

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

5 **45.82 Records of meetings and investigations kept by service officer.**

6 The county veterans service officer shall serve as executive secretary of the county
7 veterans service commission and shall make or direct all necessary investigations to
8 determine eligibility for aid under s. 45.85 when ^{the commission so requests} ~~so requested by the commission~~.

9 The county service officer, in making an investigation, may use the facilities for
10 investigating that are made available by the county board.

11 **45.83 Burial allowance.** (1) Each county veterans service officer shall cause
12 to be interred in a decent and respectable manner in any cemetery in this state, other
13 than those used exclusively for the burial of paupers, the body of any veteran, spouse,
14 or surviving spouse who was living in the county at the time of death and who dies
15 not leaving sufficient means to defray the necessary expenses of a decent burial, or
16 under circumstances that would cause financial distress to the person's family. The
17 cost of this interment shall be the responsibility of the county, but may not exceed
18 \$300, and shall be in addition to the burial allowance payable under laws
19 administered by the U.S. department of veterans affairs.

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

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

9 **45.84 Care of graves.** (1) Every town board, village board, or common council
10 of every city shall at all times see that the graves and tombstones of all veterans,
11 including women's auxiliary organizations created by act of congress, who shall at
12 any time have served in any branch of the armed forces of the United States, and of
13 the spouses or surviving spouses of all those veterans, receive proper and decent care,
14 and may employ all necessary assistance to carry out this section. The expense of
15 the care of the graves and tombstones shall be borne by the county where the graves
16 are located, except where suitable care is otherwise provided. The amount of expense
17 charged the county for the care may not exceed the charge made for the care of other
18 graves in the same cemetery.

19 (2) The governing body specified in sub. (1) shall report to the county clerk of
20 its county, on or before September 1 of each year, the locations of the graves cared for
21 by ~~them~~ ^{the governing body} under sub. (1), together with the names of the deceased and the amount
22 claimed for care of the graves for the fiscal year from the previous July 1 to June 30.

23 (3) The chairperson of the county board and the county clerk, upon receipt of
24 the report under sub. (2), shall draw an order on the county treasurer for the amount

1 of the expenses incurred in caring for the graves, payable to the person or persons
2 designated in the report as being entitled to the payment.

3 **45.85 County tax for needy veterans.** (1) Every county board shall
4 annually levy, in addition to all other taxes, a tax sufficient to carry out the purposes
5 of this section. The tax shall be levied and collected as other county taxes for the
6 purpose of providing aid to needy veterans, the needy spouses, surviving spouses,
7 minor and dependent children of the veterans, and the needy parents of veterans
8 entitled to aid under ss. 45.81 to 45.83, and to carry out the purposes of s. 45.84. Aid
9 may not be denied solely on the basis that a person otherwise eligible for aid owns
10 a homestead that the person occupies.

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

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

15 46.27 (1) (b) "Nursing home" means a facility that meets the definition in s.
16 50.01 (3) and that is licensed under s. 50.03 (1) and includes a state center for the
17 developmentally disabled, ~~the Wisconsin Veterans Home at King and the nursing~~
18 ~~care facility and a Wisconsin veterans home~~ operated by the department of veterans
19 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.

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

21 46.27 (1) (dr) "State-operated long-term care facility" means a state center for
22 the 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 95.** 46.27 (6) (a) 2. cm. of the statutes is amended to read:

4 46.27 (6) (a) 2. cm. Persons under subd. 1. seeking admission to or about to be
5 admitted to ~~the Wisconsin Veterans Home at King and the nursing care facility a~~
6 Wisconsin veterans home operated by the department of veterans affairs under s.
7 ~~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.

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

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

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.

