



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

FRIDAY, 9/17

Regen

1 AN ACT ~~to repeal~~ **20.485 (1)** (gm), 45.37 (8), 45.71 (9) (a) and (b), 45.73 (title),  
2 45.73 (2), 45.74 (3), 45.74 (5), 45.745 (3), 45.745 (5), 45.76 (3) (a) 2., 45.79 (2) (c),  
3 45.79 (3) (a) 2. and 45.85; **to renumber** 45.73 **(1)**; **to renumber and amend**  
4 45.71 (9) (intro.) and 45.79 (3) (a) 1.; **to consolidate, renumber and amend**  
5 45.76 (3) (a) (intro.) and 1.; **to amend** 16.96 (2) (f), 20.485 (1) (title), 20.485 (1)  
6 (gk), 20.485 (1) (go), 20.485 (1) (h), 20.485 (1) (i), 20.485 (1) (m), 20.485 (1) (mj),  
7 20.485 **(1)** (mn), 20.485 (1) (t), 20.485 (2) (vo), 20.485 (2) (yn), 25.17 (1) (yv),  
8 25.37, 29.219 (2) (c), 29.563 (3) (a) 8., 40.02 (48) (am), 45.365 (title), 45.365 (1)  
9 (b) and (d), 45.365 (2a), 45.365 (2b), 45.365 (5), 45.365 (6), 45.37 (1), 45.37 (2)  
10 (intro.), 45.37 (2) (a), 45.37 (2) (f), **45.37 (2) (h)**, 45.37 (4) (a), 45.37 (4) (b), 45.37  
11 (4) (c) (intro.), 45.37 (4) (c) 3., 45.37 (4) (c) 4., 45.37 (9) (c), 45.37 (9) (d), 45.37 (9)  
12 (g), 45.37 (9) (h), 45.37 (9c), 45.37 (17), 45.397 (2) (a), 45.71 (7), 45.71 (12)  
13 (intro.), 45.74 (intro.), 45.745 (intro.), 45.76 (1) (a) 1., 45.79 (3) (a) (title), 46.27  
14 (1) (b), 46.27 (1) (dr), 46.27 (6) (a) 2. cm., 46.271 (2m) (c) 3., 49.45 (6m) (bg),  
15 50.034 (4), 70.11 (3a) (title), 150.31 (5m), 150.46 (1), 230.36 (1), 230.36 (3) (a)

1 (intro.), 851.09 and **880.60 (4); to repeal and recreate** 45.365 (1) (a); and **to**  
 2 **create** 45.25 (5), 45.35 (19), 45.356 (1) (am), 45.37 (18), 45.396 (lo), 45.43 (9)  
 3 and 45.71 (6m) of the statutes; **relating** to: veterans benefits and institutions.

***Analysis by the Legislative Reference Bureau***

This is a preliminary draft. An analysis will be provided in a later version.  
 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 us follows:***

4 SECTION 1. 16.96 (2) (f) of the statutes is amended to read:

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

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

12 20.485 (1) (title) ~~Home~~ HOMES AND FACILITIES FOR VETERANS.

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

14 20.485 (1) (gk) *Institutional operations.* The amounts in the schedule for the  
 X 15 care of the Wisconsin ~~veterans home~~ Veterans Home <sup>at King</sup> ~~and facilities.~~ <sup>veterans</sup> All moneys  
 16 received under par. (m) and s. 45.37 (9) (d) and (9d) shall be credited to this  
 17 appropriation.

18 SECTION 4. 20.485 (1) (g-m) of the statutes is repealed.

19 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~~ <sup>facility</sup> ~~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  
 7 ~~Wisconsin veterans facilities~~ <sup>Facility</sup> ~~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 (11), 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~~ <sup>at King</sup> ~~and veterans facilities~~ <sup>Facility</sup> ~~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~~ <sup>at King</sup> ~~Veterans Home~~ <sup>veterans</sup> ~~and facilities.~~ The net revenues accruing  
 25 under this paragraph shall be credited to the appropriation under par. (gk).

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 <sup>at King</sup> and facilities <sup>Veterans</sup>, to carry out the purpose of s. 45.365 (1) (d).

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 <sup>at King</sup> and facilities <sup>Veterans</sup>, for such purposes.

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 <sup>at King</sup> and facilities <sup>Veterans</sup> members fund, all moneys  
12 received under s. 25.37 to make payments as provided under s. 45.37 (9c), (10) and  
13 (11).

14           **SECTION 12.** 20.485 (2) (vo) of the statutes is amended to read:

15           20.485 (2) (vo) *Veterans of World War I.* The amounts in the schedule to help  
16 defray the cost of the ~~annual convention, open houses and publications of the~~ exhibits  
17 and other educational material prepared by the staff of the Wisconsin veterans  
18 museum relating to veterans of World War I.

19           **SECTION 13.** 20.485 (2) (yn) of the statutes is amended to read:

20           20.485 (2) (yn) *Veterans trust fund loans and expenses.* Biennially, the amounts  
21 in the schedule for the purpose of providing loans under s. 45.356 and for the  
22 payment of expenses and other payments as a consequence of being a mortgagee or  
23 owner under home improvement loans made under s. 45.79 (7) (c), 1997 stats. or  
24 under s. 45.351 (2), 1995 stats., s. 45.352, 1971 stats., s. 45.80, 1989 stats., and s.  
25 45.356. All moneys received under ss. 45.356 (9) (a) and (b) and 45.79 (7) (c) for the

1 purpose of providing loans under the personal loan program under s. 45.356 shall be  
2 credited to this appropriation account. All payments of interest and repayments of  
3 principal for loans made under s. 45.351 (2), 1995 stats., s. 45.352, 1971 stats., s.  
4 45.80, 1989 stats., ~~and s. 45.356 and s. 45.79 (7) (c), 1997 stats.~~ shall revert to the  
5 veterans trust fund.

\*\*\*\*NOTE: There is no s. 45.79 (7)(c)2., only s. 45.79 (7)(c).

6 SECTION 14. 25.17 (1) (yv) of the statutes is amended to read: <sup>veterans</sup>  
7 25.17 (1) (yv) Wisconsin ~~veterans home~~ <sup>at King</sup> Veterans Home ~~and facilities~~ members  
8 fund (s. 25.37);

9 SECTION 15. 25.37 of the statutes is amended to read:

10 **25.37 Wisconsin veterans home facilities members fund.** There is  
11 established a separate nonlapsible trust fund designated as the Wisconsin veterans  
12 ~~home~~ facilities members fund. The fund shall consist of moneys belonging to persons  
13 residing in Wisconsin veterans facilities, including members of the Wisconsin  
14 ~~veterans home~~ <sup>at King</sup> Veterans Home ~~that are paid to the home and~~ <sup>veterans</sup> facilities and that are  
15 transferred into the fund by the department of veterans affairs under s. 45.37 (9c).

16 SECTION 16. 29.219 (2) (c) of the statutes is amended to read:

17 29.219 (2) (c) A resident annual fishing license issued to any resident who is  
18 a member of the Wisconsin Veterans Home at King or at the facilities operated by the  
19 department of veterans affairs under s. 45.385 shall be issued at no charge.

20 SECTION 17. 29.563 (3) (a) 8. of the statutes is amended to read:

21 29.563 (3) (a) 8. Annual fishing issued to a resident at Wisconsin Veterans  
22 Home at King and at the facilities operated by the department of veterans affairs  
23 under s. 45.385: \$0.

24 SECTION 18. 40.02 (48) (am) of the statutes is amended to read:

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

12           **SECTION 19.** 45.25 (5) of the statutes is created to read:

13           **45.25 (5) SUPPLEMENTAL FUNDS.** The department may submit a request to the  
14 joint committee on finance for supplemental funds from the veterans trust fund to  
15 be credited to the appropriation account under s. 20.485 (2) (tf) for tuition and fee  
16 reimbursement grants to veterans. If the cochairpersons of the committee do not  
17 notify the secretary of the department within 14 working days after the date of the  
18 department's submittal that the committee intends to schedule a meeting to review  
19 the request, the appropriation account shall be supplemented as provided in the  
20 request. If, within 14 working days after the date of the department's submittal, the  
21 cochairpersons of the committee notify the secretary of the department that the  
22 committee intends to schedule a meeting to review the request, the appropriation  
23 account shall be supplemented only as approved by the committee.

24           **SECTION 20.** 45.35 (19) of the statutes is created to read:

1           45.35 **(19) COLLECTIONS.** The department may enter into contracts to collect  
 2 delinquent loan payments owed to the department. The department may allocate a  
 3 portion of the amounts collected under the contracts to pay contract costs.  
 4 Notwithstanding the provisions of s. 45.36, the department may release information  
 5 contained in its files pertaining to applications for benefits to contractors providing  
 6 collection services to the department.

7           **SECTION 21.** 45.356 (1) (am) of the statutes is created to read:

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

17           **SECTION 22.** 45.365 (title) of the statutes is amended to read:

18           **45.365** (title) **Wisconsin veterans home Veterans Home / and**  
 19 **southeastern facilities, management.** at King

20           **SECTION 23.** 45.365 (1) (a) of the statutes is repealed and recreated to read:

21           45.365 **(1)** (a) In this section and s. 45.37:

- 22           1. "Department" means the department of veterans affairs.  
 23           2. "Home" means the Wisconsin Veterans Home at King.

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

4 **SECTION 24.** 45.365 (1) (b) and (d) of the statutes are amended to read:

5 45.365 (1) (b) All money received in reimbursement for services to ~~institutional~~  
6 home or southeastern facility employees under par. (a) or in payment for meals served to  
7 guests at the ~~institution~~ home or southeastern facility shall be accumulated in an  
8 account named "employee maintenance credits" and shall be paid into the general  
9 fund within one week after receipt and credited to the appropriation under s. 20.485  
10 (1) (gk).

11 (d) The home ~~and southeastern facilities~~ <sup>facility</sup> shall include a geriatric evaluation,  
12 research and education program. The program staff shall be funded from the  
13 appropriations under s. 20.485 (1) (hm), (j) and (mj).

14 **SECTION 25.** 45.365 (2a) of the statutes is amended to read:

15 45.365 (2a) The department may use moneys appropriated pursuant to s.  
16 20.485 (1) (h) to purchase, erect, construct or remodel buildings, and to provide  
17 additions and improvements thereto, and to provide equipment therefor and to  
18 provide materials, supplies and services necessary for the purposes of the home and  
19 southeastern facilities, and for such expenses as may be necessary and incidental to  
20 acquisition of property pursuant to s. 45.37 (10) and (11).

21 **SECTION 26.** 45.365 (2b) of the statutes is amended to read:

22 45.365 (2b) The department may accept gifts, bequests, grants or donations of  
23 money or of property from private sources to be administered by the department for  
24 the purposes of the home ~~and southeastern facilities~~ <sup>facility</sup>. All moneys so received shall  
25 be paid into the general fund and are appropriated therefrom as provided in s. 20.485



1 (1) (h), except that gifts or grants received specifically for the purposes of the geriatric  
 2 program at the home ~~and southeastern facilities~~ <sup>facility</sup> are appropriated as provided in s.  
 3 20.485 (1) (hm). The department shall not apply to the gifts and bequests fund  
 4 interest on certificate of savings deposits for those members who do not receive  
 5 maximum monthly retained income. The department shall establish for such  
 6 persons upon their request individual accounts with savings and interest applied  
 7 pursuant to such member requests.

8 **SECTION 27.** 45.365 (5) of the statutes is amended to read:

9 45.365 (5) The fire department at the home ~~of southeastern facility~~ <sup>facility</sup> in response  
 10 to emergency fire calls may make runs and render fire fighting service beyond the  
 11 confines of the home ~~of southeastern facility~~ <sup>facility</sup>.

