

## 2005 ASSEMBLY BILL 210

March 14, 2005 – Introduced by JOINT LEGISLATIVE COUNCIL. Referred to  
Committee on Veterans Affairs.

1     **AN ACT** *to repeal* 20.485 (2) (e), 20.485 (2) (em), 21.16 and 150.46 (3); *to amend*  
2           15.497 (2) (c), 16.75 (4) (d), 16.96 (2) (f), 18.04 (2), 18.04 (5) (a), 18.04 (5) (b), 18.04  
3           (5) (c), 18.04 (6) (b), 18.04 (6) (c), 18.06 (7) (intro.), 20.435 (4) (vt), 20.485 (1)  
4           (title), 20.485 (1) (d), 20.485 (1) (e), 20.485 (1) (g), 20.485 (1) (gd), 20.485 (1) (gk),  
5           20.485 (1) (go), 20.485 (1) (h), 20.485 (1) (hm), 20.485 (1) (i), 20.485 (1) (j), 20.485  
6           (1) (m), 20.485 (1) (mj), 20.485 (1) (t), 20.485 (2) (c), 20.485 (2) (d), 20.485 (2) (g),  
7           20.485 (2) (kt), 20.485 (2) (q), 20.485 (2) (rm), 20.485 (2) (rp), 20.485 (2) (s),  
8           20.485 (2) (tf), 20.485 (2) (th), 20.485 (2) (tj), 20.485 (2) (u), 20.485 (2) (vg),  
9           20.485 (2) (vm), 20.485 (2) (vw), 20.485 (2) (vx), 20.485 (2) (vz), 20.485 (2) (wd),  
10          20.485 (2) (x), 20.485 (2) (yn), 20.485 (2) (yo), 20.485 (2) (z), 20.485 (2) (zm),  
11          20.485 (3) (b), 20.485 (3) (e), 20.485 (3) (q), 20.485 (3) (rm), 20.485 (3) (s), 20.485  
12          (3) (sm), 20.485 (3) (t), 20.485 (3) (v), 20.485 (3) (w), 20.485 (3) (wd), 20.485 (3)  
13          (wg), 20.485 (3) (wp), 20.485 (4) (g), 20.485 (4) (h), 20.485 (4) (m), 20.485 (4) (q),  
14          20.485 (4) (r), 20.485 (5) (g), 20.485 (5) (gm), 20.866 (2) (zn), 21.11 (3), 21.49 (4)

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1 (c), 21.80 (3) (g), 25.17 (1) (xp), 25.17 (1) (yv), 25.36 (1), 25.37, 28.035 (3) (a),  
2 29.219 (2) (c), 29.506 (7m) (a), 29.563 (3) (a) 8., 36.27 (2) (b) 4., 36.27 (3r), 38.24  
3 (6), 40.05 (4g) (a) 4., 46.27 (1) (b), 46.27 (1) (dr), 46.27 (6) (a) 2. cm., 49.19 (9),  
4 49.45 (3) (e) 7m., 49.45 (6m) (bg), 49.855 (4m) (b), 50.034 (4), 50.135 (3), 50.39  
5 (3), 51.20 (10) (cm), 51.35 (6) (a), 51.45 (13) (h), 59.52 (16) (b) (title), 59.52 (16)  
6 (b) 2., 59.535 (1) (a), 59.535 (4), 59.65, 66.0509 (title), 66.1201 (9) (x), 67.015,  
7 69.30 (1) (bm), 69.30 (2), 70.11 (1), 70.11 (3a), 70.11 (9), 71.05 (6) (b) 28. (intro.),  
8 86.03 (4), 86.03 (6), 120.13 (37) (a) 3., 125.14 (2) (e), 125.26 (6), 125.51 (10),  
9 132.16 (1) (a), 139.31 (3), 139.76 (2), 146.997 (1) (c), 150.31 (5m), 150.46 (1),  
10 150.84 (2), 150.93 (5), 150.95 (2), 155.01 (6), 157.637, 182.028, 186.113 (14) (a),  
11 188.26, 215.21 (2), 224.71 (3) (b) 7., 230.03 (14) (b), 230.03 (14) (c), 230.08 (2)  
12 (xm), 230.315 (1) (c), 230.36 (1m) (b) 1. (intro.), 234.03 (13m), 234.40 (1), 234.40  
13 (3), 234.41 (1), 234.41 (2), 234.60 (3) (a), 234.60 (3) (b), 252.14 (1) (d), 341.14 (6)  
14 (a), 341.26 (2) (g), 421.203 (1), 421.301 (6), 460.05 (1) (e) 1., 563.11 (1) (intro.),  
15 565.10 (14) (a) (intro.), 610.70 (1) (e), 812.30 (9), 814.29 (1) (d) 1., 815.18 (13) (k),  
16 851.09, subchapter II (title) of chapter 880 [precedes 880.60], 880.60 (title),  
17 880.60 (1) (a), 880.60 (5) (b), 880.60 (19), 944.21 (8) (b) 3. a. and 948.11 (4) (b)  
18 3. a.; **to repeal and recreate** chapter 45; and **to create** 21.74, 21.78, 21.79,  
19 subchapter V (title) of chapter 39 [precedes 39.90], 39.90, 86.03 (7) and 230.04  
20 (17) of the statutes; **relating to:** the powers and duties of the Department of  
21 Veterans Affairs, veterans assistance, educational programs, burials,  
22 cemeteries, homes, housing loans, memorials, and museums, the employment  
23 rights and benefits available to persons who are in or who return from military  
24 service, the Educational Approval Board, granting rule-making authority,

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- 1           requiring the exercise of rule-making authority, making appropriations, and  
2           providing penalties.

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

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

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

PREFATORY NOTE: This draft was prepared for the Joint Legislative Council's Special Committee on Recodification of Chapter 45, Veterans, based on recommendations of the committee's drafting subcommittee. The special committee was directed to conduct a recodification of ch. 45, relating to veterans, to include reorganizing the chapter in a logical manner, renumbering and retitling sections, consolidating related provisions, modernizing language, resolving ambiguities in language, making other necessary organizational changes, and making minor substantive changes.

The draft does the following:

1. Reorganizes the entire chapter by subdividing it into 8 subchapters. Currently, the chapter consists of 2 subchapters, one of which relates to housing programs, and the other of which includes all other veterans programs and services.

2. Makes nonsubstantive editorial changes to modernize language to make the language consistent with current drafting style.

3. Repeals several provisions considered no longer necessary. For example, language regarding construction of veterans memorials that have already been constructed is eliminated. As another example, language regarding employment of disabled veterans is eliminated in light of the state Fair Employment Act and the federal Americans with Disabilities Act.

4. Moves to other chapters of the statutes provisions from current ch. 45 that are not directly related to veterans. For example, provisions dealing with military service (ss. 45.50, 45.51, and 45.53) are moved to ch. 21, which relates to military affairs. As another example, the provision dealing with the educational approval board (s. 45.54) is moved to ch. 39, which relates to educational agencies.

5. Simplifies confusing statutory language by drafting it in a format that is easier to understand. For example, the formula for awarding grants to veterans organizations in current s. 45.353 (2) is simplified in the new s. 45.41 (2) by showing how much is received by the organization depending on the level of expenditure.

6. Makes minor substantive changes that the special committee concluded are relatively noncontroversial. These include the following:

a. Expanding the definition of "veteran" that is used in current ch. 45 to include persons who are missing in action, persons who died as the result of a service-connected disability, and persons who died in the line of duty while on inactive or active duty for training purposes.

b. Changing the names of the state veterans facilities in current statutes to the Wisconsin Veterans Home at Union Grove, the Wisconsin Veterans Home at King, and the Wisconsin Veterans Home at Chippewa Falls, and generally applying the laws that currently apply to just one or 2 of the homes to all 3 homes.

c. Expanding the definition of "war period" to include any period after the Iraq War that results in a person receiving an Expeditionary Medal and that the state department

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of veterans affairs determines and designates by rule. In designating a war period, the department would be required to review the criteria used to establish the war periods currently listed in the statutes and consult with the U.S. department of defence.

d. Requiring that ch. 45 be construed as liberally as the language permits in favor of applicants. Currently, the liberal construction provision applies to many, but not all, parts of the chapter.

e. Allowing deceased persons who served under honorable conditions in the national guard or reserves to receive military funeral honors. Currently, military funeral honors are limited to deceased persons who served in the U.S. armed forces.

The remainder of this prefatory note sets forth a table of contents listing all of the subchapter titles and section titles of the revised ch. 45.

**Subchapter I****General Provisions**

45.001	Recognition of persons who served in the armed forces.
45.01	Definitions.
45.02	Eligibility for benefits.
45.03	Department of veterans affairs.
45.04	Release of information and records.
45.05	Registration of certificate of discharge.
45.06	Security.
45.07	Wisconsin Veterans Museum.
45.08	Memorial Day.

**Subchapter II****Education and Training**

45.20	Veterans education programs.
45.21	Retraining assistance program.

**Subchapter III****Veterans Housing Loan Program**

45.30	Purpose.
45.31	Definitions.
45.32	Powers of the department.
45.33	Eligibility and disqualifying factors.
45.34	Uses for loan proceeds.
45.35	Contribution.
45.36	Manner of repayment.
45.37	Mortgage loan program.

**Subchapter IV****Assistance Programs**

45.40	Economic assistance.
45.41	Payments to veterans organizations.
45.42	Veterans personal loans.
45.43	Veterans assistance program.

**Subchapter V**

**ASSEMBLY BILL 210****Veterans Homes**

- 45.50 Veterans homes; management.  
45.51 Eligibility for membership.

**Subchapter VI****Funerals, Burials, and Cemeteries**

- 45.60 Military funeral honors.  
45.61 Wisconsin veterans cemeteries.  
45.62 Burial places compiled.

**Subchapter VII****Memorials**

- 45.70 Veterans memorials.  
45.71 Catalog of memorials.  
45.72 County and municipal memorials.  
45.73 Sites for veterans memorial halls.  
45.74 Memorial corporations organized under 1919 act.  
45.75 Memorials in populous counties.

**Subchapter VIII****Local Responsibilities**

- 45.80 County veterans service officer.  
45.81 County veterans service commission.  
45.82 Grants to counties and tribes for improvement of services.  
45.83 Transportation services grants to counties.  
45.84 Burial allowance.  
45.85 Care of graves.  
45.86 County tax for needy veterans.

1           **SECTION 1.** 15.497 (2) (c) of the statutes is amended to read:

2           15.497 **(2)** (c) One representative of the Wisconsin county veterans' veterans  
3 service officers.

4           **SECTION 2.** 16.75 (4) (d) of the statutes is amended to read:

5           16.75 **(4)** (d) In this subsection and s. 16.755, "veteran-owned business" means  
6 a small business, as defined in par. (c), that is certified by the department of veterans  
7 affairs as being at least 51% owned by one or more veterans, as defined in s. ~~45.35~~  
8 ~~(5)~~ 45.01 (12).

9           **SECTION 3.** 16.96 (2) (f) of the statutes is amended to read:

**ASSEMBLY BILL 210****SECTION 3**

1           16.96 (2) (f) Persons who are members in the Wisconsin Veterans Home at King  
2 shall be considered residents of the town of Farmington and of Waupaca County,  
3 persons who are members in the Wisconsin Veterans Home at Chippewa Falls shall  
4 be considered residents of the city of Chippewa Falls and of Chippewa County, and  
5 persons who are members in the Wisconsin veterans facility in southeastern  
6 Wisconsin Veterans Home at Union Grove shall be considered residents of the town  
7 of Dover and of Racine County for purposes of the state revenue sharing distribution  
8 under subch. I of ch. 79.

9           **SECTION 4.** 18.04 (2) of the statutes is amended to read:

10           18.04 (2) The commission shall authorize public debt to be contracted and  
11 evidences of indebtedness to be issued ~~therefor~~ for the debt up to the amounts  
12 specified by the legislature to acquire, construct, develop, extend, enlarge or improve  
13 land, waters, property, highways, buildings, equipment or facilities or to make funds  
14 available for ~~veterans'~~ veterans housing loans for the classes of public purposes  
15 specified by the legislature as the funds are required. ~~Said~~ The requirements for  
16 funds shall be established by that department or agency head having program  
17 responsibilities for which public debt has been authorized by the legislature.

18           **SECTION 5.** 18.04 (5) (a) of the statutes is amended to read:

19           18.04 (5) (a) To acquire public debt contracted to make funds available for  
20 ~~veterans'~~ veterans housing loans under sub. (2).

21           **SECTION 6.** 18.04 (5) (b) of the statutes is amended to read:

22           18.04 (5) (b) To fund or refund public debt contracted to make funds available  
23 for ~~veterans'~~ veterans housing loans under sub. (2).

24           **SECTION 7.** 18.04 (5) (c) of the statutes is amended to read:

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1           18.04 (5) (c) To acquire public debt, other than public debt that is contracted  
2           to make funds available for ~~veterans'~~ veterans housing loans under sub. (2), for the  
3           purpose of investment for the veterans primary mortgage loan program under s.  
4           ~~45.79~~ 45.37.

5           **SECTION 8.** 18.04 (6) (b) of the statutes is amended to read:

6           18.04 (6) (b) The commission may direct that moneys resulting from any public  
7           debt contracted under this section be deposited in the funds or accounts created or  
8           designated by resolution of the commission or established by resolution under s.  
9           ~~45.79 (7)~~ 45.37 (7), including escrow accounts established under refunding escrow  
10          agreements that are authorized by the commission.

11          **SECTION 9.** 18.04 (6) (c) of the statutes is amended to read:

12          18.04 (6) (c) Notwithstanding s. 25.17, moneys deposited or held in funds or  
13          accounts under par. (b) and all other moneys received under s. ~~45.79 (7) (a) (intro.)~~  
14          45.37 (7) (a) (intro.) may be invested in any obligations, either through cash purchase  
15          or exchange, as specified by resolution of the commission.

16          **SECTION 10.** 18.06 (7) (intro.) of the statutes is amended to read:

17          18.06 (7) (intro.) Notwithstanding subs. (2) to (5), the following procedures  
18          apply to public debt contracted for any of the purposes under s. 18.04 (5) or contracted  
19          for the purpose of making funds available for ~~veterans'~~ veterans housing loans:

20          **SECTION 11.** 20.435 (4) (vt) of the statutes is amended to read:

21          20.435 (4) (vt) *Veterans trust fund; nurse stipends.* From the veterans trust  
22          fund, the amounts in the schedule for the state share of the medical assistance costs  
23          related to the provision of stipends under s. ~~45.365 (7)~~ 45.50 (9).

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

25          20.485 (1) (title) ~~HOMES AND FACILITIES FOR VETERANS~~ VETERANS HOMES.

**ASSEMBLY BILL 210****SECTION 13**

1           **SECTION 13.** 20.485 (1) (d) of the statutes is amended to read:

2           20.485 (1) (d) *Cemetery maintenance and beautification.* The amounts in the  
3 schedule for cemetery maintenance and beautification at the Central Wisconsin  
4 Veterans Memorial Cemetery at the Wisconsin Veterans Home at King.

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

6           20.485 (1) (e) *Lease rental payments.* A sum sufficient to pay the rentals  
7 required to be made on facilities under leases entered into under s. ~~45.38~~ 45.03 (5).

8           **SECTION 15.** 20.485 (1) (g) of the statutes is amended to read:

9           20.485 (1) (g) *Home exchange.* The amounts in the schedule for the purchase  
10 of the necessary materials, supplies and equipment for the operation of the home  
11 exchange, and compensation for members' labor. All moneys received from the sale  
12 of products authorized by s. ~~45.37 (9)~~ 45.51 (7) shall be credited to this appropriation.

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

14           20.485 (1) (gd) *Veterans home cemetery operations.* All moneys received from  
15 the estate of the decedents under s. ~~45.37 (15) (c)~~ 45.61 (5) for the burial of veterans  
16 and non-veterans in the a Wisconsin Veterans Memorial Cemetery at the Wisconsin  
17 Veterans Home at King veterans cemetery under 45.61 (1), to be used for that  
18 purpose.

19           **SECTION 17.** 20.485 (1) (gk) of the statutes is amended to read:

20           20.485 (1) (gk) *Institutional operations.* The amounts in the schedule for the  
21 care of the members of the Wisconsin Veterans Home at King, the Southern  
22 Wisconsin Veterans Retirement Center, and veterans facilities veterans homes  
23 under s. 45.50, and for the payment of stipends under s. ~~45.365 (7)~~ 45.50 (9). All  
24 moneys received under par. (m) and s. ~~45.37 (9) (d) and (9d)~~ 45.51 (7) (b) and (8) shall  
25 be credited to this appropriation.

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1           **SECTION 18.** 20.485 (1) (go) of the statutes is amended to read:

2           20.485 **(1)** (go) *Self-amortizing housing facilities; principal repayment and*  
3 *interest.* From the moneys received for providing housing services at the Wisconsin  
4 ~~Veterans Home at King and the Wisconsin veterans facility in southeastern~~  
5 ~~Wisconsin veterans homes under s. 45.50~~, a sum sufficient to reimburse s. 20.866 (1)  
6 (u) for the principal and interest costs incurred in acquiring, constructing,  
7 developing, enlarging or improving housing facilities at the Wisconsin Veterans  
8 ~~Home at King and the Wisconsin veterans facility in southeastern Wisconsin~~  
9 ~~veterans homes under s. 45.50~~ and to make the payments determined by the building  
10 commission under s. 13.488 (1) (m) that are attributable to the proceeds of  
11 obligations incurred in financing such the facilities.

12           **SECTION 19.** 20.485 (1) (h) of the statutes is amended to read:

13           20.485 **(1)** (h) *Gifts and bequests.* All moneys received under s. 45.37 ~~(10) and~~  
14 ~~(11)~~ 45.51 (10) and (11), or any moneys received by gifts or bequests, to carry out the  
15 purposes of ss. 45.365, 45.37 and 45.385 45.50 and 45.51.

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

17           20.485 **(1)** (hm) *Gifts and grants.* All moneys received from gifts and grants  
18 specifically for the purpose of s. 45.365 ~~(1) (d)~~ 45.50 (1) (c), to carry out the purpose  
19 of s. 45.365 ~~(1) (d)~~ 45.50 (1) (c).

20           **SECTION 21.** 20.485 (1) (i) of the statutes is amended to read:

21           20.485 **(1)** (i) *State-owned housing maintenance.* The amounts in the schedule  
22 for maintenance of state-owned housing at the Wisconsin Veterans Home at King  
23 ~~and the veterans facility in southeastern Wisconsin veterans homes under s. 45.50.~~  
24 All moneys received by the department from rentals of state-owned housing shall  
25 be credited to this appropriation account.

**ASSEMBLY BILL 210****SECTION 22**

1           **SECTION 22.** 20.485 (1) (j) of the statutes is amended to read:

2           20.485 (1) (j) *Geriatric program receipts.* All moneys received from program  
3 operations by the geriatric evaluation, research, and education program, to carry out  
4 the purpose of s. ~~45.365 (1) (d)~~ 45.50 (1) (c).

5           **SECTION 23.** 20.485 (1) (m) of the statutes is amended to read:

6           20.485 (1) (m) *Federal aid; care at veterans home and facilities* homes. All  
7 moneys received from the federal government for care of veterans of any war or  
8 military expedition of the United States who have been admitted to and cared for at  
9 ~~the Wisconsin Veterans Home at King and veterans facilities~~ Wisconsin veterans  
10 homes under s. 45.50. The net revenues accruing under this paragraph shall be  
11 credited to the appropriation under par. (gk).

12           **SECTION 24.** 20.485 (1) (mj) of the statutes is amended to read:

13           20.485 (1) (mj) *Federal aid; geriatric unit.* All moneys received from the federal  
14 government for the geriatric program at ~~the Wisconsin Veterans Home at King and~~  
15 ~~veterans facilities~~ veterans homes, to carry out the purpose of s. ~~45.365 (1) (d)~~ 45.50  
16 (1) (c).

17           **SECTION 25.** 20.485 (1) (t) of the statutes is amended to read:

18           20.485 (1) (t) *Veterans homes and facilities member accounts.* From the  
19 ~~Wisconsin Veterans Home at King and veterans facilities~~ homes members fund, all  
20 moneys received under s. 25.37 to make payments as provided under s. ~~45.37 (9c),~~  
21 ~~(10) and (11)~~ 45.51 (8), (10), and (11).

22           **SECTION 26.** 20.485 (2) (c) of the statutes is amended to read:

23           20.485 (2) (c) *Operation of Wisconsin veterans museum.* From the general fund,  
24 the amounts in the schedule for the operation of the Wisconsin veterans museum  
25 under s. ~~45.014~~ 45.07.

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1           **SECTION 27.** 20.485 (2) (d) of the statutes is amended to read:

2           20.485 (2) (d) *Veterans memorials at The the Highground.* From the general  
3 fund, as a continuing appropriation, the amounts in the schedule to construct  
4 ~~memorials for World War I, World War II and a memorial for~~ Persian Gulf war  
5 ~~veterans at The the Highground.~~

6           **SECTION 28.** 20.485 (2) (e) of the statutes is repealed.

7           **SECTION 29.** 20.485 (2) (em) of the statutes is repealed.

8           **SECTION 30.** 20.485 (2) (g) of the statutes is amended to read:

9           20.485 (2) (g) *Consumer reporting agency fees.* From the general fund, all  
10 moneys received from consumer reporting agencies under s. ~~45.36 (5m)~~ 45.04 (7) for  
11 the purpose of providing information to those agencies under s. ~~45.36 (5m)~~ 45.04 (7).

12           **SECTION 31.** 20.485 (2) (kt) of the statutes is amended to read:

13           20.485 (2) (kt) *Operation of Wisconsin veterans museum; Indian gaming*  
14 *receipts.* The amounts in the schedule for the operation of the Wisconsin veterans  
15 museum under s. ~~45.014~~ 45.07. All moneys transferred from the appropriation  
16 account under s. 20.505 (8) (hm) 13v. shall be credited to this appropriation account.  
17 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year  
18 shall revert to the appropriation account under s. 20.505 (8) (hm).

19           **SECTION 32.** 20.485 (2) (q) of the statutes is amended to read:

20           20.485 (2) (q) *Military ~~honors funerals~~ funeral honors.* Biennially, the amounts  
21 in the schedule to provide military ~~honors funerals~~ funeral honors for veterans under  
22 s. ~~45.19 (1)~~ 45.60.

23           **SECTION 33.** 20.485 (2) (rm) of the statutes is amended to read:

**ASSEMBLY BILL 210****SECTION 33**

1           20.485 (2) (rm) *Veterans assistance program*. Biennially, the amounts in the  
2 schedule for general program operations of the veterans assistance program under  
3 s. ~~45.357~~ 45.43.

4           **SECTION 34.** 20.485 (2) (rp) of the statutes is amended to read:

5           20.485 (2) (rp) *Veterans assistance program receipts*. The amounts in the  
6 schedule for the provision of assistance to veterans under s. ~~45.357 (1)~~ 45.43 (1). All  
7 moneys received from fees under s. ~~45.357 (2)~~ 45.43 (2) shall be credited to this  
8 appropriation account.

9           **SECTION 35.** 20.485 (2) (s) of the statutes is amended to read:

10           20.485 (2) (s) *Transportation grant payment*. The amounts in the schedule to  
11 provide transportation services payments and grants under ss. ~~45.353 (3m)~~ 45.41  
12 (4) and ~~45.43 (7m)~~ 45.83.

13           **SECTION 36.** 20.485 (2) (tf) of the statutes is amended to read:

14           20.485 (2) (tf) ~~*Veterans' Veterans tuition reimbursement program*~~. Biennially,  
15 the amounts in the schedule for the veterans' veterans tuition reimbursement  
16 program under s. ~~45.25~~ 45.20 (2). Notwithstanding s. 20.001 (3) (a), the department  
17 may encumber moneys under this appropriation for the biennium up to 60 days after  
18 the end of that biennium if an estimate is first submitted to the department of  
19 administration showing the amounts that will be encumbered during that 60-day  
20 period.

21           **SECTION 37.** 20.485 (2) (th) of the statutes is amended to read:

22           20.485 (2) (th) *Correspondence courses and part-time classroom study*.  
23 Biennially, the amounts in the schedule for the veterans' veterans correspondence  
24 courses and part-time classroom study program under s. ~~45.396~~ 45.20 (3).  
25 Notwithstanding ss. 16.52 (5) and 20.001 (3) (a), after June 30, 1998, the department

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1 may encumber moneys under this appropriation for the biennium up to 60 days after  
2 the end of that biennium if an estimate is first submitted to and approved by the  
3 secretary of administration showing the amounts that will be encumbered during  
4 that 60-day period.

5 **SECTION 38.** 20.485 (2) (tj) of the statutes is amended to read:

6 20.485 (2) (tj) *Retraining grant assistance program.* The amounts in the  
7 schedule for the ~~veterans'~~ veterans retraining grant assistance program under s.  
8 ~~45.397~~ 45.21.

9 **SECTION 39.** 20.485 (2) (u) of the statutes is amended to read:

10 20.485 (2) (u) *Administration of loans and aids to veterans.* The amounts in  
11 the schedule for the administration of loans and aids to veterans, and for payment  
12 of legal services under s. ~~45.35 (14) (d)~~ 45.03 (13) (d).

13 **SECTION 40.** 20.485 (2) (vg) of the statutes is amended to read:

14 20.485 (2) (vg) *Health care aid grants.* The amounts in the schedule for the  
15 payment of benefits to veterans and their dependents under s. ~~45.351 (1)~~ 45.40 (2).

16 **SECTION 41.** 20.485 (2) (vm) of the statutes is amended to read:

17 20.485 (2) (vm) *Subsistence grants aid.* The amounts in the schedule for  
18 payment of subsistence grants aid to veterans and their dependents under s. ~~45.351~~  
19 ~~(1)~~ 45.40 (1).

20 **SECTION 42.** 20.485 (2) (vw) of the statutes is amended to read:

21 20.485 (2) (vw) *Payments to veterans organizations for claims service.* The  
22 amounts in the schedule to pay veterans organizations for claims services as  
23 prescribed in s. ~~45.353~~ 45.41.

24 **SECTION 43.** 20.485 (2) (vx) of the statutes is amended to read:

**ASSEMBLY BILL 210****SECTION 43**

1           20.485 (2) (vx) *County grants*. The amounts in the schedule for payment of  
2 grants under s. 45.43 (7) 45.82.

3           **SECTION 44.** 20.485 (2) (vz) of the statutes is amended to read:

4           20.485 (2) (vz) *American Indian grants*. The amounts in the schedule for  
5 grants to American Indian tribes and bands under s. 45.35 (14) (h) 45.82 (4).

6           **SECTION 45.** 20.485 (2) (wd) of the statutes is amended to read:

7           20.485 (2) (wd) *Operation of Wisconsin veterans museum* Veterans Museum.  
8 The amounts in the schedule for the operation of the Wisconsin veterans museum  
9 Veterans Museum under s. 45.014 45.07.

10          **SECTION 46.** 20.485 (2) (x) of the statutes is amended to read:

11          20.485 (2) (x) *Federal per diem payments*. The amounts in the schedule for the  
12 provision of assistance to veterans under s. 45.357 45.43. All moneys received from  
13 the federal government as per diem payments for veterans participating in the  
14 veterans assistance program under s. 45.357 45.43 shall be credited to this  
15 appropriation account.

16          **SECTION 47.** 20.485 (2) (yn) of the statutes is amended to read:

17          20.485 (2) (yn) *Veterans trust fund loans and expenses*. Biennially, the amounts  
18 in the schedule for the purpose of providing loans under s. 45.356 45.42 and for the  
19 payment of expenses and other payments as a consequence of being a mortgagee or  
20 owner under home improvement loans made under s. 45.79 (7) (c), 1997 stats., or  
21 under s. 45.351 (2), 1995 stats., s. 45.352, 1971 stats., s. 45.80, 1989 stats., and s.  
22 45.356 45.42. All moneys received under ss. 45.356 (9) (a) and (b) 45.42 (8) (a) and  
23 (b) and 45.79 (7) (c) 45.37 (7) (c) for the purpose of providing loans under the personal  
24 loan program under s. 45.356 45.42 shall be credited to this appropriation account.  
25 All payments of interest and repayments of principal for loans made under s. 45.351

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1 (2), 1995 stats., s. 45.352, 1971 stats., s. 45.80, 1989 stats., s. 45.356, and s. 45.79 (7)  
2 (c), 1997 stats., shall revert to the veterans trust fund.

3 **SECTION 48.** 20.485 (2) (yo) of the statutes is amended to read:

4 20.485 (2) (yo) *Debt payment.* A sum sufficient for the payment of obligations  
5 incurred for moneys received under s. 45.356 (9) (a) and (b) 45.42 (8) (a) and (b).

6 **SECTION 49.** 20.485 (2) (z) of the statutes is amended to read:

7 20.485 (2) (z) *Gifts.* All moneys received under s. 45.35 (13) (a) 45.03 (12) (a)  
8 to be used as provided in that subsection.

9 **SECTION 50.** 20.485 (2) (zm) of the statutes is amended to read:

10 20.485 (2) (zm) *Museum gifts and bequests.* All moneys received under s. 45.35  
11 ~~(13) (b)~~ 45.03 (12) (b) to be used as provided in that subsection.

12 **SECTION 51.** 20.485 (3) (b) of the statutes is amended to read:

13 20.485 (3) (b) *Self insurance.* A sum sufficient to cover deficiencies in the  
14 amounts necessary to repay principal and interest on veterans housing loans made  
15 under s. 45.79 45.37 and financed by bonds sold pursuant to under s. 234.40.

16 **SECTION 52.** 20.485 (3) (e) of the statutes is amended to read:

17 20.485 (3) (e) *General program deficiency.* A sum sufficient to pay any general  
18 program deficiency under s. 45.79 45.37, including any deficiency in the capital  
19 reserve fund requirement under s. 234.42.

20 **SECTION 53.** 20.485 (3) (q) of the statutes is amended to read:

21 20.485 (3) (q) *Foreclosure loss payments.* As a continuing appropriation from  
22 the veterans mortgage loan repayment fund, all moneys deposited and held in  
23 accounts in the veterans mortgage loan repayment fund to pay costs under s. 45.79  
24 ~~(7) (a) 3. and 7.~~ 45.37 (7) (a) 3. and 7., for the purpose of paying costs under s. 45.79  
25 ~~(7) (a) 3. and 7.~~ 45.37 (7) (a) 3. and 7.

**ASSEMBLY BILL 210****SECTION 54**

1           **SECTION 54.** 20.485 (3) (rm) of the statutes is amended to read:

2           20.485 (3) (rm) *Other reserves.* As a continuing appropriation from the  
3 veterans mortgage loan repayment fund, all moneys deposited and held in the  
4 veterans mortgage loan repayment fund to pay costs under s. ~~45.79 (7) (a) 5. to 8. and~~  
5 ~~10. 45.37 (7) (a) 5. to 8. and 10.,~~ for the purposes under s. ~~45.79 (7) (a) 5. to 8. and 10~~  
6 45.37 (7) (a) 5. to 8. and 10.

