

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

4 (2) The department may lend a veteran, a veteran’s unremarried surviving
5 spouse, or a deceased veteran’s child not more than \$25,000, or a lesser amount
6 established by the department under sub. (9). The department may prescribe loan
7 conditions, but the term of the loan may not exceed 10 years. The department shall
8 ensure that the proceeds of any loan made under this section shall first be applied
9 to pay any delinquent child support or maintenance payments owed by the person
10 receiving the loan and then to pay any past support, medical expenses, or birth
11 expenses owed by the person receiving the loan.

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

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

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

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

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

8 (b) Provides to the department a statement that the applicant is not delinquent
9 in child support or maintenance payments and does not owe past support, medical
10 expenses, or birth expenses, signed by the department of workforce development or
11 its designee within 7 working days before the date of the application.

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

15 (7) No person may receive a loan under this section in an amount that, when
16 added to the balance outstanding on the person's existing loans under s. 45.351 (2),
17 1995 stats., and s. 45.356, 1995 stats., would result in a total indebtedness to the
18 department of more than \$25,000.

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

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

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

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

9 (11) If an applicant's total indebtedness for loans made under this section is
10 more than \$5,000, the loan shall be evidenced by a promissory note and secured by
11 a mortgage on real estate located in this state. A loan of \$5,000 or less made to an
12 applicant whose total indebtedness for loans made under this section is \$5,000 or less
13 shall be evidenced by a promissory note and secured by a guarantor or by a mortgage
14 on real estate located in this state. A mortgage securing a loan made under this
15 section is acceptable if the applicant has equity in the property subject to the
16 mortgage equal to or exceeding a minimum amount that the department establishes
17 by rule.

18 **45.43 Veterans assistance program.** (1) The department shall administer
19 a program to provide assistance to persons who served in the U.S. armed forces or
20 in forces incorporated as part of the U.S. armed forces and who were discharged
21 under conditions other than dishonorable. The department shall provide assistance
22 to persons whose need for services is based upon homelessness, incarceration, or
23 other circumstances designated by the department by rule. The department shall
24 designate the assistance available under this section, which may include assistance
25 in receiving medical care, dental care, education, employment, and transitional

1 housing. The department may provide payments to facilitate the provision of
2 services under this section.

3 (2) The department may charge fees for transitional housing and for other
4 assistance provided under this section that the department designates. The
5 department shall promulgate rules establishing the fee schedule and the manner of
6 implementation of that schedule.

7 SUBCHAPTER V

8 VETERANS HOMES

****NOTE: Is this an appropriate title for the subchapter?

9 **45.50 Veterans homes; management.** (1) (a) The department shall operate
10 the Wisconsin Veterans Home at King, and employ a commandant for the home. The
11 department may employ a commandant for the Wisconsin Veterans Home at Union
12 Grove or the Wisconsin Veterans Home at Chippewa Falls. The department may
13 employ any personnel that are necessary for the proper management and operation
14 of veterans homes. In compliance with the compensation plan established pursuant
15 to s. 230.12 (3), a commandant may recommend to the director of personnel charges
16 for meals, living quarters, laundry, and other services furnished to employees and
17 members of the employees' family maintained at veterans homes. Complete
18 personal maintenance and medical care to include programs and facilities that
19 promote comfort, recreation, well-being, or rehabilitation shall be furnished to all
20 members of veterans homes under the policy of the department.

21 (b) All money received in reimbursement for services to veterans homes
22 employees or in payment for meals served to guests at veterans homes shall be
23 accumulated in an account named "employee maintenance credits" and shall be paid

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

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

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

10 (b) Subject to authorization under ss. 13.48 (10) and 20.924 (1), the department
11 may develop, construct or renovate, and operate residential, treatment, and nursing
12 care facilities and programs for veterans in northwestern Wisconsin, on the property
13 of the Northern Wisconsin Center for the Developmentally Disabled in Chippewa
14 Falls to be known as the Wisconsin Veterans Home at Chippewa Falls. The programs
15 and facilities may include an assisted living facility, a skilled nursing facility, a
16 medical clinic, an adult day health care center, an activities center, and a veterans
17 assistance program.

18 (3) The department may acquire, by gift, purchase, or condemnation, lands
19 necessary for the purposes of the Wisconsin Veterans Home at Union Grove and the
20 Wisconsin Veterans Home at King. Title to the lands shall be taken in the name of
21 this state and shall be held by and for the uses and purposes of the homes. No
22 payment may be made out of the state treasury or otherwise for the land until the
23 title has been examined and approved by the attorney general. Every such deed of
24 conveyance shall be immediately recorded in the office of the proper register of deeds
25 and filed with the secretary of state.

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

6 (5) The department may accept gifts, bequests, grants or donations of money
7 or of property from private sources to be administered by the department for the
8 purposes of veterans homes. All moneys received shall be paid into the general fund
9 and appropriated as provided in s. 20.485 (1) (h), except that gifts or grants received
10 specifically for the purposes of the geriatric program at veterans homes are
11 appropriated as provided in s. 20.485 (1) (hm). The department may not apply to the
12 gifts and bequests fund interest on certificate of savings deposits for those members
13 who do not receive maximum monthly retained income. The department shall
14 establish for those persons upon their request individual accounts with savings and
15 interest applied as the member requests.