12 **SECTION 28.** 45.365 (6) of the statutes is amended to read:

13 45.365 (6) The home ~~is and the nursing care facility within the southeastern~~  
 14 facility are subject to ch. 150, ~~as specified in s. 150.46.~~

15 **SECTION 29.** 45.37 (1) of the statutes is amended to read:

16 45.37 (1) **GENERAL STATEMENT.** Within the limitations of the ~~facilities of the~~  
 17 home ~~and southeastern facilities~~ <sup>facility</sup>, the department may admit to membership in the  
 18 home ~~and southeastern facilities~~ <sup>facility</sup> persons who meet the qualifications set forth in this  
 19 section.

20 **SECTION 30.** 45.37 (2) (intro.) of the statutes is amended to read:

21 45.37 (2) **BASIC ELIGIBILITY REQUIREMENTS.** (intro.) A veteran may be admitted  
 22 to the home ~~of southeastern facility~~ <sup>facility</sup> if the veteran:

23 **SECTION 31.** 45.37 (2) (a) of the statutes is amended to read:

1           45.37 (2) (a) *Residence*. Was a resident of this state at the time of entering  
2 service with the armed forces and is a resident of this state on the date of admission  
3 to the home or southeastern facility.

4           **SECTION 32.** 45.37 (2) (f) of the statutes is amended to read:

5           45.37 (2) (f) *Financial information*. Provides a complete financial statement  
6 containing information that the department determines is necessary to evaluate the  
7 financial circumstances of the veteran and his or her spouse. The department may  
8 require a member of the home or southeastern facility to provide the department  
9 with information necessary for the department to determine the financial  
10 circumstances of the member and his or her spouse. If a member fails to provide the  
11 additional information, the department may discharge the member from the home  
12 or southeastern facility.

13           **SECTION 33.** 45.37 (2) (h) of the statutes is amended to read:

14           45.37 (2) (h) *Cure needs*. Has care needs which the home or southeastern  
15 facility is able to provide within the resources allocated for the care of members of  
16 the home or southeastern facility.

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

18           45.37 (4) (a) *Order of eligibility of veterans*. Applications from veterans except  
19 in cases where there is an immediate need for physical care or economic assistance  
20 shall be passed upon in order of priority based upon the date of receipt of the  
21 application by the home or southeastern facility. Establishment of the priority date  
22 of the application may be deferred to the date that the home or southeastern facility  
23 is able to verify its ability to provide appropriate care to the applicant or to assure  
24 that the appropriate care setting is available within the home or southeastern  
25 facility.

1           SECTION 35. 45.37 (4) (b) of the statutes is amended to read:

2           **45.37 (4) (b) Basis for eligibility of nonveterans.** Spouses, surviving spouses  
3 and parents derive their eligibility from the eligibility of the veteran upon whose  
4 service it is based. Surviving spouses and parents of eligible veterans shall not be  
5 eligible for admission at a southeastern facility. Surviving spouses and parents of  
6 eligible veterans shall not be eligible for admission at the home except for those  
7 admitted to the home prior to May 5, 1976, or unless the home's overall occupancy  
8 level is below an optimal level as determined by the board.

9           SECTION 36. 45.37 (4) (c) (intro.) of the statutes is amended to read:

10           **45.37 (4) (c) Order of priority.** (intro.) The order of priority for admission to the  
11 home or southeastern facility shall be as follows:

12           SECTION 37. 45.37 (4) (c) 3. of the statutes is amended to read:

13           45.37 (4) (c) 3. Surviving spouses of eligible veterans shall be given 3rd priority  
14 for admission to the home;

15           SECTION 38. 45.37 (4) (c) 4. of the statutes is amended to read:

16           45.37 (4) (c) 4. Parents of eligible veterans shall be given 4th priority for  
17 admission to the home;

18           SECTION 39. 45.37 (8) of the statutes is repealed.

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

20           **45.37 (9) (c) Work therapy program compensation.** The board shall establish  
21 a pay plan for compensation of members for services rendered to the home or  
22 southeastern facility under its work therapy program.

23           SECTION 41. 45.37 (9) (d) of the statutes is amended to read:

24           **45.37 (9) (d) Member payments.** Members shall pay the amount due the state  
25 for care and maintenance of the member within 30 days after the receipt of the home's

1 or southeastern facility's billing statement by the member or by the member's  
2 personal representative. The department may subject any bill not paid within 30  
3 days after receipt of the billing statement to an interest assessment of 1% per month  
4 or fraction of a month. If payment is not made within 60 days after the receipt of the  
5 billing statement, the department may discharge the member from the home or  
6 southeastern facility.

7 SECTION 42. 45.37 (9) (g) of the statutes is amended to read:

8 **45.37 (9) (g) Work therapy or hobby shop income.** A member is not required to  
9 use income received from services rendered to the home or southeastern facility  
10 under its work therapy program or from the sale of products or services through the  
11 hobby shop as payment for the care or maintenance of the member at the home or  
12 southeastern facility.

13 SECTION 43. 45.37 (9) (h) of the statutes is amended to read:

14 **45.37 (9) (h) Home or southeastern facility exchange.** The operation of the home  
15 or southeastern facility exchange, including the operation of the hobby shop for the  
16 sale of products made by all members, shall be conducted under the supervision of  
17 the department.

18 SECTION 44. 45.37 (9c) of the statutes is amended to read:

19 **45.37 (9c) PERSONAL FUNDS OF MEMBER.** A member may, in writing, authorize  
20 the home or southeastern facility to receive, hold and account for his or her personal  
21 funds. Section 49.498 (8) and the rules promulgated under that subsection apply to  
22 the funds of a member held by the home or southeastern facility under this  
23 subsection. The department may transfer the personal funds of a member received  
24 under this subsection to the Wisconsin veterans home facilities members fund under

1 s. 25.37. Upon request of the member, the department shall pay to the member the  
2 amount of the member's personal funds requested by the member.

3 **SECTION 45.** 45.37 (17) of the statutes is amended to read:

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

10 (a) Persons with sufficient income and resources to meet the expenses of care  
11 for one or more months may be admitted to or remain in membership at the home  
12 ~~or the nursing care facility operated by the department within the southeastern~~  
13 ~~facility~~ but shall apply income and resources to costs to the extent required by ss.  
14 49.45 and 49.46 and rules promulgated thereunder; or

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

21 **SECTION 46.** 45.37 (18) of the statutes is created to read:

22 45.37 (18) ~~SOUTHEASTERN FACILITY ADDITIONAL ELIGIBILITY REQUIREMENT.~~ An  
23 otherwise eligible person may be admitted to or remain in residency at a residential  
24 or treatment facility within the southeastern facility only if the person has sufficient  
25 income and resources, and applies the income and resources to fully reimburse the

1 department for the cost of providing care to the person. This income and resource  
2 limit on eligibility does not apply to persons admitted to the nursing care facility  
3 operated by 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.

4 **SECTION 47.** 45.396 (10) of the statutes is created to read:

5 45.396 (10) The department may submit a request to the joint committee on  
6 finance for supplemental funds from the veterans trust fund to be credited to the  
7 appropriation account under s. 20.485 (2) (th) for correspondence courses and  
8 part-time classroom study grants to veterans. If the cochairpersons of the  
9 committee do not notify the secretary of the department within 14 working days after  
10 the date of the department's submittal that the committee intends to schedule a  
11 meeting to review the request, the appropriation account shall be supplemented as  
12 provided in the request. If, within 14 working days after the date of the department's  
13 submittal, the cochairpersons of the committee notify the secretary of the  
14 department that the committee intends to schedule a meeting to review the request,  
15 the appropriation account shall be supplemented only as approved by the committee.

16 **SECTION 48.** 45.397 (2) (a) of the statutes is amended to read:

17 45.397 (2) (a) The veteran is enrolled in a training course in a technical college  
18 under ch. 38 or in a nonproprietary school in the state approved by the educational board  
19 under s. 39.51, other than a school offering four-year degrees or programs, or is  
20 engaged in a structured on-the-job training program that meets program  
21 requirements promulgated by the department by rule.

22 **SECTION 49.** 45.43 (9) of the statutes is created to read:

1           45.43 (9) SUPPLEMENTAL FUNDS. The department may submit a request to the  
2 joint committee on finance for supplemental funds from the veterans trust fund to  
3 be credited to the appropriation account under s. 20.485 (2) (vx) for county veterans  
4 service officer grants. If the cochairpersons of the committee do not notify the  
5 secretary of the department within 14 working days after the date of the  
6 department's submittal that the committee intends to schedule a meeting to review  
7 the request, the appropriation account shall be supplemented as provided in the  
8 request. If, within 14 working days after the date of the department's submittal, the  
9 cochairpersons of the committee notify the secretary of the department that the  
10 committee intends to schedule a meeting to review the request, the appropriation  
11 account shall be supplemented only as approved by the committee.

12           **SECTION 50.** 45.71 (6m) of the statutes is created to read:

13           45.71 (6m) "Federal Home Loan Mortgage Corporation" means the corporation  
14 created under 12 USC 1451 to 1459.

15           **SECTION 51.** 45.71 (7) of the statutes is amended to read:

16           45.71 (7) "Funds" include cash on hand, and liquid investments-  
17 ~~the conversion of which to cash would not result in a substantial loss, except as~~  
18 ~~provided under s. 45.45.~~ The funds of a veteran include all funds owned by the  
19 veteran and spouse, individually or jointly, unless the veteran and spouse are  
20 permanently-separated.

21           **SECTION 52.** 45.71 (9) (intro.) of the statutes is renumbered 45.71 (9) and  
22 amended to read:

23           45.71 (9) "Income" means the amount of adjusted gross income a veteran is  
24 receiving for regular work together with any income from other sources that may

1 reasonably be expected to be regular and dependable, ~~except as provided under s.~~  
2 ~~45.85.~~

3 SECTION 53. 45.71 (9) (a) and (b) of the statutes are repealed.

4 SECTION 54. 45.71 (12) (intro.) of the statutes is amended to read:

5 45.71 (12) (intro.) ~~"Mobile home"~~ "Manufactured home" means a ~~mobile home~~  
6 ~~structure~~, as defined ~~under s. 340.01 (29)~~, by the Federal Home Loan Mortgage  
7 Corporation which:

8 *\*\*\*\*NOTE: The term "mobile home" is used in other places in ch. 45. OK, or should those terms be changed to "manufactured home"?*

9 SECTION 55. 45.73 (title) of the statutes is repealed.

10 SECTION 56. 45.73 (1) of the statutes is renumbered 45.73.

11 SECTION 57. 45.73 (2) of the statutes is repealed.

12 SECTION 58. 45.74 (intro.) of the statutes is amended to read:

13 **45.74 Eligible persons; disqualifying factors.** (intro.) Except as provided  
14 under s. 45.745 ~~or 45.85~~, no person may receive a loan under this subchapter if the  
15 department or authorized lender determines that any of the following applies:

16 SECTION 59. 45.74 (3) of the statutes is repealed.

17 SECTION 60. 45.74 (5) of the statutes is repealed.

18 SECTION 61. 45.745 (intro.) of the statutes is amended to read:

19 **45.745 Loans to disabled veterans; qualifying factors.** (intro.) A veteran  
20 who is receiving 100% disability compensation from the U.S. department of veterans  
21 affairs under 38 USC 301 to 315, 331 to 337 and 350 to 362 due to a permanent and  
22 total service-connected disability may receive a loan under this subchapter if the  
23 department or authorized lender determines, ~~after disregarding any payment~~  
24 ~~received under s. 45.85~~, that all of the following apply:

SECTION 62. 45.745 (3) of the statutes is repealed.



1           SECTION 63. 45.745 (5) of the statutes is repealed.

2           SECTION 64. 45.76 (1) (a) 1. of the statutes is amended to read:

3           45.76 (1) (a) 1. A ~~mobile~~ manufactured home or real property on which a ~~mobile~~  
4           manufactured home is to be situated, but only if the veteran has available and  
5           applies on the total cost of the property, an amount equivalent to at least 15% of the  
6           total cost. This 15% requirement does not apply to a person who qualifies under s.  
7           45.745.