7           **SECTION 55.** 20.485 (3) (s) of the statutes is amended to read:

8           20.485 (3) (s) *General program operations.* The amounts in the schedule from  
9 the veterans mortgage loan repayment fund for general program operations of the  
10 veterans mortgage loan program under s. ~~45.79~~ 45.37.

11           **SECTION 56.** 20.485 (3) (sm) of the statutes is amended to read:

12           20.485 (3) (sm) *County grants.* The amounts in the schedule from the veterans  
13 mortgage loan repayment fund for payment of grants made under s. ~~45.43 (7)~~ 45.82.

14           **SECTION 57.** 20.485 (3) (t) of the statutes is amended to read:

15           20.485 (3) (t) *Debt service.* As a continuing appropriation from the veterans  
16 mortgage loan repayment fund, all moneys deposited and held in accounts in the  
17 veterans mortgage loan repayment fund to reimburse s. 20.866 (1) (u) for the  
18 payment of debt service costs incurred in providing veterans mortgage loans under  
19 s. ~~45.79 (6) (a)~~ 45.37 (6) (a) and for debt service costs incurred in contracting public  
20 debt for any of the purposes under s. 18.04 (5), for these purposes.

21           **SECTION 58.** 20.485 (3) (v) of the statutes is amended to read:

22           20.485 (3) (v) *Revenue obligation repayment.* All moneys received in the fund  
23 or funds created under s. ~~45.79 (9)~~ 45.37 (10) for the purposes of retiring revenue  
24 obligations, providing reserves, funding additional loans, purchasing assumed  
25 mortgages and funding program operations under s. ~~45.79 (6) (c) and (9)~~ 45.37 (6) (c)

**ASSEMBLY BILL 210**

1 and (10). All moneys received are irrevocably appropriated in accordance with  
2 subch. II of ch. 18 and further established in resolutions authorizing the issuance of  
3 revenue obligations and setting forth the distribution of funds received thereafter.

4 **SECTION 59.** 20.485 (3) (w) of the statutes is amended to read:

5 20.485 (3) (w) *Revenue obligation funding*. As a continuing appropriation, all  
6 proceeds from revenue obligations issued under s. ~~45.79 (6) (c)~~ 45.37 (6) (c) and  
7 deposited in the fund created under s. 18.57 (1), for the costs of issuance and  
8 management of the obligations, to provide related reserve funds and for the purposes  
9 of s. ~~45.79~~ 45.37. Estimated disbursements under this paragraph shall not be  
10 included in the schedule under s. 20.005.

11 **SECTION 60.** 20.485 (3) (wd) of the statutes is amended to read:

12 20.485 (3) (wd) *Loan-servicing administration*. From the veterans mortgage  
13 loan repayment fund, the amounts in the schedule for administrative costs of  
14 servicing loans under s. ~~45.79 (5) (a) 10~~ 45.37 (5) (a) 10.

15 **SECTION 61.** 20.485 (3) (wg) of the statutes is amended to read:

16 20.485 (3) (wg) *Escrow payments, recoveries, and refunds*. From the veterans  
17 mortgage loan repayment fund, all moneys received by the department under s.  
18 ~~45.79 (5) (a) 6~~. 45.37 (5) (a) 6. to make payments required of the department under  
19 s. ~~45.79 (5) (a) 6~~ 45.37 (5) (a) 6.

20 **SECTION 62.** 20.485 (3) (wp) of the statutes is amended to read:

21 20.485 (3) (wp) *Loan-servicing rights*. Biennially, from the veterans mortgage  
22 loan repayment fund, the amounts in the schedule to purchase loan-servicing rights  
23 from authorized lenders under s. ~~45.79 (5) (a) 10~~ 45.37 (5) (a) 10.

24 **SECTION 63.** 20.485 (4) (g) of the statutes is amended to read:

**ASSEMBLY BILL 210****SECTION 63**

1           20.485 (4) (g) *Cemetery operations*. The amounts in the schedule for the care  
2 and operation of the veterans memorial cemeteries under s. ~~45.358~~ 45.61 other than  
3 those costs provided under pars. (q) and (r). All moneys received under s. ~~45.358 (3m)~~  
4 45.61 (3) shall be credited to this appropriation account.

5           **SECTION 64.** 20.485 (4) (h) of the statutes is amended to read:

6           20.485 (4) (h) *Gifts, grants and bequests*. All moneys received under s. ~~45.358~~  
7 (4) 45.61 (1) as gifts, grants or bequests to be expended for the purposes made.

8           **SECTION 65.** 20.485 (4) (m) of the statutes is amended to read:

9           20.485 (4) (m) *Federal aid; cemetery operations and burials*. All moneys  
10 received from the federal government for the operation of veterans memorial  
11 cemeteries under s. ~~45.358~~ 45.61 as authorized by the governor under s. 16.54, to be  
12 used for that purpose.

13           **SECTION 66.** 20.485 (4) (q) of the statutes is amended to read:

14           20.485 (4) (q) *Cemetery administration and maintenance*. From the veterans  
15 trust fund, the amounts in the schedule for the administrative and maintenance  
16 costs of operating the veterans memorial cemeteries under s. ~~45.358~~ 45.61.

17           **SECTION 67.** 20.485 (4) (r) of the statutes is amended to read:

18           20.485 (4) (r) *Cemetery energy costs*. From the veterans trust fund, the amounts  
19 in the schedule to be used at the veterans memorial cemeteries operated under s.  
20 ~~45.358~~ 45.61 for utilities and for fuel, heat and air conditioning and for costs incurred  
21 by or on behalf of the department of veterans affairs under ss. 16.858 and 16.895.

22           **SECTION 68.** 20.485 (5) (g) of the statutes is amended to read:

23           20.485 (5) (g) *Proprietary school programs*. The amounts in the schedule for  
24 the examination and approval of proprietary school programs. All moneys received  
25 from the issuance of solicitor's permits under s. ~~45.54 (8)~~ 39.90 (6) and from the fees

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1 under s. ~~45.54 (10)~~ 39.90 (7) shall be credited to this appropriation, except those fees  
2 credited to par. (gm).

3 **SECTION 69.** 20.485 (5) (gm) of the statutes is amended to read:

4 20.485 (5) (gm) *Student protection.* All moneys received from the fees received  
5 under s. ~~45.54 (10) (c) 4.~~ 39.90 (7) (c) 4., for the purpose of indemnifying students,  
6 parents, or sponsors under s. ~~45.54 (10) (a)~~ 39.90 (7) (a).

7 **SECTION 70.** 20.866 (2) (zn) of the statutes is amended to read:

8 20.866 (2) (zn) *Veterans affairs; self-amortizing mortgage loans.* From the  
9 capital improvement fund, a sum sufficient for the department of veterans affairs for  
10 loans to veterans under s. ~~45.79 (6) (a)~~ 45.37 (6) (a). The state may contract public  
11 debt in an amount not to exceed \$2,120,840,000 for this purpose.

12 **SECTION 71.** 21.11 (3) of the statutes is amended to read:

13 21.11 (3) The adjutant general may activate members of the national guard for  
14 the purpose of serving on an honors detail of ~~a~~ military honors funeral funeral  
15 honors for a deceased veteran person described under s. ~~45.19~~ 45.60 (1).

16 **SECTION 72.** 21.16 of the statutes is repealed.

17 **SECTION 73.** 21.49 (4) (c) of the statutes is amended to read:

18 21.49 (4) (c) No guard member may receive a grant under sub. (3) for any  
19 semester in which he or she received a grant payment under s. ~~45.25~~ 45.20 (2).

20 **SECTION 74.** 21.74 of the statutes is created to read:

21 **21.74 Soldiers and sailors civil relief act; federal service. (1)** In this  
22 section, unless the context indicates otherwise:

23 (a) “Interest and penalties” means interest and penalties accruing on taxes  
24 during the period of military service and 6 months thereafter. In case several owners  
25 jointly own property, other than property held jointly or as marital property with the

**ASSEMBLY BILL 210****SECTION 74**

1 spouse of the person in military service, interest and penalties means the  
2 proportionate share of the total interest and penalties commensurate with the equity  
3 in the property of the person in military service.

4 (b) “Person in military service” means any man or woman who is serving on  
5 active duty in the U.S. armed forces, except service on active duty for training  
6 purposes.

7 (c) “Property” means any real estate or personal property belonging to a person  
8 in military service that was acquired prior to the commencement of military service  
9 or that was acquired by descent.

10 (d) “Taxes” means any general taxes or special assessments or tax certificates  
11 evidencing those taxes and assessments not belonging to private buyers.

12 **(2)** To supplement and complement the provisions of 50 App. USC 501, and to  
13 afford and obtain greater peace and security for persons in military service, the  
14 enforcement of certain tax obligations or liabilities that may prejudice the property  
15 rights of persons in military service may be temporarily suspended as provided in  
16 this section.

17 **(3)** Any person while in the military service of the United States or within 6  
18 months after terminating service, or the person’s agent or attorney during that  
19 period, may petition the circuit court of any county in which the person owns  
20 property for relief under this section. Upon filing of the petition the court shall make  
21 an order fixing the time of hearing and requiring the giving of notice of the hearing.  
22 If after the hearing the court finds that the person is, or within 6 months next  
23 preceding the filing of the petition was, in the military service of the United States  
24 and owns property within the county on which taxes have fallen or will fall due, and  
25 that the person’s ability to pay the taxes has been materially adversely affected by

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1 reason of being in military service, the court shall enter an order determining that  
2 the person is entitled to relief under this section. The court may suspend proceedings  
3 for the collection of taxes on the property for a period not exceeding 6 months after  
4 termination of the military service of the person, or for the time reasonably necessary  
5 to complete the agreement provided in sub. (7). Thereafter, the property shall not  
6 be included in tax certificates issued to enforce collection of taxes on property, and  
7 all proceedings for that purpose shall be suspended, except under terms that the  
8 court may order.

9 (4) Whenever any tax or assessment on real property, including all special  
10 assessments, is not paid when due, any interest or penalty under s. 74.47 and the  
11 maximum limitation of 6 percent per year as provided under 50 App. USC 501 shall  
12 be waived for the purpose and under the conditions specified in this section.

13 (5) The penalties and interest waived under this section are those for  
14 nonpayment of all taxes or assessments, general or special, falling due during the  
15 period of military service of any person against either real or personal property of  
16 which the person is the bona fide owner or in which the person has an interest.

17 (6) The person owning or having an interest in any property in respect to which  
18 the order under sub. (3) is made, or the person's agent or attorney, may file a certified  
19 copy of the order of suspension with the county treasurer or with the city treasurer  
20 of cities authorized by law to sell lands for the nonpayment of taxes as to the taxes  
21 and assessments. The person shall file with the order an affidavit in triplicate, sworn  
22 to by the person or agent or attorney, setting forth the name of the owner, the legal  
23 description of the property, the type of property, when acquired, volume and page  
24 number where the deed was recorded if acquired by deed, and the name of the estate  
25 if acquired by descent, amount of delinquent taxes if any, and the names of the

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1 holders of any outstanding mortgage, lien, or other encumbrance. Upon receipt of  
2 the filing, the county treasurer or city treasurer shall record the order in the office  
3 of the register of deeds of the county and file a copy in the office of the treasurer, who  
4 shall make proper notation that a person in military service is the holder of the legal  
5 title and has made application for special relief. The county treasurer or city  
6 treasurer shall immediately forward an additional copy of the order and affidavit to  
7 the office of the clerk of the town, city, or village where the property is located, or if  
8 it is located in a city, authorized to sell lands for nonpayment of its taxes, to the  
9 commissioner of assessments, who shall make an appropriate notation in the  
10 records.

11 (7) Any person seeking relief under this section, within 6 months after  
12 termination of military service, or the person's agent or attorney, or in case of death  
13 of the person, the personal representative, surviving spouse, or heir, may apply to the  
14 county treasurer of the county, or the city treasurer of a city authorized by law to sell  
15 lands for the nonpayment of taxes, where the property is located, for an agreement  
16 for scheduled installment payments, covering the taxes accrued during the person's  
17 period of military service, provided that the taxes will be paid over a period of time  
18 equal to a period no longer than twice the length of military service of the person, in  
19 equal periodic installments of not less than \$10, and subject to any other terms as  
20 may be just and reasonable.

21 (8) In the event the applicant defaults in the performance of any of the  
22 provisions of the agreement, the treasurer shall notify the applicant of the default  
23 and the amount and date due, by written notice either served personally or by  
24 registered mail, return receipt requested, to the address set forth in the application.  
25 If the defaulted payment is not fully made within 10 days after service of the notice,

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1 then the treasurer, without further notice, may declare that the entire amount of the  
2 tax subject to the scheduled installments is immediately due and payable and that  
3 the agreement is terminated. The county treasurer shall notify the register of deeds  
4 and the town, city, or village treasurer of the termination, or if the city treasurer of  
5 cities authorized by law to sell lands for the nonpayment of taxes, the latter shall  
6 notify the register of deeds, the county treasurer, and the local officers and shall  
7 make appropriate notations of the termination on their records. The county  
8 treasurer, or city treasurer as to taxes of cities authorized by law to sell land for the  
9 nonpayment of taxes, may without further order of the court enforce the collection  
10 of such tax or assessment and sell such tax certificates together with the penalties  
11 and interest as may have accrued on the property from the date of default of the  
12 scheduled installment payment.

13 **SECTION 75.** 21.78 of the statutes is created to read:

14 **21.78 Employees or officers in military service. (1)** The governing body  
15 of any county, town, city, village, school district, or technical college district may  
16 grant a leave of absence to any employee or officer who is inducted or who enlists in  
17 the U.S. armed forces for a period of military service of not more than 4 years unless  
18 the employee is involuntarily retained for a longer period. No salary or compensation  
19 of the employee or officer shall be paid, nor claim for the salary or compensation exist,  
20 during the leave of absence, except as provided in this section. If the employee's or  
21 officer's salary or compensation is less in the U.S. armed forces than was paid by the  
22 county, town, city, village, school district, or technical college district, that  
23 governmental unit may pay the employee or officer the difference between the salary  
24 or compensation paid by the U.S. armed forces and the salary or compensation that  
25 the employee or officer was paid by the county, town, city, village, school district, or

**ASSEMBLY BILL 210****SECTION 75**

1 technical college district at the time that he or she enlisted in or was inducted into  
2 the U.S. armed forces.

3 (2) The governing body may provide for safeguarding the reinstatement and  
4 pension rights, as limited in this section, of any employee or officer so inducted or  
5 enlisted.

6 (3) No employee or officer who is appointed to fill the place of any employee or  
7 officer so inducted or enlisted shall acquire permanent tenure during the period of  
8 replacement service.

9 (4) If the leave of absence under sub. (1) is granted to an elected or appointed  
10 official or employee and the official or employee has begun service in the U.S. armed  
11 forces, a temporary vacancy exists and a successor may be appointed to fill the  
12 unexpired term of the official or employee, or until the official or employee returns  
13 and files election to resume the office if the date of the filing is prior to the expiration  
14 of the term. The appointment shall be made in the manner provided for the filling  
15 of vacancies caused by death, resignation, or otherwise, except that no election need  
16 be held to fill a temporary vacancy. The appointee has all the powers, duties,  
17 liabilities, and responsibilities and shall be paid and receive the compensation and  
18 other benefits of the office or position, unless otherwise provided by the governing  
19 body. Within 40 days after the termination of service in the U.S. armed forces, the  
20 elected or appointed official or employee, upon filing with the clerk of the  
21 governmental unit, a statement under oath of termination and that the official or  
22 employee elects to resume the office or position, may resume the office or position for  
23 the remainder of the term for which elected or appointed. The person temporarily  
24 filling the vacancy shall cease to hold the office on the date of the filing.

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1           **(5)** In cities of the 3rd class with a commission plan of government, in case of  
2 temporary or permanent vacancies in the office of mayor, the vice mayor shall  
3 temporarily succeed to the office of mayor for the balance of the unexpired term for  
4 which the mayor was elected unless sooner terminated as provided in s. 17.035 (3).  
5 A temporary or permanent vacancy created in the office of council member may be  
6 filled as provided in this section. The term of the person appointed temporarily to  
7 the office of council member shall not extend beyond the expiration of the term of the  
8 office vacated and the temporary term shall be vacated sooner as provided for in s.  
9 17.035 (3).

10           **SECTION 76.** 21.79 of the statutes is created to read:

11           **21.79 Reemployment after completion of military service. (1)** (a) Any  
12 person who has enlisted or enlists in or who has been or is inducted or ordered into  
13 active service in the U.S. armed forces pursuant to 50 App. USC 301, 401, and 451,  
14 or P.L. 87–117, and any person whose services are requested by the federal  
15 government for national defense work as a civilian during a period officially  
16 proclaimed to be a national emergency or a limited national emergency, who, to  
17 perform the training or service, has left or leaves a position, other than a temporary  
18 position, in the employ of any political subdivision of the state or in the employ of any  
19 private or other employer, shall be restored to that position or to a position of like  
20 seniority, status, pay, and salary advancement as though service toward seniority,  
21 status, pay, or salary advancement had not been interrupted by the absence, if all of  
22 the following conditions are met:

23           1. The person presents to the employer evidence of satisfactory completion of  
24 the period of training or civilian service, or of discharge from the U.S. armed forces  
25 under conditions other than dishonorable.

**ASSEMBLY BILL 210****SECTION 76**

1           2. The person is still qualified to perform the duties of the position.

2           3. The person makes application for reemployment and resumes work within  
3 90 days after completion of the training or service, military or civilian, or was so  
4 discharged from the U.S. armed forces, or within 6 months after release from  
5 hospitalization for service-connected injury or disease.

6           4. The employer's circumstances have not changed as to make it impossible or  
7 unreasonable to restore the person.

8           5. The military service was not for more than 4 years unless extended by law.

9           (b) Except as provided in par. (c), in the event of any dispute relating to the  
10 provisions under par. (a), the person may file a complaint regarding the matter with  
11 the department of workforce development. The department of workforce  
12 development shall process any complaint made under this paragraph in the same  
13 manner as employment discrimination complaints are processed under s. 111.39.

14           (c) If a dispute arises regarding a classified employee of the state relating to the  
15 provisions of par. (a), the complaint shall be filed with the director of the office of state  
16 employment relations. A decision of the director of the office of state employment  
17 relations may be reviewed under ch. 227.

18           **(2)** The service of any person who is or was restored to a position in accordance  
19 with sub. (1) shall be considered not to be interrupted by the absence, except for the  
20 receipt of pay or other compensation for the period of the absence and he or she shall  
21 be entitled to participate in insurance, pensions, retirement plans, or other benefits  
22 offered by the employer under established rules and practices relating to employees  
23 on furlough or leave of absence in effect with the employer at the time the person  
24 entered or was enlisted, inducted, or ordered into the forces and service. The person  
25 whose position was restored may not be discharged from the position without cause

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1 within one year after restoration and the discharge is subject to all federal or state  
2 laws affecting any private employment and to the provisions of contracts that may  
3 exist between employer and employee. Each county, town, city, or village shall  
4 contribute or pay all contributions of the employer to the applicable and existent  
5 pension, annuity, or retirement system as though the service of the employee had not  
6 been interrupted by military service.

7 **(3)** If an employer fails or refuses to comply with subs. (1) and (2), a person  
8 entitled to the benefits under subs. (1) and (2) may petition the circuit court to require  
9 the employer to comply with those subsections. Upon the filing of the petition and  
10 on reasonable notice to the employer, the court may require the employer to comply  
11 with those subsections and to compensate the person for any loss of wages or benefits  
12 suffered by reason of the employer's action. The court shall order a speedy hearing  
13 and shall advance the case on the calendar. No fees or court costs may be taxed  
14 against a person petitioning the court under this subsection. The action commenced  
15 under this subsection against a private employer, and the trial or hearing of the  
16 action, shall be in any county in which the employment took place or in which the  
17 private employer maintains a place of business, and in all other cases shall be as  
18 provided in s. 801.50.

19 **(4)** No person who is appointed in the service of the state or of any county, city,  
20 village, or town to fill the place of a person entering service in the U.S. armed forces  
21 or federal government service under sub. (1) shall acquire permanent tenure during  
22 the period of that replacement service.

23 **(5)** If the decision of the circuit court is appealed the person who petitioned the  
24 circuit court under sub. (3) need not file an appeal bond for the security for costs on  
25 the appeal.

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1           **(6)** The restoration of classified employees of the state shall be governed by s.  
2 230.32. The restoration of unclassified state employees shall be governed by this  
3 section.

4           **SECTION 77.** 21.80 (3) (g) of the statutes is amended to read:

5           21.80 **(3) (g)** *Veterans preferences.* The right of a person to reemployment under  
6 this subsection does not entitle the person to retention, preference, or displacement  
7 rights over any person who has a superior claim under s. ~~45.35 (4)~~ 45.03 (4), 62.13  
8 (4) (d), 63.08 (1) (f), 63.37, 63.39 (2m), 66.0509 (1), 230.15 (2m), 230.16 (7) or (7m),  
9 230.21 (1m), 230.25, or 230.275.

10           **SECTION 78.** 25.17 (1) (xp) of the statutes is amended to read:

11           25.17 **(1) (xp)** Veterans mortgage loan repayment fund (s. ~~45.79 (7)~~ 45.37 (7));

12           **SECTION 79.** 25.17 (1) (yv) of the statutes is amended to read:

13           25.17 **(1) (yv)** Wisconsin ~~Veterans Home at King and veterans facilities~~ homes  
14 members fund (s. 25.37);

15           **SECTION 80.** 25.36 (1) of the statutes is amended to read:

16           25.36 **(1)** Except as provided in sub. (2), all moneys appropriated or transferred  
17 by law shall constitute the veterans trust fund which shall be used for the lending  
18 of money to the mortgage loan repayment fund under s. ~~45.35 (22)~~ 45.37 (5) (a) 12.  
19 and for the veterans programs under ss. 20.485 (2) (m), (mn), (tm), (u), (v), (vo), (vy),  
20 (vz), (w), (z), and (zm), ~~45.014, 45.25, 45.35 (23), 45.351 (1), 45.353, 45.356, 45.357,~~  
21 ~~45.396, 45.397, and 45.43 (7)~~ 45.03 (19), 45.07, 45.20, 45.21, 45.40 (1), 45.41, 45.42,  
22 45.43, and 45.82 and administered by the department of veterans affairs, including  
23 all moneys received from the federal government for the benefit of veterans or their  
24 dependents; all moneys paid as interest on and repayment of loans under the  
25 post-war rehabilitation fund; soldiers rehabilitation fund, veterans housing funds

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1 as they existed prior to July 1, 1961; all moneys paid as interest on and repayment  
2 of loans under this fund; all moneys paid as expenses for, interest on, and repayment  
3 of veterans trust fund stabilization loans under s. 45.356, 1995 stats.; all moneys  
4 paid as expenses for, interest on, and repayment of veterans personal loans; the net  
5 proceeds from the sale of mortgaged properties related to veterans personal loans;  
6 all mortgages issued with the proceeds of the 1981 veterans home loan revenue bond  
7 issuance purchased with moneys in the veterans trust fund; all moneys received from  
8 the state investment board under s. ~~45.356 (9) (b)~~ 45.42 (8) (b); all moneys received  
9 from the veterans mortgage loan repayment fund under s. ~~45.79 (7) (a) and (c)~~ 45.37  
10 (7) (a) and (c); and all gifts of money received by the board of veterans affairs for the  
11 purposes of this fund.

12 **SECTION 81.** 25.37 of the statutes is amended to read:

13 **25.37 Wisconsin veterans facilities homes members fund.** There is  
14 established a separate nonlapsible trust fund designated as the Wisconsin veterans  
15 facilities homes members fund. The fund shall consist of moneys belonging to  
16 persons residing in Wisconsin veterans facilities, ~~including members of the~~  
17 ~~Wisconsin Veterans Home at King~~ homes, that are paid to the ~~home and veterans~~  
18 facilities homes, and that are transferred into the fund by the department of veterans  
19 affairs under s. ~~45.37 (9c)~~ 45.51 (8).

20 **SECTION 82.** 28.035 (3) (a) of the statutes is amended to read:

21 28.035 **(3)** (a) The written lease entered into between the Wisconsin state  
22 department of the American Legion and the department of natural resources dated  
23 June 15, 1944, which leases Camp American Legion for a period of 10 years  
24 commencing June 1, 1944, shall continue in full force for an additional 10 years, and  
25 may be renewed for additional 10-year periods ~~thereafter~~, notwithstanding the

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1 expiration of the term expressed ~~therein~~ in the lease, so long as the Wisconsin state  
2 department of the American Legion or any of the American Legion posts organized  
3 under s. 188.08 maintains on such the property structures which were constructed  
4 prior to May 31, 1956, at the expense of the Wisconsin state department of the  
5 American Legion or any such post, for the purpose of the rehabilitation, restoration,  
6 or recreation of veterans and their dependents of the Spanish–American war War,  
7 the Philippine ~~insurrection~~ Insurrection, the Mexican border service, World Wars I  
8 and II, the Korean conflict, the Vietnam war War, the Iraq war War, and Grenada,  
9 Lebanon, Panama, Somalia or a Middle East service in a crisis under s. 45.34 zone,  
10 as defined in s. 45.01 (11).

11 **SECTION 83.** 29.219 (2) (c) of the statutes is amended to read:

12 29.219 (2) (c) A resident annual fishing license issued to any resident who is  
13 a member of the ~~Wisconsin Veterans Home at King~~ or at the facilities operated by the  
14 department of veterans affairs under s. 45.385 a Wisconsin veterans home under s.  
15 45.50 shall be issued at no charge.

16 **SECTION 84.** 29.506 (7m) (a) of the statutes is amended to read:

17 29.506 (7m) (a) The department shall issue a taxidermy school permit to a  
18 person who applies for the permit; who, on August 15, 1991, holds a valid  
19 taxidermist permit issued under this section; and who, on August 15, 1991, operates  
20 a taxidermy school approved by the educational approval board under s. 45.54 39.90.

21 **SECTION 85.** 29.563 (3) (a) 8. of the statutes is amended to read:

22 29.563 (3) (a) 8. Annual fishing issued to a resident at ~~Wisconsin Veterans~~  
23 ~~Home at King~~ and at the facilities operated by the department of veterans affairs  
24 ~~under s. 45.385~~ a Wisconsin veterans home under s. 45.50: \$0.

25 **SECTION 86.** 36.27 (2) (b) 4. of the statutes is amended to read:



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1 (b) “Course” means an organized unit of subject matter in which instruction is  
2 offered within a given period of time or that covers a specified amount of related  
3 subject matter.

4 (c) “Course of instruction” means a series of classroom or correspondence  
5 courses having a unified purpose which lead to a diploma or degree or to an  
6 occupational or vocational objective.

7 (d) “Person” means any individual, partnership, association, corporation, or  
8 limited liability company, or any combination of these.

9 (e) “School” means any private trade, correspondence, business, or technical  
10 school, but does not include any of the following:

11 1. In-state schools that are exempt from taxation under section 501 of the  
12 Internal Revenue Code and that either were incorporated in this state prior to  
13 January 1, 1992, or had their administrative headquarters and principal places of  
14 business in this state prior to 1970.

15 2. Schools that are supported mainly by taxes.

16 3. Schools of a parochial or denominational character offering courses having  
17 a sectarian objective.

18 4. Schools primarily offering instruction avocational or recreational in nature  
19 and not leading to a vocational objective.

20 5. Courses conducted by employers exclusively for their employees.

21 6. Schools, courses of instruction, and training programs that are approved or  
22 licensed and supervised by other state agencies and boards.

23 7. Schools approved by the department of public instruction for the training of  
24 teachers.

25 8. Schools accredited by accrediting agencies recognized by the board.

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1           (f) “Solicitor” means a person employed by or representing a school located  
2 either within or outside this state that, in places other than the actual business  
3 premises of the school, personally attempts to secure the enrollment of a student in  
4 the school.

5           (g) “Teaching location” means the area and facilities designated for use by a  
6 school required to be approved by the board under this section.

7           **(2) RESPONSIBILITIES.** The board shall protect the general public by inspecting  
8 and approving private trade, correspondence, business, and technical schools doing  
9 business within this state, whether located within or outside this state, changes of  
10 ownership or control of the schools, teaching locations used by the schools, and  
11 courses of instruction offered by the schools and regulate the soliciting of students  
12 for correspondence or classroom courses and courses of instruction offered by the  
13 schools.

14           **(3) RULE-MAKING POWER.** The board shall promulgate rules and establish  
15 standards necessary to administer this section.

16           **(4) EMPLOYEES, QUARTERS.** The board shall employ a person to perform the  
17 duties of an executive secretary and any other persons under the classified service  
18 that may be necessary to carry out the board’s responsibilities. The person  
19 performing the duties of the executive secretary shall be in charge of the  
20 administrative functions of the board. The board shall, to the maximum extent  
21 practicable, keep its office with the department of veterans affairs.

22           **(5) APPROVAL OF SCHOOLS GENERALLY.** To protect students, prevent fraud and  
23 misrepresentation in the sale and advertising of courses and courses of instruction,  
24 and encourage schools to maintain courses and courses of instruction consistent in

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1 quality, content, and length with generally accepted educational standards, the  
2 board shall do all of the following:

3 (a) Investigate the adequacy of courses and courses of instruction offered by  
4 schools to residents of this state and establish minimum standards for those courses  
5 of instruction.

6 (b) Investigate the adequacy of schools' facilities, equipment, instructional  
7 materials, and instructional programs and establish minimum standards for those  
8 facilities, equipment, materials, and programs.

9 (c) Establish rules, standards, and criteria to prevent fraud and  
10 misrepresentation in the sale and advertising of courses and courses of instruction.

11 (d) Promulgate rules restricting the negotiability of promissory instruments  
12 received by schools in payment of tuition and other charges.

13 (e) Establish minimum standards for refund of the unused portion of tuition,  
14 fees, and other charges if a student does not enter a course or course of instruction  
15 or withdraws or is discontinued from the course.

16 (f) Require schools offering courses and courses of instruction to residents of  
17 this state to furnish information concerning their facilities, curricula, instructors,  
18 enrollment policies, tuition and other charges and fees, refund policies, and policies  
19 concerning negotiability of promissory instruments received in payment of tuition  
20 and other charges.

21 (g) Approve courses of instruction, schools, changes of ownership or control of  
22 schools, and teaching locations meeting the requirements and standards established  
23 by the board and complying with rules promulgated by the board and publish a list  
24 of the schools and courses of instruction approved.

25 (h) Issue permits to solicitors when all board requirements have been met.

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1           (i) Require schools to furnish a surety bond in an amount as provided by rule  
2 of the board.