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

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

23 (7) A commandant and employees designated by the commandant may
24 summarily arrest all persons within or upon the grounds of veterans homes who are

1 guilty of any offense against the laws of this state or the rules governing veterans
2 homes. For this purpose, a commandant and deputies have the power of constables.

3 (8) A fire department at a veterans home in response to emergency fire calls
4 may make runs and render fire fighting service beyond the confines of a veterans
5 home.

6 (9) The department may develop a program to provide stipends to individuals
7 to attend school and receive the necessary credentials to become employed at
8 veterans homes. If the department develops a stipend program under this
9 subsection, the department shall promulgate rules related to the program, including
10 the application process, eligibility criteria, stipend amount, repayment provisions,
11 and other provisions that the department determines are necessary to administer
12 the program.

13 (10) The department may establish a hospital at a veterans home. All hospitals
14 established under this subsection may not have a total approved bed capacity, as
15 defined in s. 150.01 (4m), greater than 16 beds. The approved bed capacity of a skilled
16 nursing facility operated at a veterans home is reduced by one bed for each approved
17 bed at the hospital established under this subsection at that home.

18 **45.51 Eligibility for membership.** (1) GENERAL STATEMENT. Within the
19 limitations of veterans homes, the department may admit to membership in veterans
20 homes persons who meet the qualifications set forth in this section.

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

23 1. A veteran.

24 2. A person who satisfies all of the following:

1 a. Has served on active duty under honorable conditions in the U.S. armed
2 forces or in forces incorporated as part of the U.S. armed forces for at least one day
3 during a war period or under section 1 of executive order 10957, dated
4 August 10, 1961.

5 b. Was discharged under honorable conditions after 90 days or more of active
6 service.

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

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

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

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

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

16 4. Provides a complete financial statement containing information that the
17 department determines is necessary to evaluate the financial circumstances of the
18 person. The department may require a member of a veterans home to provide the
19 department with information necessary for the department to determine the
20 financial circumstances of the person. If a person fails to provide the additional
21 information, the department may discharge the person from the veterans home.

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

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

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

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

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

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

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

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

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

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

24 (a) The person under sub. (2) (a) 1. or 2. is a member, or if not a member is
25 institutionalized elsewhere because of physical or mental disability, and the spouse

1 had lived with the person for not less than 6 months immediately before making
2 application for membership.

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

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

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

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

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

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

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

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

3 (b) Has not remarried.

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

5 (d) Is physically disabled.

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

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

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

15 (a) Has reached 60 years of age.

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

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

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

23 (b) Members shall pay the amount due the state for care and maintenance of
24 the member within 30 days after the receipt of the veterans home's billing statement
25 by the member or by the member's personal representative. The department may

1 subject any bill not paid within 30 days after receipt of the billing statement to an
2 interest assessment of 1% per month or fraction of a month. If payment is not made
3 within 60 days after the receipt of the billing statement, the department may
4 discharge the member from the veterans home.

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

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

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

15 (8) PERSONAL FUNDS OF MEMBER. A member may, in writing, authorize a
16 veterans home to receive, hold, and account for his or her personal funds. Section
17 49.498 (8) and the rules promulgated under that subsection apply to the funds of a
18 member held by the veterans home under this subsection. The department may
19 transfer the personal funds of a member received under this subsection to the
20 Wisconsin veterans facilities members fund under s. 25.37. Upon request of the
21 member, the department shall pay the member the amount the member requests
22 from his or her personal account.

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

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

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

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

22 **(11) DISPOSITION OF PROPERTY PASSING TO STATE.** If a member dies without a
23 relative who is entitled to an interest in the property of the member under the rules
24 of intestate succession and without leaving a will the existence of which is made
25 known to the commandant of the home within 60 days of the member's death, the

1 member's property shall be converted to cash, without administration. The
2 commandant of a veterans home shall submit that converted sum to the secretary
3 of administration to be paid into the appropriation under s. 20.485 (1) (h). The
4 amount paid to the secretary of administration is subject to refund within 6 years to
5 the estate of a member if it is subsequently discovered that the member left a will
6 or a relative that is entitled to an interest in the property of the member under the
7 rules of intestate succession or to any creditor of the member who establishes right
8 to the funds or property or any portion of the funds or property. The department of
9 administration, upon being satisfied that a claim out of the funds or property is legal
10 and valid, shall pay the claim out of the funds or property, except that payment of
11 claims for a member's funeral and burial expenses may not exceed a total of \$1,500
12 including any amount allowed by the United States for the member's funeral and
13 burial and the right for burial and interment provided in s. 45.61 (3).

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

16 (13) ADDITIONAL ELIGIBILITY REQUIREMENTS FOR SKILLED NURSING FACILITIES. Any
17 person admitted to a skilled nursing facility at a veterans home shall meet the
18 eligibility requirements under ss. 49.45 and 49.46 and rules promulgated under
19 those sections during residence at the skilled nursing facility except if any of the
20 following apply:

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

1 (b) Persons who meet all the requirements of this section but whose degree of
2 physical disability does not meet the minimum requirements in ss. 49.45 and 49.46
3 and rules promulgated under those sections may be admitted to the skilled nursing
4 facility but shall apply income and resources to costs to the extent required by ss.
5 49.45 and 49.46 and rules promulgated under those sections.