8           SECTION 65. 45.76 (3) (a) (intro.) and 1. of the statutes are consolidated,  
9           renumbered 45.76 (3) (a) and amended to read:

10           **45.76 (3) (a) Cost and value of property.** No loan may be made under this  
11           subchapter if the department or authorized lender determines that: ~~1. The the~~ total  
12           cost of the property exceeds its market value unless the amount by which the cost of  
13           the nronerty exceeds its market value is paid by the borrower in addition to the  
14           downpayment required by s. 45.77. This ~~subdivision~~ paragraph does not apply to a  
15           person who qualifies under s. 45.745.

16           SECTION 66. 45.76 (3) (a) 2. of the statutes is repealed.

17           SECTION 67. 45.79 (2) (c) of the statutes is repealed.

18           SECTION 68. 45.79 (3) (a) (title) of the statutes is amended to read:

19           45.79 (3) (a) (title) ~~First or 2nd mortgage~~ **Mortgage or guarantor required.**

20           SECTION 69. 45.79 (3) (a) 1. of the statutes is renumbered 45.79 (3) (a) and  
21           amended to read:

22           45.79 (3) (a) Each loan made under this section, except a loan of \$3,000 or less  
23           for a purpose specified under s. 45.76 (1) (c), shall be evidenced by a promissory  
24           instalment note and secured by a mortgage on the real estate in respect to which the  
25           loan is granted. A loan of \$3,000 or less made for a purpose specified under s. 45.76

1 (1) (c) shall be evidenced by a promissory instalment note and shall be secured by a  
2 guarantor or by a mortgage on the real estate in respect to which the loan is granted.  
3 Any loan having as its source funds provided through sub. (6) (a) and secured by a  
4 mortgage shall have the mortgage name the department as mortgagee and payee.  
5 Any loan having as its source funds provided through sub. (6) (b) and secured by a  
6 mortgage shall have the mortgage name the authorized lender involved as  
7 mortgagee and payee, and such mortgage and note shall be assigned by the  
8 authorized lender to the authority immediately upon execution. A mortgage  
9 securing a loan made for a purpose specified in s. 45.76 (1) (a), (b) or (d) must have  
10 priority over all liens against the mortgaged premises and the buildings and  
11 improvements thereon, except tax and special assessment liens filed after the  
12 recording of the mortgage. A mortgage securing a loan made for a purpose specified  
13 under s. 45.76 (1) (c) ~~may be junior and subject to not more than one prior mortgage,~~  
14 ~~and, except for that prior mortgage, must have priority over all liens against the~~  
15 ~~mortgaged premises and the buildings and improvements on those premises, except~~  
16 ~~tax and special assessment liens filed after the recording of the mortgage is~~  
17 accentable if the annlicant can establish a minimum eauity in the property as  
18 established by the denartment by rule.

19 **SECTION 70.** 45.79 (3) (a) 2. of the statutes is repealed.

20 **SECTION 71.** 45.85 of the statutes is repealed.

21 **SECTION 72.** 46.27 (1) (b) of the statutes is amended to read:

22 46.27 (1) (b) "Nursing home" means a facility that meets the definition in s.  
23 50.01 (3) and that is licensed under s. 50.03 (1) and includes a state center for the  
24 developmentally disabled ~~and, the Wisconsin veterans home~~ Veterans Home at King

1 and the nursing care facility operated by the department of veterans affairs under  
2 s. 45.385.

3 **SECTION 73.** 46.27 (1) (dr) of the statutes is amended to read:

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

8 **SECTION 74.** 46.27 (6) (a) 2. cm. of the statutes is amended to read:

9 46.27 (6) (a) 2. cm. Persons under subd. 1. seeking admission to or about to be  
10 admitted to the Wisconsin ~~veterans home~~ Veterans Home at King ~~under subd. 1. or~~  
11 to the nursing care facility operated by the department of veterans affairs under s.  
12 45.385 who are informed about the program but waive the assessment.

13 **SECTION 75.** 46.271 (2m) (c) 3. of the statutes is amended to read:

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

18 **SECTION 76.** 49.45 (6m) (bg) of the statutes is amended to read:

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

25 **SECTION 77.** 50.034 (4) of the statutes is amended to read:

1           50.034 (4) **LIMITATION.** A nursing home or a community-based residential  
2 facility may not convert a separate area of its total area to a residential care  
3 apartment complex unless the department first approves the conversion. A nursing  
4 home, other than the nursing&m-e homes operated at the Wisconsin Veterans Home  
5 at King or in southeastern Wisconsin by the department of veterans affairs under s.  
6 45.385, that intends to convert a separate area of its total area to a residential care  
7 apartment complex shall also agree to reduce its licensed nursing home beds by the  
8 corresponding number of residential care apartment complex residential units  
9 proposed for the conversion.

10           **SECTION 78.** 70.11 (3a) (title) of the statutes is amended to read:

11           70.11 (3a) (title) **BUILDINGS AT THE WISCONSIN VETERANS HOME AT KING OR IN**  
12 **SOUTHEASTERN WISCONSIN.**

13           **SECTION 79.** 150.31 (5m) of the statutes is amended to read:

14           150.31 (5m) The department shall decrease the statewide bed limit specified  
15 in sub. (1) to account for any reduction in the approved bed capacity of the nursing  
16 home operated at the Wisconsin Veterans Home at King or at the nursing care facility  
17 operated by the department of veterans affairs under s. 45.385, as specified in s.  
18 45.375 (2).

19           **SECTION 80.** 150.46 (1) of the statutes is amended to read:

20           150.46 (1) This subchapter ~~applies~~ does not apply to the Wisconsin Veterans  
21 Home at King ~~only with respect to the statewide bed limit under s. 150.31 and with~~  
22 ~~respect to the application, review and approval procedures relating to an increase in~~  
23 ~~the nursing home bed capacity of the Wisconsin Veterans Home, under ss. 150.21 (2),~~  
24 150.33, 150.35, 150.39, 150.40, 150.41 and 150.43 or to the nursing care facility  
25 operated by the department of veterans affairs under s. 45.385.

1           **SECTION 81.** 230.36 (1) of the statutes is amended to read:

2           230.36 (1) If a conservation warden, conservation patrol boat captain,  
3 conservation patrol boat engineer, state forest ranger, conservation field employe of  
4 the department of natural resources who is subject to call for fire control duty,  
5 member of the state patrol, state motor vehicle inspector, lifeguard, excise tax  
6 investigator employed by the department of revenue, special criminal investigation  
7 agent employed by the department of justice, special tax agent, state drivers' license  
8 examiner, state fair park police officer, University of Wisconsin System police officer  
9 and other state facilities police officer and patrol officer, security officer, watcher,  
10 engineer, engineering aide, building construction superintendent, fire fighter  
11 employed at the Wisconsin Veterans Home at King or at the facilities operated by the  
12 department of veterans affairs under s. 45.385, or guard or institutional aide or a  
13 state probation, extended supervision and parole officer or any other employe whose  
14 duties include supervision and discipline of inmates or wards of the state at a state  
15 penal institution, including a secured correctional facility, as defined in s. 938.02  
16 (15m), or while on parole supervision or extended supervision outside of the confines  
17 of the institutions, or supervision of persons placed on probation by a court of record,  
18 or supervision and care of patients at a state mental institution, and the University  
19 of Wisconsin Hospitals and Clinics suffers injury while in the performance of his or  
20 her duties, as defined in subs. (2) and (3); or any other state employe who is not listed  
21 in this subsection and who is ordered by his or her appointing authority to accompany  
22 any employe listed in this subsection while the listed employe is engaged in the  
23 duties defined in sub. (3), or any other state employe who is not listed in this  
24 subsection and who is ordered by his or her appointing authority to perform the  
25 duties, when permitted, in lieu of the listed employe and while so engaged in the

1 duties defined in sub. (3), suffers injury as defined in sub. (2) the employe shall  
2 continue to be fully paid by the employing agency upon the same basis as paid prior  
3 to the injury, with no reduction in sick leave credits, compensatory time for overtime  
4 accumulations or vacation and no reduction in the rate of earning sick leave credit  
5 or vacation. The full pay shall continue while the employe is unable to return to work  
6 as the result of the injury or until the termination of his or her employment upon  
7 recommendation of the appointing authority. At any time during the employe's  
8 period of disability the appointing authority may order physical or medical  
9 examinations to determine the degree of disability at the expense of the employing  
10 agency.

11 **SECTION 82.** 230.36 (3) (a) (intro.) of the statutes is amended to read:

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

17 **SECTION 83.** 851.09 of the statutes is amended to read:

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

24 **SECTION 84.** 880.60 (4) of the statutes is amended to read:

1           880.60 (4) LIMITATION ON NUMBER OF WARDS. No person or corporate entity other  
2 than a county having a population of 100,000 or more, ~~or~~ a bank or trust company  
3 ~~or the commandant of the Wisconsin veterans home at King~~ shall be guardian of  
4 more than 5 wards at one time, unless all the wards are members of one family. ~~Such~~  
5 A county shall act only for patients in its county hospital or mental hospital and for  
6 residents of its county home or infirmary, and shall serve without fee. ~~The~~  
7 ~~commandant shall act only for members of the Wisconsin veterans home and shall~~  
8 ~~serve without fee.~~ Upon presentation of a petition by an attorney of the U.S.  
9 department of veterans affairs or other interested person, alleging that a guardian  
10 is acting in a fiduciary capacity for more than 5 wards ~~as herein provided~~ and  
11 requesting the guardian's discharge for that reason, the court, upon proof  
12 substantiating the petition, shall require a final accounting ~~forthwith~~ from ~~such the~~  
13 guardian and shall discharge the guardian from guardianship in excess of 5 and  
14 ~~forthwith~~ appoint a successor.

15

(END)

# 1999 BILL

Regen

1 AN ACT ~~to repeal~~ 20.485 (1) (gm), 45.37 (8), 45.71 (9) (a) and (b), 45.73 (title),  
2 45.73 (2), 45.74 (3), 45.74 (5), 45.745 (3), 45.745 (5), 45.76 (3) (a) 2., 45.79 (2) (c),  
3 45.79 (3) (a) 2. and 45.85; **to renumber 45.73 (1); to renumber and amend**  
4 **45.71 (9) (intro.) and 45.79 (3) (a) 1.; to consolidate, renumber and amend**  
5 **45.76 (3) (a) (intro.) and 1.; to amend** 16.96 (2) (f), 20.485 (1) (title), 20.485 (1)  
6 (gk), 20.485 (1) (go), 20.485 (1) (h), 20.485 (1) (i), 20.485 (1) (m), 20.485 (1) (mj),  
7 20.485 (1) (mn), 20.485 (1) (t), 20.485 (2) (vo), 20.485 (2) (yn), 25.17 (1) (yv),  
8 **25.37, 29.219 (2) (c), 29.563 (3) (a) 8., 40.02 (48) (am), 45.365 (title), 45.365 (1)**  
9 **(b) and (d), 45.365 (2a), 45.365 (2b), 45.365 (5), 45.365 (6), 45.37 (1), 45.37 (2)**  
10 **(intro.), 45.37 (2) (a), 45.37 (2) (f), 45.37 (2) (h), 45.37 (4) (a), 45.37 (4) (b), 45.37**  
11 **(4) (c) (intro.), 45.37 (4) (c) 3., 45.37 (4) (c) 4., 45.37 (9) (c), 45.37 (9) (d), 45.37 (9)**  
12 **(g), 45.37 (9) (h), 45.37 (9c), 45.37 (17), 45.397 (2) (a), 45.71 (7), 45.71 (12)**  
13 **(intro.), 45.74 (intro.), 45.745 (intro.), 45.76 (1) (a) 1., 45.79 (3) (a) (title), 46.27**  
14 **(1) (b), 46.27 (1) (dr), 46.27 (6) (a) 2. cm., 46.271 (2m) (c) 3., 49.45 (6m) (bg),**



**BILL**

1           50.034 (4), 70.11 (3a) (title), 150.31 (5m), 150.46 (1), 230.36 (1), 230.36 (3) (a)  
2           (intro.), 851.09 and 880.60 (4); **to repeal and recreate** 45.365 (1) (a); and **to**  
3           **create** 45.35 (19), 45.365 (1) (am), 45.37 (18) and 45.71 (6m) of the statutes;  
4           **relating to:** veterans benefits and institutions.