3           **(6) SOLICITING OF STUDENTS.** (a) *In general.* No solicitor representing any school  
4 offering any course or course of instruction shall sell any course or course of  
5 instruction or solicit students for a course or course of instruction in this state for a  
6 consideration or remuneration, except upon the actual business premises of the  
7 school, unless the solicitor first secures a solicitor's permit from the board. If the  
8 solicitor represents more than one school, a separate permit shall be obtained for  
9 each school the solicitor represents.

10           (b) *Solicitor's permit.* The application for a solicitor's permit shall be made on  
11 a form furnished by the board and shall be accompanied by a fee and a surety bond  
12 acceptable to the board in the sum of \$2,000. The board shall, by rule, specify the  
13 amount of the fee for a solicitor's permit. The bond may be continuous and shall be  
14 conditioned to provide indemnification to any student suffering loss as the result of  
15 any fraud or misrepresentation used in procuring his or her enrollment or as a result  
16 of the failure of the school to perform faithfully the agreement the solicitor made with  
17 the student, and may be supplied by the solicitor or by the school itself either as a  
18 blanket bond covering each of its solicitors in the amount of \$2,000 or the surety bond  
19 under sub. (5) (i). Upon approval of a permit, the board shall issue an identification  
20 card to the solicitor giving his or her name and address, the name and address of the  
21 employing school, and certifying that the person whose name appears on the card is  
22 authorized to solicit students for the school. A permit shall be valid for one year from  
23 the date issued. Liability under this paragraph of the surety on the bond for each  
24 solicitor covered by the bond shall not exceed the sum of \$2,000 as an aggregate for  
25 any and all students for all breaches of the conditions of the bond. The surety of a

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1 bond may cancel the bond upon giving 30 days' notice in writing to the board and  
2 shall be relieved of liability under this paragraph upon giving the notice for any  
3 breach of condition occurring after the effective date of the cancellation. An  
4 application for renewal shall be accompanied by a fee, a surety bond acceptable to  
5 the board in the sum of \$2,000 if a continuous bond has not been furnished, and such  
6 information as the board requests of the applicant. The board shall, by rule, specify  
7 the amount of the fee for renewal of a solicitor's permit.

8 (c) *Refusal or revocation of permit.* The board may refuse to issue or renew, or  
9 may revoke, any solicitor's permit upon one or any combination of the following  
10 grounds:

11 1. Willful violation of this subsection or any rule promulgated by the board  
12 under this section.

13 2. Furnishing false, misleading, or incomplete information to the board.

14 3. Presenting information to prospective students relating to the school, a  
15 course, or a course of instruction that is false, fraudulent, or misleading.

16 4. Refusal by the school to be represented to allow reasonable inspection or to  
17 supply information after written request therefor by the board.

18 5. Failure of the school which the solicitor represents to meet requirements and  
19 standards established by and to comply with rules promulgated by the board under  
20 sub. (5).

21 6. Cancellation of the solicitor's bond by surety.

22 7. Subject to ss. 111.321, 111.322, and 111.335, the applicant has an arrest or  
23 conviction record.

24 (d) *Notice of refusal to issue or renew permit.* Notice of refusal to issue or renew  
25 a permit or of the revocation of a permit shall be sent by registered mail to the last

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1 address of the applicant or permit holder shown in the records of the board.  
2 Revocation of a permit shall be effective 10 days after the notice of revocation has  
3 been mailed to the permit holder.

4 (e) *Request for appearance.* Within 20 days of the receipt of notice of the board's  
5 refusal to issue or renew a permit or of the revocation of a permit, the applicant or  
6 holder of the permit may request permission to appear before the board in person,  
7 with or without counsel, to present reasons why the permit should be issued,  
8 renewed, or reinstated. Upon receipt of a request, the board shall grant a hearing  
9 to the applicant or holder of the permit within 30 days giving that person at least 10  
10 days' notice of the date, time, and place.

11 (f) *Recovery by students.* The bond in force under par. (b) shall not limit or  
12 impair any right of recovery otherwise available under law, nor shall the amount of  
13 the bond be relevant in determining the amount of damages or other relief to which  
14 any plaintiff may be entitled.

15 (g) *Recovery on contracts.* No recovery shall be had by any school or its assignee  
16 on any contract for or in connection with a course or course of instruction if the  
17 representative who sold or solicited the course was not the holder of a solicitor's  
18 permit under this subsection at the time of the sale or solicitation.

19 (h) *Enforcement.* The attorney general or any district attorney may bring an  
20 action in circuit court for the enforcement of this subsection.

21 (i) *Penalty.* Whoever violates this subsection may be fined not more than \$500  
22 or imprisoned not more than 3 months or both.

23 **(7) PROPRIETARY SCHOOL APPROVAL.** (a) *Authority.* All proprietary schools shall  
24 be examined and approved by the board before operating in this state. Approval shall  
25 be granted to schools meeting the criteria established by the board for a period not

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1 to exceed one year. No school may advertise in this state unless approved by the  
2 board. All approved schools shall submit quarterly reports, including information  
3 on enrollment, number of teachers and their qualifications, course offerings, number  
4 of graduates, number of graduates successfully employed, and such other  
5 information as the board considers necessary. If a school closure results in losses to  
6 students, parents, or sponsors, the board may authorize the full or partial payment  
7 of those losses from the appropriation under s. 20.485 (5) (gm).

8 (b) *Application.* Application for initial approval of a school or a course of  
9 instruction, approval of a teaching location, change of ownership, or control of a  
10 school, renewal of approval of a school or reinstatement of approval of a school or  
11 course of instruction that has been revoked shall be made on a form furnished by the  
12 board and shall be accompanied by a fee set by the board under par. (c) and any other  
13 information as the board considers necessary to evaluate the school in carrying out  
14 the purpose of this section.

15 (c) *Fees; rule making.* The board shall promulgate rules to establish the fees  
16 paid to the board. In promulgating rules to establish the fees, the board shall do all  
17 of the following:

18 1. Require that the amount of fees collected under this paragraph be sufficient  
19 to cover all costs that the board incurs in examining and approving proprietary  
20 schools under this subsection.

21 2. Give consideration to establishing a variable fee structure based on the size  
22 of a proprietary school.

23 3. Specify a fee to accompany all applications under par. (b).

24 4. Specify a student protection fee.



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1           **45.001 Recognition of persons who served in the armed forces.** The  
2 state of Wisconsin recognizes, as veterans, the men and women of Wisconsin who  
3 served on active duty in the U.S. armed forces or in forces incorporated in the U.S.  
4 armed forces, the men and women who served in a reserve unit of the U.S. armed  
5 forces, and the men and women who served in the national guard.

6           **45.01 Definitions.** In this chapter, unless the context otherwise requires:

7           **(1)** “Active duty” does not include active duty for training purposes.

8           **(2)** “Active duty for training purposes” has the meaning given in 38 USC 101  
9 (22).

10          **(3)** “Board” means the board of veterans affairs.

11          **(4)** “Child” means any biological child, any adopted child, any stepchild, or any  
12 other child who is a member of the veteran’s household, or any nonmarital child if  
13 the veteran acknowledges paternity or paternity has been otherwise established.

14          **(5)** “Department” means the department of veterans affairs.

15          **(6)** “Dependent” includes any of the following:

16           (a) A spouse, a surviving spouse, or a divorced spouse, but only if the divorced  
17 spouse is not remarried and is receiving child support or maintenance from the  
18 veteran under a court order.

19           (b) Any child under 18 years of age, or under the age of 26 if in full attendance  
20 at a recognized school of instruction, or of any age if incapable of self-support by  
21 reason of mental or physical disability.

22           (c) The biological or adoptive parent or a person who acts in the place of a parent  
23 and who has so acted for not less than 12 months prior to the veteran’s entrance into  
24 active service.

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1 (d) A minor sibling or a sibling of any age if incapable of self-support by reason  
2 of mental or physical disability.

3 (7) “In-kind contributions” includes donations of appliances, buildings,  
4 creations, equipment, fixtures, furniture, materials, real property, structures,  
5 supplies, and utilities, and work performed in the acquisition of land and  
6 construction of property.

7 (8) “Memorial” means a building, structure, statue, or creation used to keep  
8 alive the remembrance of a veteran, veterans group, or an event related to a veteran  
9 and may include land upon which the building, structure, statue, or creation is  
10 located. “Memorial” does not include a museum.

11 (9) “Permanently and totally disabled veteran” means a person who is  
12 receiving 100 percent disability compensation from the U.S. department of veterans  
13 affairs under 38 USC 301 to 315, 331 to 337, and 350 to 362, due to a permanent and  
14 total service-connected disability.

15 (10) “Secretary” means the secretary of the department.

16 (11) “Service in a crisis zone” means any of the following:

17 (a) *Service in Lebanon and Grenada.* A person shall be considered to have  
18 served in Lebanon or Grenada if the person was on active duty in Lebanon or its  
19 territorial waters under honorable conditions between August 1, 1982, and August  
20 1, 1984, or in Grenada between October 23, 1983, and November 21, 1983, and meets  
21 one of the following conditions:

22 1. Was entitled to receive the armed forces expeditionary medal established by  
23 executive order 10977 on December 4, 1961.

24 2. Was entitled to receive the marine corps or navy expeditionary medal.

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1           3. Was not entitled to receive a medal under par. (a) or (b) but submits other  
2 proof of service acceptable to the department.

3           (b) *Middle East crisis*. A person shall be considered to have served in a Middle  
4 East crisis if, because of active duty in the U.S. armed forces or forces incorporated  
5 as a part of U.S. armed forces, any of the following apply:

6           1. The person was awarded the humanitarian service medal for participating  
7 in the attempt to rescue American hostages in Iran.

8           2. The person was awarded the valor ribbon bar by the U.S. state department  
9 for having been a hostage in Iran during the Iranian hostage crisis in 1980 and 1981.

10          3. The person participated in the April 14, 1986, military action against Libya.

11          4. The person served on the U.S.S. Stark on May 17, 1987.

12          5. The person served in support of Operation Desert Shield or Operation Desert  
13 Storm under all of the following conditions:

14           a. Under an active duty order, a unit assignment order or an involuntary  
15 extension of an active duty order or in the Middle East or in territorial or  
16 international waters adjacent to the Middle East.

17           b. Under honorable conditions.

18           c. Between August 1, 1990, and the ending date of Operation Desert Shield or  
19 Operation Desert Storm, as established by the department by rule.

20          6. The person served for 90 days or more in support of Operation Enduring  
21 Freedom or an operation that is a successor to Operation Enduring Freedom or  
22 served in the Operation Enduring Freedom theater of operation under all of the  
23 following conditions:

24           a. Under an active duty order, a unit assignment order, or an involuntary  
25 extension of an active duty order.

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1           b. Under honorable conditions.

2           c. Between September 11, 2001, and the ending date of Operation Enduring  
3 Freedom or an operation that is a successor to Operation Enduring Freedom, as  
4 established by the department by rule.

5           (c) *Service in Panama.* A person shall be considered to have served in Panama  
6 if the person was on active duty in the U.S. armed forces in Panama or its territorial  
7 waters under honorable conditions between December 20, 1989, and January 31,  
8 1990.

9           (d) *Service in Somalia.* A person shall be considered to have served in Somalia  
10 if the person was on active duty in the U.S. armed services in Somalia or in territorial  
11 waters adjacent to Somalia under honorable conditions between December 9, 1992,  
12 and the ending date of Operation Restore Hope, as established by the department by  
13 rule.

14           (e) *Service in Bosnia.* A person shall be considered to have served in Bosnia if  
15 the person served for 90 days or more in support of Operation Balkan Endeavor or  
16 served for 90 days or more in Austria, Bosnia and Herzegovina, Czech Republic,  
17 Croatia, Hungary, Macedonia, Montenegro, Serbia including the autonomous  
18 provinces of Kosovo and Vojvodina, Slovakia, or Slovenia, or in territorial waters  
19 adjacent to any of those countries, under all of the following conditions:

20           1. Under an active duty order, an involuntary extension of an active duty order,  
21 or a unit assignment order.

22           2. Under honorable conditions.

23           3. Between December 1, 1995, and the ending date of Operation Balkan  
24 Endeavor or a successor operation, as established by the department by rule.

25           **(12)** “Veteran”, except in s. 45.001, means any of the following:

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1 (a) A person who has served on active duty for at least one qualifying term of  
2 service under pars. (b) to (d) under honorable conditions in the U.S. armed forces or  
3 in forces incorporated as part of the U.S. armed forces during a war period or in a  
4 crisis zone.

5 (b) A person who has served on active duty in the U.S. armed forces or in forces  
6 incorporated as part of the U.S. armed forces under honorable conditions, for 2  
7 continuous years or more or for the full period of his or her initial service obligation,  
8 whichever is less.

9 (c) A person who has served on active duty for 90 days or more under honorable  
10 conditions in the U.S. armed forces or in forces incorporated as part of the U.S. armed  
11 forces during a war period or for any period of service under section 1 of executive  
12 order 10957 dated August 10, 1961.

13 (d) A person whose term of service in the U.S. armed forces or in forces  
14 incorporated as part of the U.S. armed forces under honorable conditions entitled  
15 him or her to receive the Armed Forces Expeditionary Medal, established by  
16 executive order 10977 on December 4, 1961, the Vietnam Service Medal established  
17 by executive order 11231 on July 8, 1965, the Navy Expeditionary Medal, the Marine  
18 Corps Expeditionary Medal, or an equivalent expeditionary or service medal.

19 (e) A person who was honorably discharged from the U.S. armed forces or from  
20 forces incorporated as part of the U.S. armed forces for a service-connected  
21 disability, for a disability subsequently adjudicated to have been service connected,  
22 or for reasons of hardship.

23 (f) A person who was released under honorable conditions from the U.S. armed  
24 forces or from forces incorporated as part of the U.S. armed forces due to a reduction  
25 in the U.S. armed forces.

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1 (g) A person who died while in service in the U.S. armed forces or in forces  
2 incorporated as part of the U.S. armed forces.

3 (h) A person who, while serving in the U.S. armed forces or in forces  
4 incorporated as part of the U.S. armed forces, is missing in action.

5 (i) A person who died as the result of a service-connected disability.

6 (j) A person who died in the line of duty while on inactive or active duty for  
7 training purposes in the U.S. armed forces, in forces incorporated as part of the U.S.  
8 armed forces, or in the national guard.

9 **(12)** “Veterans home” means the Wisconsin Veterans Home at Union Grove, the  
10 Wisconsin Veterans Home at King, and the Wisconsin Veterans Home at Chippewa  
11 Falls.

12 **(13)** “War period” means any of the following:

13 (a) Indian War: between 1860 and 1898.

14 (b) Spanish-American War: between April 21, 1898, and April 11, 1899.

15 (c) Philippine Insurrection: between April 12, 1899, and July 4, 1902 (extended  
16 to July 15, 1903, if actually engaged in Moro Province hostilities).

17 (d) Boxer Rebellion: between June 16, 1900, and May 12, 1901.

18 (e) Mexican border service: between June 19, 1916, and April 5, 1917.

19 (f) World War I: between April 6, 1917, and November 11, 1918 (extended to  
20 April 1, 1920, if service was in Russia).

21 (g) World War II: between August 27, 1940, and July 25, 1947.

22 (h) Korean conflict: between June 27, 1950, and January 31, 1955.

23 (i) Vietnam War: between August 5, 1964, and January 1, 1977, excepting  
24 service on active duty for training purposes only.

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1 (j) Persian Gulf War: between August 1, 1990, and the ending date of Operation  
2 Desert Shield or the ending date of Operation Desert Storm as established by the  
3 department by rule.

4 (k) Afghanistan War: between September 11, 2001, and the ending date of  
5 Operation Enduring Freedom or an operation that is a successor to Operation  
6 Enduring Freedom, as established by the department by rule.

7 (m) Iraq War: between March 19, 2003, and the ending date of Operation Iraqi  
8 Freedom or an operation that is a successor to Operation Iraqi Freedom, as  
9 established by the department by rule.

10 (n) Any period after the period specified in par. (m) that the department  
11 determines and designates by rule, after reviewing the criteria used to establish the  
12 war periods under pars. (a) to (m) and after consultation with the U.S. department  
13 of defense, to be a period when the United States is in a conflict that places persons  
14 at such a risk that the period should be designated as a war period for purposes of  
15 this chapter.

16 **45.02 Eligibility for benefits. (1)** Any person whose service on active duty  
17 with the U.S. armed forces or in forces incorporated as part of the U.S. armed forces  
18 makes that person eligible for general U.S. department of veterans affairs benefits  
19 shall be considered to have served under honorable conditions for purposes of this  
20 chapter.

21 **(2)** Except as provided in sub. (3), to be eligible for benefits under this chapter  
22 an applicant shall be a resident of and living in this state at the time of making  
23 application or the veteran from whom the applicant derives eligibility is deceased,  
24 and the veteran from whom eligibility is derived meets one of the following  
25 conditions:

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1           (a) His or her selective service local board, if any, and home of record at the time  
2 of entry or reentry into active service as shown on the veteran's report of separation  
3 from the U.S. armed forces for a qualifying period were in this state.

4           (b) The veteran was a resident of this state at the time of entry or reentry into  
5 active duty.

6           (c) The veteran was a resident of this state for any consecutive 12-month period  
7 after entry or reentry into service and before the date of his or her application or  
8 death.

9           **(3)** Veterans who are otherwise eligible and who are serving on active duty in  
10 the U.S. armed forces need not be living in this state on the date of application to  
11 qualify for benefits from the department.

12           **(4)** If the department determines that a person applying for a benefit under this  
13 chapter meets the residency requirement under sub. (2) (c), the department may not  
14 require the person to reestablish that he or she meets that residency requirement  
15 when he or she later applies for any other benefit under this chapter that requires  
16 that residency.

17           **45.03 Department of veterans affairs. (1) POLICY.** It is the policy of the  
18 state to give health, educational, and economic assistance to veterans and their  
19 dependents who are residents of this state to the extent and under the conditions  
20 determined by the board within the limitations set forth in this section.

21           **(2) BOARD FUNCTIONS.** The board may promulgate rules necessary to carry out  
22 the purposes of this chapter and the powers and duties conferred upon it. The records  
23 and files of the department of military affairs and of any other state department or  
24 officer shall, upon request, be made available to the board.

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1           **(3) COUNCIL ON VETERANS PROGRAMS.** (a) The council on veterans programs  
2 created under s. 15.497 shall advise the board and the department on solutions and  
3 policy alternatives relating to the problems of veterans.

4           (b) The council on veterans programs and the department, jointly or separately,  
5 shall submit a report regarding the council on veterans programs to the chief clerk  
6 of each house of the legislature for distribution to the legislature under s. 13.172 (2)  
7 by September 30 of every odd-numbered year. The report shall include a general  
8 summary of the activities and membership over the past 2 years of the council and  
9 each organization on the council.

10           **(4) DEPARTMENT STAFF.** (a) The department shall employ staff necessary to  
11 carry out its functions. The secretary shall appoint under the classified service such  
12 persons as are necessary to carry out the policy of the board. All persons appointed  
13 by the department shall, if possible, be veterans and preference shall be given to  
14 disabled veterans.

15           (b) The department upon request shall assist without charge all persons  
16 residing in the state having claims against the United States where the claims have  
17 arisen out of or by reason of service in the U.S. armed forces. The department may  
18 act as agent or power of attorney in pursuing claims for persons requesting the  
19 department to do so.

20           (c) The department shall employ regional coordinators. The duties of a regional  
21 coordinator shall include providing direct claims and benefit application assistance  
22 to veterans. The regional coordinators shall coordinate claims and benefit  
23 application assistance with the appropriate county veterans service officers to  
24 maximize the level of assistance and benefits provided to veterans.

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1 (d) The department shall employ claims officers. The claims officers shall  
2 provide federal claims and benefit assistance to veterans and shall be based in the  
3 department's regional office in Milwaukee County.

4 (e) The department shall employ mobile claims officers in each of the  
5 department's regions. The mobile claims officers shall provide claims and benefit  
6 assistance to veterans. The mobile claims officers shall coordinate that claims and  
7 benefit assistance with the appropriate county veterans service officers to maximize  
8 the level of assistance and benefits provided to veterans.

9 **(5) DEPARTMENT POWERS TO PROVIDE STRUCTURES, FACILITIES, AND PERMANENT**  
10 **IMPROVEMENTS. (a) In this subsection, unless the context requires otherwise:**

11 1. "Existing building" in relation to any conveyance, lease, or sublease made  
12 under par. (c) 1. means all detention, treatment, administrative, recreational,  
13 infirmary, hospital, vocational, and academic buildings; all dormitories and cottages;  
14 all storage facilities, heating plants, sewage disposal plants, and other buildings,  
15 structures, facilities, and permanent improvements that in the judgment of the  
16 board are needed or useful for the purposes of the department, and all equipment for  
17 them and all improvements and additions to them that were erected, constructed, or  
18 installed prior to the making of the conveyance, lease, or sublease.

19 2. "New building" in relation to any conveyance, lease, or sublease made under  
20 par. (c) 1. means all detention, treatment, administrative, recreational, infirmary,  
21 hospital, vocational, and academic buildings; all dormitories and cottages; all  
22 storage facilities, heating plants, sewage disposal plants, and other buildings,  
23 structures, facilities, and permanent improvements as in the judgment of the board  
24 are needed or useful for the purposes of the department, and all equipment for them

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1 and all improvements and additions to them that are erected, constructed, or  
2 installed after the making of the conveyance, lease, or sublease.

3 3. “Nonprofit corporation” means a nonstock corporation that is organized  
4 under ch. 181 and that is a nonprofit corporation, as defined in s. 181.0103 (17).

5 (b) The department may acquire by gift, purchase, or condemnation property  
6 for the purposes of providing a headquarters and museum building for the  
7 department.

8 (c) 1. To provide new buildings and to enable the construction and financing of  
9 new buildings, to refinance indebtedness created by a nonprofit corporation for the  
10 purpose of providing a new building or buildings or additions or improvements to a  
11 new building that is located on land owned by, or owned by the state and held for, the  
12 department or on lands of the institutions under the jurisdiction of the department  
13 or by the nonprofit corporation, or for any one or more of these purposes, the  
14 department has the following powers and duties:

15 a. Without limitation by reason of any other provisions of the statutes, unless  
16 otherwise required by law, the power to sell and to convey title in fee simple to a  
17 nonprofit corporation any land and any existing buildings owned by the state that  
18 are under the jurisdiction of the department for the consideration and upon the  
19 terms and conditions as in the judgment of the board are in the public interest.

20 b. Unless otherwise required by law, the power to lease to a nonprofit  
21 corporation for a term or terms not exceeding 50 years each any land and any existing  
22 buildings owned by the state that are under the jurisdiction of the department upon  
23 the terms and conditions as in the judgment of the board are in the public interest.

24 c. The power to lease or sublease from the nonprofit corporation, and to make  
25 available for public use, any land, or any land and existing buildings conveyed or

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1 leased to such nonprofit corporation under subd. 1. a. and b., and any new buildings  
2 erected upon such land or upon any other land owned by the nonprofit corporation,  
3 upon the terms, conditions, and rentals, subject to available appropriations, as in the  
4 judgment of the board are in the public interest.

5 d. The duty to submit the plans and specifications for all new buildings to the  
6 building commission for approval whenever required by law and to submit plans and  
7 specifications for all new buildings and all conveyances, leases, and subleases made  
8 under this subsection to the department of administration and the governor for  
9 written approval before they are finally adopted, executed, and delivered.

10 e. The power to pledge and assign all or any part of the revenues derived from  
11 the operation of any land or new buildings as security for the payment of rentals due  
12 and to become due under any lease or sublease of new buildings under subd. 1. c.

13 f. The power to covenant and agree in any lease or sublease of any land or new  
14 buildings made under subd. 1. c. to impose fees, rentals, or other charges for the use  
15 and occupancy or other operation of new buildings in an amount calculated to  
16 produce net revenues sufficient to pay the rentals due and to become due under the  
17 lease or sublease.

18 g. The power to apply all or any part of the revenues derived from the operation  
19 of any land or existing buildings to the payment of rentals due and to become due  
20 under any lease or sublease made under subd. 1. c.

21 h. The power to pledge and assign all or any part of the revenues derived from  
22 the operation of any land or existing buildings to the payment of rentals due and to  
23 become due under any lease or sublease made under subd. 1. c.

24 i. The power to covenant and agree in any lease or sublease made under subd.  
25 1. c. to impose fees, rentals, or other charges for the use and occupancy or other

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1 operation of any land or existing buildings in an amount calculated to produce net  
2 revenues sufficient to pay the rentals due and to become due under the lease or  
3 sublease.

4 j. The power and duty, upon receipt of notice of any assignment by any nonprofit  
5 corporation of any lease or sublease made under subd. 1. c., or of any of its rights  
6 under any sublease, to recognize and give effect to the assignment, and to pay to the  
7 assignee rentals or other payments then due or that may become due under any lease  
8 or sublease that has been assigned by the nonprofit corporation.

9 2. The state shall be liable for accrued rentals and for any other default under  
10 any lease or sublease made under subd. 1. c., and may be sued for the accrued rentals  
11 or other default on contract as in other contract actions under ch. 775, except that  
12 the lessor under the lease or sublease or any assignee of the lessor or any person or  
13 other legal entity proceeding on behalf of the lessor is not required to file any claim  
14 with the legislature prior to the commencement of the action.

15 3. Nothing in this subsection empowers the board or the department to incur  
16 any state debt.

17 4. All powers and duties conferred upon the board or the department under this  
18 subsection shall be exercised and performed by resolution of the board. All  
19 conveyances, leases, and subleases made under this subsection, when authorized by  
20 resolution of the board, shall be made, executed, and delivered in the name of the  
21 department and shall be signed by the secretary and sealed with the seal of the  
22 department.

23 5. All laws, conflicting with any provisions of this subsection, are, insofar as  
24 they conflict with this section and no further, superseded by this subsection.

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1           **(6) COORDINATION DUTIES.** The department shall coordinate the activities of all  
2 state agencies and the University of Wisconsin Hospitals and Clinics Authority  
3 performing functions relating to the medical, hospital, or other remedial care;  
4 placement and training; and educational, economic, or vocational rehabilitation of  
5 veterans. In particular, the department shall coordinate the activities of the  
6 technical college system board, state selective service administration, department  
7 of health and family services, department of workforce development, department of  
8 public instruction, the University of Wisconsin System and other educational  
9 institutions, the University of Wisconsin Hospitals and Clinics Authority, and all  
10 other departments or agencies performing any of the functions specified, to the end  
11 that the benefits provided in this section may be made available to veterans as  
12 promptly and effectively as possible.

13           **(7) CONTACT DUTIES.** The department shall maintain contacts with county  
14 veterans service officers and local agencies, the American Red Cross, and veterans  
15 organizations concerned with the welfare of veterans and shall contact and cooperate  
16 with federal agencies in securing for veterans all benefits to which they may be  
17 entitled.

18           **(8) MINORS' EXECUTION OF DOCUMENTS; BENEFITS EXEMPT FROM EXECUTION.** (a) Any  
19 minor who is a veteran and any minor who is the spouse, surviving spouse, or child  
20 of a veteran may execute notes, mortgages, and other contracts and conveyances to  
21 the department and the notes, mortgages, contracts, and conveyances are not subject  
22 to the defense of infancy.

23           (b) The benefits and aid provided under ss. 45.20 (3) and 45.40 are not  
24 assignable and are exempt from garnishment and execution.

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1           **(9) VOCATIONAL TRAINING.** The department in cooperation with the department  
2 of workforce development shall make available to disabled veterans the benefits of  
3 vocational training and guidance, including those veterans who have filed claims for  
4 federal rehabilitation benefits and during the pendency of the claims. If the claims  
5 are allowed and federal reimbursement is made to the state, the money shall be paid  
6 into the veterans trust fund.

7           **(10) TRAINING AND EMPLOYMENT OF VETERANS.** The department, in cooperation  
8 with the department of workforce development and state selective service  
9 administration and any other federal, state, or local agency, shall formulate and  
10 carry out plans for the training and employment of veterans.

11           **(11) APPROVAL AGENCY FOR VETERANS TRAINING.** (a) Except as provided in par.  
12 (b), the department shall be the state approval agency for the education and training  
13 of veterans and other eligible persons. The department shall approve and supervise  
14 schools and courses of instruction for the training of veterans and eligible persons  
15 under 38 USC 3670, and may enter into and receive money under contracts with the  
16 U.S. department of veterans affairs or other appropriate federal agencies.

17           (b) The governor may designate the following agencies for approval and  
18 supervision of special phases of the program of veterans education:

19           1. On-the-job and apprenticeship training program, the department of  
20 workforce development.

21           2. On-the-farm training program, the technical college system board.

22           3. Funeral directors apprentices, the funeral directors examining board.

23           **(12) GIFTS AND BEQUESTS.** (a) The department may receive gifts and bequests  
24 in its name for the benefit of Wisconsin veterans and their dependents in accordance

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1 with policies adopted by the board. Moneys received shall be credited to the veterans  
2 trust fund.

3 (b) The department may receive moneys or other gifts and bequests in its name  
4 for the benefit of the Wisconsin Veterans Museum. Moneys received shall be credited  
5 to the veterans trust fund and used, as far as practicable, in accordance with the  
6 wishes of the donors and in accordance with the board's policies.

7 **(13) ADDITIONAL DUTIES.** The department shall do all the following:

8 (a) Assist in the coordination of the state, county, municipal, and private  
9 activities relating to veterans housing.

10 (b) Cooperate with any federal departments, agencies, and independent  
11 establishments relating to veterans housing, benefits, priorities, and finances.

12 (c) Assist any housing authority, municipality, or private enterprise engaged  
13 in supplying veterans housing in the acquisition of materials, finances, legal aid, and  
14 compliance with federal regulations.

15 (d) Utilize the services and facilities of state agencies and county veterans  
16 service officers, including legal services furnished to the department by the  
17 department of justice.

18 (e) Provide county veterans service officers with the information provided to  
19 the department by the adjutant general under s. 21.19 (14) and may provide county  
20 veterans service officers with information on all necessary military points of contact  
21 and general deployment information for reserve units of the U.S. armed forces.

22 **(14) LIBERAL CONSTRUCTION INTENDED.** This chapter shall be construed as  
23 liberally as the language permits in favor of applicants.

24 **(15) DEFERRAL OF PAYMENTS AND INTEREST ON LOANS.** When a veteran or a  
25 member of the veteran's family makes application for deferment of payment of

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1 monthly installments and waiver of interest charges on veterans loans made under  
2 this chapter, showing that the ability of the veteran to make payment is materially  
3 and adversely affected by reason of military service, the department may, with the  
4 approval of the board, defer payment of monthly installments and waive interest  
5 charges on veterans loans made under this chapter for the duration of any period of  
6 service in the armed forces of the United States during a national emergency or in  
7 time of war or under P.L. 87-117 and 6 months from date of discharge or separation  
8 and the time for payment may be extended for the same period. However, when funds  
9 estimated to be received in the veterans mortgage loan repayment fund to pay debt  
10 service on public debt contracted under s. 20.866 (2) (zn) and (zo) are less than the  
11 funds estimated to be required for the payment of the debt service, the board may  
12 grant deferral of payments and interest on loans provided under s. 45.37 only when  
13 so required by federal law.