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

12 SUBCHAPTER VI

13 FUNERALS, BURIALS AND CEMETERIES

14 **45.60 Military funeral honors (1) PROGRAM.** (a) The department shall
15 administer a program to coordinate the provision of military funeral honors to
16 deceased veterans.

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

22 (2) STIPENDS From the appropriation under s. 20.485 (2) (q), the department
23 shall reimburse a local unit of a member organization of the council on veterans
24 programs or a local unit of a veterans organization certified by the department to
25 provide military funeral honors for the costs of providing a military funeral honors

1 to a deceased veteran. The reimbursement may not exceed \$50 for each funeral for
2 which military honors are provided.

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

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

17 **45.61 Wisconsin veterans cemeteries.** (1) DEFINITION. In this section,
18 "dependent child" means any biological or adoptive child under 18 years of age, or
19 under the age of 26 if in full-time attendance at a recognized school of instruction
20 of of any age if the child is unmarried and incapable of self-support by reason of
21 mental or physical disability.

***NOTE: Another definition that includes "dependent".

22 (2) CONSTRUCTION AND OPERATION OF CEMETERIES. Subject to authorization
23 under ss. 13.48 (10) and 20.924 (1), the department may construct and operate
24 veterans cemeteries in central, northwestern, and southeastern Wisconsin and may

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

14 (3) ELIGIBILITY. The following persons are eligible for burial at a cemetery
15 constructed and operated under sub. (1):

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

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

23 (c) The spouse or dependent child of a person who is serving on active duty at
24 the time of the spouse's or dependent child's death if the person was a resident of this
25 state at the time of his or her entry or reentry into active service.

1 (d) The spouse or dependent child of a person if the person was a resident of this
2 state at the time of his or her entry or reentry into active service and was discharged
3 or released from active duty in the U.S. armed forces under honorable conditions.

4 (e) The spouse or dependent child of a person who was discharged or released
5 from active duty in the U.S. armed forces under honorable conditions if the person
6 and spouse or dependent child were residents of this state at the time of the spouse's
7 or dependent child's death.

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

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

17 (4) FEES AND COSTS. The department may charge a fee for burials under this
18 section and may promulgate rules for the assessment of any fee. The cost of
19 preparing the grave and the erection of a marker for a person described under par.
20 (a), (b), (f), or (g) shall be paid from the appropriation under 20.485 (1) (gk).

21 (5) APPLICATION Application for burial shall be made to the department. The
22 surviving spouse of the person described under par. (a), (b), (f), or (g), if that person
23 is interred at the Central Wisconsin Veterans Memorial Cemetery, shall have the
24 privilege of selecting a lot next to that person if available. The department shall hold

1 the plot for the surviving spouse for a period of one year from date of granting the
2 privilege, but may extend the hold, on request, for additional one-year periods.

3 (6) **EXPENSES** Expenses incident to the burial under this section shall be paid
4 from the estate of the decedent, except that if there is no estate or the estate is
5 insufficient, the expense of burial, or necessary part of the burial, shall be paid from
6 the appropriation under s. 20.485 (1) (gk) and the amount expended for those
7 expenses shall not exceed the amount established for funeral and burial expenses
8 under s. 49.785 (1) (b).

9 **45.62 Burial places compiled.** (1) The department may compile a record
10 of veteran's burial places located within the state that may, so far as practicable,
11 indicate all of the following information:

- 12 (a) The deceased veteran's name.
- 13 (b) The service in which the deceased veteran was engaged.
- 14 (c) The appropriate designation of the deceased veteran's armed forces unit.
- 15 (d) The deceased veteran's rank and period of service.
- 16 (e) The name and location of the cemetery or other place in which the deceased
17 veteran's body is interred.
- 18 (f) The location of the deceased veteran's grave in the cemetery or other place
19 of interment.
- 20 (g) The character of the headstone or other marker, if any, at the deceased
21 veteran's grave.

22 (2) The department may prepare blank forms for the transmission to the
23 department of the information required for the record under sub. (1). The
24 department may distribute the forms to county veterans service officers. A county
25 veterans service officer within whose county any cemetery or other burial place is

1 located in which deceased veteran's bodies are interred shall submit the facts
2 required for the record under sub. (1) to the department on the forms provided by the
3 department, if so requested by the department.

4 SUBCHAPTER VII

5 MEMORIALS

6 **45.70 Veterans memorial.** (1) PERSIAN GULF MEMORIAL From the
7 appropriation under s. 20.485 (2) (d), the department shall provide funding to the
8 Wisconsin Vietnam Veterans Memorial Project, Inc., for the construction of a
9 memorial for the veterans of the Persian Gulf war. The memorial shall be
10 constructed at the veterans memorial site located at The Highground in Clark
11 County. The department may expend up to \$60,000 for the memorial for the veterans
12 of the Persian Gulf war.

13 (2) CAMP RANDALL MEMORIAL. (a) The board may approve, recommend and veto
14 any proposed plans, modifications and changes or policies with respect to established
15 state memorials, including the Camp Randall Memorial Park, Madison, Wisconsin,
16 as described in par. (c), and any future veterans state memorials; and recommend the
17 creation and establishment of veterans state memorials.

18 (b) No structures other than memorials approved by the board and walks, roads
19 and subterranean footings may be placed or erected upon Camp Randall Memorial
20 Park unless authorized by the legislature; nor shall the park be used for any purpose
21 other than a memorial park.

