HILP appropriation language:

20.485(2)(yn) *Veterans trust fund loans and expenses.* Biennially, the amounts in the schedule for the purpose of providing loans under s.45.356 and for the payment of expenses and other payments as a consequence of being a mortgagee or owner under home improvement loans made under s.45.79(7)(c)2.. 1997 stats. or under 45.351(2), 1995 stats., s.45.352, 1971 stats., s.45.80, 1989 stats., and s.45.356. All moneys received under ss.45.356(9)(a) and (b) and 45.79(7)(c) for the purpose of providing loans under the personal loan program under s.45.356 shall be credited to this appropriation account. All payments of interest and repayment of principal for loans made under s.45.351(2), 1995 stats., s.45.352, 1971, stats., s.45.80, 1989 stats., and s.45.356, and s.45.79(7)(c), 1997 stats. shall revert to the veterans trust fund.

TFRG 14 day passive review:

45.25(5) of the statutes is created to read:

45.25(5) SUPPLEMENTAL FUNDS . The department may submit a request to the joint committee on finance for supplemental funds from the veterans trust fund to be credited to the appropriation account under s.20.485(2)(tf) for tuition and fee reimbursement grants to veterans. If the cochair-persons of the committee do not notify the secretary of the department within 14 working days after the date of the department's submittal that the committee intends to schedule a meeting to review the request, the appropriation account shall be supplemented as provided in the request. If, within 14 working days after the date of the department's submittal, the cochair-persons of the committee notify the secretary of the department that the committee intends to schedule a meeting to review the request, the appropriation account shall be supplemented only as approved by the committee.

PTSG 14 day passive review:

45.396(11) of the statutes is created to read:

45.396(11) SUPPLEMENTAL FUNDS . The department may submit a request to the joint committee on finance for supplemental funds from the veterans trust fund to be credited to the appropriation account under s.20.485(2)(th) for correspondence courses and part-time classroom study grants to veterans. If the cochairpersons of the committee do not notify the secretary of the department within 14 working days after the date of the department's submittal that the committee intends to schedule a meeting to review the request, the appropriation account shall be supplemented as provided in the request. If, within 14 working days after the date of the department's submittal, the cochairpersons of the committee notify the secretary of the department that the committee intends to schedule a meeting to review the request, the appropriation account shall be supplemented only as approved by the committee.

CVSO Grant 14 day passive review:

45.43(9) of the statutes is created to read:

45.43(9) SUPPLEMENTAL FUNDS . The department may submit a request to the joint committee on finance for supplemental funds from the veterans trust fund to be credited to the appropriation account under s.20.485(2)(vx) for county veterans service officer grants. If the cochairpersons of the committee do not notify the secretary of the department within 14 working days after the date of the department's submittal that the committee intends to schedule a meeting to review the request, the appropriation account shall be supplemented as provided in the request. If, within 14 working days after the date of the department's submittal, the cochairpersons of the committee notify the secretary of the department that the committee intends to schedule a meeting to review the request, the appropriation account shall be supplemented only as approved by the committee.



STATE OF WISCONSIN, DEPARTMENT OF VETERANS AFFAIRS

30 West Mifflin Street, P. O. Box 7543, Madison, WI 53707-7843
Tommy G. Thompson, Governor
Raymond G. Boland, Secretary

DATE: April 22, 1999
TO: John Scocos
FROM: John Rosinski *JR*
RE: Statutory Language For WWI Appropriation

20.485(2)(vo) of the statutes is amended to read:

20.485(2)(vo) *Veterans of World War 1*. The amounts in the schedule to help defray the cost of ~~the annual conv~~ ~~operations and publications of the exhibits and other educational material prepared by the staff of the Wisconsin veterans museum relating to~~ veterans of World War I.

cc: Ken Abrahamsen

Collection agency contract authority:

45.35(18) of the statutes is created to read:

45.35(18) **COLLECTIONS**. The department may enter into contracts to collect delinquent loan payments owed to the department. The department may allocate a portion of the amounts collected under the contracts to pay contract costs. Notwithstanding the provisions of s.45.36, the department may release information contained in its files pertaining to applications for benefits to contractors providing collection services to the department.

Expand RTG to include proprietary schools:

45.397(2)(a) of the statutes is amended to read:

45.397(2)(a) The veteran is enrolled in a training course in a technical college under ch. 38 or in a nonproprietary school in the state approved by the educational board under s.39.5 1. other than a school offering four year degrees or programs. or is engaged in a structured on-the-job training program that meets program requirements promulgated by the department by rule.

As you know, Bob Nelson extensively modified the Southern Center language. I will review the language and modify upon my return from vacation. In particular, I will assure that the eligibility requirements include a full pay provision.

cc: Ken Abrahamsen
John Trimbell



STATE OF WISCONSIN
DEPARTMENT OF VETERANS AFFAIRS



30 West Mifflin Street, P.O. Box 7843, Madison, WI 53707-7843
(608) 266-1311 FAX (608) 267-0403
1-800-947-8387 (WIS VETS)
Tommy G. Thompson, Governor
Raymond G. Boland, Secretary

DATE: April 20, 1999
TO: John Scocos
FROM: John Rosinski JR
RE: Southern Center Facilities

I have again reviewed the statutory language developed by Bob Nelson for the Southern Center facilities. The language is appropriate. I worked on the language with Bob when we submitted the budget. I recommend the following changes, however, to address the statewide bed limit exemption and the cost of care issues which arose after we submitted the budget language.

- ✓ 1) Substitute the following amendment for the current Section 24.

45.365(6) of the statutes is amended to read:

45.365(6) The home ~~is and the nursing care facility within the southeastern facility are not~~ is and the nursing care facility within the southeastern facility are not subject to ch. 150, ~~as specified in s. 150.46.~~

- ✓ 2) Substitute the following amendment for the current Section 49.

150.46(1) of the statutes is amended to read:

150.46 Exceptions. (1) This subchapter ~~applies does not apply~~ to the Wisconsin Veterans Home at King ~~only with respect to the statewide bed limit under s. 150.31 and with respect to the application, review and approval procedures relating to an increase in the nursing home bed capacity of the Wisconsin Veterans Home, under ss. 150.21(2), 150.33, 150.35, 150.39, 150.40, 150.41 and 150.43~~ and to the nursing care facility operated by the department of veterans affairs under s. 45.385.