14 **(16) APPLICATION REQUIREMENTS AND PENALTIES.** (a) If the department finds that  
15 an applicant for benefits from the department has willfully made or caused to be  
16 made, or conspired, assisted in, agreed to, arranged for, or in any way procured the  
17 making of a false or fraudulent affidavit, declaration, certificate, statement, or other  
18 writing, it may suspend all benefits available to the applicant from the department  
19 under this chapter.

20 (b) Any person who, with the intent to secure any benefits under this chapter  
21 for personal benefit or for others, willfully makes or causes to be made, or conspires,  
22 assists in, agrees to, arranges for, or in any way procures the making or presentation  
23 of a false or fraudulent affidavit, declaration, certificate, statement, or other writing,  
24 may be fined not more than \$500 or be imprisoned for not more than 6 months, or

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1 both. The fine or imprisonment may be imposed in addition to the penalty provided  
2 in par. (a).

3 (c) 1. As used in this paragraph, “fair consideration” means the exchange of  
4 property, assets, or obligations for a fair equivalent, in an amount not  
5 disproportionately small or large compared to the value of the property, assets, or  
6 obligations, as reflected in similar market transactions.

7 2. The department shall declare immediately due and payable any loan made  
8 after July 29, 1979, under a program administered by the department under s. 45.40  
9 or subch. III, if it finds that the loan was granted to an ineligible person due to any  
10 of the following circumstances:

11 a. The applicant did not report income amounts as required on the loan  
12 application.

13 b. The applicant did not make the disclosures required under subd. 3. a., b., or  
14 c. on the loan application.

15 c. The applicant transferred assets or liabilities or incurred liabilities for less  
16 than fair consideration with the intent to qualify for and secure the loan.

17 3. Loan application forms processed by the department for programs  
18 administered under s. 45.40 or subch. III shall do all of the following:

19 a. Require disclosure of any asset with a value over \$500 transferred by the  
20 applicant for less than fair consideration, within one year immediately prior to the  
21 loan application date. In determining the applicant’s need for a loan, the department  
22 shall consider those transferred assets to be assets of the applicant.

23 b. Require disclosure of any liability of more than \$500 incurred by the  
24 applicant for less than fair consideration, within one year immediately prior to the

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1 loan application date. In determining the applicant's need for a loan, the department  
2 shall not consider these liabilities to be liabilities of the applicant.

3 c. Require disclosure of all liabilities transferred by the applicant within one  
4 year immediately prior to the loan application date. The liabilities transferred for  
5 less than fair consideration shall be considered by the department to be liabilities of  
6 the applicant to the extent he or she is liable for their payment or for reimbursement  
7 of the transferee.

8 d. Contain notification of the penalties provided for in this subsection.

9 4. The department shall incorporate the payment acceleration requirements  
10 of subd. 2. in all loan documents for programs administered by the department under  
11 s. 45.40 or subch. III.

12 **(17) LOAN REPAYMENTS.** The department shall deposit all repayments of loans  
13 and payments of interest made on loans under s. 45.351 (2), 1995 stats., s. 45.356,  
14 1995 stats., or s. 45.80, 1989 stats., in the veterans trust fund.

15 **(18) COLLECTIONS.** The department may enter into contracts to collect  
16 delinquent loan payments owed to the department. The department may allocate a  
17 portion of the amounts collected under the contracts to pay contract costs.  
18 Notwithstanding the provisions of s. 45.04, the department may release information  
19 contained in its files pertaining to applications for benefits to contractors providing  
20 collection services to the department.

21 **(19) LOAN GUARANTEE.** The department may provide a loan guarantee for  
22 multifamily transitional housing for homeless veterans.

23 **45.04 Release of information and records. (1) DEFINITIONS.** In this section:

24 (a) "Duly authorized representative" means any person authorized in writing  
25 by the veteran to act for the veteran, the veteran's guardian if the veteran is

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1 adjudicated incompetent, or a legal representative if the veteran is deceased. Where  
2 for proper reason no representative has been or will be appointed, the veteran's  
3 spouse, an adult child, or, if the veteran is unmarried, either parent of the veteran  
4 shall be recognized as the duly authorized representative.

5 (b) "Service office" means a county veterans service office.

6 **(2) SEPARATION DOCUMENTS.** Separation documents and copies of separation  
7 documents evidencing service in the armed forces of the U.S. are confidential and  
8 privileged. Examination of these records in the possession of the department or  
9 service office is limited to authorized employees of the department or service office  
10 and information entered in these records may be disclosed only to veterans and their  
11 duly authorized representatives or to interested governmental agencies for the  
12 purpose of assisting veterans and their dependents to obtain the rights and benefits  
13 to which they may be entitled.

14 **(3) U.S. DEPARTMENT OF VETERANS AFFAIRS RECORDS.** Records and papers in the  
15 possession of the department or service office that are released to the department or  
16 service office by the U.S. department of veterans affairs or that contain information  
17 provided by the U.S. department of veterans affairs are confidential. Release of  
18 information from these records or papers may be made only under regulations of the  
19 U.S. department of veterans affairs.

20 **(4) INVESTIGATION.** All reports of investigation made by employees of the  
21 department or at the direction of the department for official departmental purposes  
22 are only for the use of the secretary and staff. Materials and information that  
23 disclose the investigative techniques of the department or the identity of confidential  
24 informants and material received in confidence by representatives of the department  
25 may not be released.

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1           **(5) VITAL RECORDS.** The service office may obtain a copy of a vital record under  
2 s. 69.30 (2) and may transmit the copy to the department or to the U.S. department  
3 of veterans affairs to assist a veteran or his or her dependent in obtaining a benefit.

4           **(6) DISCLOSURE OF MONETARY BENEFITS.** The department shall disclose, to any  
5 person who requests, the amount of any payment, grant, or loan made by the  
6 department to any applicant. A person seeking this information shall be required  
7 to sign a statement setting forth the person's name and address and the reason for  
8 making the request and certifying that the person will not use the information  
9 obtained for commercial or political purposes.

10           **(7) DISCLOSURE OF LOAN STATUS INFORMATION.** The department may disclose to  
11 a consumer reporting agency, as defined in 15 USC 1681a (f), the current repayment  
12 status of, the balances due on, and other relevant information pertaining to  
13 department loans that is readily accessible on any loans on which balances are due  
14 and owing the department. The department may charge consumer reporting  
15 agencies an amount sufficient to cover all the costs of preparation and delivery of the  
16 information.

17           **(8) DISCLOSURE OF OTHER INFORMATION.** Except as provided in subs. (2) to (6),  
18 all files, records, reports, papers, and documents pertaining to applications for  
19 benefits from the department, and information contained in them, may be released  
20 by the department or service office only under rules of the department. The rules  
21 shall provide for the furnishing of information required under sub. (7) and for official  
22 purposes by any agency of the U.S. government, by any agency of this state, by any  
23 law enforcement, social services, or human services agency of any Wisconsin county,  
24 or by members of the state senate and assembly. The rules shall otherwise provide  
25 for release of personal information pertaining to or contained in any application for

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1 benefits, whether pending or adjudicated, only when authorized in writing by the  
2 applicants or when necessary to assist applicants in securing veterans benefits that  
3 the applicants may be entitled to or when necessary for the efficient management of  
4 loans made by the department.

5 **45.05 Registration of certificate of discharge.** Every person who has  
6 served in the U.S. armed forces at any time, and who has been honorably discharged  
7 or given a certificate of service or relieved from active service may record with the  
8 register of deeds of any county, in a suitable book provided by the county for that  
9 purpose, a certificate of discharge or release. The certificate shall be accessible only  
10 to the discharged person or that person's dependents or duly authorized  
11 representative, as defined in s. 45.04 (1) (a), the county veterans service officer, the  
12 department, or any person with written authorization from the discharged person  
13 or that discharged person's dependents. The register of deeds may not charge for  
14 recording, except that in counties where the register of deeds is under the fee system  
15 and not paid a fixed salary, the county shall pay the fee specified in s. 59.43 (2) (ag).  
16 The record of any certificate of discharge or release made prior to July 6, 1919, is  
17 legalized.

18 **45.06 Security. (1)** It shall be unlawful for any person to receive or accept as  
19 a security or to withhold from a veteran or a person who was honorably discharged  
20 from the U.S. armed forces any discharge paper, citation, warrant, medal, badge, or  
21 evidence upon which the veteran is entitled to certain rights, as a veteran under the  
22 laws of the United States or of this state, and any transfer of the item during the life  
23 of the veteran upon a consideration or otherwise shall be null and void, and the  
24 refusal or willful neglect of any person to return or deliver upon demand the

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1 discharge paper, citation, warrant, medal, badge, or evidence is punishable as  
2 provided in sub. (2).

3 (2) Any person who violates this section shall be fined not more than \$100 or  
4 imprisoned for not more than 6 months, or both.

5 **45.07 Wisconsin Veterans Museum. (1)** The department of administration  
6 shall provide suitable space for the purpose of a memorial hall, designated as the  
7 Wisconsin Veterans Museum, dedicated to the veterans of Wisconsin and to the men  
8 and women of Wisconsin who served in the armed forces of the United States during  
9 the civil war of 1861 to 1865 and during any subsequent period. The department of  
10 veterans affairs shall operate the Wisconsin Veterans Museum. The mission of the  
11 Wisconsin Veterans Museum is to acknowledge, commemorate, and affirm the role  
12 of Wisconsin veterans in the United States of America's military past by means of  
13 instructive exhibits and other educational programs.

14 (2) The battle flags of Wisconsin units serving in the nation's wars and all relics  
15 and mementos of the nation's wars donated to or otherwise acquired by the state for  
16 display in the Wisconsin Veterans Museum shall constitute the memorial collection.  
17 The department shall do all of the following:

18 (a) Catalog and identify all war relics and mementos of the memorial collection.

19 (b) Restore, preserve, and safeguard the relics and mementos of the memorial  
20 collection.

21 (c) Procure additions to the memorial collection.

22 (d) Provide proper display equipment and display the memorial collection to  
23 make it instructive and attractive to visitors.

24 **45.08 Memorial Day. (1)** Every department and agency of the state  
25 government, every court of the state, and every political subdivision of the state,

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1 shall give a leave of absence with pay for the last Monday in May of each year, the  
2 day of celebration for May 30, Memorial Day, to every person in the employ of the  
3 state or political subdivision who has at any time served in and been honorably  
4 discharged from the U.S. armed forces or from forces incorporated as part of the U.S.  
5 armed forces. A refusal to give the leave of absence to a person entitled to the leave  
6 constitutes neglect of duty.

7 **(2)** If the nature of the duties of the department, agency, court, or political  
8 subdivision necessitates the employment of persons eligible for a leave of absence  
9 under sub. (1), the department, agency, court, or political subdivision shall arrange  
10 and assign the necessary work so as to permit the largest possible numbers of eligible  
11 persons to have a leave of absence either all or part of Memorial Day.

## SUBCHAPTER II

## EDUCATION AND TRAINING

**45.20 Veterans education programs. (1) GENERAL PROVISIONS. (a)**

12  
13  
14  
15 *Definitions.* In this section:

16 1. “Institution of higher education” has the meaning given in 20 USC 1001 (a).

17 2. “Full-time classroom study” means any of the following:

18 a. Enrollment by a graduate student in courses for which more than 8 semester  
19 or the equivalent trimester or quarter credits will be given upon satisfactory  
20 completion.

21 b. Enrollment by a graduate student in courses that upon satisfactory  
22 completion will fulfill more than the minimum semester or equivalent trimester or  
23 quarter credit requirements of the program or school in which the student is enrolled.

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1           c. Enrollment by any other eligible student in courses for which more than 11  
2 semester or the equivalent trimester or quarter credits will be given upon  
3 satisfactory completion.

4           3. “Part-time classroom study” means any of the following:

5           a. Enrollment by a graduate student in courses for which no more than 8  
6 semester or the equivalent trimester or quarter credits will be given upon  
7 satisfactory completion.

8           b. Enrollment by a graduate student in courses that upon satisfactory  
9 completion will fulfill no more than the minimum semester or equivalent trimester  
10 or quarter credit requirements of the program or school in which the student is  
11 enrolled.

12           c. Enrollment by any other eligible student in courses for which no more than  
13 11 semester or the equivalent trimester or quarter credits will be given upon  
14 satisfactory completion.

15           d. Study during a summer semester or session.

16           3. “Tuition” means any of the following:

17           a. For the University of Wisconsin System, academic fees, as described in s.  
18 36.27 (1), and segregated fees.

19           b. For technical colleges, program fees, as described in s. 38.24 (1m) (a) and (b)  
20 and additional fees reported and assessed by the college for the course of study.

21           c. For a high school, a school that is approved under s. 45.03 (11), or a  
22 proprietary school that is approved under s. 39.90, the charge for the courses for  
23 which a person is enrolled.

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1           d. For an institution from which a person receives a waiver of nonresident  
2 tuition under s. 39.47, the amount of the reciprocal fee under s. 39.47 (2) and any fees  
3 that are similar to segregated fees for the University of Wisconsin System.

4           (b) *Income limit.* 1. No veteran may receive reimbursement under this section  
5 if the department determines that the income of the veteran and his or her spouse  
6 exceeds \$50,000 plus \$1,000 for each additional dependent in excess of 2 dependents.

7           2. In determining eligibility under this section, the department shall verify all  
8 reported income amounts.

9           (c) *Reimbursement limit.* The amount of the reimbursement under sub. (2) or  
10 (3) may not exceed the total cost of the veteran's tuition or the standard cost for a state  
11 resident for tuition for an equivalent undergraduate course at the University of  
12 Wisconsin–Madison per course, whichever is less, minus any grants or scholarships  
13 that the veteran receives specifically for the payment of tuition.

14           (d) *Child support or maintenance delinquency.* The department may provide  
15 reimbursement under sub. (2) or (3) to a veteran who is delinquent in child support  
16 or maintenance payments or who owes past support, medical expenses, or birth  
17 expenses, as established by appearance of the veteran's name on the statewide  
18 support lien docket under s. 49.854 (2) (b), only if the veteran provides the  
19 department with one of the following:

20           1. A repayment agreement that the veteran has entered into, that has been  
21 accepted by the county child support agency under s. 59.53 (5), and that has been  
22 kept current for the 6-month period immediately preceding the date of the  
23 application.

24           2. A statement that the veteran is not delinquent in child support or  
25 maintenance payments and does not owe past support, medical expenses, or birth

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1 expenses, signed by the department of workforce development or its designee within  
2 7 working days before the date of the application.

3 **(2) TUITION REIMBURSEMENT PROGRAM.** (a) *Eligibility.* A veteran is eligible for  
4 the tuition reimbursement program under this subsection if he or she meets all of the  
5 following conditions:

6 1. The veteran applies for the tuition reimbursement program for courses  
7 begun within 10 years after separation from the service.

8 2. The veteran is a resident at the time of application for the tuition  
9 reimbursement program.

10 3. The veteran is enrolled for at least 12 credits during the semester for which  
11 reimbursement is sought.

12 (b) *Program benefits.* 1. A veteran who meets the requirements under par. (a),  
13 upon satisfactory completion of a full-time undergraduate semester in any  
14 institution of higher education in this state, any school that is approved under s.  
15 45.03 (11), any proprietary school that is approved under s. 39.90, or any institution  
16 from which the veteran receives a waiver of nonresident tuition under s. 39.47, may  
17 be reimbursed an amount not to exceed the total cost of the veteran's tuition minus  
18 any grants or scholarships that the veteran receives specifically for the payment of  
19 the tuition. Reimbursement is available only for tuition that is part of a curriculum  
20 that is relevant to a degree in a particular course of study at the institution.

21 2. The application for reimbursement of tuition under this subsection shall  
22 meet all of the following conditions:

23 a. Be completed and received by the department no later than 60 days after the  
24 completion of the semester. The department may accept an application received

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1 more than 60 days after the completion of the semester if the applicant shows good  
2 cause for the delayed receipt.

3 b. Contain the information necessary to establish eligibility as determined by  
4 the department.

5 c. Be on the application form approved by the department.

6 d. Contain the signatures of both the applicant and a representative of the  
7 institution or school certifying that the applicant has satisfactorily completed the  
8 semester.

9 3. Reimbursement provided under this subsection shall be paid from the  
10 appropriation under s. 20.485 (2) (tf). If the amount of funds applied for exceeds the  
11 amount available under s. 20.485 (2) (tf), the department may deny applications for  
12 reimbursement that would otherwise qualify under this subsection. In those cases,  
13 the department shall determine eligibility on the basis of the dates on which  
14 applications for reimbursement were received.

15 4. Reimbursement of tuition and fees for a course may be provided at an  
16 institution or school under subd. 1. other than one from which the veteran is  
17 receiving his or her degree if all of the following apply:

18 a. The curriculum at the institution or school consists only of courses necessary  
19 to complete a degree in a particular course of study.

20 b. The course is accepted as transfer credits at the institution or school listed  
21 under subd. 1. from which the veteran is receiving his or her degree but is not  
22 available at that institution or school.

23 (c) *Limitations.* 1. A veteran is not eligible for reimbursement under this  
24 subsection for more than 120 credits or 8 full semesters of full-time study at any  
25 institution of higher education in this state, 60 credits or 4 full semesters of full-time

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1 study at any institution of higher education in this state that offers a degree upon  
2 completion of 60 credits, or an equivalent amount of credits at a school that is  
3 approved under s. 45.03 (11), at a proprietary school that is approved under s. 39.90,  
4 or at an institution where he or she is receiving a waiver of nonresident tuition under  
5 s. 39.47.

6 2. A veteran may not receive reimbursement under this subsection for any  
7 semester in which he or she received reimbursement under sub. (3) or s. 21.49.

8 **(3) CORRESPONDENCE COURSES AND PART-TIME CLASSROOM STUDY.** (a) *Eligibility.*

9 The following persons are eligible for benefits under this section:

10 1. A veteran.

11 2. An unremarried surviving spouse or minor or dependent child of a deceased  
12 veteran.

13 (b) *Program benefits.* 1. A person, upon the completion of any correspondence  
14 course or part-time classroom study from an institution of higher education located  
15 in this state, from a school that is approved under s. 45.03 (11), from a proprietary  
16 school that is approved under s. 39.90, or from any public or private high school, may  
17 be reimbursed in part for the cost of the course by the department. The person shall  
18 present to the department a certificate from the school indicating that the person has  
19 completed the course and stating tuition and shall apply for reimbursement on an  
20 application that is received by the department no later than 60 days after the  
21 termination of the course for which the application for reimbursement is made. The  
22 department shall accept and process an application received more than 60 days after  
23 the termination of the course if the applicant shows good cause for the delayed  
24 receipt.

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1           2. A person who is a resident of this state and otherwise qualified to receive  
2 benefits under this subsection may receive the benefits under this subsection upon  
3 the completion of any correspondence courses or part-time classroom study from an  
4 institution of higher education located outside this state if any of the following  
5 applies:

6           a. The part-time classroom study is not offered within 50 miles of the person's  
7 residence by any school or institution under sub. (2) and the educational institution  
8 from which the study is offered is located not more than 50 miles from the boundary  
9 line of this state.

10          b. The correspondence course is not offered by an institution in this state.

11          3. Enrolled part-time classroom study or direct correspondence courses from  
12 a qualified educational institution may be authorized and the person reimbursed in  
13 part by the department when the courses are related to one's occupational,  
14 professional, or employment objectives, and to the extent that payment or  
15 reimbursement is not available from any other sources, or, in cases where  
16 reimbursement is not specifically for tuition, to the extent that the reimbursement  
17 is insufficient to cover all educational costs.

18          (b) *Limitations.* 1. a. No person who has obtained a master's degree or its  
19 equivalent is eligible for reimbursement under this subsection.

20          b. No person who has obtained at least a baccalaureate degree or its equivalent  
21 but not a master's degree or its equivalent is eligible for reimbursement under this  
22 subsection if the person has remaining U.S. department of veterans affairs education  
23 benefits.

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1           c. For the purpose of this subsection, any person who has received a  
2           baccalaureate degree shall be deemed to be a graduate student whether he or she is  
3           taking graduate or undergraduate courses.

4           2. The department may not provide reimbursement under this subsection  
5           unless the department determines that a course for which an application is made is  
6           related to the applicant's occupational, professional, or employment objectives.

7           3. A person may not be reimbursed under this subsection more than 4 times  
8           during any consecutive 12-month period.

9           **45.21 Retraining assistance program. (1) AMOUNT AND APPLICATION.** The  
10          department may pay a veteran not more than \$3,000 for retraining to enable the  
11          veteran to obtain gainful employment. The department shall determine the amount  
12          of the payment based on the veteran's financial need. A veteran may apply for aid  
13          to the county veterans service officer of the county in which the veteran is living. The  
14          department may, on behalf of a veteran who is engaged in a structured on-the-job  
15          training program and who meets the requirements under sub. (2), make a payment  
16          under this subsection to the veteran's employer.

17          **(2) ELIGIBILITY.** The department may provide aid under this section if all of the  
18          following apply:

19          (a) The veteran is enrolled in a training course in a technical college under ch.  
20          38 or in a proprietary school in the state approved by the educational approval board  
21          under s. 39.90, other than a proprietary school offering a 4-year degree or 4-year  
22          program, or is engaged in a structured on-the-job training program that meets  
23          program requirements promulgated by the department by rule.

24          (b) The veteran meets the financial assistance criteria established under sub.

25          (3) (c).

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1 (c) The veteran is unemployed, underemployed, as defined by rule, or has  
2 received a notice of termination of employment.

3 (d) The veteran requesting aid has not received reimbursement under s. 45.20  
4 for courses completed during the same semester for which a grant would be received  
5 under this section.

6 (e) The department determines that the veteran's proposed program will  
7 provide retraining that could enable the veteran to find gainful employment. In  
8 making its determination, the department shall consider whether the proposed  
9 program provides adequate employment skills and is in an occupation for which  
10 favorable employment opportunities are anticipated.

11 **(3) RULES.** The department shall promulgate rules for the distribution of aid  
12 under this program, including all of the following:

13 (a) Standard budgets for single and married veterans.

14 (b) Selection procedures.

15 (c) Uniform need determination procedures.

16 (d) Application procedures.

17 (e) Coordination with other occupational training programs.

18 (f) Other provisions the department deems necessary to assure uniform  
19 administration of this program.

20 **(4) REPORT.** The department shall include in its biennial report under s. 15.04  
21 (1) (d) information relating to the veterans retraining assistance program, including  
22 the number of veterans obtaining gainful employment after receiving aid and a  
23 description of the veterans receiving aid, including their sex, age, race, educational  
24 level, service-connected disability status, and income before and after obtaining  
25 gainful employment. This information may be based on a valid statistical sample.

## SUBCHAPTER III

## VETERANS HOUSING LOAN PROGRAM

**45.30 Purpose. (1) LEGISLATIVE FINDINGS.** It is determined that veterans, who have sacrificed in the service of their country valuable years of their lives and considerable earning potential, constitute a readily identifiable and particularly deserving segment of this state's population. It is further determined that by making additional housing funds available to eligible veterans, limited private home loan funds will be more readily available to all. It is further determined that the loan programs established under this subchapter are special purpose credit programs for an economically disadvantaged class of persons for the purposes of 15 USC 1691–1691f.

**(2) LEGISLATIVE INTENT.** This subchapter is created principally to enable the state and the authority to exercise their borrowing power to increase those funds available for loans providing for the purchase or construction of private housing, without requiring down payments beyond the reach of families of modest means. It is the intent of the legislature that the department in its administration of this subchapter avoid the duplication of those administrative services available through private lending institutions, utilizing the administrative services of such institutions to the maximum extent consistent with the purposes of this subchapter.

**45.31 Definitions.** In this subchapter:

**(1)** “Anticipated annual shelter payment” means the total annual payments anticipated for the following, as determined by the department or authorized lender on the basis of the loan applied for under s. 45.37:

(a) Real estate taxes on the premises to be mortgaged.

(b) Insurance premiums for coverage required under s. 45.37 (3) (b).

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1 (c) Required payments on principal and interest on all mortgages placed or to  
2 be placed against the home of an eligible person.

3 (2) “Authority” means the Wisconsin Housing and Economic Development  
4 Authority.

5 (3) “Authorized lender” means any lender or servicer authorized under s. 45.37  
6 (5) (a) 5. to make or service loans under s. 45.37.

7 (4) “Closing costs” include:

8 (a) Any origination fee authorized under s. 45.37 (5) (b).

9 (b) Attorney fees.

10 (c) Recording fees.

11 (d) Other costs authorized by the department.

12 (5) “Eligible person” means any person eligible under s. 45.33 (1) and not  
13 disqualified under s. 45.33 (2) to receive a loan under this subchapter.

14 (6) “Federal Home Loan Mortgage Corporation” means the corporation created  
15 under 12 USC 1451 to 1459.

16 (7) “Funds” include cash on hand and liquid investments owned by the veteran  
17 and his or her spouse, individually or jointly, unless the veteran and spouse are  
18 legally separated under s. 767.07.

19 (8) “Guaranteed loan” means a loan guaranteed by the U.S. department of  
20 veterans affairs under 38 USC 1801 to 1827.

21 (9) “Home” means a building or portion of a building used as the veteran’s  
22 principal place of residence, and includes condominiums and income-producing  
23 property, a portion of which is used as a principal place of residence by the veteran,  
24 and the land, including existing improvements, appertaining to the building.

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1           **(10)** “Income” means the sum of the federal adjusted gross income plus any  
2 income received that may reasonably be expected to be regular and dependable.

3           **(11)** “Insurer” means any insurer authorized to do business in this state.

4           **(12)** “Manufactured home” means a structure, as defined by the Federal Home  
5 Loan Mortgage Corporation, which meets or exceeds the statutory size under s.  
6 348.07 (2).

7           **(13)** “Monthly payment” means all of the following:

8           (a) Required payments on principal and interest.

9           (b) Insurance premiums for coverage required under s. 45.37 (3) (b).

10          (c) One-twelfth of annual real estate taxes on the mortgaged property.

11          **(14)** “Qualified purpose” means any purpose authorized under s. 45.34 (1).

12          **45.32 Powers of the department.** With respect to loans made by and  
13 mortgages and mortgage notes executed or properties mortgaged to the department  
14 or to authorized lenders under this subchapter, the department may do any of the  
15 following:

16          **(1)** Execute necessary instruments.

17          **(2)** Collect interest and principal.

18          **(3)** Compromise indebtedness due on mortgage notes.

19          **(4)** Sue and be sued.

20          **(5)** Exercise the rights of a mortgagee, generally including the right to do any  
21 of the following:

22          (a) Acquire or take possession of the mortgaged property and in so doing the  
23 department may accept voluntary surrender and conveyance of title to the property  
24 in full satisfaction of a mortgage debt or may bid for and purchase the property at  
25 a sheriff’s sale or replevin the property.

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1 (b) Commit itself to execute and execute subordination agreements, partial  
2 releases, and other necessary instruments.

3 (c) Set up and follow procedures to assure proper disbursement of the proceeds  
4 of insurance checks, share drafts, or other drafts covering damages sustained on  
5 mortgaged properties.

6 (d) Pay the principal and interest on any obligations incurred in connection  
7 with the mortgages on the property including real estate taxes, insurance premiums,  
8 attorney fees, and obligations created as a result of its exercise of powers vested in  
9 it under this subchapter.

10 (e) Exercise any other powers as may be necessary for the efficient  
11 administration of this subchapter.

12 **(6)** In contracts entered into under s. 45.37 (5) (a) 1., empower authorized  
13 lenders to exercise any of the powers vested in the department under this subchapter.

14 **(7)** Manage, operate, lease, exchange, sell, and otherwise convey real property.

15 **(8)** Grant easements in any real property the department acquires.

16 **(9)** Upon application by the mortgagor and agreement in writing executed by  
17 the parties:

18 (a) Extend the time in which the obligation under a mortgage note or any part  
19 of the obligation must be paid.

20 (b) Reduce the amounts of monthly installments and provide other terms and  
21 conditions relative to time and manner of repaying the obligation as it deems  
22 necessary or reasonable.

23 **45.33 Eligibility and disqualifying factors. (1) ELIGIBLE PERSONS.** Subject  
24 to sub. (2) (a) or (b), the following persons may receive a loan under this subchapter:

25 (a) A veteran.

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1 (b) A person who served on active duty for more than 6 months during the  
2 period between February 1, 1955, and August 4, 1964, and was honorably  
3 discharged.

4 (c) The unremarried surviving spouse or dependent child, as defined in s. 45.01  
5 (6) (b), of a deceased veteran or of a deceased person described in par. (b).

6 **(2) DISQUALIFYING FACTORS.** (a) A person listed in sub. (1) may not receive a loan  
7 under this subchapter if the department or authorized lender determines that any  
8 of the following applies:

9 1. The person will be incurring an excessive indebtedness in view of the person's  
10 income.

11 2. The person has a previous loan outstanding under this subchapter, unless  
12 any of the following apply:

13 a. The previous loan has been assumed by an eligible person with the  
14 department's approval upon the sale of the residence securing the previous loan.

15 b. The person is applying for a loan under s. 45.37 for a purpose under s. 45.34  
16 (1) (c) and the previous loan was made under s. 45.37.

17 (b) A person listed in sub. (1) who is not a permanently and totally disabled  
18 veteran may not receive a loan under this subchapter if the department or authorized  
19 lender determines that any of the following applies:

20 1. The person is delinquent in child support or maintenance payments or owes  
21 past support, medical expenses, or birth expenses, as evidenced by the appearance  
22 of the person's name on the statewide support lien docket under s. 49.854 (2) (b),  
23 unless the person provides the department or authorized lender with one of the  
24 following:

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1           a. A repayment agreement that the person has entered into, that has been  
2 accepted by the county child support agency under s. 59.53 (5) and that has been kept  
3 current for the 6-month period immediately preceding the date of the application.

4           b. A statement that the person is not delinquent in child support or  
5 maintenance payments and does not owe past support, medical expenses, or birth  
6 expenses, signed by the department of workforce development or its designee within  
7 7 working days before the date of the application.

8           2. The amount of the loan exceeds 2.5 times the median price of a home in this  
9 state. The department shall establish the median price of a home in this state for  
10 each fiscal year by using the most recent housing price index generated by the  
11 Wisconsin Realtors Association before July 1.