16 **SECTION 97.** 49.45 (3) (e) 7m. of the statutes is amended to read:

17 49.45 (3) (e) 7m. Notwithstanding subd. 7., the daily reimbursement or
18 payment rate for services at a hospital established under s. ~~45.375 (1)~~ 45.50 (10)
19 provided to medical assistance recipients whose continued hospitalization is no
20 longer medically necessary or appropriate during a period where the recipient awaits
21 placement in an alternate custodial living arrangement shall be the skilled nursing

1 facility rate paid to ~~the facility created under s. 45.365 (1)~~ a Wisconsin veterans home
 2 operated by the department of veterans affairs under s. 45.50. ✓

History: 1971 c. 40 s. 93; 1971 c. 42, 125; 1971 c. 213 s. 5; 1971 c. 215, 217, 307; 1973 c. 62, 90, 147; 1973 c. 333 ss. 106g, 106h, 106j, 201w; 1975 c. 39; 1975 c. 223 s. 28; 1975 c. 224 ss. 54h, 56 to 59m; 1975 c. 383 s. 4; 1975 c. 411; 1977 c. 29, 418; 1979 c. 34 ss. 837f to 838, 2102 (20) (a); 1979 c. 102, 177, 221, 355; 1981 c. 20 ss. 839 to 854, 2202 (20) (r); 1981 c. 93, 317; 1983 a. 27 ss. 1046 to 1062m, 2200 (42); 1983 a. 245, 447, 527; 1985 a. 29 ss. 1026m to 1031d, 3200 (23), (56), 3202 (27); 1985 a. 120, 176, 269; 1985 a. 332 ss. 91, 251 (5), 253; 1985 a. 340; 1987 a. 27 ss. 989r to 1000s, 2247, 3202 (24); 1987 a. 186, 307, 339, 399; 1987 a. 403 s. 256; 1987 a. 413; 1989 a. 6; 1989 a. 31 ss. 1402 to 1452g, 2909g, 2909i; 1989 a. 107, 173, 310, 336, 351, 359; 1991 a. 22, 39, 80, 250, 269, 315, 316; 1993 a. 16 ss. 1362g to 1403, 3883; 1993 a. 27, 107, 112, 183, 212, 246, 269, 335, 356, 437, 446, 469; 1995 a. 20; 1995 a. 27 ss. 2947 to 3002r, 7299, 9126 (19), 9130 (4), 9145 (1); 1995 a. 191, 216, 225, 289, 303, 398, 417, 457; 1997 a. 3, 13, 27, 114, 175, 191, 237, 252, 293; 1999 a. 9, 63, 103, 180, 185; 2001 a. 13, 16, 35, 38, 57, 67, 104, 109; 2003 a. 33, 318, 321.

3 **SECTION 98. 49.45 (6m) (bg)** of the statutes is amended to read:

4 49.45 (6m) (bg) The department shall determine payment levels for the
 5 provision of skilled, intermediate, limited, personal or residential care or care for the
 6 mentally retarded in the state centers for the developmentally disabled, ~~in the~~
 7 ~~Wisconsin Veterans Home at King and the nursing care facility~~ ⁱⁿ and a Wisconsin
 8 veterans home operated by the department of veterans affairs under s. ~~45.385~~ 45.50 ✓
 9 separately from the payment principles, applicable costs and methods established
 10 under this subsection.