- ? 3) Create a new section to include the nursing care facility in the home payment provisions.

✓ 45.37(17) of the statutes is amended to read as follows:

45.37(17) ADDITIONAL ELIGIBILITY REQUIREMENTS. Any person admitted to the home ~~after December 31, 1973~~ or the nursing care facility within the southeastern facility, shall meet during residence at the home or the nursing care facility within the southeastern facility the eligibility requirements under ss.49.45 and 49.46 and rules promulgated thereunder except that:

✓ (a) Persons with sufficient income and resources to meet the expenses of care for one or more months may be admitted to or remain in membership at the home or the nursing care facility within the southeastern facility but shall apply income and resources to costs to the extent required by ss.49.45 and 49.46 and rules promulgated thereunder; or

✓ (b) Persons who meet all the requirements of this section but whose degree of physical disability does not meet the minimum requirements in ss.49.45 and 49.46 and rules promulgated thereunder may be admitted to or remain in membership at the home or the nursing care facility within the southeastern facility but shall apply income and resources to costs to the extent required by ss.49.45 and 49.46 and rules promulgated thereunder.

4) Create a new section to limit residency at the southeastern facilities, other than the nursing care facility, to those who can fully pay the cost of care.

45.37(18) of the statutes is created to read:

✓ 45.37(18) SOUTHEASTERN FACILITY. An otherwise eligible person may be admitted to or remain in residency at a residential or treatment facility within the southeastern facility only if the person has sufficient income and resources, and applies the income and resources, so as to fully reimburse the department for the cost of providing care to the person.

3130/P1

DOA:.....Uecker – Southern center facilities for veterans

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

Don't Gen Cat

veterans benefits and institutions

1 AN ACT ...; relating to: the budget.

Insert Anal; preliminary

**Analysis by the Legislative Reference Bureau
VETERANS AND MILITARY AFFAIRS**

Currently, the department of veterans affairs (DVA) has authority to and does operate a home for veterans at King, Wisconsin. In addition, in 1997 Wisconsin Act 121, DVA received authority to operate residential, treatment and nursing care facilities in southeastern Wisconsin for veterans. This bill makes the changes necessary in the law to implement DVA authority to operate the southeastern facilities and makes the eligibility, rights and responsibilities of members of those facilities generally the same as members of the veterans home at King.

The bill provides that the eligibility for membership in the southeastern facilities is the same as the eligibility for membership in the veterans home at King, except that the limited eligibility for veterans' surviving spouses and parents at King is not included. For state revenue sharing purposes, the bill specifies the town and county of residence for the members of the southeastern facilities. The bill gives the southeastern facilities members the same right to free fishing licenses as the members of the veterans home at King have. The bill makes the changes necessary in the appropriation accounts consistent with the operation of the southeastern facility. The bill subjects the nursing home at the southeastern facilities to the same conditions as those that apply to the nursing home at the veterans home at King. The bill provides the same income protection to fire fighters at the southeastern facilities for injuries resulting from the performance of the duties that applies to fire fighters at the veterans home at King.

9
The bill deletes a provision in the uniform veterans guardianship act that permits the commandant of the veterans home at King to be the guardian of more than five wards who are veterans.

For further information see the *state* 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. 16.96 (2) (f) of the statutes is amended to read:

2 16.96 (2) (f) Persons who are members in the Wisconsin ~~veterans home~~
3 Veterans Home at Ring shall be considered residents of the town of Farmington and
4 of Waupaca ~~county~~ County and persons who are members in the Wisconsin veterans
5 facility in southeastern Wisconsin shall be considered residents of the town of Dover
6 and of Racine County for purposes of the state revenue sharing distribution under
7 subch. II I of ch. 79.

8 SECTION 2. 20.485 (1) (title) of the statutes is amended to read:

9 20.485 (1) (title) ~~Home~~ HOMES AND FACILITIES FOR VETERANS.

~~****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.~~

10 SECTION 3. 20.485 (1) (gk) of the statutes is amended to read:

11 20.485 (1) (gk) *Institutional operations.* The amounts in the schedule for the
12 care of the Wisconsin ~~veterans home~~ Veterans Home and facilities. All moneys
13 received under par. (m) and s. 45.37 (9) (d) and (9d) shall be credited to this
14 appropriation.

15 SECTION 4. 20.485 (1) (gm) of the statutes is repealed.

~~****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.~~

16 SECTION 5. 20.485 (1) (go) of the statutes is amended to read:

1 20.485 (1) (go) *Self-amortizing housing facilities; principal repayment and*
2 *interest.* From the moneys received for providing housing services at the Wisconsin
3 Veterans Home at King and the Wisconsin veterans facilities in southeastern
4 Wisconsin, a sum sufficient to reimburse s. 20.866 (1) (u) for the principal and
5 interest costs incurred in acquiring, constructing, developing, enlarging or
6 improving housing facilities at the Wisconsin Veterans Home at King and the
7 Wisconsin veterans facilities in southeastern Wisconsin and to make the payments
8 determined by the building commission under s. 13.488 (1) (m) that are attributable
9 to the proceeds of obligations incurred in financing such facilities.

10 **SECTION 6.** 20.485 (1) (h) of the statutes is amended to read:

11 20.485 (1) (h) *Gifts and bequests.* All moneys received under s. 45.37 (10) and
12 (ll), or any moneys received by gifts or bequests, to carry out the purposes of ss.
13 45.365 ~~and~~, 45.37 ~~and~~ 45.385.

14 **SECTION 7.** 20.485 (1) (i) of the statutes is amended to read:

15 20.485 (1) (i) *State-owned housing maintenance.* The amounts in the schedule
16 for maintenance of state-owned housing at the Wisconsin ~~veterans home~~ Veterans
17 Home and veterans facilities in southeastern Wisconsin. All moneys received by the
18 department from rentals of state-owned housing shall be credited to this
19 appropriation account.

20 **SECTION 8.** 20.485 (1) (m) of the statutes is amended to read:

21 20.485 (1) (m) *Federal aid; care at veterans home and facilities.* All moneys
22 received from the federal government for care of veterans of any war or military
23 expedition of the United States who have been admitted to and cared for at the
24 Wisconsin ~~veterans home~~ Veterans Home and facilities. The net revenues accruing
25 under this paragraph shall be credited to the appropriation under par. (gk).