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***Analysis by the Legislative Reference Bureau***

Under current law, the department of veterans affairs (DVA) has authority to construct and operate residential, treatment and nursing care facilities in southeastern Wisconsin. DVA also has authority to employ staff necessary to manage those facilities. This bill adds the language necessary in the statutes to implement this authority and to treat persons residing in the southeastern facilities in the same manner as those residents of the facilities at King.

The bill provides that members of the veterans facility in southeastern Wisconsin are considered residents of the town of Dover and Racine County for state revenue sharing purposes. The bill allows federal money received for the care of veterans to be used for veterans admitted to the home at Ring and at the veterans facilities in southeastern Wisconsin. The bill applies the Wisconsin veterans home members fund to veterans at Ring and at other veterans facilities. Under the bill, veterans in any facility operated by DVA are eligible for an annual fishing license without charge, as is currently done only for veterans in the home at Ring. The bill allows the fire department at the southeastern facility to respond to emergency fire calls beyond the confines of the southeastern facility, as is currently allowed for the fire department at the home at King. The bill makes the nursing care facility at the southeastern facility subject to the regulation of nursing homes to the same extent as the home at Ring. The bill creates the same membership and eligibility criteria for the southeastern facility as are required for the home at Ring, except that eligibility to all of the southeastern facilities, other than the nursing care facility, is limited to persons who have sufficient income and resources to pay for the costs at the facility.

The bill authorizes DVA to enter into contracts to collect delinquent veterans' loans payments. The bill gives DVA the authority to release information about a veteran that is otherwise confidential to contractors providing collection services.

Currently, a veteran enrolled in a training course at a technical college or engaged in on-the-job training who meets other eligibility requirements is eligible for a retraining grant of up to \$3,000. This bill adds proprietary schools, other than those offering four-year programs, to the schools a veteran may attend.

Currently, a veteran may not receive a veterans housing loan if the total cost of the housing, including a garage but excluding land and other nonhousing improvements, exceeds twice the veteran's annual income or if the total cost of the housing including a garage, land and other nonhousing improvements, exceeds 2.5 times the veteran's annual income. This eligibility limit is removed by this bill.

**BILL**

Currently, a loan may not be granted if the total cost of the property exceeds the property's market value. Under this bill, a loan may be granted in these situations if the borrower pays the amount that the property exceeds the property's market value as part of his or her down payment.

Under current law, DVA uses veterans trust fund moneys to defray the cost of the annual convention, operations and publications of the veterans of World War I. Under this bill, those moneys are used to defray the cost of publications, exhibits and other educational material regarding the veterans of World War I prepared by the Wisconsin veterans museum staff.

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

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

**SECTION 1.** 16.96 (2) (f) of the statutes is amended to read:

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

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

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

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

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

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

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

**BILL**

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 facility 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 facility 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 (11), 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 at King and veterans facility in southeastern Wisconsin All moneys received  
18 by the 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 at King and veterans facilities. The net

**BILL**

1 revenues accruing under this paragraph shall be credited to the appropriation under  
2 par. (gk).

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

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

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

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

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

13 **20.485 (1) (t) Veterans ~~home~~ homes and facilities member accounts.** From the  
14 Wisconsin ~~veterans home~~ Veterans Home at King and veterans facilities members  
15 fund, all moneys received under s. 25.37 to make payments as provided under s.  
16 45.37 (9c), (10) and (11).

17 **SECTION 12.** 20.485 (2) (vo) of the statutes is amended to read:

18 **20.485 (2) (vo) Veterans of World War I.** The amounts in the schedule to help  
19 defray the cost of ~~the annual convention, or~~ exhibits and publications of the,  
20 and other educational material prepared by the staff of the Wisconsin veterans  
21 museum relating to veterans of World War I.

22 **SECTION 13.** 20.485 (2) (yn) of the statutes is amended to read:

23 **20.485 (2) (yn) Veterans trust fund loans and expenses.** Biennially, the amounts  
24 in the schedule for the purpose of providing loans under s. 45.356 and for the  
25 payment of expenses and other payments as a consequence of being a mortgagee or

## BILL

1 owner under home improvement loans made under s. 45.79 (7) (c), 1997 stats. or  
2 under s. 45.351 (2), 1995 stats., s. 45.352, 1971 stats., s. 45.80, 1989 stats., and s.  
3 45.356. All moneys received under ss. 45.356 (9) (a) and (b) and 45.79 (7) (c) for the  
4 purpose of providing loans under the personal loan program under s. 45.356 shall be  
5 credited to this appropriation account. All payments of interest and repayments of  
6 principal for loans made under s. 45.351 (2), 1995 stats., s. 45.352, 1971 stats., s.  
7 45.80, 1989 stats., ~~and~~ s. 45.356 and s. 45.79 (7) (c), 1997 stats. shall revert to the  
8 veterans trust fund.

9 **SECTION 14.** 25.17 (1) (y-v) of the statutes is amended to read:

10 25.17 (1) (y v) Wisconsin - Veterans Home at King and veterans  
11 facilities members fund (s. 25.37);

12 **SECTION 15.** 25.37 of the statutes is amended to read:

13 **25.37 Wisconsin veterans home facilities members fund.** There is  
14 established a separate nonlapsible trust fund designated as the Wisconsin veterans  
15 ~~home~~ facilities members fund. The fund shall consist of moneys belonging to persons  
16 residing: in Wisconsin veterans facilities, including members of the Wisconsin  
17 ~~veterans home~~ Veterans Home at King, that are paid to the home and veterans  
18 facilities and that are transferred into the fund by the department of veterans affairs  
19 under s. 45.37 (9c).

20 **SECTION 16.** 29.219 (2) (c) of the statutes is amended to read:

21 29.219 (2) (c) A resident annual fishing license issued to any resident who is  
22 a member of the Wisconsin Veterans Home at King or at the facilities operated by the  
23 department of veterans affairs under s. 45.385 shall be issued at no charge.

24 **SECTION 17.** 29.563 (3) (a) 8. of the statutes is amended to read:

## BILL

1           29.563 (3) (a) 8. Annual fishing issued to a resident at Wisconsin Veterans  
2 Home at King and at the facilities operated by the department of veterans affairs  
3 under s. 45.385: \$0.

4           **SECTION 18.** 40.02 (48) (am) of the statutes is amended to read:

5           40.02 (48) (am) "Protective occupation participant" includes any participant  
6 whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm) and who  
7 is a conservation warden, conservation patrol boat captain, conservation patrol boat  
8 engineer, conservation pilot, conservation patrol officer, forest fire control assistant,  
9 member of the state patrol, state motor vehicle inspector, police officer, fire fighter,  
10 sheriff, undersheriff, deputy sheriff, state probation and parole officer, county traffic  
11 police officer, state forest ranger, fire watcher employed by-the& Wisconsin veterans  
12 ~~home~~ facilities, state correctional-psychiatric officer, excise tax investigator  
13 employed by the department of revenue, special criminal investigation agent in the  
14 department of justice, assistant or deputy fire marshal, or person employed under  
15 s. 61.66 (1).

16           **SECTION 19.** 45.35 (19) of the statutes is created to read:

17           45.35 **(19) COLLECTIONS.** The department may enter into contracts to collect  
18 delinquent loan payments owed to the department. The department may allocate a  
19 portion of the amounts collected under the contracts to pay contract costs.  
20 Notwithstanding the provisions of s. 45.36, the department may release information  
21 contained in its files pertaining to applications for benefits to contractors providing  
22 collection services to the department.

23           **SECTION 20.** 45.365 (title) of the statutes is amended to read:

24           45.365 (title) **Wisconsin ~~veterans home~~ Veterans Home at King and**  
25 **southeastern facility; management.**

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1           **SECTION 21.** 45.365 (1) (a) of the statutes is repealed and recreated to read:

2           45.365 (1) (a) In this section and s. 45.37:

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

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

5           3. "Southeastern facility" means any of the residential, treatment or nursing  
6 care facilities operated by the department in southeastern Wisconsin under s.  
7 45.385.

8           **SECTION 22.** 45.365 (1) (am) of the statutes is created to read:

9           45.365 (1) (am) The department shall operate the home, and employ a  
10 commandant and the officers, nurses, attendants and other personnel necessary for  
11 the proper conduct of the home. In compliance with the compensation plan  
12 established pursuant to s. 230.12. (3), the commandant may recommend to the  
13 director of personnel charges for meals, living quarters, laundry and other services  
14 furnished to employes and members of the employes' family maintained at the home.  
15 Complete personal maintenance and medical care to include programs and facilities  
16 which promote comfort, recreation, well-being or rehabilitation shall be furnished  
17 to all members of the home under the policy of the department.

18           **SECTION 23.** 45.365 (1) (b) and (d) of the statutes are amended to read:

19           45.365 (1) (b) All money received in reimbursement for services to ~~institutional~~  
20 home or southeastern facility employes under par. (a) or in payment for meals served  
21 to guests at the ~~institution home or southeastern facility~~ shall be accumulated in an  
22 account named "employe maintenance credits" and shall be paid into the general  
23 fund within one week after receipt and credited to the appropriation under s. 20.485  
24 (1) (gk).

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

4 **SECTION 24.** 45.365 (2a) of the statutes is amended to read:

5 45.365 (2a) The department may use moneys appropriated pursuant to s.  
6 20.485 (1) (h) to purchase, erect, construct or remodel buildings, and to provide  
7 additions and improvements thereto, and to provide equipment therefor and to  
8 provide materials, supplies and services necessary for the purposes of the home and  
9 southeastern facilities. and for such expenses as may be necessary and incidental to  
10 acquisition of property pursuant to s. 45.37 (10) and (11).

11 **SECTION 25.** 45.365 (2b) of the statutes is amended to read:

12 45.365 (2b) The department may accept gifts, bequests, grants or donations of  
13 money or of property from private sources to be administered by the department for  
14 the purposes of the home and southeastern facility. All moneys so received shall be  
15 paid into the general fund and are appropriated therefrom as provided in s. 20.485  
16 (1) (h), except that gifts or grants received specifically for the purposes of the geriatric  
17 program at the home and southeastern facility are appropriated as provided in s.  
18 20.485 (1) (hm). The department shall not apply to the gifts and bequests fund  
19 interest on certificate of savings deposits for those members who do not receive  
20 maximum monthly retained income. The department shall establish for such  
21 persons upon their request individual accounts with savings and interest applied  
22 pursuant to such member requests.

23 **SECTION 26.** 45.365 (5) of the statutes is amended to read:



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1           45.365 (5) The fire department at the home gr 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 27.** 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. f50, ~~as specified in s. 150.46.~~

7           **SECTION 28.** 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 facility, the department may admit to membership in the  
10 home and southeastern facility persons who meet the qualifications set forth in this  
11 section.

12           **SECTION 29.** 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 30.** 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 31.** 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

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

3 **SECTION 32.** 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 33.** 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 34.** 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 35.** 45.37 (4) (c) (intro.) of the statutes is amended to read:

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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 36.** 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 37.** 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 38.** 45.37 (8) of the statutes is repealed.