History: 1971 c. 40 s. 93; 1971 c. 42, 125; 1971 c. 213 s. 5; 1971 c. 215, 217, 307; 1973 c. 62, 90, 147; 1973 c. 333 ss. 106g, 106h, 106j, 201w; 1975 c. 39; 1975 c. 223 s. 28; 1975 c. 224 ss. 54h, 56 to 59m; 1975 c. 383 s. 4; 1975 c. 411; 1977 c. 29, 418; 1979 c. 34 ss. 837f to 838, 2102 (20) (a); 1979 c. 102, 177, 221, 355; 1981 c. 20 ss. 839 to 854, 2202 (20) (r); 1981 c. 93, 317; 1983 a. 27 ss. 1046 to 1062m, 2200 (42); 1983 a. 245, 447, 527; 1985 a. 29 ss. 1026m to 1031d, 3200 (23), (56), 3202 (27); 1985 a. 120, 176, 269; 1985 a. 332 ss. 91, 251 (5), 253; 1985 a. 340; 1987 a. 27 ss. 989r to 1000s, 2247, 3202 (24); 1987 a. 186, 307, 339, 399; 1987 a. 403 s. 256; 1987 a. 413; 1989 a. 6; 1989 a. 31 ss. 1402 to 1452g, 2909g, 2909i; 1989 a. 107, 173, 310, 336, 351, 359; 1991 a. 22, 39, 80, 250, 269, 315, 316; 1993 a. 16 ss. 1362g to 1403, 3883; 1993 a. 27, 107, 112, 183, 212, 246, 269, 335, 356, 437, 446, 469; 1995 a. 20; 1995 a. 27 ss. 2947 to 3002r, 7299, 9126 (19), 9130 (4), 9145 (1); 1995 a. 191, 216, 225, 289, 303, 398, 417, 457; 1997 a. 3, 13, 27, 114, 175, 191, 237, 252, 293; 1999 a. 9, 63, 103, 180, 185; 2001 a. 13, 16, 35, 38, 57, 67, 104, 109; 2003 a. 33, 318, 321.

11 **SECTION 99. 49.855 (4m) (b)** of the statutes is amended to read:

12 49.855 (4m) (b) The department of revenue may provide a certification that it
 13 receives under sub. (1), (2m), or (2p) to the department of administration. Upon
 14 receipt of the certification, the department of administration shall determine
 15 whether the obligor is a vendor or is receiving any other payments from this state,
 16 except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s.
 17 ~~45.351 (1)~~ 45.40 (1), this chapter, or ch. 46, 108, or 301. If the department of
 18 administration determines that the obligor is a vendor or is receiving payments from
 19 this state, except for wages, retirement benefits, or assistance under s. 45.352, 1971
 20 stats., s. ~~45.351 (1)~~ 45.40 (1), this chapter, or ch. 46, 108, or 301, it shall begin to
 21 withhold the amount certified from those payments and shall notify the obligor that

1 the state intends to reduce any payments due the obligor by the amount the obligor
2 is delinquent under the support, maintenance, or receiving and disbursing fee order
3 or obligation, by the outstanding amount for past support, medical expenses, or birth
4 expenses under the court order, or by the amount due under s. 46.10 (4) or 301.12 (4).
5 The notice shall provide that within 20 days after receipt of the notice the obligor may
6 request a hearing before the circuit court rendering the order under which the
7 obligation arose. An obligor may, within 20 days after receiving notice, request a
8 hearing under this paragraph. Within 10 days after receiving a request for hearing
9 under this paragraph, the court shall set the matter for hearing. A circuit court
10 commissioner may conduct the hearing. Pending further order by the court or circuit
11 court commissioner, the department of workforce development or its designee,
12 whichever is appropriate, may not disburse the payments withheld from the obligor.
13 The sole issues at the hearing are whether the obligor owes the amount certified and,
14 if not and it is a support or maintenance order, whether the money withheld shall be
15 paid to the obligor or held for future support or maintenance.

History: 1981 c. 20, 391; 1983 a. 27; 1987 a. 27; 1987 a. 312 s. 17; 1987 a. 421; 1989 a. 31; 1989 a. 56 s. 259; 1991 a. 39; 1993 a. 16, 481; 1995 a. 27 s. 9126 (19); 1995 a. 201, 227, 279; 1995 a. 404 ss. 50 to 59; Stats. 1995 s. 49.855; 1997 a. 3, 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 61, 105.

16 **SECTION 100.** 50.034 (4) of the statutes is amended to read:

17 50.034 (4) LIMITATION. A nursing home or a community-based residential
18 facility may not convert a separate area of its total area to a residential care
19 apartment complex unless the department first approves the conversion. A nursing
20 home, other than ~~the nursing homes operated at the Wisconsin Veterans Home at~~
21 ~~King or in southeastern Wisconsin~~ a Wisconsin veterans home operated by the
22 department of veterans affairs under s. ~~45.385~~ 45.50, that intends to convert a
23 separate area of its total area to a residential care apartment complex shall also

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 **History:** 1995 a. 27; 1997 a. 13, 252; 1999 a. 9, 63, 185; 2001 a. 16; 2003 a. 33.