~~****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.~~

1 SECTION 9. 20.485 (1) (mj) of the statutes is amended to read:

2 20.485 (1) (mj) *Federal aid; geriatric unit.* All moneys received from the federal
3 government for the geriatric program at the Wisconsin ~~veterans home~~ Veterans
4 Home and facilities, to carry out the purpose of s. 45.365 (1) (d).

~~****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.~~

5 SECTION 10. 20.485 (1) (mn) of the statutes is amended to read:

6 20.485 (1) (mn) *Federal projects.* All moneys received from the federal
7 government for specific veterans programs other than for the care of veterans at the
8 Wisconsin ~~veterans home~~ Veterans Home and facilities, for such purposes.

~~****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.~~

9 SECTION 11. 20.485 (1) (t) of the statutes is amended to read:

10 20.485 (1) (t) *Veterans ~~home~~ homes and facilities member accounts.* From the
11 Wisconsin ~~veterans home~~ Veterans Home and facilities members fund, all moneys
12 received under s. 25.37 to make payments as provided under s. 45.37 (9c), (10) and
13 (11).

inserts
4-13 a & b

~~****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.~~

14 SECTION 12. 25.17 (1) (yv) of the statutes is amended to read:

15 25.17 (1) (yv) Wisconsin-Veterans Home and facilities members
16 fund (s. 25.37);

17 SECTION 13. 25.37 of the statutes is amended to read:

18 **25.37 Wisconsin veterans ~~home~~ facilities members fund.** There is
19 established a separate nonlapsible trust fund designated as the Wisconsin veterans
20 hem-e facilities members fund. The fund shall consist of moneys belonging to persons



STATE OF WISCONSIN, DEPARTMENT OF VETERANS AFFAIRS

30 West Mifflin Street, P. O. Box 7843, Madison, WI 53707-7843
Tommy G. Thompson, Governor
Raymond G. Boland, Secretary

DATE: March 25, 1999
TO: John Scocos
Executive Assistant
FROM: John Rosinski *JR*
Chief Legal Counsel
RE: Statutory Language For A Veterans Bill

Inserts
4-13 b
5-23

Several weeks ago we met to discuss a strategy for the enactment of statutory language deleted from the budget bill or otherwise determined to be necessary and appropriate. The following statutory language addresses the relevant issues, except the SWIB borrowing/bonding authority. I am still waiting for the language to be developed by Capital Finance. Perhaps J.T. could rattle their cages. If anyone has any questions or additions, let me know.

HILP appropriation language:

SEC # 20.485 (2)(yn) of the statutes is amended to read:

20.485(2)(yn) Veterans trust fund loans and expenses. Biennially, the amounts in the schedule for the purpose of providing loans under s.45.356 and for the payment of expenses and other payments as a consequence of being a mortgagee or owner under home improvement loans made under s.45.7917(c) ~~1997 stats.~~ *or under 45.351(2), 1995 stats., s.45.352, 1971 stats., s.45.80, 1989 stats., and s.45.356. All moneys received under ss.45.356(9) a) and (b) and 45.79(7)(c) for the purpose of providing loans under the personal loan program under s.45.356 shall be credited to this appropriation account. All payments of interest and repayment of principal for loans made under s.45.351(2), 1995 stats., s.45.352, 1971, stats., s.45.80, 1989 stats., and s.45.356 and s.45.79(7)(c), 1997 stats. shall revert to the veterans trust fund.*

XXXX NOTE: There is no s.45.79(7)(c)2., on ly 45.79(7)(c)

TRFG 14 day passive review:

SEC # 45.25(5) of the statutes is created to read:

Insert 5-23a

Insert 4-13b

1 residing in Wisconsin veterans facilities, including members of the Wisconsin
2 ~~veterans home~~ Veterans Home, that are paid to the home and facilities and that are
3 transferred into the fund by the department of veterans affairs under s. 45.37 (9c).

4 **SECTION 14.** 29.219 (2) (c) of the statutes is amended to read:

5 29.219 (2) (c) A resident annual fishing license issued to any resident who is
6 a member of the Wisconsin Veterans Home at King or at the facilities operated by the
7 department of veterans affairs under s. 45.385 shall be issued at no charge.

8 **SECTION 15.** 29.563 (3) (a) 8. of the statutes is amended to read:

9 29.563 (3) (a) 8. Annual fishing issued to a resident at Wisconsin Veterans
10 Home at King and at the facilities operated by the department of veterans affairs
11 under s. 45.385: \$0.

12 **SECTION 16.** 40.02 (48) (am) of the statutes is amended to read:

13 40.02 (48) (am) "Protective occupation participant" includes any participant
14 whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm) and who
15 is a conservation warden, conservation patrol boat captain, conservation patrol boat
16 engineer, conservation pilot, conservation patrol officer, forest fire control assistant,
17 member of the state patrol, state motor vehicle inspector, police officer, fire fighter,
18 sheriff, undersheriff, deputy sheriff, state probation and parole officer, county traffic
19 police officer, state forest ranger, fire watcher employed ~~by the~~ at Wisconsin veterans
20 ~~home~~ facilities, state correctional-psychiatric officer, excise tax investigator
21 employed by the department of revenue, special criminal investigation agent in the
22 department of justice, assistant or deputy fire marshal, or person employed under
23 s. 61.66 (1).

24 **SECTION 17.** 45.356 (1) (am) of the statutes is created to read:

Inserts
5-23 a & b

1 45.356 (1) (am) The department shall operate the home, and employ a
2 commandant and the officers, nurses, attendants and other personnel necessary for
3 the proper conduct of the home. In compliance with the compensation plan
4 established pursuant to s. 230.12 (3), the commandant may recommend to the
5 director of personnel charges for meals, living quarters, laundry and other services
6 furnished to employes and members of the employes' family maintained at the home.
7 Complete personal maintenance and medical care to include programs and facilities
8 which promote comfort, recreation, well-being or rehabilitation shall be furnished
9 to all members of the home under the policy of the department.

10 **SECTION 18.** 45.365 (title) of the statutes is amended to read:

11 45.365 (title) **Wisconsin ~~veterans—home~~ Veterans Home and**
12 **southeastern facilities; management.**

13 **SECTION 19.** 45.365 (1) (a) of the statutes is repealed and recreated to read:

14 45.365 (1) (a) In this section and s. 45.37:

15 1. "Department" means the department of veterans affairs.