22 (c) Camp Randall Memorial Park, Madison, Wisconsin, is established and
23 described as follows: beginning on the west line of Randall Avenue 96.6 feet north
24 of the center line of Dayton Street extended; thence west at right angles to Randall
25 Avenue 370 feet; thence south parallel to Randall Avenue 722 feet; thence west at

1 right angles to Randall Avenue 235 feet; thence south parallel to Randall Avenue 205
2 feet to the north line of Monroe Street; thence north 50 degrees 14 minutes east along
3 the north line of Monroe Street approximately 780 feet to the west line of Randall
4 Avenue; thence north along the west line of Randall Avenue 429 feet to the place of
5 beginning.

6 **45.71 Catalog of memorials.** The department shall prepare a catalog of
7 memorials, describing each memorial and giving its location and condition. The
8 department shall periodically update that catalog.

9 **45.72 County and municipal memorials.** (1) In this section and s. 45.73,
10 “local unit of government” means a city, village, town, or county.

11 (2) Any local unit of government may by gift, purchase, contract, or
12 condemnation acquire property, real or personal, for the purpose of providing,
13 furnishing, constructing, erecting, repairing, maintaining, or conducting a suitable
14 memorial to the memory of former residents thereof who lost their lives in the
15 military or naval service of the state or of the United States, or to commemorate and
16 honor the deeds of persons, residents thereof, or of the state or United States, who
17 served the nation in any war, or other persons who rendered great state or national
18 service, or to the memory of any president of the United States, or for a combination
19 of any those purposes, which are declared to be public purposes.

20 (3) The local unit of government shall determine the character of the memorial,
21 and without limitation because of enumeration, the memorial may comprise a public
22 building, hospital, sanatorium, home for the aged or indigent, park, recreation
23 facility, community forest, or other suitable object having a public purpose.

24 (4) Any local unit of government may appropriate money and may levy a tax
25 in order to acquire, pay for, construct, erect, furnish, equip, operate, repair, maintain,

1 or reconstruct a suitable memorial for the purpose or purposes provided in this
2 section.

3 (5) Any local unit of government may authorize the use of any public property
4 respectively of such city, village, town, or county as a site for a memorial, and any
5 county may authorize its public property to be so used by any city, village, or town
6 in the county.

7 (6) Any local unit of government may by ordinance or contract provide for the
8 management, control, or operation of any memorial, and it may enter into a written
9 lease, for a term not exceeding 25 years, with any duly chartered and incorporated
10 veterans organization established in the local unit of government, such lease to
11 include provisions for the amount of rental and such conditions of public use as it may
12 determine.

13 (7) Any local unit of government may contract with or make an appropriation,
14 or both, to any other unit of government or to any nonprofit corporation without
15 capital stock organized expressly for any of the purposes of this section or to any duly
16 chartered and incorporated veterans organization established in any such city,
17 village, town, or county, and for the purpose of raising funds for such memorial
18 purposes or contributions, may levy taxes upon the taxable property located in the
19 county or municipality, or borrow money and issue the bonds of the respective
20 municipalities therefor in the manner and under the regulations provided by ch. 67;
21 provided that the facilities of such memorial are made available to the residents of
22 the governmental unit making such appropriation to the extent that the governing
23 body of the governmental unit may require.

1 **45.73 Sites for veterans memorial halls.** (1) Any local unit of government
2 may donate to any organization specified in s. 70.11 (9) land upon which is to be
3 erected a memorial hall to contain the memorial tablet specified in said section.

4 (2) The action of any local unit of government, in granting veterans
5 organizations or any other civic, patriotic, educational or historical society, rooms
6 and space within public buildings for the establishment of memorial halls and
7 museums, and occupancy thereof by its members, is authorized and confirmed. The
8 local unit of government may permit the use and occupancy of such rooms and space
9 for such term and subject to conditions and provisions as may be imposed by them.
10 Any contract, lien, or agreement between the local unit of government and any
11 organization now in force shall continue in force according to the terms of the
12 contract, lien, or agreement.

13 **45.74 Memorial corporations organized under 1919 act.** Any commission
14 or board of trustees which governs a corporation organized to construct a memorial
15 under s. 45.057 (5), statutes of 1919 to 1943 (created by chapter 598, laws of 1919,
16 and repealed by chapter 301, laws of 1945), shall have the following powers in
17 addition to those it now has:

18 (a) All powers vested in the members of such corporation by the articles of
19 incorporation or bylaws, including the power to amend the articles of incorporation.

20 (b) The powers set forth in s. 181.0302 and all other applicable provisions of ch.
21 181.

22 (c) It may convey any property under its control to any municipality and lease
23 it back under terms agreed upon by the commission or board of trustees and the
24 municipality.

1 (d) It shall have a membership composed of 5 residents of the city, village, or
2 town in which the memorial is located, one appointed by the common council, village
3 board, or town board of the city, village, or town, and 4 by the circuit judge of the
4 county in which the memorial is located. The commission or board may appoint 4
5 additional members who are residents of this state. The terms of all members shall
6 be 5 years. In order that terms of members may expire at different times, not more
7 than 2 members shall be appointed in any one year in addition to appointments made
8 to fill vacancies occurring by resignation or death. Members shall hold office until
9 their successors are appointed and qualify.