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 **History:** 1983 a. 27, 192; 1985 a. 29; 1987 a. 27; 1993 a. 16; 1993 a. 27 s. 257; Stats. 1993 s. 50.135; 1995 a. 27; 1997 a. 27, 35; 1999 a. 9.

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 **History:** 1971 c. 164; 1975 c. 39; 1975 c. 413 ss. 4, 18; 1975 c. 430 s. 80; Stats. 1975 s. 50.39; 1977 c. 203; 1979 c. 89, 221, 337, 355; 1985 a. 332 s. 251 (1); 1989 a. 31,
37, 107; 1991 a. 39; 1993 a. 27, 30, 107; 1995 a. 27, 77; 1997 a. 175; 1999 a. 9.

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 is a veteran, as defined in s. 45.01
23 (12), the county department shall contact the U.S. department of veterans affairs to

1 determine if the veteran is eligible for treatment at a U.S. department of veterans
2 affairs facility. If the veteran is eligible for that treatment, the county department
3 shall include that information in the treatment plan. The treatment plan shall
4 address the individual's needs for inpatient care, residential services, community
5 support services, medication and its monitoring, case management, and other
6 services to enable the person to live in the community upon release from an inpatient
7 facility. The treatment plan shall contain information concerning the availability of
8 the needed services and community treatment providers' acceptance of the
9 individual into their programs. The treatment plan is only a recommendation and
10 is not subject to approval or disapproval by the court. Failure to furnish a treatment
11 plan under this paragraph does not constitute grounds for dismissal of the petition
12 unless the failure is made in bad faith.

History: 1975 c. 430; 1977 c. 26, 29; 1977 c. 187 ss. 42, 43, 134, 135; 1977 c. 428 ss. 29 to 65, 115; 1977 c. 447, 449; Sup. Ct. Order, 83 Wis. 2d xiii; 1979 c. 32, 89; Sup. Ct. Order, eff. 1-1-80; 1979 c. 110 s. 60 (1); 1979 c. 175 s. 53; 1979 c. 300, 336, 356; 1981 c. 20, 367; 1981 c. 390 s. 252; 1983 a. 27, 219; 1983 a. 474 ss. 2 to 9m, 14; 1985 a. 29 ss. 1067 to 1071, 3200 (56), 3202 (56); 1985 a. 139, 176, 321, 332; 1987 a. 27; Sup. Ct. Order, 141 Wis. 2d xiii (1987); 1987 a. 366, 394, 403; 1989 a. 31, 334; 1993 a. 98, 196, 227, 316, 451, 474; 1995 a. 77, 201, 268, 292, 440; Sup. Ct. Order No. 96-08, 207 Wis. 2d xv (1997); 1997 a. 35, 130, 237, 283; 1999 a. 83, 89, 162; 2001 a. 16 ss. 1966i to 1966n, 4034ze to 4034zh; 2001 a. 38, 61, 109; 2003 a. 33, 50, 326.

13 **SECTION 104.** 51.35 (6) (a) of the statutes is amended to read:

14 51.35 (6) (a) When the department has notice that any person other than a
15 prisoner is entitled to receive care and treatment in a U.S. department of veterans
16 affairs facility, the person may petition the department of health and family services
17 for a transfer to such facility, and that department may procure admission to ~~such~~
18 the facility in accordance with s. 45.30.

History: 1975 c. 430 ss. 18, 81; 1977 c. 26, 29, 428; 1979 c. 110 s. 60 (1); 1981 c. 74 s. 2; 1981 c. 314 s. 144; 1983 a. 27, 441, 474; 1985 a. 29, 176, 332; 1987 a. 366, 403; 1989 a. 31, 56, 107; 1991 a. 39; 1993 a. 451; 1995 a. 27 ss. 3258m, 3259m, 9]26 (19); 1995 a. 77, 292; 1997 a. 35; 1999 a. 9; 2001 a. 16 ss. 1967f to 1967j, 4034zi; 2003 a. 33.