12           **45.34 Uses for loan proceeds. (1) MORTGAGE LOAN PROGRAM.** An authorized  
13 lender may, with the approval of the department, make loans under s. 45.37 for any  
14 of the following purposes:

15           (a) The purchase of one of the following:

16           1. A manufactured home or real property on which a manufactured home is to  
17 be situated, but only if the eligible person has available and applies on the total cost  
18 of the property, an amount equivalent to at least 15 percent of the total cost. This  
19 15 percent requirement does not apply to a disabled veteran.

20           2. A home and eligible rehabilitation of a home, as defined in s. 234.49 (1) (d).

21           (b) The construction of a home, including housing accommodation and garage,  
22 and the acquisition of land therefor.

23           (c) A loan of not more than \$25,000 to improve a home, including the  
24 construction of a garage or the removal or other alteration of existing improvements

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1 that were made to improve the accessibility of a home for a permanently and totally  
2 disabled individual.

3 (d) 1. Refinancing the balance due on an indebtedness that was incurred for a  
4 use designated in pars. (a) to (c) if the balance owing on the indebtedness does not  
5 exceed the amount requested in a prior loan application from that eligible person and  
6 if the indebtedness was incurred by that person after a prior loan application from  
7 that person was denied by the department. Refinancing loans may be made under  
8 this paragraph only if the board reverses the department's denial after determining  
9 that the prior application met requirements in effect on the date of the denial and  
10 that the loan application should have been approved.

11 2. Refinancing the balance due on a construction period loan, bridge loan, or  
12 other financing if the financing was used for a purpose designated in par. (b) and has  
13 a term of 24 months or less.

14 **(2) CONDITIONS.** (a) No loan may be made under this subchapter if the  
15 department or authorized lender determines that the total cost of the property  
16 exceeds its market value unless the amount by which the cost of the property exceeds  
17 its market value is paid by the borrower in addition to the contribution required by  
18 s. 45.35. This paragraph does not apply to a permanently and totally disabled  
19 veteran.

20 (b) The department or authorized lender may require any person applying for  
21 a loan under this subchapter to certify that:

22 1. The residence to be purchased, constructed, improved, or refinanced with  
23 financial assistance under this subchapter will be used as the person's principal  
24 residence.

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1           2. Unless other acceleration provisions are permitted under s. 45.36 (2), the  
2 loan made under this subchapter will be repaid in full upon sale of the residence or  
3 any of the person's interest in it. A divorce judgment divesting the person's interest  
4 in the residence or a quit claim deed executed under the judgment does not constitute  
5 a sale.

6           **45.35 Contribution.** No loan may be made under this subchapter unless, in  
7 addition to the closing costs that the person may be required to pay, the person has  
8 available, and applies on the total cost of the property for which the loan is made, an  
9 amount equivalent to at least 5% of the total cost. The amount may consist of money  
10 or other assets, including equity in real property. This section does not apply to a  
11 permanently and totally disabled veteran.

12           **45.36 Manner of repayment. (1) MONTHLY PAYMENTS; RIGHT TO PREPAY.** Each  
13 loan made under this subchapter shall be repaid in monthly installments with the  
14 option to pay additional sums. Any additional payments must be paid on the regular  
15 installment payment date.

16           **(2) ACCELERATION PROVISIONS.** All loans made under this subchapter shall be  
17 repaid in full upon sale of the residence securing the loan or any interest in such  
18 residence, unless one of the following applies:

19           (a) The sale is to another eligible person.

20           (b) The department or authorized lender servicing the loan determines that  
21 acceleration will jeopardize collection of the loan balance.

22           (c) The loan is a guaranteed loan which is assumed or paid in regular monthly  
23 installments under s. 45.37 (11) (a).

24           **45.37 Mortgage loan program. (1) LOANS AUTHORIZED.** An authorized lender  
25 or a county veterans service officer may, as agent for and with the approval of the

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1 department, make loans to eligible persons for qualified purposes in the manner  
2 provided under this section.

3 **(2) LOAN APPLICATIONS.** (a) Applications for loans under this section for a  
4 purpose specified in s. 45.34 (1) (a), (b), or (d) shall be made to an authorized lender  
5 and applications for loans under this section for a purpose specified under s. 45.34  
6 (1) (c) may be made to the department or to a county veterans service officer on forms  
7 approved by the department and signed by the applicant. If the applicant is married  
8 and not legally separated under s. 767.02 (1) (d) or in the process of obtaining a  
9 divorce, the applicant's spouse also shall sign the application.

10 (b) The applicant may apply directly to the department or through a county  
11 veterans service officer for certification of eligibility.

12 **(3) LOANS TO BE SECURED.** (a) Each loan made under this section, except a loan  
13 of \$3,000 or less for a purpose specified under s. 45.34 (1) (c), shall be evidenced by  
14 a promissory installment note and secured by a mortgage on the real estate in respect  
15 to which the loan is granted. A loan of \$3,000 or less made for a purpose specified  
16 under s. 45.34 (1) (c) shall be evidenced by a promissory installment note and shall  
17 be secured by a guarantor or by a mortgage on the real estate in respect to which the  
18 loan is granted. Any loan having as its source funds provided under sub. (6) (a) and  
19 secured by a mortgage shall have the mortgage name the department as mortgagee  
20 and payee. Any loan having as its source funds provided under sub. (6) (b) and  
21 secured by a mortgage shall have the mortgage name the authorized lender involved  
22 as mortgagee and payee, and such mortgage and note shall be assigned by the  
23 authorized lender to the authority immediately upon execution. A mortgage  
24 securing a loan made for a purpose specified in s. 45.34 (1) (a), (b), or (d) shall have  
25 priority over all liens against the mortgaged premises and the buildings and

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1 improvements to the buildings, except tax and special assessment liens filed after  
2 the recording of the mortgage. A mortgage securing a loan made for a purpose  
3 specified under s. 45.34 (1) (c) is acceptable if the applicant can establish a minimum  
4 equity in the property, as established by the department by rule.

5 (b) Mortgages given to secure loans under this section shall provide for  
6 adequate fire and extended coverage insurance. Policies providing such insurance  
7 coverage shall name the authorized lender or the department as an insured.

8 **(4) INTEREST RATE DETERMINED.** (a) The board shall determine the interest rate  
9 on loans made under this section. Except as provided in sub. (11), the interest rate  
10 determined may not be increased during the term of the loan. Except as provided  
11 in sub. (11), the interest rate shall be as low as possible but shall be sufficient to fully  
12 pay all expenses and to provide reserves that are reasonably expected to be required  
13 in the judgment of the board in accordance with par. (b) and sub. (7) (a) 3.

14 (b) 1. The board shall select and implement the methods of insuring against  
15 losses arising from delinquency and default in the repayment of loans funded under  
16 sub. (6) (a) and shall select and implement the methods of managing and selling any  
17 property securing loans funded under sub. (6) (a).

18 2. The board shall charge or cause to be charged to borrowers all costs necessary  
19 to insure against losses under subd. 1.

20 3. Moneys collected under subd. 2. and that are held by the state shall be  
21 deposited, reserved, and expended as provided in sub. (7) (a) 3.

22 (c) Loans made pursuant to this section shall not be subject to s. 138.05,  
23 138.051, or 138.052, except that a loan originated under this section after May 3,  
24 1996, is subject to s. 138.052 (5).

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1           **(5)** ADMINISTRATIVE PROVISIONS. (a) The department may do any of the  
2 following:

3           1. Enter into contracts with authorized lenders throughout this state  
4 authorizing such lenders to process applications and close and service loans made  
5 under this section. The contracts shall include the responsibilities of the authorized  
6 lender with respect to credit evaluations, financial eligibility determinations,  
7 valuation of the home for which the loan is to be made, collection procedures in the  
8 event of delinquent loan repayments, and other functions that the department may  
9 require. The contracts shall authorize the lender to retain an amount from the  
10 monthly payments for servicing loans made under this section. The rate of the  
11 service fee shall not exceed a maximum rate established by the department with the  
12 lender in accordance with current practices under similar programs, and shall be  
13 stated in the contracts. The department shall specify in the contracts a maximum  
14 length of time between receipt of monthly mortgage payments by the lender and  
15 transmittal of such payments to the state or the authority.

16           2. Commit to advance and advance funds in the full amount of any mortgage  
17 securing a purchase loan to be made by an authorized lender in accordance with the  
18 terms under this section.

19           3. Commit to advance and advance in installments up to the full amount of any  
20 mortgage securing a construction loan made by an authorized lender, to provide for  
21 the purchase and improvement of a lot and the completion of the construction for  
22 which the loan is to be made, under the terms of this section.

23           4. Mail checks, share drafts, or other drafts, or otherwise transfer or arrange  
24 for transfer of funds to authorized lenders not sooner than 7 days prior to proposed  
25 closing or disbursement dates.

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1           5. Designate and maintain a current list of lenders authorized to make or  
2 service loans under this section. The department shall promulgate rules  
3 establishing standards for and governing the performance of authorized lenders in  
4 making and servicing loans under this section and shall periodically monitor such  
5 performance. The department shall promulgate rules to provide for the removal  
6 from its list of authorized lenders of any lender that makes an excessive number of  
7 errors on loan applications processed under subd. 1. The department may  
8 summarily remove from its list of authorized lenders any lender that indicates it does  
9 not wish to participate in the program and after hearing on notice remove from its  
10 list of authorized lenders any lender that fails to conform with the rules of the  
11 department governing that performance, and may refuse to permit a lender so  
12 removed to make or service any loan under this section until the department is  
13 satisfied that the lender will conform with its rules.

14           6. Require borrowers to make monthly escrow payments to be held by the  
15 authorized lender or the department for real estate taxes and casualty insurance  
16 premiums. The authorized lender or the department shall pay all of the amounts due  
17 for real estate taxes and casualty insurance premiums, even if the amount held in  
18 escrow is insufficient to cover the amounts due. If the amount held in escrow is  
19 insufficient to cover the amounts due, the authorized lender or the department shall  
20 recover from the borrower, after paying the amounts due under this subdivision, an  
21 amount equal to the difference between the amounts paid and the amount held in  
22 escrow. If the amount held in escrow is more than the amounts due, the authorized  
23 lender or the department shall refund to the borrower, after paying the amounts due  
24 under this subdivision, an amount equal to the difference between the amount held  
25 in escrow and the amounts paid by the authorized lender or the department.

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1           7. Obtain guarantees for loans under 38 USC 1801 to 1827.

2           8. Exercise all of the powers vested in it under this subchapter with respect to  
3 any applications for loans and loans approved under this section and with respect to  
4 any mortgages and mortgage notes executed to authorized lenders and assigned to  
5 and purchased by the authority under this section and the properties securing those  
6 mortgages. The department may exercise or authorize those powers to be exercised  
7 in its own name.

8           9. With prior approval of the building commission, retire all 1981 veterans  
9 home loan revenue bonds and transfer any assets remaining in the bond fund after  
10 retirement into the veterans trust fund. The department may sell the assets  
11 transferred to the veterans trust fund under this subdivision and deposit the  
12 proceeds of any sale into the veterans trust fund.

13           10. Service loans made under this section and purchase from authorized  
14 lenders the servicing rights for loans made by authorized lenders under this section.

15           11. Enter into contracts with persons other than authorized lenders for the  
16 servicing of loans made under this section.

17           12. Loan money from the veterans trust fund to the veterans mortgage loan  
18 repayment fund to fund loans under this section.

19           (b) At the time of closing, persons receiving loans under this section shall pay  
20 an origination fee to the authorized lender participating in the loan, except that the  
21 department shall pay, on behalf of a veteran who receives a loan under this section  
22 and who has at least a 30 percent service-connected disability rating for purposes  
23 of 38 USC 1114 or 1134, the origination fee to the authorized lender. The origination  
24 fee charged under this paragraph shall be negotiated between the department and  
25 the authorized lender but may not exceed that which the authorized lender would

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1 charge other borrowers in the ordinary course of business under the same or similar  
2 circumstances.

3 **(6) SOURCES OF LOAN FUNDS.** Funding for loans authorized under this section  
4 may, at the discretion of the building commission, be provided by one or a  
5 combination of the following:

6 (a) The secretary, with the approval of the governor and subject to the limits  
7 of s. 20.866 (2) (zn), may request that state debt be contracted in accordance with ch.  
8 18. Debt requested shall meet all of the following additional requirements:

9 1. State debt may be contracted when it reasonably appears to the building  
10 commission that all state obligations so incurred under this paragraph and s. 20.866  
11 (2) (zo) can be fully paid from moneys received from veterans repayments of loans on  
12 mortgages and mortgage notes funded under this paragraph and other available  
13 revenues of the veterans mortgage loan repayment fund. In making this  
14 determination, the building commission may take into account the effect of its  
15 planned future actions to refinance existing state debt, to create reserve funds, and  
16 to modify the structure of the total debt outstanding so as to ensure that projected  
17 repayments of loans on mortgages and mortgage notes, together with other available  
18 moneys, will be sufficient as received to fund debt service payments as due. It is the  
19 intent of the legislature that the program authorized under this section be fully  
20 self-supporting and that it be administered so that all debt service and all related  
21 costs of the program under this section will require no supplemental support from  
22 the general fund.

23 2. The chairperson of the board shall certify that the chairperson does not  
24 expect proceeds of state debt issued under this paragraph to be used in a manner that

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1 would cause the debt to be arbitrage bonds as defined in the Internal Revenue Code,  
2 if that debt is a bond that is exempt from federal taxation.

3 (b) Loans made under this section may be purchased by the authority from the  
4 veterans housing loan fund under s. 234.41. All receipts of interest, except amounts  
5 retained as servicing fees by the authorized lenders servicing the loans purchased  
6 by the authority, and principal on the loans, payments of losses by insurers not used  
7 for restoration of the property securing the loans, and any other collections, shall be  
8 deposited by the authority into the veterans housing bond redemption fund under  
9 s. 234.43 and shall be disbursed from the fund as provided in s. 234.43 (2).

10 (c) The secretary, with the approval of the governor and subject to the limits  
11 of sub. (10), may request that revenue obligations be contracted in accordance with  
12 subch. II of ch. 18. Revenue obligations requested shall meet all of the following  
13 additional requirements:

14 1. Revenue obligations may be contracted when it reasonably appears to the  
15 building commission that all obligations incurred under this paragraph can be fully  
16 paid from moneys received from veterans repayments of loans on mortgages and  
17 mortgage notes funded under this paragraph.

18 2. The chairperson of the board shall certify that the board and the department  
19 do not expect and shall not use proceeds of revenue obligations issued under this  
20 paragraph in a manner that would cause the revenue obligations to be arbitrage  
21 bonds as defined in the Internal Revenue Code, where that debt is a bond that is  
22 exempt from federal taxation.

23 **(7) REPAYMENT OF MORTGAGE LOANS.** (a) There is created the veterans mortgage  
24 loan repayment fund. All moneys received by the department for the repayment of  
25 loans funded under sub. (6) (a) except for servicing fees required to be paid to

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1 authorized lenders, net proceeds from the sale of mortgaged properties, any  
2 repayment to the department of moneys paid to authorized lenders, gifts, grants,  
3 other appropriations, and interest earnings accruing, any repayment of moneys  
4 borrowed under s. 45.42 (8) (a), all moneys received under sub. (5) (a) 6., and any  
5 moneys deposited or transferred under s. 18.04 (6) (b) or (d) shall be promptly  
6 deposited into the veterans mortgage loan repayment fund. The board shall  
7 establish by resolution a system of accounts providing for the maintenance and  
8 disbursement of moneys of the veterans mortgage loan repayment fund to fund loans  
9 under sub. (6) (a) or to fund, refund, or acquire public debt as provided in s. 18.04 (5).  
10 The system of accounts shall record and provide moneys for all of the following  
11 purposes:

- 12 1. Transfer to the bond security and redemption fund.
- 13 2. Acquisition or redemption of public debt in accordance with resolutions of  
14 the building commission.
- 15 3. Payment of losses arising from delinquency or default in the repayment of  
16 loans funded under sub. (6) (a), including loss of principal and interest accrued to the  
17 point of final disposition of the defaulted loan and the expenses of management and  
18 sale of the property taken upon default of loan repayment.
- 19 4. Payment of all costs incurred by the department in processing and servicing  
20 loans, purchasing servicing rights for loans under this section, and accounting for  
21 and administering the program under this section, including a portion of grants  
22 made to county veterans service officers under s. 45.82.
- 23 5. Payment of all costs incurred in contracting public debt for the purposes  
24 under s. 18.04 (5) and under s. 18.04 (2) for the purpose of funding veterans housing  
25 loans.

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1           6. Payment of costs of issuance of obligations to fund loans under sub. (6) (c)  
2 if not paid from the proceeds of the obligations.

3           7. Payment of obligations arising from loans funded under sub. (6) (b).

4           8. Payment of any other costs of program operation and management  
5 authorized under this section.

6           9. Loan money to the veterans trust fund, upon prior approval of the building  
7 commission for each loan, for the purposes under s. 45.42.

8           10. Payment of origination fees, on behalf of veterans who have at least a 30  
9 percent service-connected disability rating for purposes of 38 USC 1114 or 1134, to  
10 authorized lenders under sub. (5) (b).

11           11. Payment required of the department under sub. (5) (a) 6.

12           12. Payment of obligations arising from the acquisition of a headquarters and  
13 museum building for the department under s. 45.03 (5) (b).

14           (b) The board may amend the system of accounts established under par. (a) only  
15 by resolution of the board that is approved by the building commission.

16           (c) If revenues of the veterans mortgage loan repayment fund are insufficient  
17 to meet all current expenses, the secretary of administration shall establish a  
18 repayment schedule whereby the general fund will be reimbursed in an orderly  
19 manner for moneys advanced. Interest rates to be charged on loans subsequently  
20 issued shall be adjusted to provide sufficient revenues to meet all of this repayment  
21 schedule.

22           (d) After meeting all expenses and providing for reserves under par. (a) 3.,  
23 assets in the veterans mortgage loan repayment fund, upon prior approval of the  
24 building commission, may be transferred to the veterans trust fund and used to fund  
25 loans under s. 45.42.

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1           **(8) USE OF SURPLUSES.** Surpluses may be used under sub. (11) (c) only if there  
2 are no unrestricted fund balances available for that purpose in the funds created  
3 under sub. (10). Section 20.001 (3) (e) shall not be construed to prohibit this action.

4           **(9) LIMITATION ON REMODELING OR ALTERATION FOR A DISABLED VETERAN.** Not more  
5 than 50 percent of the proceeds of a loan granted under this section for a purpose  
6 under s. 45.34 (1) (a) may be used for remodeling or alteration of the housing  
7 accommodation after purchase to meet the special needs of a permanently and totally  
8 disabled veteran. That portion of the proceeds used for this purpose shall be reserved  
9 and distributed by the authorized lender.

10           **(10) REPAYMENT OF REVENUE OBLIGATIONS.** (a) All moneys received from any  
11 source for repayment of loans, mortgages, or mortgage loan notes funded with  
12 proceeds of revenue obligations issued under sub. (6) (c) shall be deposited into one  
13 or more separate nonlapsible trust funds in the state treasury or with a trustee  
14 appointed for that purpose by the authorizing resolution for the revenue obligations.  
15 The board may pledge revenues received by the funds to secure revenue obligations  
16 issued under sub. (6) (c) and shall have all other powers necessary and convenient  
17 to distribute the proceeds of the revenue obligations and loan repayments in  
18 accordance with subch. II of ch. 18. Unrestricted balances in the funds may be used  
19 to fund additional loans issued under sub. (6) (c) and pay the balances owing on loans  
20 after the assumptions of the loans or the closings of the sales of residences under sub.  
21 (11) (c).

22           (b) Revenue obligations issued under sub. (6) (c) may not exceed \$280,000,000  
23 in principal amount, excluding obligations issued to fund or refund outstanding  
24 revenue obligation notes or to refund outstanding revenue obligation bonds.

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1 (c) Except as may otherwise be expressly provided in resolutions authorizing  
2 the issuance of revenue obligations or in other agreements with the holders of  
3 revenue obligations, each issue of revenue obligations shall be on a parity with every  
4 other revenue obligation issued under sub. (6) (c) and payable in accordance with  
5 subch. II of ch. 18.

6 **(11) GUARANTEED LOANS.** (a) Upon any sale of the residence which secures a  
7 guaranteed loan made under this section after April 3, 1980, except for the purchase  
8 of the residence at the time the loan is initially made, the guaranteed loan may be  
9 assumed or continue to be paid in regular monthly installments if the person who  
10 assumes the mortgage loan payments or who will make the regular monthly  
11 installments agrees to all of the following:

12 1. To pay interest on the loan from the date of the assumption of the loan, if the  
13 loan is assumed, or from the date of the closing of the sale of the residence at the  
14 maximum rates of interest being charged on guaranteed loans on the date the loan  
15 was initially made.

16 2. To increase the amortization payments on the loan by an amount sufficient  
17 to amortize the loan by the date the balance on the loan is payable in full according  
18 to the original terms of the loan.

19 (b) The department and authorized lenders shall increase the interest rates  
20 and amortization payments on loans assumed under par. (a).

21 (c) After the assumption of a guaranteed loan funded under sub. (6) (c), if the  
22 loan is assumed, or the closing of the sale of a residence on which a balance is owing  
23 on a guaranteed loan funded under sub. (6) (c), the balance owing on the loan on the  
24 date of the assumption of the loan, if the loan is assumed, or the closing of the sale  
25 may be paid to the funds created under sub. (10) from available surpluses, if any, in

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1 the veterans mortgage loan repayment fund under sub. (7) (d). The loan and the  
2 mortgage and mortgage note pertaining to the loan may be purchased by the  
3 veterans mortgage loan repayment fund under sub. (7).

4 **(12) PRIOR PROGRAM LOANS.** Subject to this section and ss. 45.33 to 45.35, neither  
5 the department nor an authorized lender may deny a person a loan under this section  
6 because of the reason the person sold any property previously mortgaged by the  
7 person to the department or an authorized lender, if the person completely paid the  
8 balance of any previous loan under this subchapter in accordance with the terms and  
9 conditions of the promissory note and the mortgage or other agreement executed in  
10 connection with the previous loan.

11 **(13) REPAYMENT OF LOAN.** Any money appropriated or transferred by law from  
12 the veterans mortgage loan repayment fund for purposes other than those listed in  
13 sub. (7), other than moneys made temporarily available to other funds under s.  
14 20.002 (11), shall be repaid from the general fund with interest at a rate of 5 percent  
15 per year from the date of the appropriation or transfer to the date of repayment.

**SUBCHAPTER IV****ASSISTANCE PROGRAMS**

18 **45.40 Economic assistance. (1) SUBSISTENCE AID.** (a) The department may  
19 provide subsistence aid to an incapacitated veteran or a dependent of a veteran in  
20 an amount that the department determines advisable to prevent undue hardship.  
21 The department may provide subsistence aid under this subsection to a person  
22 whose incapacitation is the result of alcohol or other drug abuse, if the person is  
23 participating in an alcohol or other drug abuse treatment program approved by the  
24 department. The department may provide subsistence aid on a month-to-month  
25 basis or for a 3-month period. The department may provide the aid for a 3-month

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1 period if the veteran or dependent whose incapacity is the basis for the aid will be  
2 incapacitated for more than 3 months, as determined by a health care provider as  
3 defined in s. 146.81 (1), and if earned or unearned income or aid from other sources  
4 will not be available in the 3-month period. Subsistence aid shall be limited to a  
5 maximum of 3 months in a 12-month period unless the department determines that  
6 the need for subsistence aid in excess of this maximum time period is caused by the  
7 person's relapse.

8 (b) The department may submit a request to the joint committee on finance for  
9 supplemental funds from the veterans trust fund to be credited to the appropriation  
10 account under s. 20.485 (2) (vm) to provide payments under this subsection. The joint  
11 committee on finance may, from the appropriation under s. 20.865 (4) (u),  
12 supplement the appropriation under s. 20.485 (2) (vm) in an amount equal to the  
13 amount that the department expects to expend under this subsection.  
14 Notwithstanding s. 13.101 (3) (a), the committee is not required to find that an  
15 emergency exists. If the cochairpersons of the committee do not notify the secretary  
16 within 14 working days after the date of the department's submittal that the  
17 committee intends to schedule a meeting to review the request, the appropriation  
18 account shall be supplemented as provided in the request. If, within 14 working days  
19 after the date of the department's submittal, the cochairpersons of the committee  
20 notify the secretary that the committee intends to schedule a meeting to review the  
21 request, the appropriation account shall be supplemented only as approved by the  
22 committee.

23 **(2) HEALTH CARE AID.** The department may provide temporary health care aid  
24 for a veteran or the dependent of a veteran if the department considers it advisable  
25 to prevent undue hardship. Health care aid to pay medical or hospital bills under

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1 this subsection is limited to a payment of up to \$5,000 per veteran or dependent for  
2 a 12-month period beginning on the first day of care for which the person seeks  
3 reimbursement under this subsection. The department may issue a certificate of  
4 entitlement stating that a veteran or dependent is eligible for health care aid under  
5 this subsection if the treatment is received within a time period that the department  
6 promulgates by rule. The department may not provide health care aid to pay for care  
7 provided to the veteran or dependent before the time period identified in the  
8 certificate of entitlement, except for emergency care, as determined by the  
9 department, if the application for the health care aid is submitted within 90 days  
10 after the emergency care ends. Health care aid may be used to provide payment for  
11 the treatment of alcoholism or other drug addiction or to provide payment for health  
12 care required because of alcoholism or other drug addiction or alcohol or other drug  
13 abuse. The department may not provide health care aid under this subsection unless  
14 the person's health care provider agrees to accept, as full payment for the medical  
15 treatment for which the aid is to be granted, the amount of the aid, the amount of the  
16 person's health insurance or other 3rd-party payments, if any, and the amount that  
17 the department determines the person is capable of paying. The department may not  
18 provide health care aid under this subsection if the combined liquid assets of the  
19 veteran and veteran's dependents who are living in the same household are in excess  
20 of \$1,000.

21 **(3) APPROPRIATIONS.** The department may provide aid under this section from  
22 the appropriation in s. 20.485 (2) (vm). Nothing in this section empowers the  
23 department to incur any state debt.

24 **45.41 Payments to veterans organizations. (1)** In this section:

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1           (a) “Regional office” means the U.S. department of veterans affairs regional  
2 office in Wisconsin.

3           (b) “State veterans organization” means the state organization or department  
4 of a national veterans organization incorporated by an act of congress.

5           **(2)** Upon application the department shall make a payment to any state  
6 veterans organization that establishes that it, or its national organization, or both,  
7 has maintained a full-time service office at the regional office for 5 consecutive years  
8 out of the 10-year period immediately preceding the application. The payment shall  
9 be calculated based on the total amount of all salaries and travel expenses under sub.

10 (3) paid during the previous fiscal year by the state veterans organization to  
11 employees engaged in veterans claims service and stationed at the regional office.

12 The payment shall be as follows:

13           (a) If the total amount paid under sub. (3) is from \$1 to \$2,499, the organization  
14 shall receive the amount paid.

15           (b) If the total amount paid under sub. (3) is from \$2,500 to \$9,999, the  
16 organization shall receive \$2,500.

17           (c) If the total amount paid under sub. (3) is from \$10,000 to \$119,999, the  
18 organization shall receive 25 percent of the amount paid.

19           (d) If the total amount paid under sub. (3) is \$120,000 or more, the organization  
20 shall receive \$30,000.

21           **(3)** A state veterans organization shall file an application annually with the  
22 department for the previous 12-month period ending on March 31 of the year in  
23 which it is filed. The application shall contain a statement of salaries and travel  
24 expenses paid to employees of the organization engaged in veterans claims service  
25 activities at the regional office by the state veterans organization covering the period

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1 for which application for a payment is made. The statement shall be certified as  
2 correct by a certified public accountant licensed or certified under ch. 442 and sworn  
3 to as correct by the adjutant or principal officer of the state veterans organization.  
4 The application shall include the state organization's financial statement for its  
5 previous fiscal year and evidence of claims service activity that the department  
6 requires. The state veterans organization shall submit with its initial application  
7 sufficient evidence to establish that it or its national organization, or both, has  
8 maintained a full-time service office at the regional office for 5 consecutive years out  
9 of the 10-year period immediately preceding the application. Subsequent  
10 applications shall be accompanied by an affidavit by the adjutant or principal officer  
11 of the state veterans organization stating that the organization, on its own or with  
12 its national organization, maintained a full-time service office at the regional office  
13 for the entire 12-month period for which application for a payment is made.

14 (4) From the appropriation under s. 20.485 (2) (s), the department shall  
15 annually provide a payment of \$100,000 to the Wisconsin department of the Disabled  
16 American Veterans for the provision of transportation services to veterans.

17 **45.42 Veterans personal loans.** (1) It is determined that the loan program  
18 established under this section is a special purpose credit program for an economically  
19 disadvantaged class of persons for purposes of 15 USC 1691-1691f.

20 (2) The department may lend a veteran, a veteran's unremarried surviving  
21 spouse, or a deceased veteran's child not more than \$25,000, or a lesser amount  
22 established by the department under sub. (9). The department may prescribe loan  
23 conditions, but the term of the loan may not exceed 10 years. The department shall  
24 ensure that the proceeds of any loan made under this section shall first be applied  
25 to pay any delinquent child support or maintenance payments owed by the person

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1 receiving the loan and then to pay any past support, medical expenses, or birth  
2 expenses owed by the person receiving the loan.

3 (3) The department may lend to the remarried surviving spouse of a deceased  
4 veteran or to the parent of a deceased veteran's child not more than \$25,000, or a  
5 lesser amount established by the department under sub. (9), for the education of the  
6 deceased veteran's child.

7 (4) The department may execute necessary instruments, collect interest and  
8 principal, compromise indebtedness, sue and be sued, post bonds, and write off  
9 indebtedness that it considers uncollectible. If a loan under this section is secured  
10 by a real estate mortgage, the department may exercise the rights of owners and  
11 mortgagees generally and the rights and powers set forth in s. 45.32. The  
12 department shall pay all interest and principal repaid on the loan into the veterans  
13 trust fund.

14 (5) The department may charge loan expenses incurred under this section to  
15 the loan applicant. The department shall pay all expenses received under this  
16 subsection into the veterans trust fund.

17 (6) The department may provide a loan under this section to an applicant  
18 whose name appears on the statewide support lien docket under s. 49.854 (2) (b) only  
19 if the applicant does one of the following:

20 (a) Provides to the department a repayment agreement that the applicant has  
21 entered into, that has been accepted by the county child support agency under s.  
22 59.53 (5), and that has been kept current for the 6-month period immediately  
23 preceding the date of the application.

24 (b) Provides to the department a statement that the applicant is not delinquent  
25 in child support or maintenance payments and does not owe past support, medical

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1 expenses, or birth expenses, signed by the department of workforce development or  
2 its designee within 7 working days before the date of the application.