10 (e) It may dissolve the corporation and dispose of the real and personal property
11 of the corporation in a manner which it deems will best serve the purposes for which
12 it was organized and the interests of the community.

13 (2) Notwithstanding the repeal of s. 45.057, 1943 stats., by chapter 301, laws
14 of 1945, the continuing existence of all commissions, boards, and corporations
15 organized under s. 45.057 (5), statutes of 1919 to 1943, is affirmed, and the
16 continuing operation of such commissions, boards and corporations is ratified as to
17 the past and authorized in the future.

18 **45.75 Memorials in populous counties.** (1) Any county having a population
19 of 500,000 or more may establish and maintain a memorial or memorials under s.
20 45.72 by agreement between the county board of the county and any nonprofit
21 private corporation without capital stock organized under the laws of this state,
22 except as provided in this section, expressly for any of the purposes of s. 45.72 located
23 in the county.

24 (2) The board of directors of the corporation shall be designated as the
25 "memorial board", and its members shall be called "trustees". The membership of

1 the memorial board may include special members, who need not be members of the
2 corporation.

3 (3) The memorial board shall consist of 15 members; of whom 8 may be special
4 members to be elected as provided in this section; and the remaining members shall
5 be elected from the membership of the corporation.

6 (4) Special members of the memorial board shall be elected by the county board
7 of such county and consist of the following:

8 (a) Four members from the county board.

9 (b) Four members elected from among the residents of the county.

10 (5) Terms of members of the memorial board shall be as follows:

11 (a) For special members:

12 1. Members elected from the county board shall be elected at the first meeting
13 of the county board following each county board general election and their terms
14 shall commence on that date. They shall hold office during their terms on the county
15 board and until their successors are elected and qualified.

16 2. Members elected from among the residents shall hold office for 4 years and
17 until their successors are elected, except that the first 4 such members shall be
18 chosen for 1, 2, 3, and 4 years, respectively.

19 3. Any vacancy in such special membership shall be filled by the county board
20 for the unexpired term, and until a successor is elected and qualified.

21 (b) For elected members from the corporate membership: The terms of the
22 trustees shall be for such numbers of years that those of an equal number, as nearly
23 as may be, shall expire in 2, 3, and 4 years, and successive terms of 4 years each
24 thereafter and until their successors are elected and qualified.

1 (6) The articles of incorporation of the corporation shall provide originally or
2 by amendment, in addition to other necessary provisions, and as permitted by this
3 section, for the classification of the members of the corporation, for the election of
4 trustees proportionately from and by such classifications, for the terms of the
5 members of the corporation and for the officers, their duties, and the terms thereof
6 to be elected from the membership.

7 (7) The war memorial may be constructed upon any land ceded before July 15,
8 1953 by this state to any municipality in this state notwithstanding any restrictions,
9 limitations or conditions as to the nature of the use of any the land contained in the
10 legislative act, granting the land to the municipality, and notwithstanding the
11 restrictions, limitations or conditions incorporated in any subsequent conveyance of
12 the lands by the municipality.

13 (8) The war memorial may be constructed in any public park and the use of
14 those park lands as a location for a war memorial shall not be considered inconsistent
15 with the use of the same for park purposes. No war memorial shall be constructed
16 in a public park until the park commission, general manager appointed under s.
17 27.03 (2) or park board having jurisdiction of such park shall approve the
18 construction. The county board of any county may authorize the construction of a
19 war memorial at different intervals of time if the proposed memorial consists of more
20 than one building or structure and any county board subsequently elected shall carry
21 into effect any contract authorized by s. 45.72 entered into on behalf of the county
22 for the construction or maintenance of the war memorial. The construction,
23 maintenance and operation of a war memorial in a county park shall be subject to
24 the jurisdiction of the county board and no part of those costs shall be charged against
25 the funds of the park commission, park system or park board of the county.

SUBCHAPTER VIII

LOCAL RESPONSIBILITIES

45.80 County veterans service officer. (1) ELECTION OR APPOINTMENT. (a)

Except as provided under par. (b), the county board shall elect a county veterans service officer who shall be a Wisconsin resident who served on active duty under honorable conditions in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces and who meets at least one of the conditions listed in s. 45.01 (11) (a) to (d) and at least one of the conditions listed in s. 45.02 (2).

(b) Except as provided under par. (c), the county board may appoint assistant county veterans service officers who shall be Wisconsin residents who served on active duty under honorable conditions in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces and who meet at least one of the conditions listed in s. 45.01 (11) (a) to (d) and at least one of the conditions listed in s. 45.02 (2)

(c) In counties with a county executive or county administrator, the county executive or county administrator shall appoint and supervise a county veterans service officer who shall have the qualifications prescribed under par. (a). The appointment is subject to confirmation by the county board unless the county board, by ordinance, elects to waive confirmation or unless the appointment is made under a civil service system competitive examination procedure established under s. 59.52 (8) or ch. 63.

(2) TERM. A county veterans service officer elected under sub. (1) (a) shall serve until the first Monday in January of the 2nd year subsequent to the year of his or her election, and, if reelected, shall continue to serve unless removed under s. 17.10 (2).

1 (3) SALARY. The salary of the county veterans service officer shall be fixed by
2 the county board prior to or at the time of the service officer's election and annually
3 thereafter.