16 2. "Home" means the Wisconsin Veterans Home at King.

17 3. "Southeastern facility" means any of the residential, treatment or nursing
18 care facilities operated by the department in southeastern Wisconsin under s.
19 45.385.

20 **SECTION 20.** 45.365 (1) (b) and (d) of the statutes are amended to read:

21 45.365 (1) (b) All money received in reimbursement for services ~~to institutional~~
22 home or southeastern employes under par. (a) or in payment for meals served to
23 guests at the ~~institution home or southeastern facility~~ shall be accumulated in an
24 account named "employe maintenance credits" and shall be paid into the general

1 fund within one week after receipt and credited to the appropriation under s. 20.485
2 (1) (gk).

3 (d) The home and southeastern facilities shall include a geriatric evaluation,
4 research and education program. The program staff shall be funded from the
5 appropriations under s. 20.485 (1) (hm), (j) and (mj).

6 **SECTION 21.** 45.365 (2a) of the statutes is amended to read:

7 45.365 (2a) The department may use moneys appropriated pursuant to s.
8 20.485 (1) (h) to purchase, erect, construct or remodel buildings, and to provide
9 additions and improvements thereto, and to provide equipment therefor and to
10 provide materials, supplies and services necessary for the purposes of the home and
11 southeastern facilities. and for such expenses as may be necessary and incidental to
12 acquisition of property pursuant to s. 45.37 (10) and (11).

13 **SECTION 22.** 45.365 (2b) of the statutes is amended to read:

14 45.365 (2b) The department may accept gifts, bequests, grants or donations of
15 money or of property from private sources to be administered by the department for
16 the purposes of the home and southeastern facilities. All moneys so received shall
17 be paid into the general fund and are appropriated therefrom as provided in s. 20.485
18 (1) (h), except that gifts or grants received specifically for the purposes of the geriatric
19 program at the home and southeastern facilities are appropriated as provided in s.
20 20.485 (1) (hm). The department shall not apply to the gifts and bequests fund
21 interest on certificate of savings deposits for those members who do not receive
22 maximum monthly retained income. The department shall establish for such
23 persons upon their request individual accounts with savings and interest applied
24 pursuant to such member requests.

25 **SECTION 23.** 45.365 (5) of the statutes is amended to read:

1 45.365 (5) The fire department at the home or southeastern facility in response
2 to emergency fire calls may make runs and render fire fighting service beyond the
3 confines of the home or southeastern facility.

4 **SECTION 24.** 45.365 (6) of the statutes is amended to read:

5 45.365 (6) The home is and the nursing care facility within the southeastern
6 facility are subject to ch. 150, ~~as specified in s. 150.46.~~

7 **SECTION 25.** 45.37 (1) of the statutes is amended to read:

8 45.37 (1) **GENERAL STATEMENT.** Within the limitations of the ~~facilities of the~~
9 home and southeastern facilities, the department may admit to membership in the
10 home and southeastern facilities persons who meet the qualifications set forth in this
11 section.

12 **SECTION 26.** 45.37 (2) (intro.) of the statutes is amended to read:

13 45.37 (2) **BASIC ELIGIBILITY REQUIREMENTS.** (intro.) A veteran may be admitted
14 to the home or southeastern facility if the veteran:

15 **SECTION 27.** 45.37 (2) (a) of the statutes is amended to read:

16 45.37 (2) (a) *Residence.* Was a resident of this state at the time of entering
17 service with the armed forces and is a resident of this state on the date of admission
18 to the home or southeastern facility.

19 **SECTION 28.** 45.37 (2) (f) of the statutes is amended to read:

20 45.37 (2) (f) *Financial information.* Provides a complete financial statement
21 containing information that the department determines is necessary to evaluate the
22 financial circumstances of the veteran and his or her spouse. The department may
23 require a member of the home or southeastern facility to provide the department
24 with information necessary for the department to determine the financial
25 circumstances of the member and his or her spouse. If a member fails to provide the

1 additional information, the department may discharge the member from the home
2 or southeastern facility.

3 **SECTION 29.** 45.37 (2) (h) of the statutes is amended to read:

4 45.37 (2) (h) *Care needs.* Has care needs which the home or southeastern
5 facility is able to provide within the resources allocated for the care of members of
6 the home or southeastern facility.

7 **SECTION 30.** 45.37 (4) (a) of the statutes is amended to read:

8 45.37 (4) (a) *Order of eligibility of veterans.* Applications from veterans except
9 in cases where there is an immediate need for physical care or economic assistance
10 shall be passed upon in order of priority based upon the date of receipt of the
11 application by the home or southeastern facility. Establishment of the priority date
12 of the application may be deferred to the date that the home or southeastern facility
13 is able to verify its ability to provide appropriate care to the applicant or to assure
14 that the appropriate care setting is available within the home or southeastern
15 facility.

16 **SECTION 31.** 45.37 (4) (b) of the statutes is amended to read:

17 45.37 (4) (b) *Basis for eligibility of nonveterans.* Spouses, surviving spouses
18 and parents derive their eligibility from the eligibility of the veteran upon whose
19 service it is based. Surviving spouses and parents of eligible veterans shall not be
20 eligible for admission at a southeastern facility. Surviving spouses and parents of
21 eligible veterans shall not be eligible for admission at the home except for those
22 admitted to the home prior to May 5, 1976, or unless the home's overall occupancy
23 level is below an optimal level as determined by the board.

24 **SECTION 32.** 45.37 (4) (c) (intro.) of the statutes is amended to read:

1 45.37 (4) (c) Order *of priority*. (intro.) The order of priority for admission to the
2 home or southeastern facility shall be as follows:

3 SECTION 33. 45.37 (4) (c) 3. of the statutes is amended to read:

4 **45.37 (4) (c) 3.** Surviving spouses of eligible veterans shall be given 3rd priority
5 for admission to the home:

6 SECTION 34. 45.37 (4) (c) 4. of the statutes is amended to read:

7 **45.37 (4) (c) 4.** Parents of eligible veterans shall be given 4th priority for
8 admission to the home:

9 SECTION 35. 45.37 (8) of the statutes is repealed.

10 SECTION 36. 45.37 (9) (c) of the statutes is amended to read:

11 **45.37 (9) (c) Work therapy program compensation.** The board shall establish
12 a pay plan for compensation of members for services rendered to the home or
13 southeastern facility under its work therapy program.