10          **SECTION 39.** 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 40.** 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 41.** 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

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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 42.** 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 43.** 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 44.** 45.37 (17) of the statutes is amended to read:

19 45.37 (17) **ADDITIONAL ELIGIBILITY REQUIREMENTS.** Any person admitted to the  
20 home ~~after December 31, 1973,~~ or the nursing care facility operated by the  
21 denartment within the southeastern facility shall meet during residence at the home  
22 or at the nursing care facility operated by the denartment within the southeastern  
23 facility the eligibility requirements under ss. 49.45 and 49.46 and rules promulgated  
24 thereunder except that:

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1 (a) Persons with sufficient income and resources to meet the expenses of care  
2 for one or more months may be admitted to or remain in membership at the home  
3 or the nursing care facility operated by the department within the southeastern  
4 facility but shall apply income and resources to costs to the extent required by ss.  
5 49.45 and 49.46 and rules promulgated thereunder; or

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

12 **SECTION 45. 45.37 (18) of the statutes is created to read:**

13 45.37 **(18) SOUTHEASTERN FACILITY ADDITIONAL ELIGIBILITY REQUIREMENT. An**  
14 otherwise eligible person may be admitted to or remain in residency at a residential  
15 or treatment facility within the southeastern facility only if the person has sufficient  
16 income and resources, and applies the income and resources to fully reimburse the  
17 department for the cost of providing care to the person. This income and resource  
18 limit on eligibility does not apply to persons admitted to the nursing care facility  
19 operated by the department within the southeastern facility.

20 **SECTION 46. 45.397 (2) (a) of the statutes is amended to read:**

21 45.397 (2) (a) The veteran is enrolled in a training course in a technical college  
22 under ch. 38 or in a nonproprietary school in the state approved by the educational board  
23 under s. 39.51. other than a school offering four-year degrees or programs, or is  
24 engaged in a structured on-the-job training program that meets program  
25 requirements promulgated by the department by rule.

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1           **SECTION 47. 45.71 (6m)** of the statutes is created to read:

2           **45.71 (6m)** “Federal Home Loan Mortgage Corporation” means the corporation  
3 created under 12 USC 1451 to 1459.

4           **SECTION 48. 45.71 (7)** of the statutes is amended to read:

5           **45.71 (7)** “Funds” include cash on hand, and liquid investments,  
6 ~~the conversion of which to cash would not result in a substantial loss, except as~~  
7 ~~provided under s. 45.85.~~ The funds of a veteran include all funds owned by the  
8 veteran and spouse, individually or jointly, unless the veteran and spouse are  
9 permanently separated.

10          **SECTION 49. 45.71 (9) (intro.)** of the statutes is renumbered 45.71 (9) and  
11 amended to read:

12          45.71 (9) “Income” means the amount of adjusted gross income a veteran is  
13 receiving for regular work together with any income from other sources that may  
14 reasonably be expected to be regular and dependable, ~~except as provided under s.~~  
15 ~~45.85.~~

16          **SECTION 50. 45.71 (9) (a) and (b)** of the statutes are repealed.

17          **SECTION 61. 45.71 (12) (intro.)** of the statutes is amended to read:

18          **45.71 (12) (intro.)** ~~“Mobile home”~~ “Manufactured home” means a ~~mobile home~~  
19 ~~structure, as defined under s. 340.01 (29), by the Federal Home Loan Mortgage~~  
20 Cornoration which:

21          **SECTION 52. 45.73 (title)** of the statutes is repealed.

22          **SECTION 53. 45.73 (1)** of the statutes is renumbered 45.73.

23          **SECTION 54. 45.73 (2)** of the statutes is repealed.

24          **SECTION 55. 45.74 (intro.)** of the statutes is amended to read:

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1           **45.74 Eligible persons; disqualifying factors.** (intro.) Except as provided  
2 under s. 45.745 ~~or 45.85~~, no person may receive a loan under this subchapter if the  
3 department or authorized lender determines that any of the following applies:

4           **SECTION 56.** 45.74 (3) of the statutes is repealed.

5           **SECTION 57.** 45.74 (5) of the statutes is repealed.

6           **SECTION 58.** 45.745 (intro.) of the statutes is amended to read:

7           **45.745 Loans to disabled veterans; qualifying factors.** (intro.) A veteran  
8 who is receiving 100% disability compensation from the U.S. department of veterans  
9 affairs under 38 USC 301 to 315, 331 to 337 and 350 to 362 due to a permanent and  
10 total service-connected disability may receive a loan under this subchapter if the  
11 department or authorized lender determines, ~~after disregarding any payment~~  
12 ~~received under s. 45.85~~, that all of the following apply:

13           **SECTION 59.** 45.745 (3) of the statutes is repealed.

14           **SECTION 60.** 45.745 (5) of the statutes is repealed.

15           **SECTION 61.** 45.76 (1) (a) 1. of the statutes is amended to read:

16           45.76 **(1)** (a) 1. A ~~mobile~~ manufactured home or real property on which a ~~mobile~~  
17 manufactured home is to be situated, but only if the veteran has available and  
18 applies on the total cost of the property, an amount equivalent to at least 15% of the  
19 total cost. This 15% requirement does not apply to a person who qualifies under s.  
20 45.745.

21           **SECTION 62.** 45.76 (3) (a) (intro.) and 1. of the statutes are consolidated,  
22 renumbered 45.76 (3) (a) and amended to read:

23           45.76 (3) (a) *Cost and value of property.* No loan may be made under this  
24 subchapter if the department or authorized lender determines that: ~~1. The~~ && total  
25 cost of the property exceeds its market value unless the amount by which the cost of

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1 the property exceeds its market value is paid by the borrower in addition to the  
2 downpayment required by s. 45.77. This subdivision paragraph does not apply to a  
3 person who qualifies under s. 45.745.

4 **SECTION 63.** 45.76 (3) (a) 2. of the statutes is repealed.

5 **SECTION 64.** 45.79 (2) (c) of the statutes is repealed.

6 **SECTION 65.** 45.79 (3) (a) (title) of the statutes is amended to read:

7 45.79 (3) (a) (title) ~~First or 2nd mortgage~~ Mortgage or guarantor required.

8 **SECTION 66.** 45.79 (3) (a) 1. of the statutes is renumbered 45.79 (3) (a) and  
9 amended to read:

10 45.79 (3) (a) Each loan made under this section, except a loan of \$3,000 or less  
11 for a purpose specified under s. 45.76 (1) (c), shall be evidenced by a promissory  
12 instalment note and secured by a mortgage on the real estate in respect to which the  
13 loan is granted. A loan of \$3,000 or less made for a purpose specified under s. 45.76  
14 (1) (c) shall be evidenced by a promissory instalment note and shall be secured by a  
15 guarantor or by a mortgage on the real estate in respect to which the loan is granted.  
16 Any loan having as its source funds provided through sub. (6) (a) and secured by a  
17 mortgage shall have the mortgage name the department as mortgagee and payee.  
18 Any loan having as its source funds provided through sub. (6) (b) and secured by a  
19 mortgage shall have the mortgage name the authorized lender involved as  
20 mortgagee and payee, and such mortgage and note shall be assigned by the  
21 authorized lender to the authority immediately upon execution. A mortgage  
22 securing a loan made for a purpose specified in s. 45.76 (1) (a), (b) or (d) must have  
23 priority over all liens against the mortgaged premises and the buildings and  
24 improvements' thereon, except tax and special assessment liens filed after the  
25 recording of the mortgage. A mortgage securing a loan made for a purpose specified



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1 under s. 45.76 (1) (c) ~~may be junior and subject to not more than one~~ prior mortgage,  
2 and, ~~except for that prior mortgage, must have priority over all liens against the~~  
3 ~~mortgaged premises and the buildings and improvements on those premises, except~~  
4 ~~tax and special assessment liens filed after the recording of the mortgage is~~  
5 ~~accentable if the applicant can establish a minimum equity in the property as~~  
6 established by the department by rule.

7 SECTION 67. 45.79 (3) (a) 2. of the statutes is repealed.

8 SECTION 68. 45.85 of the statutes is repealed.

9 SECTION 69. 46.27 (1) (b) of the statutes is amended to read:

10 46.27 (1) (b) "Nursing home" means a facility that meets the definition in s.  
11 50.01 (3) and that is licensed under s. 50.03 (1) and includes a state center for the  
12 developmentally disabled ~~and, the Wisconsin veterans home Veterans Home at King~~  
13 ~~and the nursing care facility operated by the department of veterans affairs under~~  
14 s. 45.385.

15 SECTION 70. 46.27 (1) (dr) of the statutes is amended to read:

16 46.27 (1) (dr) "State-operated long-term care facility" means a state center for  
17 the developmentally disabled ~~and, the Wisconsin veterans home Veterans Home at~~  
18 ~~King and the nursing care facility operated by the department of veterans affairs~~  
19 under s. 45.385.

20 SECTION 71. 46.27 (6) (a) 2. cm. of the statutes is amended to read:

21 46.27 (6) (a) 2. cm. Persons under subd. 1. seeking admission to or about to be  
22 admitted to the Wisconsin ~~veterans home Veterans Home~~ at King ~~under subd. 1. or~~  
23 to the nursing care facility operated by the department of veterans affairs under s.  
24 45.385 who are informed about the program but waive the assessment.

25 SECTION 72. 46.271 (2m) (c) 3. of the statutes is amended to read:

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1           46.271 (2m) (c) 3. Persons seeking admission to or about to be admitted to the  
2           Wisconsin ~~Veteran's~~ Veterans Home at King ~~or to the nursing care facility operated~~  
3           ~~by the department of veterans affairs under s. 45.385~~ who are informed about the  
4           pilot project but waive the assessment.

5           SECTION 73. 49.45 (6m) (bg) of the statutes is amended to read:

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

12          SECTION 74. 50.034 (4) of the statutes is amended to read:

13          50.034 (4) **LIMITATION.** A nursing home or a community-based residential  
14          facility may not convert a separate area of its total area to a residential care  
15          apartment complex unless the department first approves the conversion. A nursing  
16          home, other than the nursing ~~home~~ homes operated at the Wisconsin Veterans Home  
17          at King ~~or in southeastern Wisconsin by the department of veterans affairs under s.~~  
18          45.385, that intends to convert a separate area of its total area to a residential care  
19          apartment complex shall also agree to reduce its licensed nursing home beds by the  
20          corresponding number of residential care apartment complex residential units  
21          proposed for the conversion.

22          SECTION 75. 70.11 (3a) (title) of the statutes is amended to read:

23          70.11 (3a) (title) **BUILDINGS AT THE WISCONSIN VETERANS HOME AT KING OR IN**  
24          SOUTHEASTERN WISCONSIN.

25          SECTION 76. 150.31 (5m) of the statutes is amended to read:

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

6           **SECTION 77.** 150.46 (1) of the statutes is amended to read:

7           150.46 (1) This subchapter applies does not apply to the Wisconsin Veterans  
8 H o m e a t K i n g 7 — s 150 31 and with  
9 respect to the application, review and approval procedures relating to an increase in  
10 the nursing home bed capacity of the Wisconsin Veterans Home, under ss. 150.21 (2),  
11 150.33, 150.35, 150.39, 150.40, 150.41 and 150.43 or to the nursing care facility  
12 operated by the denartment of veterans affairs under s. 45.385.

13           **SECTION 78.** 230.36 (1) of the statutes is amended to read:

14           230.36 (1) If a conservation warden, conservation patrol boat captain,  
15 conservation patrol boat engineer, state forest ranger, conservation field employe of  
16 the department of natural resources who is subject to call for fire control duty,  
17 member of the state patrol, state motor vehicle inspector, lifeguard, excise tax  
18 investigator employed by the department of revenue, special criminal investigation  
19 agent employed by the department of justice, special tax agent, state drivers' license  
20 examiner, state fair park police officer, University of Wisconsin System police officer  
21 and other state facilities police officer and patrol officer, security officer, watcher,  
22 engineer, engineering aide, building construction superintendent, fire fighter  
23 employed at the Wisconsin Veterans Home at King or at the facilities operated by the  
24 denartment of veterans affairs under s. 45.385, or guard or institutional aide or a  
25 state probation, extended supervision and parole officer or any other employe whose

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1 duties include supervision and discipline of inmates or wards of the state at a state  
2 penal institution, including a secured correctional facility, as defined in s. 938.02  
3 (15m), or while on parole supervision or extended supervision outside of the confines  
4 of the institutions, or supervision of persons placed on probation by a court of record,  
5 or supervision and care of patients at a state mental institution, and the University  
6 of Wisconsin Hospitals and Clinics suffers injury while in the performance of his or  
7 her duties, as defined in subs. (2) and (3); or any other state employe who is not listed  
8 in this subsection and who is ordered by his or her appointing authority to accompany  
9 any employe listed in this subsection while the listed employe is engaged in the  
10 duties defined in sub. (3), or any other state employe who is not listed in this  
11 subsection and who is ordered by his or her appointing authority to perform the  
12 duties, when permitted, in lieu of the listed employe and while so engaged in the  
13 duties defined in sub. (3), suffers injury as defined in sub. (2) the employe shall  
14 continue to be fully paid by the employing agency upon the same basis as paid prior  
15 to the injury, with no reduction in sick leave credits, compensatory time for overtime  
16 accumulations or vacation and no reduction in the rate of earning sick leave credit  
17 or vacation. The full pay shall continue while the employe is unable to return to work  
18 as the result of the injury or until the termination of his or her employment upon  
19 recommendation of the appointing authority. At any time during the employe's  
20 period of disability the appointing authority may order physical or medical  
21 examinations to determine the degree of disability at the expense of the employing  
22 agency.