4 (4) MILWAUKEE COUNTY. In counties having a population of 500,000 or more
5 such officer shall be appointed subject to ss. 63.01 to 63.17.

6 (5) DUTIES. The county veterans service officer shall:

7 (a) Advise persons living in the service officer's county who served in the U.S.
8 armed forces regarding any benefits to which they may be entitled or any complaint
9 or problem arising out of such service and render to them and their dependents all
10 possible assistance.

11 (b) Make such reports to the county board as the county board requires.

12 (c) Cooperate with federal and state agencies which serve or grant aids or
13 benefits to former military personnel and their dependents.

14 (d) Furnish information about veterans burial places within the county as
15 required by s. 45.62 (2).

16 (e) Perform the duties prescribed by law, including those duties under pars. (a)
17 to (d), separately and distinctly from any other county department.

18 (6) PERMITTED ACTIVITIES. The county veterans service officer may:

19 (a) Inform persons living in the service officer's county who are members of the
20 national guard or of a reserve unit of the U.S. armed forces or dependents of those
21 persons regarding potential benefits to which they may be or may become entitled
22 and regarding all necessary military points of contact and general deployment
23 information for activated and deployed members of the national guard or reserve
24 units of the U.S. armed forces.

1 (b) Cooperate with federal and state agencies that serve or grant aids or
2 benefits to members of the national guard or reserve units of the U.S. armed forces
3 and their dependents.

4 **(7) OFFICE SPACE AND ASSISTANTS.** (a) The county board shall provide the county
5 veterans service officer with office space, clerical assistance and any other needs
6 which will enable the officer to perform the duties under sub. (5).

7 (b) Except as provided under par. (c), the county board may appoint assistant
8 county veterans service officers who shall be Wisconsin residents who served on
9 active duty under honorable conditions in the U.S. armed forces or in forces
10 incorporated as part of the U.S. armed forces for 2 consecutive years. An individual
11 who is discharged for reasons of hardship or a service-connected disability or
12 released due to a reduction in the U.S. armed forces or for the good of the service prior
13 to the completion of the required period of service is eligible for appointment to the
14 office, regardless of the actual time served.

15 (c) In any county with a county executive or county administrator, the county
16 veterans service officer may appoint assistant county veterans service officers who
17 shall have the qualifications prescribed under par. (b).

18 **(8) GRANTS TO COUNTIES AND TRIBES FOR IMPROVEMENT OF SERVICES.** (a) Each
19 county may annually apply to the department for a grant for the improvement of
20 service to former military personnel of the county through the county veterans
21 service office. A county may not allocate any portion of a grant for use by another
22 county department nor may the county reduce funding to a county veterans service
23 office based upon receipt of a grant. The county veterans service officer of any county
24 applying for the grant shall enter into an agreement with the department. The
25 agreement shall state the goals and objectives to be attained by the county veterans

1 service office during the remainder of the year covered by the grant application. The
2 department shall prepare the basic form of this agreement in consultation with the
3 county veterans service officers association and provide a copy and an explanation
4 of that agreement to each county veterans service officer. The department shall
5 develop reasonable budget and operating standards to assure improved services, but
6 full operating control of the county office shall be left to each county.

7 (b) The department shall award a grant annually to a county that meets the
8 standards developed under this subsection and employs a county veterans service
9 officer who, if chosen after August 9, 1989, is chosen from a list of candidates who
10 have taken a civil service examination for the position of county veterans service
11 officer developed and administered by the division of merit recruitment and selection
12 in the office of state employment relations, or is appointed under a civil service
13 competitive examination procedure under ch. 63 or s. 59.52 (8). The grant shall be
14 \$8,500 for a county with a population of less than 20,000, \$10,000 for a county with
15 a population of 20,000 to 45,499, \$11,500 for a county with a population of 45,500 to
16 74,999, and \$13,000 for a county with a population of 75,000 or more. The
17 department shall use the most recent Wisconsin official population estimates
18 prepared by the demographic services center when making grants under this
19 paragraph.

20 (c) Notwithstanding par. (b), an eligible county with a part-time county
21 veterans service officer shall be eligible for an annual grant not exceeding \$500.

22 (d) The department shall provide grants to the governing bodies of federally
23 recognized American Indian tribes and bands from the appropriation under s. 20.485
24 (2) (vz) if that governing body enters into an agreement with the department
25 regarding the creation, goals and objectives of a tribal veterans service officer,

1 appoints a veteran to act as a tribal veterans service officer and gives that veteran
2 duties similar to the duties described in s. 45.80 (5), except that the veteran shall
3 report to the governing body of the tribe or band. The department may make annual
4 grants of up to \$2,500 under this paragraph and shall promulgate rules to implement
5 this paragraph.

6 (9) TRANSPORTATION SERVICES GRANTS TO COUNTIES. (a) Annually, from the
7 appropriation under s. 20.485 (2) (s), the department shall award grants to counties
8 that are not served by transportation services provided by the Wisconsin department
9 of Disabled American Veterans to develop, maintain, and expand transportation
10 services for veterans. The grants may be used to support multicounty cooperative
11 transportation services.

12 (b) The department shall promulgate rules specifying the application
13 procedures and eligibility criteria for grants under this subsection.

14 (c) A county may not reduce funding to a county veterans service office based
15 upon receipt of a grant.