14 SECTION 37.' 45.37 (9) (d) of the statutes is amended to read:

15 **45.37 (9) (d) Member payments.** Members shall pay the amount due the state
16 for care and maintenance of the member within 30 days after the receipt of the home's
17 or southeastern facility's billing statement by the member or by the member's
18 personal representative. The department may subject any bill not paid within 30
19 days after receipt of the billing statement to an interest assessment of 1% per month
20 or fraction of a month. If payment is not made within 60 days after the receipt of the
21 billing statement, the department may discharge the member from the home or
22 southeastern facility.

23 SECTION 38. 45.37 (9) (g) of the statutes is amended to read:

24 **45.37 (9) (g) Work therapy or hobby shop income.** A member is not required to
25 use income received from services rendered to the home or southeastern facility

B ↓ *Ins 5-23a continue*

45.25(5) ^{*CS*} SUPPLEMENTAL FUNDS. The department may submit a request to the joint committee on finance for supplemental funds from the veterans trust fund to be credited to the appropriation account under s. 20.485(2) (f) for tuition and fee reimbursement grants to veterans. If the cochairpersons of the committee do not notify the secretary of the department within 14 working days after the date of the department's submittal that the committee intends to schedule a meeting to review the request, the appropriation account shall be supplemented as provided in the request. If, within 14 working days after the date of the department's submittal, the cochairpersons of the committee notify the secretary of the department that the committee intends to schedule a meeting to review the request, the appropriation account shall be supplemented only as approved by the committee.

Insert 5-23a cont
↑

ti

PTSC 14 del. missing revision

Collection agency contract authority:

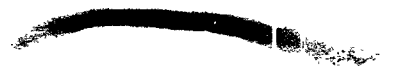
insert 5-23b

SEC#, 45.35(18) of the statutes is created to read:

14 ^{*B*} ^{*CS*} 45.35(18) COLLECTIONS. The department may enter into contracts to collect delinquent loan payments owed to the department. The department may allocate a portion of the amounts collected under the contracts to pay contract costs. Notwithstanding the provisions of s. 5.36, the department may release information contained in its files pertaining to applications for benefits to contractors providing collection services to the department.

Insert 5-23b

Large empty rectangular box with horizontal lines, possibly a placeholder for a signature or additional text.



1 under its work therapy program or from the sale of products or services through the
2 hobby shop as payment for the care or maintenance of the member at the home or
3 southeastern facility.

4 **SECTION 39.** 45.37 (9) (h) of the statutes is amended to read:

5 45.37 (9) (h) *Home or southeastern facility exchange.* The operation of the home
6 or southeastern facility exchange, including the operation of the hobby shop for the
7 sale of products made by all members, shall be conducted under the supervision of
8 the department.

9 **SECTION 40.** 45.37 (9c) of the statutes is amended to read:

10 45.37 (9c) **PERSONAL FUNDS OF MEMBER.** A member may, in writing, authorize
11 the home or southeastern facility to receive, hold and account for his or her personal
12 funds. Section 49.498 (8) and the rules promulgated under that subsection apply to
13 the funds of a member held by the home or southeastern facility under this
14 subsection. The department may transfer the personal funds of a member received
15 under this subsection to the Wisconsin veterans ~~home~~ facilities members fund under
16 s. 25.37. Upon request of the member, the department shall pay to the member the
amount of the member's personal funds requested by the member.

18 **SECTION 41.** 46.27 (1) (b) of the statutes is amended to read:

19 46.27 (1) (b) "Nursing home" means a facility that meets the definition in s.
20 50.01 (3) and that is licensed under s. 50.03 (1) and includes a state center for the
21 developmentally disabled ~~and~~, the Wisconsin - V e t e r a n s H o m e a t K i n g
22 and the nursing care facility operated by the department of veterans affairs under
23 s. 45.385.

24 **SECTION 42;** 46.27 (1) (dr) of the statutes is amended to read:

1 46.27 (1) (dr) "State-operated long-term care facility" means a state center for
2 the developmentally disabled ~~and~~, the Wisconsin ~~veterans home~~ Veterans Home at
3 King ~~and the nursing care facility operated by the department of veterans affairs~~
4 under s. 45.385.

5 **SECTION 43.** 46.27 (6) (a) 2. cm. of the statutes is amended to read:

6 46.27 (6) (a) 2. cm. Persons under subd. 1. seeking admission to or about to be
7 admitted to the Wisconsin ~~veterans home~~ Veterans Home at King ~~under subd. 1. or~~
8 to the nursing care facility operated by the department of veterans affairs under s.
9 45.385 who are informed about the program but waive the assessment.

10 **SECTION 44.** 46.271 (2m) (c) 3. of the statutes is amended to read:

11 46.271 (2m) (c) 3. Persons seeking admission to or about to be admitted to the
12 Wisconsin ~~Veteran's~~ Veterans Home at King ~~or to the nursing care facility operated~~
13 by the department of veterans affairs under s. 45.385 who are informed about the
14 pilot project but waive the assessment.

15 **SECTION 45.** 49.45 (6m) (bg) of the statutes is amended to read:

16 49.45 (6m) (bg) The department shall determine payment levels for the
17 provision of skilled, intermediate, limited, personal or residential care or care for the
18 mentally retarded in the state centers for the developmentally disabled ~~and~~, in the
19 Wisconsin ~~veterans home~~ Veterans Home at King ~~and in the nursing care facility~~
20 operated by the department of veterans affairs under s. 45.385 separately from the
21 payment principles, applicable costs and methods established under this subsection.

22 **SECTION 46.** 50.034 (4) of the statutes is amended to read:

23 50.034 (4) **LIMITATION.** A nursing home or a community-based residential
24 facility may not convert a separate area of its total area to a residential care
25 apartment complex unless the department first approves the conversion. A nursing

1 home, other than the nursing ~~home~~ homes operated at the Wisconsin Veterans Home
2 at King or in southeastern Wisconsin by the department of veterans affairs under s.
3 45.385, that intends to convert a separate area of its total area to a residential care
4 apartment complex shall also agree to reduce its licensed nursing home beds by the
5 corresponding number of residential care apartment complex residential units
6 proposed for the conversion.

7 **SECTION 47.** 70.11 (3a) (title) of the statutes is amended to read:

8 70.11 (3a) (title) BUILDINGS AT THE WISCONSIN VETERANS HOME AT KING OR IN
9 SOUTHEASTERN WISCONSIN.