23 **SECTION 79.** 230.36 (3) (a) (intro.) of the statutes is amended to read:

24 230.36 (3) (a) (intro.) A forest ranger or field employe of the department of  
25 natural resources who is subject to call for forest fire control duty or fire watcher

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1 employed at the Wisconsin ~~veterans home~~ Veterans Home at King or at the facilities  
2 operated by the denartment of veterans affairs under s. 45.385, and lifeguard, at all  
3 times while:

4 **SECTION 80.** 851.09 of the statutes is amended to read:

5 **851.09 Heir.** "Heir" means any person, including the surviving spouse, who  
6 is entitled under the statutes of intestate succession to an interest in property of a  
7 decedent. The state is an heir of the decedent and a person interested under s. 45.37  
8 (10) and (11) when the decedent was a member of the Wisconsin ~~veterans home~~  
9 Veterans Home at King or at the facilities operated by the denartment of veterans  
10 affairs under s. 45.385 at the time of the decedent's death.

11 **SECTION 81.** 880.60 (4) of the statutes is amended to read:

12 880.60 (4) **LIMITATION ON NUMBER OF WARDS.** No person or corporate entity other  
13 than a county having a population of 100,000 or more, or a bank or trust company  
14 ~~or the commandant of the Wisconsin veterans home at King~~ shall be guardian of  
15 more than 5 wards at one time, unless all the wards are members of one family ~~Such~~  
16 A county shall act only for patients in its county hospital or mental hospital and for  
17 residents of its county home or infirmary, and shall serve without fee. ~~The~~  
18 ~~commandant shall act only for members of the Wisconsin veterans home and shall~~  
19 ~~serve without fee.~~ Upon presentation of a petition by an attorney of the U.S.  
20 department of veterans affairs or other interested person, alleging that a guardian  
21 is acting in a fiduciary capacity for more than 5 wards ~~as herein provided~~ and  
22 requesting the guardian's discharge for that reason, the court, upon proof  
23 substantiating the petition, shall require a final accounting ~~forthwith~~ from ~~such the~~

**BILL**

1 guardian and shall discharge the guardian from guardianship in excess of 5 and  
2 ~~forthwith~~ appoint a successor.

3 (END)



**1999 BILL**

SOON

see pp 7 2 18-19

Reger

1 AN ACT ~~to repeal~~ 20.485 (1) (gm), 45.37 (8), 45.71 (9) (a) and (b), 45.73 (title),  
2 45.73 (2), 45.74 (3), 45.74 (5), 45.745 (3), 45.745 (5), 45.76 (3) (a) 2., 45.79 (2) (c),  
3 45.79 (3) (a) 2. and 45.85; **to renumber** 45.73 (1); **to renumber and amend**  
4 **45.71 (9) (intro.) and 45.79 (3) (a) 1.**; **to consolidate, renumber and amend**  
5 **45.76 (3) (a) (intro.) and 1.**; **to amend** 16.96 (2) (f), 20.485 (1) (title), 20.485 (1)  
6 (gk), 20.485 (1) (go), 20.485 (1) (h), 20.485 (1) (i), 20.485 (1) (m), 20.485 (1) (mj),  
7 20.485 (1) (mn), 20.485 (1) (t), 20.485 (2) (vo), 20.485 (2) (yn), 25.17 (1) (yv),  
8 25.37, 29.219 (2) (c), 29.563 (3) (a) 8., PO.02 (48) (am), 45.365 (title), 45.365 (1)  
9 (b) and (d), 45.365 (2a), 45.365 (2b), 45.365 (5), 45.365 (6), 45.37 (1), 45.37 (2)  
10 (intro.), 45.37 (2) (a), 45.37 (2) (f), 45.37 (2) (h), 45.37 (4) (a), 45.37 (4) (b), 45.37  
11 (4) (c) (intro.), 45.37 (4) (c) 3., 45.37 (4) (c) 4., 45.37 (9) (c), 45.37 (9) (d), 45.37 (9)  
12 (g), 45.37 (9) (h), 45.37 (9c), 45.37 (17), 45.397 (2) (a), 45.71 (7), 45.71 (12)  
13 (intro.), 45.74 (intro.), 45.745 (intro.), 45.76 (1) (a) l., 45.79 (3) (a) (title), 46.27  
14 (1) (b), 46.27 (1) (dr), 46.27 (6) (a) 2. cm., 46.271 (2m) (c) 3., 49.45 (6m) (bg),

**BILL**

1           50.034(4), 70.11(3a) (title), 150.31(5m), 150.46 (1), 230.36 (1), 230.36 (3) (a)  
2           (intro.), 851.09 and 880.60 (4); **to repeal and recreate** 45.365 (1) (a); and **to**  
3           **create** 45.35 (19), 45.365 (1) (am), 45.37 (18) and 45.71 (6m) of the statutes;  
4           **relating to:** veterans benefits and institutions.

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***Analysis by the Legislative Reference Bureau***

Under current law, the department of veterans affairs (DVA) has authority to construct and operate residential, treatment and nursing care facilities in southeastern Wisconsin. DVA also has authority to employ staff necessary to manage those facilities. This bill adds the language necessary in the statutes to implement this authority and to treat persons residing in the southeastern facilities in the same manner as those residents of the facilities at King.

The bill provides that members of the veterans facility in southeastern Wisconsin are considered residents of the town of Dover and Racine County for state revenue sharing purposes. The bill allows federal money received for the care of veterans to be used for veterans admitted to the home at King and at the veterans facilities in southeastern Wisconsin. The bill applies the Wisconsin veterans home members fund to veterans at Ring and at other veterans facilities. Under the bill, veterans in any facility operated by DVA are eligible for an annual fishing license without charge, as is currently done only for veterans in the home at King. The bill allows the fire department at the southeastern facility to respond to emergency fire calls beyond the confines of the southeastern facility, as is currently allowed for the fire department at the home at King. The bill makes the nursing care facility at the southeastern facility subject to the regulation of nursing homes to the same extent as the home at King. The bill creates the same membership and eligibility criteria for the southeastern facility as are required for the home at Ring, except that eligibility to all of the southeastern facilities, other than the nursing care facility, is limited to persons who have sufficient income and resources to pay for the costs at the facility.

The bill authorizes DVA to enter into contracts to collect delinquent veterans' loans payments. The bill gives DVA the authority to release information about a veteran that is otherwise confidential to contractors providing collection services.

Currently, a veteran enrolled in a training course at a technical college or engaged in on-the-job training who meets other eligibility requirements is eligible for a retraining grant of up to \$3,000. This bill adds proprietary schools, other than those offering four-year programs, to the schools a veteran may attend.

Currently, a veteran may not receive a veterans housing loan if the total cost of the housing, including a garage but excluding land and other nonhousing improvements, exceeds twice the veteran's annual income or if the total cost of the housing including a garage, land and other nonhousing improvements, exceeds 2.5 times the veteran's annual income. This eligibility limit is removed by this bill.



**BILL**

Currently, a loan may not be granted if the total cost of the property exceeds the property's market value. Under this bill, a loan may be granted in these situations if the borrower pays the amount that the property exceeds the property's market value as part of his or her down payment.

Under current law, DVA uses veterans trust fund moneys to defray the cost of the annual convention, operations and publications of the veterans of World War I. Under this bill, those moneys are used to defray the cost of publications, exhibits and other educational material regarding the veterans of World War I prepared by the Wisconsin veterans museum staff.

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

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***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 ~~nersons 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.

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 at King and veterans facilities.  
13          All moneys received under par. (m) and s. 45.37 (9) (d) and (9d) shall be credited to  
14          this appropriation.

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

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

## BILL

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 facility 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 facility 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 (11), 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 at King and veterans facility in southeastern Wisconsin. All moneys received  
18 by the 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 at King and veterans facilities. The net

## BILL

1 revenues accruing under this paragraph shall be credited to the appropriation under  
2 par. (gk).

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

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

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

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

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

13 **20.485 (1) (t) Veterans ~~home~~ homes and facilities member accounts.** From the  
14 Wisconsin ~~veterans home~~ Veterans Home at King and veterans facilities members  
15 fund, all moneys received under s. 25.37 to make payments as provided under s.  
16 45.37 (9c), (10) and (11).

17 **SECTION 12.** 20.485 (2) (vo) of the statutes is amended to read:

18 **20.485 (2) (vo) Veterans of World War I.** The amounts in the schedule to help  
19 defray the cost of ~~the annual convention operations and publications of the~~ exhibits  
20 and other educational material prepared by the staff of the Wisconsin veterans  
21 museum relating to veterans of World War I.

22 **SECTION 13.** 20.485 (2) (yn) of the statutes is amended to read:

23 20.485 (2) (yn) **Veterans trust fund loans and expenses.** Biennially, the amounts  
24 in the schedule for the purpose of providing loans under s. 45.356 and for the  
25 payment of expenses and other payments as a consequence of being a mortgagee or

## BILL

1 owner under home improvement loans made under s. 45.79 (7) (c), 1997 stats. or  
2 under s. 45.351 (2), 1995 stats., s. 45.352, 1971 stats., s. 45.80, 1989 stats., and s.  
3 45.356. All moneys received under ss. 45.356 (9) (a) and (b) and 45.79 (7) (c) for the  
4 purpose of providing loans under the personal loan program under s. 45.356 shall be  
5 credited to this appropriation account. All payments of interest and repayments of  
6 principal for loans made under s. 45.351 (2), 1995 stats., s. 45.352, 1971 stats., s.  
7 45.80, 1989 stats., and s. 45.356 and s. 45.79 (7) (c), 1997 stats. shall revert to the  
8 veterans trust fund.

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

10 25.17 (1) (yv) Wisconsin ~~veterans home~~ Veterans Home at King and veterans  
11 facilities members fund (s. 25.37);

12 SECTION 15. 25.37 of the statutes is amended to read:

13 **25.37 Wisconsin veterans ~~home~~ facilities members fund.** There is  
14 established a separate nonlapsible trust fund designated as the Wisconsin veterans  
15 ~~home~~ facilities members fund. consist of moneys belonging to persons  
16 residing in Wisconsin veterans facilities, including members of the Wisconsin  
17 ~~veterans home~~ Veterans Home at King, that are paid to the home and veterans  
18 facilities and that are transferred into the fund by the department of veterans affairs  
19 under s. 45.37 (9c).

20 SECTION 16. 29.219 (2) (c) of the statutes is amended to read:

21 29.219 (2) (c) A resident annual fishing license issued to any resident who is  
22 a member of the Wisconsin Veterans Home at King or at the facilities operated by the  
23 department of veterans affairs under s. 45.385 shall be issued at no charge.

24 SECTION 17. 29.563 (3) (a) 8. of the statutes is amended to read:

**BILL**

1           29.563 (3) (a) 8. Annual fishing issued to a resident at Wisconsin Veterans  
2 Home at King and at the facilities operated by the department of veterans affairs  
3 under s. 45.385: \$0.