16 (10) QUALIFICATIONS APPLICATION. The qualifications necessary to be a county
17 veterans service officer or assistant county veterans service officer under subs. (1)
18 (a) and (6) (b) apply only to persons elected to serve as county veterans service officers
19 or assistant county veterans service officers on or after June 1, 1996, who have not
20 served as county veterans service officers or assistant county veterans service
21 officers before June 1, 1996.

22 **45.81 County veterans service commission.** (1) There is created in each
23 county a county veterans service commission consisting of 3 residents of the county
24 who are veterans appointed for staggered 3-year terms by the county executive or
25 county board chairperson in a county that does not have a county executive.

1 (2) The commission shall be organized by the election of one of their number
2 as chairperson. The county executive or county board chairperson in a county which
3 does not have a county executive after the expiration of the terms of those first
4 appointed shall annually on or before the 2nd Monday in December appoint one
5 person as a member of the commission for the term of 3 years. The county executive
6 or county board chairperson shall require each member of the commission and the
7 county veterans service officer to execute to the county an individual surety bond,
8 with sufficient sureties to be approved by the county executive or county board
9 chairperson, each bond to be in an amount equal to the tax levied in the current year
10 for expenditure by the commission. Each bond shall be filed with the county clerk.

11 (3) (a) Except as provided under sub. (4), the commission may furnish aid to
12 any person described in s. 45.85 if the right of that person to aid is established to the
13 commission's satisfaction.

14 (b) The secretary of the commission shall maintain a list containing the name,
15 place of residence, and amount of aid paid to each person under par. (a), which shall
16 be signed by the chairperson and secretary of the commission.

17 (c) The total disbursements made by the commission under this subsection may
18 not exceed the amount collected from the tax levied, except when specifically
19 authorized by the county board. The commission shall provide the county treasurer
20 with sufficient information to deliver the specified aid to the person entitled to that
21 aid.

22 (d) The commission may furnish aid in a different manner than by supplying
23 money. The commission may request the county treasurer to pay a purveyor of
24 services or commodities for the purchase of services or commodities, or the
25 commission may furnish supplies, as it considers appropriate.

1 (e) The commission shall make a detailed report to the county board annually
2 showing the amount expended under this subsection. The report may not include
3 any personal identifying information regarding the persons that received aid under
4 this subsection.

5 (4) A county veterans service officer appointed under s. 45.80 (1) (b) or (4) shall
6 have the administrative powers and duties prescribed for the county veterans service
7 commission under sub. (2).

8 (5) The county board shall allow the members of the commission a reasonable
9 rate of compensation for services and actual expenses incurred in the performance
10 of their duties to be determined under s. 59.22. The county board may provide for
11 the employment of clerical assistance to the commission.

12 **45.82 Records of meetings and investigations kept by service officer.**

13 The county veterans service officer shall serve as executive secretary of the county
14 veterans service commission and shall make or direct all necessary investigations to
15 determine eligibility for aid under s. 45.85 when so requested by the commission.
16 The county service officer, in making such investigation, may use the facilities for
17 investigating that are made available by the county board.

18 **45.83 Burial allowance.** (1) Each county veterans service officer shall cause
19 to be interred in a decent and respectable manner in any cemetery in this state, other
20 than those used exclusively for the burial of paupers, the body of any veteran, spouse,
21 or surviving spouse who was living in the county at the time of death and who dies
22 not leaving sufficient means to defray the necessary expenses of a decent burial, or
23 under circumstances that would cause financial distress to the person's family . The
24 cost of this internment shall be the responsibility of the county, but may not exceed

1 \$300, and shall be in addition to the burial allowance payable under laws
2 administered by the U.S. department of veterans affairs.

3 (2) Before assuming the burial expense, the county veterans service officer
4 shall exercise due diligence in attempting to determine the financial condition
5 required by sub. (1). The county veterans service officer, in making the inquiry, may
6 use the facilities for investigation that are made available by the county board. The
7 county veterans service officer shall report the results of that determination to the
8 appropriate authorities designated by the county.

9 (3) The chairperson of the county board and the clerk of the county on the
10 receipt of the report under sub. (2) shall draw an order on the county treasurer for
11 the amount of expenses so incurred, payable to the person designated in the report
12 as being entitled to that payment. The county veterans service officer of each county
13 shall, upon the death and burial of a veteran described under sub. (1) who was living
14 in the county at the time of death, make application to the proper authorities for a
15 suitable headstone as provided for by act of congress, and at the expense of the county
16 cause the same to be placed at the head of the deceased's grave.

17 **45.84 Care of graves.** (1) Every town board, village board or common council
18 of every city shall at all times see that the graves and tombstones of all veterans,
19 including women's auxiliary organizations created by act of congress, who shall at
20 any time have served in any branch of the armed forces of the United States, and of
21 the spouses or surviving spouses of all those veterans, receive proper and decent care,
22 and may employ all necessary assistance to carry out this section. The expense of
23 the care of the graves and tombstones shall be borne by the county where the graves
24 are located, except where suitable care is otherwise provided. The amount of expense

1 charged the county for the care may not exceed the charge made for the care of other
2 graves in the same cemetery.

3 (2) The governing body specified in sub. (1) shall report to the county clerk of
4 its county, on or before September 1 of each year, the locations of the graves cared for
5 by them under sub. (1), together with the names of the deceased and the amount
6 claimed for care of the graves for the fiscal year from the previous July 1 to June 30.