3 (c) Agrees to use the loan proceeds to pay any delinquent child support or  
4 maintenance payments and to pay any past support, medical expenses, or birth  
5 expenses if the applicant fails to meet the requirements under par. (a) or (b).

6 (7) No person may receive a loan under this section in an amount that, when  
7 added to the balance outstanding on the person's existing loans under s. 45.351 (2),  
8 1995 stats., and s. 45.356, 1995 stats., would result in a total indebtedness to the  
9 department of more than \$25,000.

10 (8) (a) The department may borrow from the veterans mortgage loan  
11 repayment fund under s. 45.37 (7) (a) to obtain money to make loans under this  
12 section.

13 (b) The department may enter into transactions with the state investment  
14 board to obtain money to make loans under this section. Transactions authorized  
15 under this paragraph may include the sale of loans.

16 (9) Subject to the limits established in subs. (2) and (3), the department may  
17 periodically adjust the maximum loan amount based upon financial market  
18 conditions, funds available, needs of the veterans trust funds, or other factors that  
19 the department considers relevant.

20 (10) The department may periodically adjust the interest rates for loans made  
21 under this section, which may vary based upon the term of the loan, the type of  
22 security offered, the method of payment, or other factors that the department  
23 considers relevant.

24 (11) If an applicant's total indebtedness for loans made under this section is  
25 more than \$5,000, the loan shall be evidenced by a promissory note and secured by

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1 a mortgage on real estate located in this state. A loan of \$5,000 or less made to an  
2 applicant whose total indebtedness for loans made under this section is \$5,000 or less  
3 shall be evidenced by a promissory note and secured by a guarantor or by a mortgage  
4 on real estate located in this state. A mortgage securing a loan made under this  
5 section is acceptable if the applicant has equity in the property subject to the  
6 mortgage equal to or exceeding a minimum amount that the department establishes  
7 by rule.

8 **45.43 Veterans assistance program. (1)** The department shall administer  
9 a program to provide assistance to persons who served in the U.S. armed forces or  
10 in forces incorporated as part of the U.S. armed forces and who were discharged  
11 under conditions other than dishonorable. The department shall provide assistance  
12 to persons whose need for services is based upon homelessness, incarceration, or  
13 other circumstances designated by the department by rule. The department shall  
14 designate the assistance available under this section, which may include assistance  
15 in receiving medical care, dental care, education, employment, and transitional  
16 housing. The department may provide payments to facilitate the provision of  
17 services under this section.

18 **(2)** The department may charge fees for transitional housing and for other  
19 assistance provided under this section that the department designates. The  
20 department shall promulgate rules establishing the fee schedule and the manner of  
21 implementation of that schedule.

22 SUBCHAPTER V

23 VETERANS HOMES

24 **45.50 Veterans homes; management. (1)** (a) The department shall operate  
25 the Wisconsin Veterans Home at King and employ a commandant for the home. The

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1 department shall employ a commandant for the Wisconsin Veterans Home at Union  
2 Grove and may employ a commandant for the Wisconsin Veterans Home at  
3 Chippewa Falls. The department may employ any personnel that are necessary for  
4 the proper management and operation of veterans homes. In compliance with the  
5 compensation plan established pursuant to s. 230.12 (3), a commandant may  
6 recommend to the director of personnel charges for meals, living quarters, laundry,  
7 and other services furnished to employees and members of the employees' family  
8 maintained at veterans homes. The department shall provide complete personal  
9 maintenance and medical care, including programs and facilities that promote  
10 comfort, recreation, well-being, or rehabilitation, to all members of veterans homes.

11 (b) All moneys received as reimbursement for services to veterans homes  
12 employees or as payment for meals served to guests at veterans homes shall be  
13 accumulated in an account named "employee maintenance credits" and shall be paid  
14 into the general fund within one week after receipt and credited to the appropriation  
15 under s. 20.485 (1) (gk).

16 (c) Veterans homes with a skilled nursing facility shall include a geriatric  
17 evaluation, research, and education program. The program staff shall be funded  
18 from the appropriations under s. 20.485 (1) (hm), (j), and (mj).

19 **(2)** (a) Subject to authorization under ss. 13.48 (10) and 20.924 (1), the  
20 department may construct or renovate and operate residential, treatment, and  
21 nursing care facilities, including a community-based residential facility, to be known  
22 as the Wisconsin Veterans Home at Union Grove.

23 (b) Subject to authorization under ss. 13.48 (10) and 20.924 (1), the department  
24 may develop, construct or renovate, and operate residential, treatment, and nursing  
25 care facilities and programs for veterans in northwestern Wisconsin, on the property

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1 of the Northern Wisconsin Center for the Developmentally Disabled in Chippewa  
2 Falls to be known as the Wisconsin Veterans Home at Chippewa Falls. The programs  
3 and facilities may include an assisted living facility, a skilled nursing facility, a  
4 medical clinic, an adult day health care center, an activities center, and a veterans  
5 assistance program.

6 **(3)** The department may acquire, by gift, purchase, or condemnation, lands  
7 necessary for the purposes of the veterans homes. Title to the lands shall be taken  
8 in the name of this state and shall be held by and for the uses and purposes of the  
9 veterans homes. No payment may be made out of the state treasury or otherwise for  
10 the land until the title has been examined and approved by the attorney general.  
11 Every such deed of conveyance shall be immediately recorded in the office of the  
12 proper register of deeds and filed with the secretary of state.

13 **(4)** The department may use moneys appropriated under s. 20.485 (1) (h) to  
14 purchase, erect, construct, or remodel buildings, to provide additions and  
15 improvements, to provide equipment, materials, supplies, and services necessary for  
16 the purposes of veterans homes, and for expenses that are necessary and incidental  
17 to acquisition of property under s. 45.51 (10) and (11).

18 **(5)** The department may accept gifts, bequests, grants, or donations of money  
19 or of property from private sources to be administered by the department for the  
20 purposes of veterans homes. All moneys received shall be paid into the general fund  
21 and appropriated as provided in s. 20.485 (1) (h), except that gifts or grants received  
22 specifically for the purposes of the geriatric program at veterans homes are  
23 appropriated as provided in s. 20.485 (1) (hm). The department may not apply to the  
24 gifts and bequests fund interest on certificate of savings deposits for those members  
25 who do not receive maximum monthly retained income. The department shall

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1 establish for those persons upon their request individual accounts with savings and  
2 interest applied as the member requests.

3 **(6)** (a) The department may enter into agreements for furnishing and charging  
4 for water and sewer service from facilities constructed at and for veterans homes to  
5 public and private properties lying in the immediate vicinity of veterans homes.

6 (b) Agreements under this section shall be drafted to hold harmless the  
7 department, to require all expense to be paid by the applicant, and to be terminable  
8 by the department when other water and sewer services become available to the  
9 applicant.

10 **(7)** A commandant and employees designated by the commandant may  
11 summarily arrest all persons within or upon the grounds of veterans homes who are  
12 guilty of any offense against the laws of this state or the rules governing veterans  
13 homes. For this purpose, a commandant and deputies have the power of constables.

14 **(8)** A fire department at a veterans home in response to emergency fire calls  
15 may make runs and render fire fighting service beyond the confines of a veterans  
16 home.

17 **(9)** The department may develop a program to provide stipends to individuals  
18 to attend school and receive the necessary credentials to become employed at  
19 veterans homes. If the department develops a stipend program under this  
20 subsection, the department shall promulgate rules related to the program, including  
21 the application process, eligibility criteria, stipend amount, repayment provisions,  
22 and other provisions that the department determines are necessary to administer  
23 the program.

24 **(10)** The department may establish a hospital at the veterans homes. All  
25 hospitals established under this subsection may not have a total approved bed

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1 capacity, as defined in s. 150.01 (4m), greater than 16 beds. The approved bed  
2 capacity of a skilled nursing facility operated at a veterans home is reduced by one  
3 bed for each approved bed at the hospital established under this subsection at that  
4 home.

5 **45.51 Eligibility for membership. (1) GENERAL STATEMENT.** Within the  
6 limitations of veterans homes, the department may admit to membership in veterans  
7 homes persons who meet the qualifications set forth in this section.

8 **(2) ELIGIBILITY.** (a) The following persons are eligible for benefits under this  
9 subchapter if they meet the applicable requirements of this subchapter:

10 1. A veteran.

11 2. A person who has served on active duty under honorable conditions in the  
12 U.S. armed forces or in forces incorporated as part of the U.S. armed forces for 90  
13 days or more and at least one day during a war period or under section 1 of executive  
14 order 10957, dated August 10, 1961.

15 3. A spouse, surviving spouse, or parent of a person under subd. 1. or 2.

16 (b) A person under par. (a) 1. or 2. may be admitted to a veterans home if the  
17 person meets all of the following conditions:

18 1. Is a resident of this state on the date of admission to a veterans home.

19 2. Is permanently incapacitated due to physical disability or age from any  
20 substantially gainful occupation.

21 3. Has not been convicted of a felony or of a crime involving moral turpitude  
22 or, if so, has produced sufficient evidence of subsequent good conduct and  
23 reformation of character as to be satisfactory to the department.

24 4. Provides a complete financial statement containing information that the  
25 department determines is necessary to evaluate the financial circumstances of the

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1 person. The department may require a member of a veterans home to provide the  
2 department with information necessary for the department to determine the  
3 financial circumstances of the person. If a person fails to provide the additional  
4 information, the department may discharge the person from the veterans home.

5 5. Has care needs that the veterans home is able to provide within the resources  
6 allocated for the care of members of the veterans home, including chronic alcoholism,  
7 drug addition, psychosis, or active tuberculosis.

8 **(3) ADMISSION PRIORITIES.** (a) Except in cases where there is an immediate need  
9 for physical care or economic assistance, the department shall act on applications  
10 based upon the date of receipt of the application by the veterans home. The  
11 department may defer establishment of the priority date of the application to the  
12 date that the veterans home is able to verify its ability to provide appropriate care  
13 to the applicant or to assure that the appropriate care setting is available within the  
14 home.

15 (b) Spouses, surviving spouses, and parents derive their eligibility from the  
16 eligibility of the person under sub. (2) (a) 1. or 2. Surviving spouses and parents of  
17 eligible persons under sub. (2) (a) 1. or 2. are eligible for admission only to a skilled  
18 nursing facility at a veterans home.

19 (c) 1. The order of priority for admission to a veterans home shall be as follows:

20 a. Eligible persons under sub. (2) (a) 1. or 2. have 1st priority.

21 b. Spouses of eligible persons under sub. (2) (a) 1. or 2. have 2nd priority.

22 c. Surviving spouses of eligible persons under sub. (2) (a) 1. or 2. have 3rd  
23 priority for admission.

24 d. Parents of eligible persons under sub. (2) (a) 1. or 2. have 4th priority for  
25 admission.

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1           2. The department may deviate from this sequence upon order of the board to  
2 prevent the separation of a husband and wife.

3           **(4) ADDITIONAL ELIGIBILITY REQUIREMENTS OF A SPOUSE OF A VETERAN.** A spouse  
4 of an eligible person under sub. (2) (a) 1. or 2. is eligible only if the spouse meets the  
5 requirements of sub. (2) (b) 3. to 5. and if all of the following apply:

6           (a) The person under sub. (2) (a) 1. or 2. is a member, or if not a member is  
7 institutionalized elsewhere because of physical or mental disability, and the spouse  
8 had lived with the person for not less than 6 months immediately before making  
9 application for membership.

10          (b) Separation from the spouse necessitated by reason of employment,  
11 hospitalization, or because of a physical or mental disability of either spouse shall  
12 not be taken to constitute an interruption of the 6-month period.

13          (c) A spouse of an eligible person under sub. (2) (a) 1. or 2. by virtue of a marriage  
14 that was void when entered into but validated under s. 765.21 before applying for  
15 admission shall, for the purpose of this subsection and sub. (6), be considered  
16 married to the eligible person under sub. (2) (a) 1. or 2. from the date the marriage  
17 was entered into.

18           **(5) ADDITIONAL ELIGIBILITY REQUIREMENTS OF A SURVIVING SPOUSE.** The surviving  
19 spouse of a person under sub. (2) (a) 1. or 2. who was a resident of this state at the  
20 time of the veteran's death is eligible if the surviving spouse meets the requirements  
21 of sub. (2) (b) 3. to 5. and if the surviving spouse satisfies all of the following  
22 conditions:

23           (a) 1. The surviving spouse satisfies any of the following conditions:

24           a. Was married to and living with the deceased person under sub. (2) (a) 1. or  
25 2. not less than 6 months immediately prior to the death of the person.

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1           b. Was married to the person under sub. (2) (a) 1. or 2. at the time the person  
2 entered the service and who became a widow or widower by the death of the person  
3 while in the service or as a result of physical disability of the person incurred during  
4 the service.

5           c. The period during which the surviving spouse was married to and lived with  
6 the deceased person under sub. (2) (a) 1. or 2. plus the period of widowhood or  
7 widowerhood is 6 months or more.

8           d. Was married to and living with the person under sub. (2) (a) 1. or 2. less than  
9 6 months and a child was born of the marriage.

10           (b) Has not remarried.

11           (c) Is 45 years of age or over on the date of application.

12           (d) Is physically disabled.

13           (e) Is unable adequately to care for himself or herself and lacks adequate means  
14 of support.

15           (f) Has been a resident of this state for the 12 months immediately preceding  
16 the date of application for membership.

17           **(6)** ADDITIONAL ELIGIBILITY REQUIREMENTS OF PARENTS. The parent of a person  
18 under sub. (2) (a) 1. or 2. who was a resident of this state at the time of the person's  
19 death or, the parent of a living person under sub. (2) (a) 1. or 2. who is eligible for  
20 membership, is eligible if the parent meets the requirements of sub. (2) (b) 3. to 5.  
21 and if the parent satisfies all of the following conditions:

22           (a) Has reached 60 years of age.

23           (b) Has been a resident of this state for the 12-months preceding the date of  
24 application for membership.

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1 (c) Is physically disabled, unable adequately to care for himself or herself, and  
2 lacks adequate means of support.

3 **(7) MEMBER INCOME RETENTION AND PAYMENT.** (a) The board shall establish a pay  
4 plan for compensation of members for services rendered to a veterans home under  
5 its work therapy program.

6 (b) Members shall pay the amount due the state for care and maintenance of  
7 the member within 30 days after the receipt of the veterans home's billing statement  
8 by the member or by the member's personal representative. The department may  
9 subject any bill not paid within 30 days after receipt of the billing statement to an  
10 interest assessment of 1 percent per month or fraction of a month. If payment is not  
11 made within 60 days after the receipt of the billing statement, the department may  
12 discharge the member from the veterans home.

13 (c) Payment of amounts due the state for care and maintenance of a member  
14 shall be made to the fullest extent possible from sources of income other than pension  
15 or compensation paid by the U.S. department of veterans affairs.

16 (d) A member is not required to use income received from services rendered to  
17 the veterans home under its work therapy program or from the sale of products or  
18 services through the hobby shop as payment for the care or maintenance of the  
19 member at the veterans home.

20 (e) The department shall supervise the operation of a veterans home exchange,  
21 including the operation of the hobby shop for the sale of products made by all  
22 members.

23 **(8) PERSONAL FUNDS OF MEMBER.** A member may, in writing, authorize a  
24 veterans home to receive, hold, and account for his or her personal funds. Section  
25 49.498 (8) applies to the funds of a member held by the veterans home under this

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1 subsection. The department may transfer the personal funds of a member received  
2 under this subsection to the Wisconsin veterans facilities members fund under s.  
3 25.37. Upon request of the member, the department shall pay the member the  
4 amount the member requests from his or her personal account.

5 **(9) MEDICAL ASSISTANCE PAYMENTS.** All moneys received under medical  
6 assistance, as defined in s. 49.43 (8), for the care of members shall be transferred to  
7 the appropriation under s. 20.485 (1) (gk).

8 **(10) CONVEYANCE OF PROPERTY; DESCENT.** (a) Except as otherwise provided in  
9 this subsection, the application and admission of any applicant admitted under this  
10 section shall constitute a valid and binding contract between a member and the  
11 department. If a member dies leaving a relative that is entitled to an interest in the  
12 property of the member under the rules of intestate succession or a will the existence  
13 of which is made known to the commandant of the veterans home within 60 days of  
14 the member's death, the member's property shall constitute a part of the member's  
15 estate, except the commandant may distribute personal effects of nominal monetary  
16 value of a deceased member who is not survived by a member spouse to surviving  
17 relatives of the member who request the personal effects within a reasonable time  
18 after the member's death.

19 (b) The department may manage, sell, lease, or transfer property passing to the  
20 state pursuant to this section or conveyed to it by members, defend and prosecute all  
21 actions concerning it, pay all just claims against it, and do all other things necessary  
22 for the protection, preservation, and management of the property. All expenditures  
23 necessary for the execution of functions under this paragraph or sub. (14) shall be  
24 made from the appropriation in s. 20.485 (1) (h).

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1 (c) A person who at the time of death is a member of a veterans home is a  
2 resident of the county in which the veterans home is located for the probate of the  
3 person's will, issuance of letters testamentary or other letters authorizing the  
4 administration of the decedent's estate, and the administration of the estate.

5 **(11) DISPOSITION OF PROPERTY PASSING TO STATE.** If a member dies without a  
6 relative who is entitled to an interest in the property of the member under the rules  
7 of intestate succession and without leaving a will the existence of which is made  
8 known to the commandant of the home within 60 days of the member's death, the  
9 member's property shall be converted to cash, without administration. The  
10 commandant of a veterans home shall submit that converted sum to the secretary  
11 of administration to be paid into the appropriation under s. 20.485 (1) (h). The  
12 amount paid to the secretary of administration is subject to refund within 6 years to  
13 the estate of a member if it is subsequently discovered that the member left a will  
14 or a relative that is entitled to an interest in the property of the member under the  
15 rules of intestate succession or to any creditor of the member who establishes right  
16 to the funds or property or any portion of the funds or property. The department of  
17 administration, upon being satisfied that a claim out of the funds or property is legal  
18 and valid, shall pay the claim out of the funds or property, except that payment of  
19 claims for a member's funeral and burial expenses may not exceed a total of \$1,500  
20 including any amount allowed by the United States for the member's funeral and  
21 burial and the right for burial and interment provided in s. 45.61 (2).

22 **(12) POWERS OF COMMANDANT OVER PERSONAL FUNDS OF MEMBERS.** A commandant  
23 may receive, disburse, and account for funds of members.

24 **(13) ADDITIONAL ELIGIBILITY REQUIREMENTS FOR SKILLED NURSING FACILITIES.** Any  
25 person admitted to a skilled nursing facility at a veterans home shall meet the

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1 eligibility requirements under ss. 49.45 and 49.46 and rules promulgated under  
2 those sections during residence at the skilled nursing facility except if any of the  
3 following apply:

4 (a) Persons with sufficient income and resources to meet the expenses of care  
5 for one or more months may be admitted to the skilled nursing facility but shall apply  
6 income and resources to costs to the extent required under ss. 49.45 and 49.46 and  
7 rules promulgated under those sections.

8 (b) Persons who meet all the requirements of this section but whose degree of  
9 physical disability does not meet the minimum requirements under ss. 49.45 and  
10 49.46 and rules promulgated under those sections may be admitted to the skilled  
11 nursing facility but shall apply income and resources to costs to the extent required  
12 by ss. 49.45 and 49.46 and rules promulgated under those sections.

13 **(14)** ADDITIONAL ELIGIBILITY REQUIREMENT FOR OTHER CARE FACILITIES AT VETERANS  
14 HOMES. An otherwise eligible person may be admitted to or remain in residency at  
15 a community-based residential facility, as defined in s. 50.01 (1g) or a residential  
16 care apartment complex, as defined in s. 50.01 (1d) at a veterans home only if the  
17 person has sufficient income and resources, and applies the income and resources to  
18 fully reimburse the department for the cost of providing care to the person.

**SUBCHAPTER VI****FUNERALS, BURIALS, AND CEMETERIES**

21 **45.60 Military funeral honors. (1) PROGRAM.** (a) The department shall  
22 administer a program to coordinate the provision of military funeral honors in this  
23 state to deceased veterans and to deceased persons who have served under honorable  
24 conditions in any national guard or in a reserve component of the U.S. armed forces.

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1           (b) Military funeral honors may be provided by local units of member  
2 organizations of the council on veterans programs, by local units of veterans  
3 organizations certified by the department to provide military funeral honors, by  
4 members of the Wisconsin national guard activated under s. 21.11 (3), or by staff of  
5 the department.

6           **(2) STIPENDS.** From the appropriation under s. 20.485 (2) (q), the department  
7 shall reimburse a local unit of a member organization of the council on veterans  
8 programs or a local unit of a veterans organization certified by the department to  
9 provide military funeral honors for the costs of providing military funeral honors in  
10 this state to a person described in sub. (1). The reimbursement may not exceed \$50  
11 for each funeral for which military honors are provided.

12           **(3) TUITION VOUCHER.** (a) The department shall create a tuition voucher form  
13 to be used by funeral directors under par. (b). The department shall distribute copies  
14 of the tuition voucher form, plus an explanation of the form's use, to every operator  
15 of a funeral establishment. The department may not charge a fee for the tuition  
16 voucher form or for the distribution of the form.

17           (b) A funeral director may issue a tuition voucher in the amount of \$25 to an  
18 individual who sounds "Taps" on a bugle, trumpet, or cornet during each funeral for  
19 which military honors are held in this state for a person described in sub. (1) and who  
20 is a student in grades 6 to 12 or at an institution of higher education, as defined under  
21 s. 895.515 (1) (b). The tuition voucher may be used at any time for the payment of  
22 tuition and required program activity fees at a University of Wisconsin System  
23 institution as provided under s. 36.27 (3r) or a technical college as provided under  
24 s. 38.24 (6). The department shall encourage private institutions of higher education  
25 to accept the vouchers. The vouchers are not transferable.

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1           **45.61 Wisconsin veterans cemeteries. (1)** CONSTRUCTION AND OPERATION OF  
2 CEMETERIES. Subject to authorization under ss. 13.48 (10) and 20.924 (1), the  
3 department may construct and operate veterans cemeteries in central,  
4 northwestern, and southeastern Wisconsin and may employ any personnel that are  
5 necessary for the proper management of the cemeteries. The cemetery in central  
6 Wisconsin is the Central Wisconsin Veterans Memorial Cemetery. The cemetery in  
7 southeastern Wisconsin is the Southern Wisconsin Veterans Memorial Cemetery.  
8 The cemetery in northwestern Wisconsin is the Northern Wisconsin Veterans  
9 Memorial Cemetery. The department may acquire, by gift, purchase, or  
10 condemnation, lands necessary for the purposes of the cemeteries. Title to the  
11 properties shall be taken in the name of this state. Every deed of conveyance shall  
12 be immediately recorded in the office of the proper register of deeds and thereafter  
13 filed with the secretary of state. The department may accept for the state all gifts,  
14 grants, and bequests for the purposes of maintenance, restoration, preservation, and  
15 rehabilitation of the veterans cemeteries constructed under this subsection. All  
16 cemeteries operated by the department are exempt from the requirements of ss.  
17 157.061 to 157.70 and 440.90 to 440.95.

18           **(2) ELIGIBILITY.** The following persons are eligible for burial at a cemetery  
19 constructed and operated under sub. (1):

20           (a) A person who died while on active duty or who was discharged or released  
21 from active duty in the U.S. armed forces under honorable conditions and who was  
22 a resident of this state at the time of his or her entry or reentry into active service  
23 and his or her dependent child and surviving spouse.

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1 (b) A person who was discharged or released from active duty in the U.S. armed  
2 forces under honorable conditions and who was a resident of this state at the time  
3 of his or her death and his or her dependent child and surviving spouse.

4 (c) The spouse or dependent child of a person who meets one of the following  
5 conditions:

6 1. Is serving on active duty at the time of the spouse's or dependent child's death  
7 if the person was a resident of this state at the time of his or her entry or reentry into  
8 active service.

9 2. Was a resident of this state at the time of his or her entry or reentry into  
10 active service and was discharged or released from active duty in the U.S. armed  
11 forces under honorable conditions.

12 3. Was discharged or released from active duty in the U.S. armed forces under  
13 honorable conditions if the person and spouse or dependent child were residents of  
14 this state at the time of the spouse's or dependent child's death.

15 (d) A person who was a resident of this state at the time of his or her entry or  
16 reentry into service in any national guard or a reserve component of the U.S. armed  
17 forces or who was a resident of this state for at least 12 consecutive months  
18 immediately preceding his or her death, and the person's spouse, surviving spouse,  
19 and dependent children, if the person is eligible for burial in a national cemetery  
20 under 38 USC 2402.

21 (e) A person who was discharged or released from active duty in the U.S. armed  
22 forces under honorable conditions and who was a resident of this state for at least  
23 12 consecutive months after entering or reentering service on active duty.

24 **(3) FEES AND COSTS.** The department may charge a fee for burials under this  
25 section and may promulgate rules for the assessment of any fee. The cost of

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1 preparing the grave and the erection of a marker for a person described under sub.  
2 (2) (a), (b), (d), or (e) shall be paid from the appropriation under s. 20.485 (1) (gk).

3 **(4) APPLICATION.** Application for burial shall be made to the department. The  
4 surviving spouse of the person described under sub. (2) (a), (b), (d), or (e), if that  
5 person is interred at the Central Wisconsin Veterans Memorial Cemetery, shall have  
6 the privilege of selecting a plot next to that person if available. The department shall  
7 hold the plot for the surviving spouse for a period of one year from the date of granting  
8 the privilege, but may extend the hold, on request, for additional one-year periods.

9 **(5) EXPENSES.** Expenses incident to the burial under this section shall be paid  
10 from the estate of the decedent, except that if there is no estate or the estate is  
11 insufficient, the expense of burial, or necessary part of the burial, shall be paid from  
12 the appropriation under s. 20.485 (1) (gk) for members of veterans homes, and the  
13 amount expended for those expenses shall not exceed the amount established for  
14 funeral and burial expenses under s. 49.785 (1) (b).

15 **45.62 Burial places compiled. (1)** The department may compile a record  
16 of veteran's burial places located within the state that may, so far as practicable,  
17 indicate all of the following information:

- 18 (a) The deceased veteran's name.
- 19 (b) The service in which the deceased veteran was engaged.
- 20 (c) The appropriate designation of the deceased veteran's armed forces unit.
- 21 (d) The deceased veteran's rank and period of service.
- 22 (e) The name and location of the cemetery or other place in which the deceased  
23 veteran's body is interred.
- 24 (f) The location of the deceased veteran's grave in the cemetery or other place  
25 of interment.

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1 (g) The character of the headstone or other marker, if any, at the deceased  
2 veteran's grave.

3 (2) The department may prepare blank forms for the transmission to the  
4 department of the information required for the record under sub. (1). The  
5 department may distribute the forms to county veterans service officers. A county  
6 veterans service officer within whose county any cemetery or other burial place is  
7 located in which deceased veteran's bodies are interred shall submit the facts  
8 required for the record under sub. (1) to the department on the forms provided by the  
9 department, if so requested by the department.

10 SUBCHAPTER VII

11 MEMORIALS

12 **45.70 Veterans memorials. (1) PERSIAN GULF MEMORIAL.** From the  
13 appropriation under s. 20.485 (2) (d), the department shall provide funding to the  
14 Wisconsin Vietnam Veterans Memorial Project, Inc., for the construction of a  
15 memorial for the veterans of the Persian Gulf War. The memorial shall be  
16 constructed at the veterans memorial site located at the Highground in Clark  
17 County. The department may expend up to \$60,000 for the memorial for the veterans  
18 of the Persian Gulf War.

19 (2) **CAMP RANDALL MEMORIAL.** (a) The board may approve, recommend, and veto  
20 any proposed plans, modifications, and changes or policies with respect to  
21 established state memorials, including the Camp Randall Memorial Park, Madison,  
22 Wisconsin, as described in par. (c), and any future veterans state memorials, and  
23 recommend the creation and establishment of veterans state memorials.

24 (b) No structures, other than memorials approved by the board, and no walks,  
25 roads, or subterranean footings may be placed or erected upon Camp Randall

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1 Memorial Park unless authorized by the legislature; nor shall the park be used for  
2 any purpose other than a memorial park.

3 (c) Camp Randall Memorial Park, Madison, Wisconsin, is established and  
4 described as follows: beginning on the west line of Randall Avenue 96.6 feet north  
5 of the center line of Dayton Street extended; thence west at right angles to Randall  
6 Avenue 370 feet; thence south parallel to Randall Avenue 722 feet; thence west at  
7 right angles to Randall Avenue 235 feet; thence south parallel to Randall Avenue 205  
8 feet to the north line of Monroe Street; thence north 50 degrees 14 minutes east along  
9 the north line of Monroe Street approximately 780 feet to the west line of Randall  
10 Avenue; thence north along the west line of Randall Avenue 429 feet to the place of  
11 beginning.

12 **45.71 Catalog of memorials.** The department shall prepare a catalog of  
13 memorials, describing each memorial and giving its location and condition. The  
14 department shall periodically update that catalog.

15 **45.72 County and municipal memorials. (1)** In this section and s. 45.73,  
16 “local unit of government” means a city, village, town, or county.

17 **(2)** Any local unit of government may by gift, purchase, contract, or  
18 condemnation acquire property, real or personal, for the purpose of providing,  
19 furnishing, constructing, erecting, repairing, maintaining, or conducting a suitable  
20 memorial to the memory of former residents thereof who lost their lives in the  
21 military or naval service of the state or of the United States, or to commemorate and  
22 honor the deeds of persons, residents thereof, or of the state or United States, who  
23 served the nation in any war, or other persons who rendered great state or national  
24 service, or to the memory of any president of the United States, or for a combination  
25 of any those purposes, which are declared to be public purposes.

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1           **(3)** The local unit of government shall determine the character of the memorial,  
2 and without limitation because of enumeration, the memorial may comprise a public  
3 building, hospital, sanatorium, home for the aged or indigent, park, recreation  
4 facility, community forest, or other suitable object having a public purpose.

5           **(4)** Any local unit of government may appropriate money and may levy a tax  
6 to acquire, pay for, construct, erect, furnish, equip, operate, repair, maintain, or  
7 reconstruct a suitable memorial for the purpose or purposes provided in this section.

8           **(5)** Any local unit of government may authorize the use of any public property  
9 respectively of such city, village, town, or county as a site for a memorial, and any  
10 county may authorize its public property to be so used by any city, village, or town  
11 in the county.

12           **(6)** Any local unit of government may by ordinance or contract provide for the  
13 management, control, or operation of any memorial. The local unit of government  
14 may enter into a written lease, for a term not exceeding 25 years, with any duly  
15 chartered and incorporated veterans organization established in the local unit of  
16 government. The lease shall include the provisions for the amount of rental and such  
17 conditions of public use as the local unit determines.