4           **SECTION 18.** 40.02 (48) (am) of the statutes is amended to read:

5           40.02 (48) (am) "Protective occupation participant" includes any participant  
6 whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm) and who  
7 is a conservation warden, conservation patrol boat captain, conservation patrol boat  
8 engineer, conservation pilot, conservation patrol officer, forest fire control assistant,  
9 member of the state patrol, state motor vehicle inspector, police offker, fire fighter,  
10 sheriff, undersheriff, deputy sheriff, state probation and parole officer, county traffic  
11 police offker, state forest ranger, fire watcher employed ~~by the at~~ Wisconsin veterans  
12 ~~home facilities~~, state correctional-psychiatric officer, excise tax investigator  
13 employed by the department of revenue, special criminal investigation agent in the  
14 department of justice, assistant or deputy fire marshal, or person employed under  
15 s. 61.66 (1).

16           **SECTION 19.** 45.35 (19) of the statutes is created to read:

17           **45.35 (19) COLLECTIONS.** The department may enter into contracts to collect  
18 delinquent loan payments owed to the department. The department may allocate a  
19 portion of the amounts collected under the contracts to pay contract costs.  
20 Notwithstanding the provisions of s. 45.36, the department may release information  
21 contained in its files pertaining to applications for benefits to contractors providing  
22 collection services to the department.

23           **SECTION 20.** 45.365 (title) of the statutes is amended to read:

24           **45.365 (title) Wisconsin veterans home Veterans Home at King and**  
25 **southeastern facility; management.**

## BILL

1           **SECTION 21.** 45.365 (1) (a) of the statutes is repealed and recreated to read:

2           45.365 (1) (a) In this section and s. 45.37:

3           1. “Department” means the department of veterans affairs.

4           2. “Home” means the Wisconsin Veterans Home at King.

5           3. “Southeastern facility” means any of the residential, treatment or nursing  
6 care facilities operated by the department in southeastern Wisconsin under s.  
7 45.385.

8           **SECTION 22.** 45.365 (1) (am) of the statutes is created to read:

9           45.365 (1) (am) The department shall operate the home, and employ a  
10 commandant and the officers, nurses, attendants and other personnel necessary for  
11 the proper conduct of the home. In compliance with the compensation plan  
12 established pursuant to s. 230.12 (3), the commandant may recommend to the  
13 director of personnel charges for meals, living quarters, laundry and other services  
14 furnished to employes and members of the employes’ family maintained at the home.  
15 Complete personal maintenance and medical care to include programs and facilities  
16 which promote comfort, recreation, well-being or rehabilitation shall be furnished  
17 to all members of the home under the policy of the department.

18           **SECTION 23.** 45.365 (1) (b) and (d) of the statutes are amended to read:

19           45.365 (1) (b) All money received in reimbursement for services to ~~institutional~~  
20 home or southeastern facility employes under par. (a) or in payment for meals served  
21 to guests at the ~~institution~~ home or southeastern facility shall be accumulated in an  
22 account named “employe maintenance credits” and shall be paid into the general  
23 fund within one week after receipt and credited to the appropriation under s. 20.485  
24 (1) (gk).

**BILL**

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

4 **SECTION 24.** 45.365 (2a) of the statutes is amended to read:

5 45.365 (2a) The department may use moneys appropriated pursuant to s.  
6 20.485 (1) (h) to purchase, erect, construct or remodel buildings, and to provide  
7 additions and improvements thereto, and to provide equipment therefor and to  
8 provide materials, supplies and services necessary for the purposes of the home and  
9 southeastern facilities. and for such expenses as may be necessary and incidental to  
10 acquisition of property pursuant to s. 45.37 (10) and (11).

11 **SECTION 25.** 45.365 (2b) of the statutes is amended to read:

12 45.365 (2b) The department may accept gifts, bequests, grants or donations of  
13 money or of property from private sources to be administered by the department for  
14 the purposes of the home and southeastern facility. All moneys so received shall be  
15 paid into the general fund and are appropriated therefrom as provided in s. 20.485  
16 (1) (h), except that gifts or grants received specifically for the purposes of the geriatric  
17 program at the home and southeastern facility are appropriated as provided in s.  
18 20.485 (1) (hm). The department shall not apply to the gifts and bequests fund  
19 interest on certificate of savings deposits for those members who do not receive  
20 maximum monthly retained income. The department shall establish for such  
21 persons upon their request individual accounts with savings and interest applied  
22 pursuant to such member requests.

23 **SECTION 26.** 45.365 (5) of the statutes is amended to read:

**BILL**

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 27.** 45.365 (6) of the statutes is amended to read:

5           45.365 (6) The home ~~i-sand~~ the nursing care facility within the southeastern  
6 facility are subject to ch. 150, ~~as specified in E. 150.46~~.

7           **SECTION 28.** 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 facility, the department may admit to membership in the  
10 home and southeastern facility persons who meet the qualifications set forth in this  
11 section.

12           **SECTION 29.** 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 30.** 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 31.** 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



**BILL**

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

3 **SECTION 32.** 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 33.** 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 34.** 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 35.** 45.37 (4) (c) (intro.) of the statutes is amended to read:

**BILL**

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 36.** 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 37.** 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 38.** 45.37 (8) of the statutes is repealed.

10          **SECTION 39.** 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 40.** 45.37 (9) (d) of the statutes is amended to read:

15          **45.37 (9) (d) Memberpayments.** 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 41,** 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

**BILL**

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 42.** 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 43.** 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 44.** 45.37 (17) of the statutes is amended to read:

19 **45.37 (17) ADDITIONAL ELIGIBILITY REQUIREMENTS.** Any person admitted to the  
20 home ~~after December 31, 1973,~~ or the nursing care facility operated by the  
21 department within the southeastern facility shall meet during residence at the home  
22 or at the nursing care facility operated by the department within the southeastern  
23 facility the eligibility requirements under ss. 49.45 and 49.46 and rules promulgated  
24 thereunder except that:

**BILL**

1 (a) Persons with sufficient income and resources to meet the expenses of care  
2 for one or more months may be admitted to or remain in membership at the home  
3 or the nursing care facility operated by the department within the southeastern  
4 facility but shall apply income and resources to costs to the extent required by ss.  
5 49.45 and 49.46 and rules promulgated thereunder; or

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

12 **SECTION 45. 45.37 (18)** of the statutes is created to read:

13 45.37 **(18) SOUTHEASTERN FACILITY ADDITIONAL ELIGIBILITY REQUIREMENT.** An  
14 otherwise eligible person may be admitted to or remain in residency at a residential  
15 or treatment facility within the southeastern facility only if the person has sufficient  
16 income and resources, and applies the income and resources to fully reimburse the  
17 department for the cost of providing care to the person. This income and resource  
18 limit on eligibility does not apply to persons admitted to the nursing care facility  
19 operated by the department within the southeastern facility.

20 **SECTION 46. 45.397 (2) (a)** of the statutes is amended to read:

21 45.397 (2) (a) The veteran is enrolled in a training course in a technical college  
22 under ch. 38 or in a nonproprietary school in the state approved by the educational board  
23 under s. 39.51, other than a school offering four-year degrees or programs, or is  
24 engaged in a structured on-the-job training program that meets program  
25 requirements promulgated by the department by rule.

**BILL**

1           **SECTION 47.** 45.71 (6m) of the statutes is created to read:

2           **45.71 (6m)** “Federal Home Loan Mortgage Corporation” means the corporation  
3 created under 12 USC 1451 to 1459.

4           **SECTION 48.** 45.71 (7) of the statutes is amended to read:

5           **45.71 (7)** “Funds” include cash on hand, and liquid investments  
6 ~~the conversion of which to cash would not result in a substantial loss, except as~~  
7 ~~provided under s. 45.85.~~ The funds of a veteran include all funds owned by the  
8 veteran and spouse, individually or jointly, unless the veteran and spouse are  
9 permanently separated.

10          **SECTION 49.** 45.71 (9) (intro.) of the statutes is renumbered 45.71 (9) and  
11 amended to read:

12          45.71 (9) “Income” means the amount of adjusted gross income a veteran is  
13 receiving for regular work together with any income from other sources that may  
14 reasonably be expected to be regular and dependable, ~~except as provided under s.~~  
15 ~~45.85.~~

16          **SECTION 50.** 45.71 (9) (a) and (b) of the statutes are repealed.

17          **SECTION 51.** 45.71 (12) (intro.) of the statutes is amended to read:

18          **45.71 (12)** (intro.) ~~“Mobile home”~~ “Manufactured home” means a ~~mobile home~~  
19 ~~structure, as defined under s. 340.01 (29), by the F~~ Home Loan Mortgage  
20 Corporation which:

21          **SECTION 52.** 45.73 (title) of the statutes is repealed.

22          **SECTION 53.** 45.73 (1) of the statutes is renumbered 45.73.

23          **SECTION 54.** 45.73 (2) of the statutes is repealed.

24          **SECTION 55.** 45.74 (intro.) of the statutes is amended to read:

**BILL**

1           **45.74 Eligible persons; disqualifying factors.** (intro.) Except as provided  
2 under s. 45.745 ~~or 45.85~~, no person may receive a loan under this subchapter if the  
3 department or authorized lender determines that any of the following applies:

4           **SECTION 56.** 45.74 (3) of the statutes is repealed.

5           **SECTION 57.** 45.74 (5) of the statutes is repealed.

6           **SECTION 58.** 45.745 (intro.) of the statutes is amended to read:

7           **45.745 Loans to disabled veterans; qualifying factors.** (intro.) A veteran  
8 who is receiving 100% disability compensation from the U.S. department of veterans  
9 affairs under 38 USC 301 to 315, 331 to 337 and 350 to 362 due to a permanent and  
10 total service-connected disability may receive a loan under this subchapter if the  
11 department or authorized lender determines ~~any payment~~  
12 ~~received under s. 45.85~~, that all of the following apply:

13           **SECTION 59.** 45.745 (3) of the statutes is repealed.

14           **SECTION 60.** 45.745 (5) of the statutes is repealed.

15           **SECTION 61.** 45.76 (1) (a) 1. of the statutes is amended to read:

16           45.76 (1) (a) 1. A ~~mobile~~ manufactured home or real property on which a ~~mobile~~  
17 manufactured home is to be situated, but only if the veteran has available and  
18 applies on the total cost of the property, an amount equivalent to at least 15% of the  
19 total cost. This 15% requirement does not apply to a person who qualifies under s.  
20 45.745.

21           **SECTION 62.** 45.76 (3) (a) (intro.) and 1. of the statutes are consolidated,  
22 renumbered 45.76 (3) (a) and amended to read:

23           **45.76 (3) (a) Cost and value of property.** No loan may be made under this  
24 subchapter if the department or authorized lender determines that: ~~1. The~~ the total  
25 cost of the property exceeds its market value unless the amount by which the cost of

**BILL**

1 the property exceeds its market value is paid by the borrower in addition to the  
2 downpayment required by s. 45.77. This subdivision paragraph does not apply to a  
3 person who qualifies under s. 45.745.