10 **SECTION 48.** 150.31 (5m) of the statutes is amended to read:

11 150.31 (5m) The department shall decrease the statewide bed limit specified
12 in sub. (1) to account for any reduction in the approved bed capacity of the nursing
13 home operated at the Wisconsin Veterans Home at King or at the nursing care facility
14 operated by the department of veterans affairs under s. 45.385, as specified in s.
15 45.375 (2).

16 **SECTION 49.** 150.46 (1) of the statutes is amended to read:

17 150.46 (1) This subchapter ^{does not apply} applies to the Wisconsin Veterans Home at King
18 ~~and~~ ^{or} to the nursing care facility operated by the department of veterans affairs under
19 s. 45.385 ~~only with respect to the statewide bed limit under s. 150.31 and with respect~~
20 ~~to the application, review and approval procedures relating to an increase in the~~
21 ~~nursing home bed capacity of the Wisconsin Veterans Home, under ss. 150.21 (2),~~
22 ~~150.33, 150.35, 150.39, 150.40, 150.41 and 150.43.~~

23 **SECTION 50.** 230.36 (1) of the statutes is amended to read:

24 230.36 (1) If a conservation warden, conservation patrol boat captain,
25 conservation patrol boat engineer, state forest ranger, conservation field employe of

1 the department of natural resources who is subject to call for fire control duty,
2 member of the state patrol, state motor vehicle inspector, lifeguard, excise tax
3 investigator employed by the department of revenue, special criminal investigation
4 agent employed by the department of justice, special tax agent, state drivers' license
5 examiner, state fair park police officer, University of Wisconsin System police officer
6 and other state facilities police officer and patrol officer, security officer, watcher,
7 engineer, engineering aide, building construction superintendent, fire fighter
8 employed at the Wisconsin Veterans Home at King or at the facilities operated by the
9 denartment of veterans affairs under s. 45.385, or guard or institutional aide or a
10 state probation, extended supervision and parole officer or any other employe whose
11 duties include supervision and discipline of inmates or wards of the state at a state
12 penal institution, including a secured correctional facility, as defined in s. 938.02
13 (Em), or while on parole supervision or extended supervision outside of the confines
14 of the institutions, or supervision of persons placed on probation by a court of record,
15 or supervision and care of patients at a state mental institution, and the University
16 of Wisconsin Hospitals and Clinics suffers injury while in the performance of his or
17 her duties, as defined in subs. (2) and (3); or any other state employe who is not listed
18 in this subsection and who is ordered by his or her appointing authority to accompany
19 any employe listed in this subsection while the listed employe is engaged in the
20 duties defined in sub. (3), or any other state employe who is not listed in this
21 subsection and who is ordered by his or her appointing authority to perform the
22 duties, when permitted, in lieu of the listed employe and while so engaged in the
23 duties defined in sub. (3), suffers injury as defined in sub. (2) the employe shall
24 continue to be fully paid by the employing agency upon the same basis as paid prior
25 to the injury, with no reduction in sick leave credits, compensatory time for overtime

1 accumulations or vacation and no reduction in the rate of earning sick leave credit
2 or vacation. The full pay shall continue while the employe is unable to return to work
3 as the result of the injury or until the termination of his or her employment upon
4 recommendation of the appointing authority. At any time during the employe's
5 period of disability the appointing authority may order physical or medical
6 examinations to determine the degree of disability at the expense of the employing
7 agency.

8 **SECTION 51.** 230.36 (3) (a) (intro.) of the statutes is amended to read:

9 230.36 (3) (a) (intro.) A forest ranger or field employe of the department of
10 natural resources who is subject to call for forest fire control duty or fire watcher
11 employed at the Wisconsin ~~veterans home~~ Veterans Home at King or at the facilities
12 operated by the department of veterans affairs under s. 45.385, and lifeguard, at all
13 times while:

14 **SECTION 52.** 851.09 of the statutes is amended to read:

15 **851.09 Heir.** "Heir" means any person, including the surviving spouse, who
16 is entitled under the statutes of intestate succession to an interest in property of a
17 decedent. The state is an heir of the decedent and a person interested under s. 45.37
18 (10) and (11) when the decedent was a member of the Wisconsin ~~veterans home~~
19 Veterans Home at King or at the facilities operated by the department of veterans
20 affairs under s. 45.385 at the time of the decedent's death.

21 **SECTION 53.** 880.60 (4) of the statutes is amended to read:

22 880.60 (4) **LIMITATION ON NUMBER OF WARDS.** No person or corporate entity other
23 than a county having a population of 100,000 or more, or a bank or trust company
24 ~~or the commandant of the Wisconsin veterans home at King~~ shall be guardian of
25 more than 5 wards at one time, unless all the wards are members of one family **Such**

1 A county shall act only for patients in its county hospital or mental hospital and for
2 residents of its county home or infirmary, and shall serve without fee. ~~The~~
3 ~~commandant shall act only for members of the Wisconsin veterans home and shall~~
4 ~~serve without fee.~~ Upon presentation of a petition by an attorney of the U.S.
5 department of veterans affairs or other interested person, alleging that a guardian
6 is acting in a fiduciary capacity for more than 5 wards ~~as herein provided~~ and
7 requesting the guardian's discharge for that reason, the court, upon proof
8 substantiating the petition, shall require a final accounting ~~forthwith~~ from ~~such the~~
9 guardian and shall discharge the guardian from guardianship in excess of 5 and
10 ~~forthwith~~ appoint a successor.

11

(END)



STATE OF WISCONSIN, DEPARTMENT OF VETERANS AFFAIRS

30 West Mifflin Street, P. O. Box 7843, Madison, WI 53707-7843
Tommy G. Thonipson, Governor
Raymond G. Boland, Secretary

Insert 4-13a

DATE: April 22, 1999
TO: John Scocos
FROM: John Rosinski JR
RE: Statutory Language For WWI Appropriation

SECTION #.

20.485(2)(vo) of the statutes is amended to read:

20.485(2)(vo) **Veterans of World War I.** The amounts in the schedule to help defray the cost of ~~the annual convention, operations and publications of the exhibits and other educational material prepared by the staff of the~~ p t veterans of World War I.

(End of insert)
4-13a

cc: Ken Abrahamsen

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3130/P1ins
RPN.....