18           **(7)** Any local unit of government may contract with or make an appropriation,  
19 or both, to any other local unit of government or to any nonprofit corporation without  
20 capital stock organized expressly for any of the purposes of this section or to any duly  
21 chartered and incorporated veterans organization established in the local unit of  
22 government, and for the purpose of raising funds for memorial purposes or  
23 contributions. The local unit of government may levy taxes upon the taxable  
24 property located in the local unit of government, or borrow money and issue bonds  
25 in the manner and under the regulations provided by ch. 67. The facilities of the

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1 memorial shall be available to the residents of the local unit of government making  
2 the appropriation to the extent that the governing body of the local unit of  
3 government may require.

4 **45.73 Sites for veterans memorial halls. (1)** Any local unit of government  
5 may donate to any organization specified in s. 70.11 (9) land upon which is to be  
6 erected a memorial hall to contain the memorial tablet specified in s. 70.11 (9).

7 **(2)** The action of any local unit of government in granting veterans  
8 organizations or any other civic, patriotic, educational, or historical society rooms  
9 and space within public buildings for the establishment of memorial halls and  
10 museums, and occupancy thereof by its members, is authorized and confirmed. The  
11 local unit of government may permit the use and occupancy of the rooms and space  
12 for such terms and subject to such conditions and provisions as the local unit of  
13 government may impose. Any contract, lien, or agreement between the local unit of  
14 government and any organization now in force shall continue in force according to  
15 the terms of the contract, lien, or agreement.

16 **45.74 Memorial corporations organized under 1919 act. (1)** Any  
17 commission or board of trustees that governs a corporation organized to construct a  
18 memorial under s. 45.057 (5), statutes of 1919 to 1943 (created by chapter 598, laws  
19 of 1919, and repealed by chapter 301, laws of 1945), shall have the following powers  
20 in addition to those it now has:

21 (a) All powers vested in the members of the corporation by the articles of  
22 incorporation or bylaws, including the power to amend the articles of incorporation.

23 (b) The powers set forth in s. 181.0302 and all other applicable provisions of ch.  
24 181.

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1 (c) The power to convey any property under its control to any municipality and  
2 lease it back under terms agreed upon by the commission or board of trustees and  
3 the municipality.

4 (d) The power to dissolve the corporation and dispose of the real and personal  
5 property of the corporation in a manner that it deems will best serve the purposes  
6 for which it was organized and the interests of the community.

7 **(2)** The commission or board of trustees shall have a membership composed of  
8 5 residents of the city, village, or town in which the memorial is located, one  
9 appointed by the common council, village board, or town board of the city, village, or  
10 town, and 4 by the circuit judge of the county in which the memorial is located. The  
11 commission or board may appoint 4 additional members who are residents of this  
12 state. The terms of all members shall be 5 years. In order that terms of members  
13 may expire at different times, not more than 2 members shall be appointed in any  
14 one year in addition to appointments made to fill vacancies occurring by resignation  
15 or death. Members shall hold office until their successors are appointed and qualify.

16 **(3)** Notwithstanding the repeal of s. 45.057, 1943 stats., by chapter 301, laws  
17 of 1945, the continuing existence of all commissions, boards, and corporations  
18 organized under s. 45.057 (5), statutes of 1919 to 1943, is affirmed, and the  
19 continuing operation of such commissions, boards, and corporations is ratified as to  
20 the past and authorized in the future.

21 **45.75 Memorials in populous counties. (1)** Any county having a population  
22 of 500,000 or more may establish and maintain a memorial or memorials in the  
23 county under s. 45.72 by agreement between the county board of the county and any  
24 nonprofit private corporation without capital stock organized under the laws of this  
25 state, except as provided in this section, expressly for any of the purposes of s. 45.72.

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1           **(2)** The board of directors of the corporation shall be designated as the  
2           “memorial board,” and its members shall be called “trustees.” The membership of  
3           the memorial board may include special members, who need not be members of the  
4           corporation.

5           **(3)** The memorial board shall consist of 15 members, of whom 8 may be special  
6           members to be elected as provided in this section, and the remaining members shall  
7           be elected from the membership of the corporation.

8           **(4)** Special members of the memorial board shall be elected by the county board  
9           of such county and consist of the following:

10           (a) Four members from the county board.

11           (b) Four members elected from among the residents of the county.

12           **(5)** Terms of members of the memorial board shall be as follows:

13           (a) For special members:

14           1. Members elected from the county board shall be elected at the first meeting  
15           of the county board following each county board general election and their terms  
16           shall commence on that date. They shall hold office during their terms on the county  
17           board and until their successors are elected and qualified.

18           2. Members elected from among the residents shall hold office for 4 years and  
19           until their successors are elected, except that the first 4 such members shall be  
20           chosen for 1, 2, 3, and 4 years, respectively.

21           3. Any vacancy in the special membership shall be filled by the county board  
22           for the unexpired term, and until a successor is elected and qualified.

23           (b) For elected members from the corporate membership: the terms of the  
24           trustees shall be for such numbers of years that those of an equal number, as nearly

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1 as may be, shall expire in 2, 3, and 4 years, and successive terms of 4 years each  
2 thereafter and until their successors are elected and qualified.

3 (6) The articles of incorporation of the corporation shall provide originally or  
4 by amendment, in addition to other necessary provisions, and as permitted by this  
5 section, for the classification of the members of the corporation, for the election of  
6 trustees proportionately from and by those classifications, for the terms of the  
7 members of the corporation and for the officers, their duties, and the terms thereof  
8 to be elected from the membership.

9 (7) The war memorial may be constructed upon any land ceded before July 15,  
10 1953, by this state to any municipality in this state notwithstanding any restrictions,  
11 limitations, or conditions as to the nature of the use of any of the land contained in  
12 the legislative act, granting the land to the municipality, and notwithstanding the  
13 restrictions, limitations, or conditions incorporated in any subsequent conveyance  
14 of the lands by the municipality.

15 (8) The war memorial may be constructed in any public park and the use of  
16 those park lands as a location for a war memorial shall not be considered inconsistent  
17 with the use of the same for park purposes. No war memorial shall be constructed  
18 in a public park until the park commission, general manager appointed under s.  
19 27.03 (2), or park board having jurisdiction of the park shall approve the  
20 construction. The county board of any county may authorize the construction of a  
21 war memorial at different intervals of time if the proposed memorial consists of more  
22 than one building or structure and any county board subsequently elected shall carry  
23 into effect any contract authorized by s. 45.72 entered into on behalf of the county  
24 for the construction or maintenance of the war memorial. The construction,  
25 maintenance, and operation of a war memorial in a county park shall be subject to

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1 the jurisdiction of the county board and no part of those costs shall be charged against  
2 the funds of the park commission, park system, or park board of the county.

## SUBCHAPTER VIII

## LOCAL RESPONSIBILITIES

5 **45.80 County veterans service officer. (1) ELECTION OR APPOINTMENT. (a)**  
6 Except as provided under par. (b), the county board shall elect a county veterans  
7 service officer who shall be a Wisconsin resident who served on active duty under  
8 honorable conditions in the U.S. armed forces or in forces incorporated as part of the  
9 U.S. armed forces and who meets at least one of the conditions listed in s. 45.01 (12)  
10 (a) to (d) and at least one of the conditions listed in s. 45.02 (2).

11 (b) Except as provided under par. (c), the county board may appoint assistant  
12 county veterans service officers who shall be Wisconsin residents who served on  
13 active duty under honorable conditions in the U.S. armed forces or in forces  
14 incorporated as part of the U.S. armed forces and who meet at least one of the  
15 conditions listed in s. 45.01 (12) (a) to (d) and at least one of the conditions listed in  
16 s. 45.02 (2).

17 (c) In counties with a county executive or county administrator, the county  
18 executive or county administrator shall appoint and supervise a county veterans  
19 service officer who shall have the qualifications prescribed under par. (a). The  
20 appointment is subject to confirmation by the county board unless the county board,  
21 by ordinance, elects to waive confirmation or unless the appointment is made under  
22 a civil service system competitive examination procedure established under s. 59.52  
23 (8) or ch. 63.

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1           **(2) TERM.** A county veterans service officer elected under sub. (1) (a) shall serve  
2 until the first Monday in January of the 2nd year subsequent to the year of his or her  
3 election, and, if reelected, shall continue to serve unless removed under s. 17.10 (2).

4           **(3) SALARY.** The salary of the county veterans service officer shall be fixed by  
5 the county board prior to or at the time of the service officer's election and annually  
6 thereafter.

7           **(4) MILWAUKEE COUNTY.** In counties having a population of 500,000 or more the  
8 officer shall be appointed subject to ss. 63.01 to 63.17.

9           **(5) DUTIES.** The county veterans service officer shall do all of the following:

10           (a) Advise persons living in the service officer's county who served in the U.S.  
11 armed forces regarding any benefits to which they may be entitled or any complaint  
12 or problem arising out of such service and render to them and their dependents all  
13 possible assistance.

14           (b) Make such reports to the county board as the county board requires.

15           (c) Cooperate with federal and state agencies that serve or grant aids or  
16 benefits to former military personnel and their dependents.

17           (d) Furnish information about veterans burial places within the county as  
18 required by s. 45.62 (2).

19           (e) Perform the duties prescribed by law, including those duties under pars. (a)  
20 to (d), separately and distinctly from any other county department.

21           **(6) PERMITTED ACTIVITIES.** The county veterans service officer may do any of the  
22 following:

23           (a) Inform persons living in the service officer's county who are members of the  
24 national guard or of a reserve unit of the U.S. armed forces or dependents of those  
25 persons regarding potential benefits to which they may be or may become entitled

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1 and regarding all necessary military points of contact and general deployment  
2 information for activated and deployed members of the national guard or reserve  
3 units of the U.S. armed forces.

4 (b) Cooperate with federal and state agencies that serve or grant aids or  
5 benefits to members of the national guard or reserve units of the U.S. armed forces  
6 and their dependents.

7 **(7) OFFICE SPACE AND ASSISTANTS.** (a) The county board shall provide the county  
8 veterans service officer with office space, clerical assistance, and any other needs  
9 that will enable the officer to perform the duties under sub. (5).

10 (b) Except as provided under par. (c), the county board may appoint assistant  
11 county veterans service officers who shall be Wisconsin residents who served on  
12 active duty under honorable conditions in the U.S. armed forces or in forces  
13 incorporated as part of the U.S. armed forces for 2 consecutive years. An individual  
14 who is discharged for reasons of hardship or a service-connected disability or  
15 released due to a reduction in the U.S. armed forces or for the good of the service prior  
16 to the completion of the required period of service is eligible for appointment to the  
17 office, regardless of the actual time served.

18 (c) In any county with a county executive or county administrator, the county  
19 veterans service officer may appoint assistant county veterans service officers who  
20 shall have the qualifications prescribed under par. (b).

21 **(8) QUALIFICATIONS APPLICABILITY.** The qualifications necessary to be a county  
22 veterans service officer or assistant county veterans service officer under subs. (1)  
23 (a) and (7) (b) apply only to persons elected to serve as county veterans service officers  
24 or assistant county veterans service officers on or after June 1, 1996, and who have

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1 not served as county veterans service officers or assistant county veterans service  
2 officers before June 1, 1996.

3 **45.81 County veterans service commission. (1)** There is created in each  
4 county a county veterans service commission consisting of at least 3 residents of the  
5 county who are veterans appointed for staggered 3-year terms by the county  
6 executive or county board chairperson in a county that does not have a county  
7 executive.

8 **(2)** The commission shall be organized by the election of one of their number  
9 as chairperson. The county executive or county board chairperson in a county that  
10 does not have a county executive after the expiration of the terms of those first  
11 appointed shall annually on or before the 2nd Monday in December appoint one  
12 person as a member of the commission for the term of 3 years. The county executive  
13 or county board chairperson shall require each member of the commission and the  
14 county veterans service officer to execute to the county an individual surety bond,  
15 with sufficient sureties to be approved by the county executive or county board  
16 chairperson, each bond to be in an amount equal to the tax levied in the current year  
17 for expenditure by the commission. Each bond shall be filed with the county clerk.

18 **(3) (a)** Except as provided under sub. (4), the commission may furnish aid to  
19 any person described in s. 45.86 if the right of that person to aid is established to the  
20 commission's satisfaction.

21 **(b)** The secretary of the commission shall maintain a list containing the name,  
22 place of residence, and amount of aid furnished to each person under par. (a), which  
23 shall be signed by the chairperson and secretary of the commission.

24 **(c)** The total disbursements made by the commission under this subsection may  
25 not exceed the amount collected from the tax levied, except when specifically

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1 authorized by the county board. The commission shall provide the county treasurer  
2 with sufficient information to deliver the specified aid to the person entitled to that  
3 aid.

4 (d) The commission may furnish aid in a different manner than by supplying  
5 money. The commission may request the county treasurer to pay a purveyor of  
6 services or commodities for the purchase of services or commodities, or the  
7 commission may furnish supplies, as it considers appropriate.

8 (e) The commission shall make a detailed report to the county board annually  
9 showing the amount expended under this subsection. The report may not include  
10 any personal identifying information regarding the persons that received aid under  
11 this subsection.

12 **(4)** A county veterans service officer appointed under s. 45.80 (1) (b) or (4) shall  
13 have the administrative powers and duties prescribed for the county veterans service  
14 commission under sub. (2).

15 **(5)** The county board shall allow the members of the commission a reasonable  
16 rate of compensation for services and actual expenses incurred in the performance  
17 of their duties to be determined under s. 59.22. The county board may provide for  
18 the employment of clerical assistance to the commission.

19 **(6)** The county veterans service officer shall serve as executive secretary of the  
20 county veterans service commission and shall make or direct all necessary  
21 investigations to determine eligibility for aid under s. 45.86 when the commission so  
22 requests. The county service officer, in making an investigation, may use the  
23 facilities for investigating that are made available by the county board.

24 **45.82 Grants to counties and tribes for improvement of services. (1)**  
25 Each county may annually apply to the department for a grant for the improvement

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1 of service to former military personnel of the county through the county veterans  
2 service office. A county may not allocate any portion of a grant for use by another  
3 county department nor may the county reduce funding to a county veterans service  
4 office based upon receipt of a grant. The county veterans service officer of any county  
5 applying for the grant shall enter into an agreement with the department. The  
6 agreement shall state the goals and objectives to be attained by the county veterans  
7 service office during the remainder of the year covered by the grant application. The  
8 department shall prepare the basic form of this agreement in consultation with the  
9 county veterans service officers association and provide a copy and an explanation  
10 of that agreement to each county veterans service officer. The department shall  
11 develop reasonable budget and operating standards to assure improved services, but  
12 full operating control of the county office shall be left to each county.

13 (2) The department shall award a grant annually to a county that meets the  
14 standards developed under this section and employs a county veterans service officer  
15 who, if chosen after August 9, 1989, is chosen from a list of candidates who have  
16 taken a civil service examination for the position of county veterans service officer  
17 developed and administered by the division of merit recruitment and selection in the  
18 office of state employment relations, or is appointed under a civil service competitive  
19 examination procedure under s. 59.52 (8) or ch. 63. The grant shall be \$8,500 for a  
20 county with a population of less than 20,000, \$10,000 for a county with a population  
21 of 20,000 to 45,499, \$11,500 for a county with a population of 45,500 to 74,999, and  
22 \$13,000 for a county with a population of 75,000 or more. The department shall use  
23 the most recent Wisconsin official population estimates prepared by the  
24 demographic services center when making grants under this subsection.

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1           **(3)** Notwithstanding sub. (2), an eligible county with a part-time county  
2 veterans service officer shall be eligible for an annual grant not exceeding \$500.

3           **(4)** The department shall provide grants to the governing bodies of federally  
4 recognized American Indian tribes and bands from the appropriation under s. 20.485  
5 (2) (vz) if that governing body enters into an agreement with the department  
6 regarding the creation, goals, and objectives of a tribal veterans service officer,  
7 appoints a veteran to act as a tribal veterans service officer, and gives that veteran  
8 duties similar to the duties described in s. 45.80 (5), except that the veteran shall  
9 report to the governing body of the tribe or band. The department may make annual  
10 grants of up to \$2,500 under this subsection and shall promulgate rules to implement  
11 this subsection.

12           **45.83 Transportation services grants to counties. (1)** Annually, from the  
13 appropriation under s. 20.485 (2) (s), the department shall award grants to counties  
14 that are not served by transportation services provided by the Wisconsin department  
15 of Disabled American Veterans to develop, maintain, and expand transportation  
16 services for veterans. The grants may be used to support multicounty cooperative  
17 transportation services.

18           **(2)** The department shall promulgate rules specifying the application  
19 procedures and eligibility criteria for grants under this section.

20           **(3)** A county may not reduce funding to a county veterans service office based  
21 upon receipt of a grant.

22           **45.84 Burial allowance. (1)** Each county veterans service officer shall cause  
23 to be interred in a decent and respectable manner in any cemetery in this state, other  
24 than those used exclusively for the burial of paupers, the body of any veteran, spouse,  
25 or surviving spouse who was living in the county at the time of death and who dies

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1 not leaving sufficient means to defray the necessary expenses of a decent burial, or  
2 under circumstances that would cause financial distress to the person's family. The  
3 cost of this interment shall be the responsibility of the county, but may not be less  
4 than \$300, and shall be in addition to the burial allowance payable under laws  
5 administered by the U.S. department of veterans affairs.

6 (2) Before assuming the burial expense, the county veterans service officer  
7 shall exercise due diligence in attempting to determine the financial condition  
8 required by sub. (1). The county veterans service officer, in making the inquiry, may  
9 use the facilities for investigation that are made available by the county board. The  
10 county veterans service officer shall report the results of that determination to the  
11 appropriate authorities designated by the county.

12 (3) The chairperson of the county board and the clerk of the county on the  
13 receipt of the report under sub. (2) shall draw an order on the county treasurer for  
14 the amount of expenses so incurred, payable to the person designated in the report  
15 as being entitled to that payment. The county veterans service officer of each county  
16 shall, upon the death and burial of a veteran described under sub. (1) who was living  
17 in the county at the time of death, make application to the proper authorities for a  
18 suitable headstone as provided for by act of congress, and at the expense of the county  
19 cause the same to be placed at the head of the deceased's grave.

20 **45.85 Care of graves. (1)** Every town board, village board, or common council  
21 of every city shall at all times see that the graves and tombstones of all veterans,  
22 including women's auxiliary organizations created by act of Congress, who shall at  
23 any time have served in any branch of the armed forces of the United States, and of  
24 the spouses or surviving spouses of all those veterans, receive proper and decent care,  
25 and may employ all necessary assistance to carry out this section. The expense of

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1 the care of the graves and tombstones shall be borne by the county where the graves  
2 are located, except where suitable care is otherwise provided. The amount of expense  
3 charged the county for the care may not exceed the charge made for the care of other  
4 graves in the same cemetery.

5 (2) The governing body specified in sub. (1) shall report to the county clerk of  
6 its county, on or before September 1 of each year, the locations of the graves cared for  
7 by the governing body under sub. (1), together with the names of the deceased and  
8 the amount claimed for care of the graves for the fiscal year from the previous July  
9 1 to June 30.

10 (3) The chairperson of the county board and the county clerk, upon receipt of  
11 the report under sub. (2), shall draw an order on the county treasurer for the amount  
12 of the expenses incurred in caring for the graves, payable to the person or persons  
13 designated in the report as being entitled to the payment.

14 **45.86 County tax for needy veterans. (1)** Every county board shall  
15 annually levy, in addition to all other taxes, a tax sufficient to carry out the purposes  
16 of this section. The tax shall be levied and collected as other county taxes for the  
17 purpose of providing aid to needy veterans, the needy spouses, surviving spouses,  
18 minor and dependent children of the veterans, and the needy parents of veterans  
19 entitled to aid under ss. 45.81 to 45.84, and to carry out the purposes of s. 45.85. Aid  
20 may not be denied solely on the basis that a person otherwise eligible for aid owns  
21 a homestead that the person occupies.

22 (2) The county veterans service commission or county veterans service officer  
23 shall estimate the probable amount required under this section and shall file that  
24 estimate with the county board.

25 **SECTION 93.** 46.27 (1) (b) of the statutes is amended to read:

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1           46.27 (1) (b) “Nursing home” means a facility that meets the definition in s.  
2           50.01 (3) and that is licensed under s. 50.03 (1) and includes a state center for the  
3           developmentally disabled, ~~the Wisconsin Veterans Home at King and the nursing~~  
4           ~~care facility~~ and a Wisconsin veterans home operated by the department of veterans  
5           affairs under s. ~~45.385~~ 45.50.

6           **SECTION 94.** 46.27 (1) (dr) of the statutes is amended to read:

7           46.27 (1) (dr) “State-operated long-term care facility” means a state center for  
8           the developmentally disabled, ~~the Wisconsin Veterans Home at King and the nursing~~  
9           ~~care facility~~ and a Wisconsin veterans home operated by the department of veterans  
10          affairs under s. ~~45.385~~ 45.50.

11          **SECTION 95.** 46.27 (6) (a) 2. cm. of the statutes is amended to read:

12          46.27 (6) (a) 2. cm. Persons under subd. 1. seeking admission to or about to be  
13          admitted to ~~the Wisconsin Veterans Home at King and the nursing care facility~~ a  
14          Wisconsin veterans home operated by the department of veterans affairs under s.  
15          ~~45.385~~ 45.50 who are informed about the program but waive the assessment.

16          **SECTION 96.** 49.19 (9) of the statutes is amended to read:

17          49.19 (9) If the head of a family is a veteran, as defined in s. ~~45.37 (1a)~~ 45.01  
18          (12), or a person under s. 45.51 (2) (a) 2., and is hospitalized or institutionalized  
19          because of disabilities in a county other than that of his or her residence or settlement  
20          at time of admission, aid shall be granted to the dependent children of the veteran  
21          by the county wherein the head of the family had his or her residence or settlement  
22          at the time of admission so long as he or she remains hospitalized or  
23          institutionalized.

24          **SECTION 97.** 49.45 (3) (e) 7m. of the statutes is amended to read:

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1           49.45 (3) (e) 7m. Notwithstanding subd. 7., the daily reimbursement or  
2           payment rate for services at a hospital established under s. 45.375 (1) 45.50 (10)  
3           provided to medical assistance recipients whose continued hospitalization is no  
4           longer medically necessary or appropriate during a period where the recipient awaits  
5           placement in an alternate custodial living arrangement shall be the skilled nursing  
6           facility rate paid to ~~the facility created under s. 45.365 (1)~~ a Wisconsin veterans home  
7           operated by the department of veterans affairs under s. 45.50.

8           **SECTION 98.** 49.45 (6m) (bg) of the statutes is amended to read:

9           49.45 (6m) (bg) The department shall determine payment levels for the  
10          provision of skilled, intermediate, limited, personal or residential care or care for the  
11          mentally retarded in the state centers for the developmentally disabled, ~~in the~~  
12          ~~Wisconsin Veterans Home at King and the nursing care facility~~ and in a Wisconsin  
13          veterans home operated by the department of veterans affairs under s. 45.385 45.50  
14          separately from the payment principles, applicable costs and methods established  
15          under this subsection.

16          **SECTION 99.** 49.855 (4m) (b) of the statutes is amended to read:

17          49.855 (4m) (b) The department of revenue may provide a certification that it  
18          receives under sub. (1), (2m), or (2p) to the department of administration. Upon  
19          receipt of the certification, the department of administration shall determine  
20          whether the obligor is a vendor or is receiving any other payments from this state,  
21          except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s.  
22          ~~45.351 (1)~~ 45.40 (1), this chapter, or ch. 46, 108, or 301. If the department of  
23          administration determines that the obligor is a vendor or is receiving payments from  
24          this state, except for wages, retirement benefits, or assistance under s. 45.352, 1971  
25          stats., s. ~~45.351 (1)~~ 45.40 (1), this chapter, or ch. 46, 108, or 301, it shall begin to

**ASSEMBLY BILL 210****SECTION 99**

1 withhold the amount certified from those payments and shall notify the obligor that  
2 the state intends to reduce any payments due the obligor by the amount the obligor  
3 is delinquent under the support, maintenance, or receiving and disbursing fee order  
4 or obligation, by the outstanding amount for past support, medical expenses, or birth  
5 expenses under the court order, or by the amount due under s. 46.10 (4) or 301.12 (4).  
6 The notice shall provide that within 20 days after receipt of the notice the obligor may  
7 request a hearing before the circuit court rendering the order under which the  
8 obligation arose. An obligor may, within 20 days after receiving notice, request a  
9 hearing under this paragraph. Within 10 days after receiving a request for hearing  
10 under this paragraph, the court shall set the matter for hearing. A circuit court  
11 commissioner may conduct the hearing. Pending further order by the court or circuit  
12 court commissioner, the department of workforce development or its designee,  
13 whichever is appropriate, may not disburse the payments withheld from the obligor.  
14 The sole issues at the hearing are whether the obligor owes the amount certified and,  
15 if not and it is a support or maintenance order, whether the money withheld shall be  
16 paid to the obligor or held for future support or maintenance.

17 **SECTION 100.** 50.034 (4) of the statutes is amended to read:

18 50.034 (4) LIMITATION. A nursing home or a community-based residential  
19 facility may not convert a separate area of its total area to a residential care  
20 apartment complex unless the department first approves the conversion. A nursing  
21 home, other than ~~the nursing homes operated at the Wisconsin Veterans Home at~~  
22 ~~King or in southeastern Wisconsin~~ a Wisconsin veterans home operated by the  
23 department of veterans affairs under s. ~~45.385~~ 45.50, that intends to convert a  
24 separate area of its total area to a residential care apartment complex shall also

**ASSEMBLY BILL 210****SECTION 100**

1 agree to reduce its licensed nursing home beds by the corresponding number of  
2 residential care apartment complex residential units proposed for the conversion.

3 **SECTION 101.** 50.135 (3) of the statutes is amended to read:

4 50.135 (3) EXEMPTION. The inpatient health care facilities under ss. ~~45.365~~  
5 45.50, 48.62, 51.05, 51.06, 233.40, 233.41, 233.42 and 252.10 are exempt from this  
6 section.

7 **SECTION 102.** 50.39 (3) of the statutes is amended to read:

8 50.39 (3) Facilities governed by ss. ~~45.365~~ 45.50, 48.62, 49.70, 49.72, 50.02,  
9 51.09 and 252.10, secured correctional facilities as defined in s. 938.02 (15m),  
10 correctional institutions governed by the department of corrections under s. 301.02  
11 and the offices and clinics of persons licensed to treat the sick under chs. 446, 447 and  
12 448 are exempt from ss. 50.32 to 50.39. Sections 50.32 to 50.39 do not abridge the  
13 rights of the medical examining board, physical therapists affiliated credentialing  
14 board, podiatrists affiliated credentialing board, dentistry examining board,  
15 pharmacy examining board, chiropractic examining board, and board of nursing in  
16 carrying out their statutory duties and responsibilities.

17 **SECTION 103.** 51.20 (10) (cm) of the statutes is amended to read:

18 51.20 (10) (cm) Prior to or at the final hearing, for individuals for whom a  
19 petition is filed under sub. (1) (a) 2. e., the county department under s. 51.42 or 51.437  
20 shall furnish to the court and the subject individual an initial recommended written  
21 treatment plan that contains the goals of treatment, the type of treatment to be  
22 provided, and the expected providers. If the person has served in the U.S. armed  
23 forces or forces incorporated as part of the U.S. armed forces, the county department  
24 shall contact the U.S. department of veterans affairs to determine if the person is  
25 eligible for treatment at a U.S. department of veterans affairs facility. If the person

**ASSEMBLY BILL 210****SECTION 103**

1 is eligible for that treatment, the county department shall include that information  
2 in the treatment plan. The treatment plan shall address the individual's needs for  
3 inpatient care, residential services, community support services, medication and its  
4 monitoring, case management, and other services to enable the person to live in the  
5 community upon release from an inpatient facility. The treatment plan shall contain  
6 information concerning the availability of the needed services and community  
7 treatment providers' acceptance of the individual into their programs. The  
8 treatment plan is only a recommendation and is not subject to approval or  
9 disapproval by the court. Failure to furnish a treatment plan under this paragraph  
10 does not constitute grounds for dismissal of the petition unless the failure is made  
11 in bad faith.

12 **SECTION 104.** 51.35 (6) (a) of the statutes is amended to read:

13 51.35 **(6)** (a) When the department has notice that any person other than a  
14 prisoner is entitled to receive care and treatment in a U.S. department of veterans  
15 affairs facility, the person may petition the department of health and family services  
16 for a transfer to such facility, and that department may procure admission to ~~such~~  
17 the facility in accordance with s. 45.30.

18 **SECTION 105.** 51.45 (13) (h) of the statutes is amended to read:

19 51.45 **(13)** (h) A person committed under this subsection shall remain in the  
20 custody of the county department for treatment for a period set by the court, but not  
21 to exceed 90 days. During this period of commitment the county department may  
22 transfer the person from one approved public treatment facility or program to  
23 another as provided in par. (k). If the person has served in the U.S. armed forces or  
24 forces incorporated as part of the U.S. armed forces, the county department shall  
25 contact the U.S. department of veterans affairs to determine if the person is eligible

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1 for treatment at a U.S. department of veterans affairs facility. If the person is eligible  
2 for that treatment, the county department may transfer the person to that facility  
3 if the U.S. department of veterans affairs approves that transfer. At the end of the  
4 period set by the court, the person shall be discharged automatically unless the  
5 county department before expiration of the period obtains a court order for  
6 recommitment upon the grounds set forth in par. (a) for a further period not to exceed  
7 6 months. If after examination it is determined that the person is likely to inflict  
8 physical harm on himself or herself or on another, the county department shall apply  
9 for recommitment. Only one recommitment order under this paragraph is  
10 permitted.

11 **SECTION 106.** 59.52 (16) (b) (title) of the statutes is amended to read:

12 59.52 (16) (b) (title) *County veterans' veterans housing.*

13 **SECTION 107.** 59.52 (16) (b) 2. of the statutes is amended to read:

14 59.52 (16) (b) 2. In case of a joint school district, computation shall be made on  
15 the basis of the valuation of the several municipalities in which the school district  
16 lies. If school buildings are inadequate to accommodate the additional school  
17 population resulting from the county veterans' veterans housing program, and the  
18 school district cannot legally finance the necessary increased facilities, the board  
19 may appropriate money and grant assistance to the school district but the assistance  
20 shall be used solely to finance the purchase of land and the erection and equipment  
21 of the necessary additional facilities.

22 **SECTION 108.** 59.535 (1) (a) of the statutes is amended to read:

23 59.535 (1) (a) In this subsection, “veteran” has the meaning given in s. 45.37  
24 ~~(1a)~~ 45.01 (12), and includes a person under s. 45.51 (2) (a) 2.

25 **SECTION 109.** 59.535 (4) of the statutes is amended to read:

**ASSEMBLY BILL 210****SECTION 109**

1           59.535 (4) SERVICE OFFICER AND COMMISSION. The board may appropriate funds  
2 for the execution of the duties of the county ~~veterans'~~ veterans service officer and the  
3 county ~~veterans'~~ veterans service commission.