7 (3) The chairperson of the county board and the county clerk, upon receipt of
8 the report under sub. (2), shall draw an order on the county treasurer for the amount
9 of the expenses incurred in caring for the graves, payable to the person or persons
10 designated in the report as being entitled to the payment.

11 **45.85 County tax for needy veterans.** (1) Every county board shall
12 annually levy, in addition to all other taxes, a tax sufficient to carry out the purposes
13 of this section. The tax shall be levied and collected as other county taxes for the
14 purpose of providing aid to needy veterans, the needy spouses, surviving spouses,
15 minor and dependent children of the veterans and the needy parents of veterans
16 entitled to aid under ss. 45.81 to 45.83, and to carry out the purposes of s. 45.84. Aid
17 may not be denied solely on the basis that a person otherwise eligible for aid owns
18 a homestead that the person occupies.

19 (2) The county veterans service commission or county veterans service officer
20 appointed under s. 45.80 (1) (b) shall estimate the probable amount required under
21 this section and shall file that estimate with the county board.

22 **SECTION 93.** 46.27 (1) (b) of the statutes is amended to read:

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

1 ~~care facility and a Wisconsin veterans home~~ operated by the department of veterans
2 affairs under s. ~~45.385~~ 45.50.

History: 1981 c. 20; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 192, 239; 1985 a. 29 ss. 876s to 896am, 3200 (56); 1985 a. 120, 176; 1987 a. 27, 399; 1989 a. 31, 77, 336, 359; 1991 a. 32, 39, 235, 274; 1993 a. 16, 27, 437; 1995 a. 27; 1997 a. 13, 27, 39, 79, 237; 1999 a. 9, 63; 2001 a. 16, 103; 2003 a. 33.

3 **SECTION 94.** 46.27 (1) (dr) of the statutes is amended to read:

4 46.27 (1) (dr) "State-operated long-term care facility" means a state center for
5 the developmentally disabled, ~~the Wisconsin Veterans Home at King and the nursing~~
6 ~~care facility and a Wisconsin veterans home~~ operated by the department of veterans
7 affairs under s. ~~45.385~~ 45.50.

History: 1981 c. 20; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 192, 239; 1985 a. 29 ss. 876s to 896am, 3200 (56); 1985 a. 120, 176; 1987 a. 27, 399; 1989 a. 31, 77, 336, 359; 1991 a. 32, 39, 235, 274; 1993 a. 16, 27, 437; 1995 a. 27; 1997 a. 13, 27, 39, 79, 237; 1999 a. 9, 63; 2001 a. 16, 103; 2003 a. 33.

8 **SECTION 95.** 46.27 (6) (a) 2. cm. of the statutes is amended to read:

9 46.27 (6) (a) 2. cm. Persons under subd. 1. seeking admission to or about to be
10 admitted to ~~the Wisconsin Veterans Home at King and the nursing care facility and~~
11 ~~a Wisconsin veterans home~~ operated by the department of veterans affairs under s.
12 ~~45.385~~ 45.50 who are informed about the program but waive the assessment.

History: 1981 c. 20; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 192, 239; 1985 a. 29 ss. 876s to 896am, 3200 (56); 1985 a. 120, 176; 1987 a. 27, 399; 1989 a. 31, 77, 336, 359; 1991 a. 32, 39, 235, 274; 1993 a. 16, 27, 437; 1995 a. 27; 1997 a. 13, 27, 39, 79, 237; 1999 a. 9, 63; 2001 a. 16, 103; 2003 a. 33.

13 **SECTION 96.** 49.19 (9) of the statutes is amended to read:

14 49.19 (9) If the head of a family is a veteran, as defined in s. ~~45.37 (1a)~~ 45.01
15 (11), or a person under s. 45.51 (2) (a) 2., and is hospitalized or institutionalized
16 because of disabilities in a county other than that of his or her residence or settlement
17 at time of admission, aid shall be granted to the dependent children of the veteran
18 by the county wherein the head of the family had his or her residence or settlement
19 at the time of admission so long as he or she remains hospitalized or
20 institutionalized.

****NOTE: Sections 49.19 (9), 59.535 (1) (a), and 188.26 currently reference the definition of "veteran" in the section of the statutes that relates to the Wisconsin veterans home. Can these be changed to just refer to the general definition of "veteran" in 45.01?

History: 1971 c. 125, 215, 217; 1973 c. 90, 147, 186, 328, 333; 1975 c. 39, 82, 94, 224, 307, 422; 1977 c. 29, 203, 271, 418, 449; 1979 c. 32 s. 92 (4); 1979 c. 34, 206, 221, 352; 1981 c. 1, 20, 93, 314, 317, 391; 1983 a. 27, 161, 192, 245, 310, 430, 447; 1985 a. 29, 120, 176, 281, 332; 1987 a. 27, 307, 399; 1989 a. 31, 107, 122, 359; 1991 a. 39, 178, 269, 313, 315, 316, 322; 1993 a. 16, 99, 326, 395, 437, 446, 481; 1995 a. 12; 1995 a. 27 ss. 2852 to 2871, 9126 (19); 1995 a. 77, 198, 225, 289, 295; 1997 a. 27, 35, 39, 252; 1999 a. 9; 2001 a. 59; 2003 a. 33.