1 insert 11-17a:

2 **SECTION 45.37** (17) of the statutes is amended to read:

3 45.37 (17) **ADDITIONAL ELIGIBILITY REQUIREMENTS**. Any person admitted to the
4 home ~~after December 31, 1973~~ ^{the} for the nursing care facility operated by/department
5 within the southeastern facility shall meet during residence at the home or at the
6 nursing care facility operated by department within the southeastern facility the
7 eligibility requirements under ss. 49.45 and 49.46 and rules promulgated
8 thereunder except that:

9 (a) Persons with sufficient income and resources to meet the expenses of care
10 for one or more months may be admitted to or remain in membership at the home
11 or the nursing care facility operated by department within the southeastern facility
12 but shall apply income and resources to costs to the extent required by ss. 49.45 and
13 49.46 and rules promulgated thereunder; or

14 (b) Persons who meet all the requirements of this section but whose degree of
15 physical disability does not meet the minimum requirements in ss. 49.45 and 49.46
16 and rules promulgated thereunder may be admitted to or remain in membership at
17 the home or the nursing care facility operated by department within the
18 southeastern facility but shall apply income and resources to costs to the extent
19 required by ss. 49.45 and 49.46 and rules promulgated thereunder.

History: 1971 c. 40, 42, 198; 1973 c. 96, 147; 1973 c. 333 ss. 84, 85, 86, 201m; 1975 c. 39, 94, 199, 224; 1977 c. 29; 1977 c. 105 s. 59; 1977 c. 237, 309; 1977 c. 418 s. 924
(50); 1977 c. 447 s. 206; 1979 c. 34; 1979 c. 110 s. 60 (13); 1979 c. 221; 1981 c. 20 ss. 733m, 2202 (55) (b); 1981 c. 390; 1983 a. 27, 368, 430; 1985 a. 29, 135; 1985 a. 532 s.
251 (1); 1987 a. 27, 359; 1989 a. 31, 56; 1991 a. 2, 39, 102, 189; 1993 a. 16, 254; 1995 a. 123, 255; 1997 a. 27.

20 **SECTION 45.37** (18) of the statutes is created to read:

21 45.37(18) **SOUTHEASTERN FACILITY ADDITIONAL ELIGIBILITY REQUIREMENT**. An otherwise eligible
22 person may be admitted to or remain in residency at a residential or treatment

⁽¹⁰⁾
§ EC#, 45.396⁽¹¹⁾ of the statutes is created to read:

¹⁰ ~~(11)~~ ~~SUPPLEMENTAL FUNDS~~ The department may submit a request to the joint committee on finance for supplemental funds from the veterans trust fund to be credited to the appropriation account under s. 20.485⁽¹⁾(th) for correspondence courses and part-time classroom study grants to veterans. If the cochairpersons of the committee do not notify the secretary of the department within 14 working days after the date of the department's submittal that the committee intends to schedule a meeting to review the request, the appropriation account shall be supplemented as provided in the request. If, within 14 Working days after the date of the department's submittal, the cochairpersons of the committee notify the secretary of the department that the committee intends to schedule a meeting to review the request, the appropriation account shall be supplemented only as approved by the committee.

Insert
11-17b-1

~~insert~~ ~~expand RTG to include proprietary schools~~

~~expand RTG to include proprietary schools~~

SECTION # 45.397⁽²⁾(a) of the statutes is amended to read:

⁽⁸⁾
45.397⁽²⁾(a) The veteran is enrolled in a training course in a technical college under ch. 38 or in a proprietary school in the state approved by the educational board under s. 39.51⁽¹⁾, other than a school offering four-year degrees or programs, or is engaged in a structured on-the-job training program that meets program requirements promulgated by the department by rule.

Insert
11-17b-2

~~insert~~ ~~the Southern Center language~~

45.43⁽⁹⁾ of the statutes is created to read:

⁽¹²⁾ ~~(9)~~ ~~SUPPLEMENTAL FUNDS~~. The department may submit a request to the joint committee on finance for supplemental funds from the veterans trust fund to be credited to the appropriation account under s. 20.485⁽²⁾(vx) for county veterans service officer grams. If the cochairpersons of the committee do not notify the secretary of the department within 14 working days after the date of the department's submittal that the committee intends to schedule a meeting to review the request; the appropriation account shall be supplemented as provided in the request. If, within 14 working days after the date of the department's submittal, the cochairpersons of the committee notify the secretary of the department that the committee intends to schedule a meeting to review the request, the appropriation account shall be supplemented only as approved by the committee.

Insert
11-17b-3





30 West Mifflin Street, P. O. Box 7843. Madison, WI 53707-7843
Tommy G. Thompson, Governor
Raymond G. Boland, Secretary

Insert
11-17 c

DATE: April 22, 1999
TO: John Scocos
FROM: John Rosinski *HR*
RE: Federal Home Loan Mortgage Corporation - Statutory Changes

The following statutory language changes will enable the department to utilize Federal Home Loan Mortgage Corporation standards in evaluating primary mortgage loan applications.

SECTION # 45.71 (6m) of the statutes is created to read:

45.71 (6m) "Federal Home Loan Mortgage Corporation" means the corporation created under 12 USC 1451 to 1459.

SECTION # 45.71 (7) of the statutes is amended to read:

45.71 (7) "Funds" include cash on hand, and liquid investments, and any asset the conversion of which to cash would not result in a substantial loss, except as provided under s. 45.85. The funds of a veteran include all funds owned by the veteran and spouse, individually or jointly, unless the veteran and spouse are permanently separated.

SECTION # 45.71 (9) of the statutes is amended to read: *(intro.) renumbered 45.71 (9) and*

45.71 (9) "Income" means the amount of adjusted gross income a veteran is receiving for regular work together with any income from other sources that may reasonably be expected to be regular and dependable - s. 45.85.

SEC. # 45.71 (9) (a) and (b) are repealed.

~~(a) Part time or overtime pay, unemployment insurance and income of the veteran's spouse are considered income only if the department or authorized lender deems such sources of income to be regular and dependable.~~

~~(b) Unless temporary in nature and except as provided under s. 45.85, pensions and disability compensation shall be considered income.~~

1 facility within the southeastern facility only if the person has sufficient income and
 2 resources, and applies ~~those~~ ^{his or her (the)} income and resources to fully reimburse the department
 3 for the cost of providing care to the person. This income and resource limit on
 4 eligibility does not apply to persons admitted to the nursing care facility operated by
 5 ^{the} department within the southeastern facility.