4 SECTION 63. 45.76 (3) (a) 2. of the statutes is repealed.

5 SECTION 64. 45.79 (2) (c) of the statutes is repealed.

6 SECTION 65. 45.79 (3) (a) (title) of the statutes is amended to read:

7 45.79 (3) (a) (title) ~~First or 2nd mortgage~~ **Mortgage or guarantor required.**

8 SECTION 66. 45.79 (3) (a) 1. of the statutes is renumbered 45.79 (3) (a) and  
9 amended to read:

10 45.79 (3) (a) Each loan made under this section, except a loan of \$3,000 or less  
11 for a purpose specified under s. 45.76 (1) (c), shall be evidenced by a promissory  
12 instalment note and secured by a mortgage on the real estate in respect to which the  
13 loan is granted. A loan of \$3,000 or less made for a purpose specified under s. 45.76  
14 (1) (c) shall be evidenced by a promissory instalment note and shall be secured by a  
15 guarantor or by a mortgage on the real estate in respect to which the loan is granted.  
16 Any loan having as its source funds provided through sub. (6) (a) and secured by a  
17 mortgage shall have the mortgage name the department as mortgagee and payee.  
18 Any loan having as its source funds provided through sub. (6) (b) and secured by a  
19 mortgage shall have the mortgage name the authorized lender involved as  
20 mortgagee and payee, and such mortgage and note shall be assigned by the  
21 authorized lender to the authority immediately upon execution. A mortgage  
22 securing a loan made for a purpose specified in s. 45.76 (1) (a), (b) or (d) must have  
23 priority over all liens against the mortgaged premises and the buildings and  
24 improvements thereon, except tax and special assessment liens filed after the  
25 recording of the mortgage. A mortgage securing a loan made for a purpose specified

## BILL

1 under s. 45.76 (1)(c) ~~may be junior and subject to not more than one prior mortgage,~~  
2 ~~and, except for that prior mortgage, must have priority over all liens against the~~  
3 ~~mortgaged premises and the buildings and improvements on those premises, except~~  
4 ~~tax and special assessment liens filed after the recording of the mortgage is~~  
5 accetable if the applicant can establish a minimum equity in the property as  
6 established by the department by rule.

7 SECTION 67. 45.79 (3) (a) 2. of the statutes is repealed.

8 SECTION 68. 45.85 of the statutes is repealed.

9 SECTION 69. 46.27 (1) (b) of the statutes is amended to read:

10 46.27 (1) (b) "Nursing home" means a facility that meets the definition in s.  
11 50.01 (3) and that is licensed under s. 50.03 (1) and includes a state center **for the**  
12 **developmentally disabled** ~~and, the Wisconsin veterans home~~ Veterans Home at King  
13 and the nursing care facility operated by the denartment of veterans affairs under  
14 45.385.

15 SECTION 70. 46.27 (1) (dr) of the statutes is amended to read:

16 46.27 (1) (dr) "State-operated long-term care facility" means a state center for  
17 the developmentally disabled ~~and, the Wisconsin veterans home~~ Veterans Home at  
18 King and the nursing care facility operated by the department of veterans affairs  
19 under s. 45.385.

20 SECTION 71. 46.27 (6) (a) 2. cm. of the statutes is amended to read:

21 46.27 (6) (a) 2. cm. Persons under subd. 1. seeking admission to or about to be  
22 admitted to the Wisconsin ~~veterans home~~ Veterans Home at King ~~under subd. 1. or~~  
23 to the nursing care facility operated by the denartment of veterans affairs under s.  
24 45.385 who are informed about the program but-waive the assessment.

25 SECTION 72. 46.271 (2m) (c) 3. of the statutes is amended to read:



## BILL

1 46.271 (2m) (c) 3. Persons seeking admission to or about to be admitted to the  
2 Wisconsin ~~Veteran's~~ Veterans Home at King or to the nursing care facility operated  
3 by the department of veterans affairs under s. 45.385 who are informed about the  
4 pilot project but waive the assessment,-- \_\_\_\_\_

5 SECTION 73. 49.45 (6m) (bg) of the statutes is amended to read:

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

12 SECTION 74. 50.034 (4) of the statutes is amended to read:

13 50.034 (4) **LIMITATION.** A nursing home or a community-based residential  
14 facility may not convert a separate area of its total area to a residential care  
15 apartment complex unless the department first approves the conversion. A nursing  
16 home, other than the nursing ~~home~~ homes operated at the Wisconsin Veterans Home  
17 at King ~~or in southeastern Wisconsin by the denartment of veterans affairs under s.~~  
18 45.385, that intends to convert a separate area of its total area to a residential care  
19 apartment complex shall also agree to reduce its licensed nursing home beds by the  
20 corresponding number of residential care apartment complex residential units  
21 proposed for the conversion.

22 SECTION 75. 70.11 (3a) (title) of the statutes is amended to read:

23 70.11 (3a) (title) **BUILDINGS AT THE WISCONSIN VETERANS HOME AT KING OR TN**  
24 **SOUTHEASTERN WISCONSIN.**

25 SECTION 76. 150.31 (5m) of the statutes is amended to read:

**BILL**

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

6           **SECTION 77.** 150.46 (1) of the statutes is amended to read:

7           150.46 (1) This subchapter ~~applies~~ does not apply to the Wisconsin Veterans  
8 Home at King ~~only with respect to the statewide bed limit under s. 150.31 and with~~  
9 ~~respect to the application, review and approval procedures relating to an increase in~~  
10 ~~the nursing home bed capacity of the Wisconsin Veterans Home, under ss. 150.21(2),~~  
11 ~~150.33, 150.35, 150.39, 150.40, 150.41 and 150.43~~ or to the nursing care facility  
12 operated by the department of veterans affairs under s. 45.385.

13           **SECTION 78.** 230.36 (1) of the statutes is amended to read:

14           230.36 (1) If a conservation warden, conservation patrol boat captain,  
15 conservation patrol boat engineer, state forest ranger, conservation field employe of  
16 the department of natural resources who is subject to call for fire control duty,  
17 member of the state patrol, state motor vehicle inspector, lifeguard, excise tax  
18 investigator employed by the department of revenue, special criminal investigation  
19 agent employed by the department of justice, special tax agent, state drivers' license  
20 examiner, state fair park police officer, University of Wisconsin System police officer  
21 and other state facilities police officer and patrol officer, security officer, watcher,  
22 engineer, engineering aide, building construction superintendent, fire fighter  
23 employed at the Wisconsin Veterans Home at King or at the facilities operated by the  
24 denartment of veterans affairs under s. 45.385, or guard or institutional aide or a  
25 state probation, extended supervision and parole officer or any other employe whose

**BILL**

1 duties include supervision and discipline of inmates or wards of the state at a state  
2 penal institution, including a secured correctional facility, as defined in s. 938.02  
3 (15m), or while on parole supervision or extended supervision outside of the confines  
4 of the institutions, or supervision of persons placed on probation by a court of record,  
5 or supervision and care of patients at a state mental institution, and the University  
6 of Wisconsin Hospitals and Clinics suffers injury while in the performance of his or  
7 her duties, as defined in subs. (2) and (3); or any other state employe who is not listed  
8 in this subsection and who is ordered by his or her appointing authority to accompany  
9 any employe listed in this subsection while the listed employe is engaged in the  
10 duties defined in sub. (3), or any other state employe who is not listed in this  
11 subsection and who is ordered by his or her appointing authority to perform the  
12 duties, when permitted, in lieu of the listed employe and while so engaged in the  
13 duties defined in sub. (3), suffers injury as defined in sub. (2) the employe shall  
14 continue to be fully paid by the employing agency upon the same basis as paid prior  
15 to the injury, with no reduction in sick leave credits, compensatory time for overtime  
16 accumulations or vacation and no reduction in the rate of earning sick leave credit  
17 or vacation. The full pay shall continue while the employe is unable to return to work  
18 as the result of the injury or until the termination of his or her employment upon  
19 recommendation of the appointing authority. At any time during the employe's  
20 period of disability the appointing authority may order physical or medical  
21 examinations to determine the degree of disability at the expense of the employing  
22 agency.

23 **SECTION 79.** 230.36 (3) (a) (intro.) of the statutes is amended to read:

24 230.36 (3) (a) (intro.) A forest ranger or field employe of the department of  
25 natural resources who is subject to call for forest fire control duty or fire watcher

## BILL

## SECTION 79

1 employed at the Wisconsin ~~veterans home~~ Veterans Home at King or at the facilities  
2 operated by the denartment of veterans affairs under s. 45.385, and lifeguard, at all  
3 times while:

4 **SECTION 80.** 851.09 of the statutes is amended to read:

5 **851.09 Heir.** "Heir" means any person, including the surviving spouse, who  
6 is entitled under the statutes of intestate succession to an interest in property of a  
7 decedent. The state is an heir of the decedent and a person interested under s. **45.37**  
8 **(10) and (11)** when the decedent was a member of the Wisconsin ~~veterans home~~  
9 Veterans Home at King or at the facilities operated by the department of veterans  
10 affairs under s. 45.385 at the time of the decedent's death.

11 **SECTION 81.** 880.60 (4) of the statutes is amended to read:

12 **880.60 (4) LIMITATION ON NUMBER OF WARDS.** No person or corporate entity other  
13 than a county having a population of 100,000 or more, or a bank or trust company  
14 ~~or the commandant of the Wisconsin veterans home at King~~ shall be guardian of  
15 more than 5 wards at one time, unless all the wards are members of one family. ~~Such~~  
16 A county shall act only for patients in its county hospital or mental hospital and for  
17 residents of its county home or infirmary, and shall serve without fee. ~~The~~  
18 ~~commandant shall act only for members of the Wisconsin veterans home and shall~~  
19 ~~serve without fee.~~ Upon presentation of a petition by an attorney of the U.S.  
20 department of veterans affairs or other interested person, alleging that a guardian  
21 is acting in a fiduciary capacity for more than 5 wards ~~as herein provided~~ and  
22 requesting the guardian's discharge for that reason, the court, upon proof  
23 substantiating the petition, shall require a final accounting ~~forthwith~~ from ~~such~~ the

**BILL**

1 guardian and shall discharge the guardian from guardianship in excess of 5 and  
2 ~~forthwith~~ appoint a successor.

3 (END)

DOA:.....Uecker - Establish mission of veterans museum

**FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION**

*Insert  
7-15*

~~I AN ACT ...; relating to: the budget.~~

~~*Analysis by the Legislative Reference Bureau*~~

~~**VETERANS AND MILITARY AFFAIRS**~~

~~Under current law, the department of veterans affairs (DVA) operates the Wisconsin veterans museum in Madison. The museum includes the battle flags of Wisconsin armed forces units that served in the nation's wars and other relics and mementos of those wars. This bill creates the mission of the Wisconsin veterans museum: to acknowledge, commemorate and affirm the role of Wisconsin veterans in the United States of America's military past by means of instructive exhibits and other educational programs.~~

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

2 SECTION <sup>#</sup> 45.01 of the statutes is amended to read:

3 **45.01 Wisconsin veterans museum-** The department of  
4 administration shall provide suitable space for the purpose of a memorial hall,  
5 designated as the Wisconsin veterans museum, dedicated to the men and women of

1 Wisconsin who served in the armed forces of the United States in the civil war of 1861  
2 to 1865 or who meets meet one of the conditions listed in s. 45.35 (5) (a) 1. a. to d.,  
3 and the department of veterans affairs shall operate and conduct the Wisconsin  
4 veterans museum. The mission of the Wisconsin veterans museum is to  
5 acknowledge, commemorate and affirm the role of Wisconsin veterans in the United  
6 States of America's military past by means of instructive exhibits and other  
7 educational programs.

8 (END) of insert

## **Williams, Landon**

---

**To:** Musser, Terry  
cci Nelson, Robert P.  
**Subject:** 99-3130/2 per your request



99-3130/2

### **Landon T. Williams**

Legislative Program Assistant

Legislative Reference Bureau

100 N. Hamilton

(608) 266-3561

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**SUBMITTAL  
FORM**

**LEGISLATIVE REFERENCE BUREAU  
Legal Section Telephone: 266-3561  
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

**Date:** 11/18/1999

**To:** Representative Musser

**Relating to LRB drafting number:** LRB-3 130

**Topic**

Veterans policy changes regarding loans, veterans museum and facilities

**Subject(s)**

Veterans - housing loans, Veterans - miscellaneous, Veterans - Wisconsin home

1. **JACKET** the draft for introduction Terus W. Musser

in the **Senate** \_\_\_\_ or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the **LRB's** drafting records may authorize, the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached \_\_\_\_\_.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction \_\_\_\_\_

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Robert P. Nelson, Senior Legislative Attorney  
Telephone: (608) 267-7511