4           **SECTION 110.** 59.65 of the statutes is amended to read:

5           **59.65 Publication of financial report.** A board shall cause to be made out  
6 and published in the county, as a class 1 notice, under ch. 985, immediately after its  
7 annual meeting, a report of the receipts and expenditures of the immediately  
8 preceding year and the accounts allowed. The board may waive the publication of  
9 names of needy soldiers, sailors, marines and United States war veterans and the  
10 amount of relief aid provided under s. 45.14 (2) 45.81 (3) and shall publish in lieu  
11 thereof the total disbursements thereunder.

12           **SECTION 111.** 66.0509 (title) of the statutes is amended to read:

13           **66.0509 (title) Civil service system; ~~veterans'~~ veterans preference.**

14           **SECTION 112.** 66.1201 (9) (x) of the statutes is amended to read:

15           66.1201 (9) (x) To, within its area of operation, either by itself or with the  
16 department of veterans affairs, undertake and carry out studies and analyses of  
17 ~~veterans'~~ veterans housing needs and meeting those needs and make the study  
18 results available to the public, including the building, housing and supply industries.

19           **SECTION 113.** 67.015 of the statutes is amended to read:

20           **67.015 Housing authorities exempted.** This chapter shall not be applicable  
21 to borrowing by housing authorities or county ~~veterans'~~ veterans housing authorities  
22 under ss. 66.1201 to 66.1213.

23           **SECTION 114.** 69.30 (1) (bm) of the statutes is amended to read:

24           69.30 (1) (bm) "Service office" has the meaning given in s. 45.36 (1) (e) 45.04  
25 (1) (b).

**ASSEMBLY BILL 210****SECTION 115**

1           **SECTION 115.** 69.30 (2) of the statutes is amended to read:

2           69.30 **(2)** A financial institution, state agency, county department, Wisconsin  
3 works agency, service office or family care district or an employee of a financial  
4 institution, state agency, county department, Wisconsin works agency, service office  
5 or family care district is not subject to s. 69.24 (1) (a) for copying a certified copy of  
6 a vital record for use by the financial institution, state agency, county department,  
7 Wisconsin works agency, service office or family care district, including use under s.  
8 ~~45.36 (4m)~~ 45.04 (5), if the copy is marked “FOR ADMINISTRATIVE USE”.

9           **SECTION 116.** 70.11 (1) of the statutes is amended to read:

10           70.11 **(1)** PROPERTY OF THE STATE. Property owned by this state except land  
11 contracted to be sold by the state. This exemption shall not apply to land conveyed  
12 after September, 1933, to this state or for its benefit while the grantor or others for  
13 the grantor’s benefit are permitted to occupy the land or part thereof in consideration  
14 for the conveyance; nor shall it apply to land devised to the state or for its benefit  
15 while another person is permitted by the will to occupy the land or part thereof. This  
16 exemption shall not apply to any property acquired by the department of veterans  
17 affairs under s. ~~45.72 (5) and (7)~~ 45.32 (5) and (7) or to the property of insurers  
18 undergoing rehabilitation or liquidation under ch. 645. Property exempt under this  
19 subsection includes general property owned by the state and leased to a private,  
20 nonprofit corporation that operates an Olympic ice training center, regardless of the  
21 use of the leasehold income.

22           **SECTION 117.** 70.11 (3a) of the statutes is amended to read:

23           70.11 **(3a)** BUILDINGS AT THE WISCONSIN VETERANS HOME ~~AT KING OR IN~~  
24 ~~SOUTHEASTERN WISCONSIN HOMES~~. All buildings, equipment and leasehold interests  
25 in lands described in s. ~~45.38~~ 45.03 (5).

**ASSEMBLY BILL 210****SECTION 118**

1           **SECTION 118.** 70.11 (9) of the statutes is amended to read:

2           70.11 **(9)** MEMORIALS. All memorial halls and the real estate upon which the  
3 same are located, owned and occupied by any organization of United States war  
4 veterans organized pursuant to act of congress and domesticated in this state  
5 pursuant to the laws of this state, containing permanent memorial tablets with the  
6 names of former residents of any given town, village, city or county who lost their  
7 lives in the military or naval service of the state or the United States in any war  
8 inscribed thereon, and all personal property owned by such organizations, and all  
9 buildings erected, purchased or maintained by any county, city, town or village as  
10 memorials under s. ~~45.05 or 45.055~~ 45.72. The renting of such halls or buildings for  
11 public purposes shall not render them taxable, provided that all income derived  
12 therefrom be used for the upkeep and maintenance thereof. Where such hall or  
13 building is used in part for exempt purposes and in part for pecuniary profit, it shall  
14 be assessed for taxation to the extent of such use for pecuniary profit as provided in  
15 s. 70.1105 (1).

16           **SECTION 119.** 71.05 (6) (b) 28. (intro.) of the statutes is amended to read:

17           71.05 **(6)** (b) 28. (intro.) An amount paid by a claimant for tuition expenses for  
18 a student who is the claimant or who is the claimant's child and the claimant's  
19 dependent who is claimed under section 151 (c) of the Internal Revenue Code, to  
20 attend any university, college, technical college or a school approved under s. ~~45.54~~  
21 39.90, that is located in Wisconsin or to attend a public vocational school or public  
22 institution of higher education in Minnesota under the Minnesota–Wisconsin  
23 reciprocity agreement under s. 39.47, calculated as follows:

24           **SECTION 120.** 86.03 (4) of the statutes is amended to read:

**ASSEMBLY BILL 210****SECTION 120**

1           **86.03 (4) CUTTING OR INJURING TREES ON HIGHWAY.** No person shall cut down,  
2 break, girdle, bruise the bark, or in any other manner injure, or allow any animal  
3 under that person's control to injure, any public or private trees, shrubs, or hedges  
4 growing within the highway, except as the owner thereof or the public authority  
5 maintaining the highway may cut down, trim and remove trees, shrubs, and hedges  
6 for the purpose of and conducing to the benefit and improvement of the owner's land  
7 or the highway facility, subject to sub. (7).

8           **SECTION 121.** 86.03 (6) of the statutes is amended to read:

9           **86.03 (6) FINES.** Any Except as provided in sub. (7), any person violating any  
10 of the provisions of this section shall be deemed guilty of a misdemeanor and upon  
11 conviction thereof shall be punished by a fine not to exceed \$25 for each tree or shrub  
12 damaged, felled or destroyed.

13           **SECTION 122.** 86.03 (7) of the statutes is created to read:

14           **86.03 (7)** No person may cut or trim any tree planted along any federal or state  
15 trunk highway as a memorial to the men and women who served in the armed forces  
16 of the United States in time of war, without the written permission of the  
17 department. Violations of this section shall be punishable by a fine of not less than  
18 \$10 nor more than \$200 or by imprisonment for not more than 30 days or both.  
19 Nothing in this section shall interfere with the rights of abutting property owners  
20 in those trees.

21           **SECTION 123.** 120.13 (37) (a) 3. of the statutes is amended to read:

22           **120.13 (37) (a) 3.** Left high school before receiving a high school diploma to join  
23 the U.S. armed forces during a war period under s. ~~45.001 (5)~~ 45.01 (13).

24           **SECTION 124.** 125.14 (2) (e) of the statutes is amended to read:

**ASSEMBLY BILL 210****SECTION 124**

1           125.14 (2) (e) *Disposal*. The department shall dispose of the alcohol beverages  
2 turned over to it by the court by either giving it to law enforcement agencies free of  
3 charge for use in criminal investigations, ~~giving it to state-operated veterans'~~  
4 ~~hospitals in amounts needed for medicinal purposes,~~ selling it to the highest bidder  
5 if the bidder is a person holding a license or permit issued under this chapter, or  
6 destroying it, at the discretion of the department. If the department elects to sell the  
7 alcohol beverages, it shall publish a class 2 notice under ch. 985 asking for sealed bids  
8 from qualified bidders. Any items or groups of items in the inventory subject to a  
9 security interest, the existence of which was established in the proceedings for  
10 conviction as being bona fide and as having been created without the secured party  
11 having notice that the items were being used or were to be used in connection with  
12 the violation, shall be sold separately. The net proceeds from the sale, less all costs  
13 of seizure, storage, and sale, shall be turned over to the secretary of administration  
14 and credited to the common school fund.

15           **SECTION 125.** 125.26 (6) of the statutes is amended to read:

16           125.26 (6) Temporary Class “B” licenses may be issued to bona fide clubs, to  
17 county or local fair associations or agricultural societies, to churches, lodges or  
18 societies that have been in existence for at least 6 months before the date of  
19 application and to posts of ~~veterans'~~ veterans organizations authorizing the sale of  
20 fermented malt beverages at a particular picnic or similar gathering, at a meeting  
21 of the post, or during a fair conducted by the fair association or agricultural society.  
22 The amount of the fee for the license shall be determined by the municipal governing  
23 body issuing the license but may not exceed \$10. An official or body authorized by  
24 a municipal governing body to issue temporary Class “B” licenses may, upon  
25 issuance of any temporary Class “B” license, authorize the licensee to permit

**ASSEMBLY BILL 210****SECTION 125**

1 underage persons to be on the premises for which the license is issued. A license  
2 issued to a county or district fair licenses the entire fairgrounds where the fair is  
3 being conducted and all persons engaging in retail sales of fermented malt beverages  
4 from leased stands on the fairgrounds. The county or district fair to which the license  
5 is issued may lease stands on the fairgrounds to persons who may engage in retail  
6 sales of fermented malt beverages from the stands while the fair is being held. A  
7 municipal governing body may issue a temporary Class “B” license for premises that  
8 are covered by a “Class B” permit issued under s. 125.51 (5) (b) 2. if the applicant  
9 meets the requirements of this subsection.

10 **SECTION 126.** 125.51 (10) of the statutes is amended to read:

11 125.51 (10) TEMPORARY LICENSES. Notwithstanding s. 125.68 (3), temporary  
12 “Class B” licenses may be issued to bona fide clubs, to county or local fair associations  
13 or agricultural societies, to churches, lodges or societies that have been in existence  
14 for at least 6 months before the date of application and to posts of veterans’  
15 organizations authorizing the sale of wine in an original package, container or bottle  
16 or by the glass if the wine is dispensed directly from an original package, container  
17 or bottle at a particular picnic or similar gathering, at a meeting of the post, or during  
18 a fair conducted by the fair association or agricultural society. The amount of the fee  
19 for the license shall be \$10, except that no fee may be charged to a person who at the  
20 same time applies for a temporary Class “B” license under s. 125.26 (6) for the same  
21 event. A license issued to a county or district fair licenses the entire fairgrounds  
22 where the fair is being conducted and all persons engaging in retail sales of wine from  
23 leased stands on the fairgrounds. The county or district fair to which the license is  
24 issued may lease stands on the fairgrounds to persons who may engage in retail sales  
25 of wine from the stands while the fair is being held. Not more than 2 licenses may

**ASSEMBLY BILL 210****SECTION 126**

1 be issued under this subsection to any club, county or local fair association,  
2 agricultural association, church, lodge, society or veterans' veterans post in any  
3 12-month period.

4 **SECTION 127.** 132.16 (1) (a) of the statutes is amended to read:

5 132.16 (1) (a) "Organization" means any association, lodge, order, fraternal  
6 society, beneficial association, or fraternal and beneficial society or association;  
7 historical, military, or veterans' veterans organization; labor union; foundation;  
8 federation; or any other society, organization, or association, degree, branch,  
9 subordinate lodge, or auxiliary thereof, whether incorporated or unincorporated, the  
10 principles and activities of which are not repugnant to the constitution and laws of  
11 the United States or of this state.

12 **SECTION 128.** 139.31 (3) of the statutes is amended to read:

13 139.31 (3) Cigarettes sold to post exchanges of the armed forces of the United  
14 States and to federally ~~or state~~ operated veterans hospitals in this state and  
15 cigarettes sold to an interstate carrier of passengers for hire to be resold to bona fide  
16 passengers actually being transported and cigarettes sold for shipment outside this  
17 state in interstate commerce are not subject to the tax.

18 **SECTION 129.** 139.76 (2) of the statutes is amended to read:

19 139.76 (2) Tobacco products sold to or by post exchanges of the U.S. armed  
20 forces, to or by federally ~~or state-operated~~ operated veterans hospitals in this state,  
21 and tobacco products sold to an interstate carrier of passengers for hire to be resold  
22 to bona fide passengers actually being transported and tobacco products sold for  
23 shipment outside this state in interstate commerce are not subject to the tax.

24 **SECTION 130.** 146.997 (1) (c) of the statutes is amended to read:

**ASSEMBLY BILL 210****SECTION 130**

1           146.997 (1) (c) “Health care facility” means a facility, as defined in s. 647.01 (4),  
2           or any hospital, nursing home, community–based residential facility, county home,  
3           county infirmary, county hospital, county mental health complex or other place  
4           licensed or approved by the department of health and family services under s. 49.70,  
5           49.71, 49.72, 50.03, 50.35, 51.08 or 51.09 or a facility under s. ~~45.365~~ 45.50, 51.05,  
6           51.06, 233.40, 233.41, 233.42 or 252.10.

7           **SECTION 131.** 150.31 (5m) of the statutes is amended to read:

8           150.31 (5m) The department shall decrease the statewide bed limit specified  
9           in sub. (1) to account for any reduction in the approved bed capacity of the nursing  
10          home operated at the ~~Wisconsin Veterans Home at King~~ or at the nursing care a  
11          skilled nursing facility operated by the department of veterans affairs under s.  
12          ~~45.385~~ 45.50 (1), as specified in s. ~~45.375 (2)~~ 45.50 (10).

13          **SECTION 132.** 150.46 (1) of the statutes is amended to read:

14          150.46 (1) This subchapter does not apply to the ~~Wisconsin Veterans Home at~~  
15          ~~King~~ or to the nursing care facility a Wisconsin veterans home operated by the  
16          department of veterans affairs under s. ~~45.385~~ 45.50.

17          **SECTION 133.** 150.46 (3) of the statutes is repealed.

18          **SECTION 134.** 150.84 (2) of the statutes is amended to read:

19          150.84 (2) “Health care facility” means a facility, as defined in s. 647.01 (4), or  
20          any hospital, nursing home, community–based residential facility, county home,  
21          county infirmary, county hospital, county mental health center or other place  
22          licensed or approved by the department under s. 49.70, 49.71, 49.72, 50.02, 50.03,  
23          50.35, 51.08 or 51.09 or a facility under s. ~~45.365~~ 45.50, 51.05, 51.06, 233.40, 233.41,  
24          233.42 or 252.10.

25          **SECTION 135.** 150.93 (5) of the statutes is amended to read:

**ASSEMBLY BILL 210****SECTION 135**

1           150.93 (5) This section does not apply to a hospital established under s. 45.375  
2           (1) operated by the state department of veterans affairs under s. 45.50 (10).

3           **SECTION 136.** 150.95 (2) of the statutes is amended to read:

4           150.95 (2) This section does not apply to a hospital established under s. 45.375  
5           (1) operated by the state department of veterans affairs under s. 45.50 (10).

6           **SECTION 137.** 155.01 (6) of the statutes is amended to read:

7           155.01 (6) “Health care facility” means a facility, as defined in s. 647.01 (4), or  
8           any hospital, nursing home, community-based residential facility, county home,  
9           county infirmary, county hospital, county mental health center or other place  
10          licensed or approved by the department under s. 49.70, 49.71, 49.72, 50.02, 50.03,  
11          50.35, 51.08 or 51.09 or a facility under s. ~~45.365~~ 45.50, 51.05, 51.06, 233.40, 233.41,  
12          233.42 or 252.10.

13          **SECTION 138.** 157.637 of the statutes is amended to read:

14          **157.637 Veteran burials.** A cemetery authority of a cemetery, other than a  
15          cemetery that is affiliated with a religious society organized under ch. 187, may not  
16          prohibit the burial, as defined in s. 157.061 (1), of the human remains of a person  
17          specified in s. ~~45.358~~ (3) (a) to (g) 45.61 (2) at the cemetery if the cemetery authority  
18          is paid in its usual and customary manner for the burial.

19          **SECTION 139.** 182.028 of the statutes is amended to read:

20          **182.028 School corporations.** Any corporation formed for the establishment  
21          and maintenance of schools, academies, seminaries, colleges, or universities, or for  
22          the cultivation and practice of music shall have power to enact bylaws for the  
23          protection of its property, and provide fines as liquidated damages upon its members  
24          and patrons for violating the bylaws, and may collect the same in tort actions, and  
25          to prescribe and regulate the courses of instruction therein, and to confer such the

**ASSEMBLY BILL 210****SECTION 139**

1 degrees and grant such ~~the~~ the diplomas as are usually conferred by similar institutions  
2 or as shall be appropriate to the courses of instruction prescribed, except that no  
3 corporation shall operate or advertise a school that is subject to s. ~~45.54 (10)~~ 39.90  
4 (7) without complying with the requirements of s. ~~45.54~~ 39.90. Any stockholder may  
5 transfer his or her stock to the corporation for its use; and if the written transfer so  
6 provides the stock shall be perpetually held by the board of directors with all the  
7 rights of a stockholder, including the right to vote.

8 **SECTION 140.** 186.113 (14) (a) of the statutes is amended to read:

9 186.113 **(14)** (a) Process applications, act as closing agent and service loans  
10 made under s. ~~45.79~~ 45.37, with the approval of the department of veterans affairs.

11 **SECTION 141.** 188.26 of the statutes is amended to read:

12 **188.26 Veterans; corporations.** Whenever any corporation is formed under  
13 ch. 180 or 181 or this chapter for the purpose of assisting any veteran, as defined in  
14 s. ~~45.37 (1a)~~ 45.01 (12), or a person under s. 45.51 (2) (a) 2., or operating social clubs  
15 in which the name “veteran” appears, the department of financial institutions shall  
16 investigate the same to ascertain the character thereof, and whether or not the same  
17 has been procured by fraudulent representation or concealment of any material fact  
18 relating to such veteran’s name, purpose, membership, organization, management  
19 or control or other material fact. If the department of financial institutions so finds,  
20 such findings, misrepresentation or concealment shall be reported to the attorney  
21 general, and the attorney general shall bring an action to vacate or annul the  
22 corporate charter.

23 **SECTION 142.** 215.21 (2) of the statutes is amended to read:

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1           215.21 **(2)** LENDING AREA. Except for loans made under s. ~~45.79~~ 45.37, the  
2           lending area of an association is limited to that area within a radius of 100 miles of  
3           the association's office.

4           **SECTION 143.** 224.71 (3) (b) 7. of the statutes is amended to read:

5           224.71 **(3)** (b) 7. The department of veterans affairs when administering the  
6           veteran's veterans housing loan program under subch. II ~~III~~ of ch. 45.

7           **SECTION 144.** 230.03 (14) (b) of the statutes is amended to read:

8           230.03 **(14)** (b) A person who served on active duty under honorable conditions  
9           in the U.S. armed forces in ~~Bosnia, Grenada, Lebanon, Panama, Somalia or a Middle~~  
10          East a crisis under s. 45.34 zone, as defined in s. 45.01 (11).

11          **SECTION 145.** 230.03 (14) (c) of the statutes is amended to read:

12          230.03 **(14)** (c) A person who served on active duty under honorable conditions  
13          in the U.S. armed forces for at least one day during a war period, as defined in s.  
14          ~~45.001–(5)~~ 45.01 (13) or under section 1 of executive order 10957 dated  
15          August 10, 1961.

16          **SECTION 146.** 230.04 (17) of the statutes is created to read:

17          230.04 **(17)** The director shall resolve any dispute raised by a complaint filed  
18          under s. 21.79 (1) (c).

19          **SECTION 147.** 230.08 (2) (xm) of the statutes is amended to read:

20          230.08 **(2)** (xm) The commandants of the ~~Wisconsin Veterans Home at King and~~  
21          ~~the Southern Wisconsin Veterans Retirement Center~~ veterans homes in the  
22          department of veterans affairs.

23          **SECTION 148.** 230.315 (1) (c) of the statutes is amended to read:

24          230.315 **(1)** (c) The employee has received a military leave of absence under s.  
25          230.32 (3) (a) or 230.35 (3), under a collective bargaining agreement under subch. V

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1 of ch. 111, or under rules promulgated by the office of employment relations or is  
2 eligible for reemployment with the state under s. ~~45.50~~ 21.79 after completion of his  
3 or her service in the U.S. armed forces.

4 **SECTION 149.** 230.36 (1m) (b) 1. (intro.) of the statutes is amended to read:

5 230.36 **(1m)** (b) 1. (intro.) A forest ranger or field employee of the department  
6 of natural resources who is subject to call for forest fire control duty ~~or fire watcher~~  
7 ~~employed at the Wisconsin Veterans Home at King or at the facilities~~ at a Wisconsin  
8 veterans home operated by the department of veterans affairs under s. ~~45.385~~ 45.50,  
9 and lifeguard, at all times while:

10 **SECTION 150.** 234.03 (13m) of the statutes is amended to read:

11 234.03 **(13m)** To purchase and enter into commitments for the purchase of  
12 veterans housing loans made pursuant to s. ~~45.79~~ 45.37.

13 **SECTION 151.** 234.40 (1) of the statutes is amended to read:

14 234.40 **(1)** The authority shall issue its negotiable bonds in such principal  
15 amount and length of maturity as to provide sufficient funds for veterans housing  
16 loans to be made pursuant to s. ~~45.79~~ 45.37.

17 **SECTION 152.** 234.40 (3) of the statutes is amended to read:

18 234.40 **(3)** It is the intent of the legislature that the authority be used to finance  
19 the veterans housing program. Nothing in this chapter shall be construed to  
20 supersede the powers vested by subch. ~~II~~ III of ch. 45 in the department of veterans  
21 affairs for carrying out program responsibilities for which debt has been incurred by  
22 the authority.

23 **SECTION 153.** 234.41 (1) of the statutes is amended to read:

24 234.41 **(1)** There is established under the jurisdiction of the authority a  
25 veterans housing loan fund. All moneys resulting from the sale of bonds for the

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1 purpose of veterans housing pursuant to s. ~~45.79~~ 45.37, unless credited to the  
2 veterans capital reserve fund, shall be credited to the fund.

3 **SECTION 154.** 234.41 (2) of the statutes is amended to read:

4 234.41 (2) The authority shall use moneys in the fund for the purpose of  
5 purchasing loans representing veterans housing loans pursuant to s. ~~45.79~~ 45.37.  
6 All disbursements of funds under this section for purchasing mortgage loans shall  
7 be made payable to authorized lenders as defined in s. ~~45.71 (2)~~ 45.31 (3) and eligible  
8 persons as defined in s. ~~45.71 (6)~~ 45.31 (5).

9 **SECTION 155.** 234.60 (3) (a) of the statutes is amended to read:

10 234.60 (3) (a) The authority may not have outstanding at any time in aggregate  
11 principal amount of bonds or notes issued under this section before January 1, 1983  
12 more than \$150,000,000 less not more than \$50,000,000 in aggregate principal  
13 amount of revenue obligations issued subject to s. ~~45.79 (6) (e)~~ 45.37 (6) (c) on or after  
14 May 8, 1982 and before November 1, 1982.

15 **SECTION 156.** 234.60 (3) (b) of the statutes is amended to read:

16 234.60 (3) (b) The authority may not have outstanding at any time in aggregate  
17 principal amount of bonds or notes issued under this section from January 1, 1983,  
18 to December 31, 1983, more than \$185,000,000 less not more than \$50,000,000 in  
19 aggregate principal amount of revenue obligations issued subject to s. ~~45.79 (6) (e)~~  
20 45.37 (6) (c) from January 1, 1983, to October 31, 1983.

21 **SECTION 157.** 252.14 (1) (d) of the statutes is amended to read:

22 252.14 (1) (d) “Inpatient health care facility” means a hospital, nursing home,  
23 community-based residential facility, county home, county mental health complex  
24 or other place licensed or approved by the department under s. 49.70, 49.71, 49.72,

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1 50.02, 50.03, 50.35, 51.08 or 51.09 or a facility under s. ~~45.365~~ 45.50, 48.62, 51.05,  
2 51.06, 233.40, 233.41, 233.42 or 252.10.

3 **SECTION 158.** 341.14 (6) (a) of the statutes is amended to read:

4 341.14 **(6)** (a) Upon application to register an automobile or a motor truck or  
5 dual purpose farm truck that has a gross weight of not more than 8,000 pounds by  
6 any person who was a member of any of the U.S. armed services and who was held  
7 as a prisoner of war during ~~any of the conflicts described in s. 45.001 (5) a war period,~~  
8 as defined in s. 45.01 (13), or while in service in Bosnia, Grenada, Lebanon, Panama,  
9 Somalia, or a Middle East a crisis under s. 45.34 zone, as defined in s. 45.01 (11), and  
10 upon submission of a statement from the U.S. department of veterans affairs  
11 certifying that the person was a prisoner of war during ~~one of the conflicts described~~  
12 in s. 45.001 (5) a war period, as defined in s. 45.01 (13), or while in service in Bosnia,  
13 Grenada, Lebanon, Panama, Somalia, or a Middle East a crisis under s. 45.34 zone,  
14 as defined in s. 45.01 (11), the department shall issue to the person a special plate  
15 that is colored red, white, and blue and that has the words “ex-prisoner of war”  
16 placed on the plate in the manner designated by the department.

17 **SECTION 159.** 341.26 (2) (g) of the statutes is amended to read:

18 341.26 **(2)** (g) A motor vehicle operated exclusively by a nationally chartered  
19 war veterans’ veterans organization and used only for the purpose of advertising the  
20 organization.

21 **SECTION 160.** 421.203 (1) of the statutes is amended to read:

22 421.203 **(1)** Consumer credit transactions, not governed by ch. 428, which are  
23 made, insured or guaranteed by the federal government or any agency thereof, or by  
24 any federal instrumentality chartered under the federal farm credit act of 1971 (P.L.

**ASSEMBLY BILL 210****SECTION 160**

1 92–181; 85 stats. 583; 12 USC 2001 et seq.), or by the department of ~~veteran's~~  
2 veterans affairs shall be subject to only those provisions set forth in sub. (2).

3 **SECTION 161.** 421.301 (6) of the statutes is amended to read:

4 421.301 (6) “Business day” means any calendar day except Saturday and  
5 Sunday, and except the following business holidays: New Year’s Day, Martin Luther  
6 King Jr.’s Birthday, Washington’s Birthday, Memorial Day, Independence Day, Labor  
7 Day, Columbus Day, ~~Veterans’~~ Veterans Day, Thanksgiving and Christmas.

8 **SECTION 162.** 460.05 (1) (e) 1. of the statutes is amended to read:

9 460.05 (1) (e) 1. Graduated from a school of massage therapy or bodywork  
10 approved by the educational approval board under s. ~~45.54~~ 39.90 or completed  
11 training program approved by the department under the rules promulgated under  
12 s. 460.04 (2) (b).

13 **SECTION 163.** 563.11 (1) (intro.) of the statutes is amended to read:

14 563.11 (1) (intro.) Any bona fide religious, charitable, service, fraternal or  
15 ~~veterans’~~ veterans organization or any organization, other than the state or any  
16 political subdivision of the state, to which contributions are deductible for federal  
17 income tax purposes or state income or franchise tax purposes, may apply to the  
18 department for a license to conduct bingo. In this subsection, “service organization”  
19 includes all of the following:

20 **SECTION 164.** 565.10 (14) (a) (intro.) of the statutes is amended to read:

21 565.10 (14) (a) (intro.) In this subsection, “nonprofit organization” means a  
22 religious, charitable, service, fraternal or ~~veterans’~~ veterans organization or any  
23 organization, other than the state or a political subdivision of the state, to which  
24 contributions are deductible for federal income tax purposes or state income or  
25 franchise tax purposes, which meets all of the following criteria:

**ASSEMBLY BILL 210****SECTION 165**

1           **SECTION 165.** 610.70 (1) (e) of the statutes is amended to read:

2           610.70 (1) (e) “Medical care institution” means a facility, as defined in s. 647.01  
3 (4), or any hospital, nursing home, community-based residential facility, county  
4 home, county infirmary, county hospital, county mental health center, adult family  
5 home, assisted living facility, rural medical center, hospice or other place licensed,  
6 certified or approved by the department of health and family services under s. 49.70,  
7 49.71, 49.72, 50.02, 50.03, 50.032, 50.033, 50.034, 50.35, 50.52, 50.90, 51.04, 51.08,  
8 or 51.09 or a facility under s. ~~45.365~~ 45.50, 51.05, 51.06, or 252.10 or under ch. 233,  
9 or licensed or certified by a county department under s. 50.032 or 50.033.

10           **SECTION 166.** 812.30 (9) of the statutes is amended to read:

11           812.30 (9) “Need-based public assistance” means aid to families with  
12 dependent children, relief funded by a relief block grant under ch. 49, relief provided  
13 by counties under s. 59.53 (21), medical assistance, supplemental security income,  
14 food stamps, or benefits received by veterans under s. ~~45.351 (1)~~ 45.40 (1) or under  
15 38 USC 501 to 562.

16           **SECTION 167.** 814.29 (1) (d) 1. of the statutes is amended to read:

17           814.29 (1) (d) 1. That the person is a recipient of means-tested public  
18 assistance, including aid to families with dependent children, relief funded by a relief  
19 block grant under ch. 49, relief provided by counties under s. 59.53 (21), medical  
20 assistance, supplemental security income, food stamps or benefits received by  
21 veterans under s. ~~45.351 (1)~~ 45.40 (1) or under 38 USC 501 to 562.

22           **SECTION 168.** 815.18 (13) (k) of the statutes is amended to read:

23           815.18 (13) (k) Veterans benefits exempt under s. ~~45.35 (8) (b)~~ 45.03 (8) (b).

24           **SECTION 169.** 851.09 of the statutes is amended to read:



**ASSEMBLY BILL 210****SECTION 174**

1           **SECTION 174.** 880.60 (19) of the statutes is amended to read:

2           880.60 **(19)** SHORT TITLE. This section may be cited as the “Uniform Veterans’  
3           Veterans Guardianship Act.”

4           **SECTION 175.** 944.21 (8) (b) 3. a. of the statutes is amended to read:

5           944.21 **(8)** (b) 3. a. Is a technical college, is a school approved by the educational  
6           approval board under s. 45.54 39.90 or is a school described in s. 45.54 39.90 (1) (e)  
7           6., 7. or 8.; and

8           **SECTION 176.** 948.11 (4) (b) 3. a. of the statutes is amended to read:

9           948.11 **(4)** (b) 3. a. Is a technical college, is a school approved by the educational  
10          approval board under s. 45.54 39.90 or is a school described in s. 45.54 39.90 (1) (e)  
11          6., 7. or 8.; and

12

(END)