****NOTE: I added the last sentence because the note to this language said the income and resource requirement was to apply at the southeastern facility, other than the nursing care facility, but the suggested language did not include that exception.

7
 8 insert 4a: *to insert 11-17c*
 9 ~~SECTION #~~ 45.73 (title) of the statutes is repealed.
 10 ~~SECTION #~~ . 45.73 (1) of the statutes is renumbered 45.73.

WPO:
 insert 11-17c
 is on ~~the~~
 following pages.

12
 13 insert 9a: *to insert 11-17c*
 14 ~~SECTION #~~ 45.745 (intro.) of the statutes is amended to read:
 15 **45.745 Loans to disabled veterans; qualifying factors.** ^(intro.) A veteran who is
 16 receiving 100% disability compensation from the US. department of veterans affairs
 17 under 38 USC 301 to 315, 331 to 337 and 350 to 362 due to a permanent and total
 18 service-connected disability may receive a loan under this subchapter if the
 19 department or authorized lender determines
 20 ~~received under s. 45.85~~, that all of the following apply:

History: 1977 c. 381; 1979 c. 220; 1987 a. 27, 319, 399; 1989 a. 31; 1991 a. 39; 1993 a. 254; 1995 a. 255; 1997 a. 27.

21
 22
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WRD: Insert 11-17c is on a Page following the next.
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RPN.....

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insert 10a: to insert 11-17c

SECTION 45.76 (1) (a) 1. of the statutes is amended to read:

45.76 (1) (a) 1. A ~~mobile~~ manufactured home or real property on which a ~~mobile~~ manufactured home is to be situated, but only if the veteran has available and applies on the total cost of the property, an amount equivalent to at least 15% of the total cost. This 15% requirement does not apply to a person who qualifies under s. 45.745.

History: 1973 c. 208.333; 1975 c. 224; 1977 c. 381; 1979 c. 220,221; 1983 a. 309; 1985 a. 29; 1985 a. 332 s. 251 (1); 1987 a. 27; 1989 a. 31.56; 1991 a. 39; 1995 a. 255; 1997 a. 27.



Insert (1-17c cont)

(intro)

SECTION # 45.71(12) of the statutes is amended to read:

45.71(12) ^(B) ^(intro.) "Mobile home" "Manufactured home" means a mobile-home structure, as defined under s.340.01(20), by the Federal Home Loan Mortgage Corporation which:

~~XXXX~~ ^(C) NOTE: The term "mobile home" is used in other places in Ch. 45. OK?
(a) Is used as the veteran's principal place of residence; and
(b) Meets or exceeds the statutory size under s.348.07(2).

Insert 4a from page 2 of plans

SECTION # 45.73(2) of the statutes is repealed.

SECTION # 45.74(intro) of the statutes is amended to read:

plain comma

^(intro.) 45.74 **Eligible persons; disqualifying factors.** Except as provided under s.45.745 or 45.85, no person may receive a loan under this subchapter if the department or authorized lender determines that any of the following applies:

SECTION # 45.74(3) of the statutes is repealed.

SECTION # 45.7445) of the statutes is repealed.

SECTION # 45.74563) of the statutes is repealed.

SECTION # 45.745(5) of the statutes is repealed.

SECTION # 45.76(3)(a) ^{(intro.) and 1.} of the statutes is amended to read:

are consolidated, renumbered 45.76(3)(a) and a

Insert 9a

Insert 1.0.a

45.76. ^(B) ~~provisions~~ (a) **Cost and value of property.** No loan may be made under this subchapter if the department or authorized lender determines that+

1. The the total cost of the property exceeds its market value unless the amount by which the cost of the property exceeds its market value is paid by the borrower in addition to the downpayment required by 45.77. This subdivision paragraph does not apply to a person who qualifies under s.45.745.

2. The value of the land and nonhousing improvements thereon is disproportionate to the value of the housing accommodation.

SEC. # 45.76(3)(a) 2. is repealed

SECTION # 45.79(2)(c) of the statutes is repealed.

SECTION # 45.79(3)(a) of the statutes is amended to read:

45.79 ^(B) ~~provisions~~ (a) **First or 2nd mortgage** Mortgage or guarantor required. Each loan made under this section, except a loan of \$3,000 or less for a purpose specified under s.45.76(1)(c), shall be evidenced by a promissory

Also: please proof. w/ stats.

SECTION # 45.79 (3)(a) of the statutes is renumbered 45.79 (3)(a) and amended to read:

insert 11-17c cont.

WFO: Please
Proof w/Stats.
Thanks.

instalment **note** and secured by a mortgage on the real estate in respect to **which** the loan is granted. A loan of \$3,000 or less made for a purpose specified under s.45.76(1)(c) shall be evidenced by a promissory instalment note and shall be secured by a guarantor or by a mortgage on the real estate in respect to which the loan is granted. Any loan having as its source funds provided through sub. (6) a) and secured by a mortgage shall have the mortgage name the department as mortgagee and payee. Any loan having as its source funds provided through ⁶Sub. (6)(b) and secured by a mortgage shall have the mortgage name the authorized lender involved as mortgagee and payee, and such mortgage and note shall be assigned by the authorized lender to the authority immediately upon execution. A mortgage securing a loan made for a purpose specified in s.45.76(1)(a), (b) or (d) must have priority over all liens against the mortgaged premises and the buildings and improvements thereon, except tax and special assessment liens filed after the recording of the mortgage. A mortgage securing a loan made for a purpose specified under s.45.76(1)(c) ~~may be junior and subject to not more than one prior mortgage, and, except for that prior mortgage, must have priority over all liens against the mortgaged premises and the buildings and improvements on those premises, except tax and special assessment liens filed after the recording of the mortgage,~~ is acceptable if the applicant can establish a minimum equity in the property as established by the department by rule.

of the statutes

SEE. 45.79 (3)(a) 2. is repealed.

2. No loan may be made under this section for the purchase or improvement of a mobile home unless such loan is secured by both a first mortgage on real estate and a primary chattel security agreement covering the mobile home itself.

SECTION [#] 45.85 of the statutes is repealed.

(End of 11-17c insert)

cc: Ken Abrahamsen

45.396(7) Call to text