19 **SECTION 105.** 51.45 (13) (h) of the statutes is amended to read:

20 51.45 (13) (h) A person committed under this subsection shall remain in the
21 custody of the county department for treatment for a period set by the court, but not
22 to exceed 90 days. During this period of commitment the county department may
23 transfer the person from one approved public treatment facility or program to

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1 another as provided in par. (k). If the person is a veteran, as defined in s. 45.01 (12),
2 the county department shall contact the U.S. department of veterans affairs to
3 determine if the veteran is eligible for treatment at a U.S. department of veterans
4 affairs facility. If the veteran is eligible for that treatment, the county department
5 may transfer the person to that facility if the U.S. department of veterans affairs
6 approves that transfer. At the end of the period set by the court, the person shall be
7 discharged automatically unless the county department before expiration of the
8 period obtains a court order for recommitment upon the grounds set forth in par. (a)
9 for a further period not to exceed 6 months. If after examination it is determined that
10 the person is likely to inflict physical harm on himself or herself or on another, the
11 county department shall apply for recommitment. Only one recommitment order
12 under this paragraph is permitted.

History: 1973 c. 198; 1975 c. 200, 428; 1975 c. 430 s. 80; 1977 c. 29; 1977 c. 187 ss. 44, 134, 135; 1977 c. 203 s. 106; 1977 c. 428; 1977 c. 449 s. 497; Sup. Ct. Order, 83 Wis. 2d xiii (1987); 1979 c. 32 s. 92 (11); Sup. Ct. Order, eff. 1-1-80; 1979 c. 221 ss. 417, 2200 (20); 1979 c. 300, 331, 356; 1981 c. 20; 1981 c. 79 s. 17; 1981 c. 289, 314; 1983 a. 27 ss. 1116 to 1121, 2202 (20); 1985 a. 29 s. 3202 (56); 1985 a. 139; 1985 a. 176 ss. 533 to 556, 615; 1985 a. 265; 1985 a. 332 s. 251 (1); 1987 a. 339, 366; 1989 a. 31, 336, 359; 1991 a. 39; 1993 a. 16, 27, 213, 451, 490; 1995 a. 27 ss. 3268, 3269, 9145 (1); 1995 a. 77, 225; 1997 a. 27, 35, 237; 1999 a. 9; 2001 a. 61.

13 **SECTION 106.** 59.52 (16) (b) (title) of the statutes is amended to read:

14 59.52 (16) (b) (title) *County ~~veterans'~~ veterans housing.*

History: 1995 a. 201 ss. 104, 111 to 115, 117 to 122, 124, 127, 134, 139, 140, 157, 174, 181, 185, 186, 190, 238, 242, 252 to 256, 354, 356 to 360, 414 to 419, 432; 1995 a. 225 s. 135; 1997 a. 35, 237; 1999 a. 9, 83; 1999 a. 150 s. 672; 2001 a. 16, 104.

15 **SECTION 107.** 59.52 (16) (b) 2. of the statutes is amended to read:

16 59.52 (16) (b) 2. In case of a joint school district, computation shall be made on
17 the basis of the valuation of the several municipalities in which the school district
18 lies. If school buildings are inadequate to accommodate the additional school
19 population resulting from the county ~~veterans'~~ veterans housing program, and the
20 school district cannot legally finance the necessary increased facilities, the board
21 may appropriate money and grant assistance to the school district but the assistance

1 shall be used solely to finance the purchase of land and the erection and equipment
2 of the necessary additional facilities.

History: 1995 a. 201 ss. 104, 111 to 115, 117 to 122, 124, 127, 134, 139, 140, 157, 174, 181, 185, 186, 190, 238, 242, 252 to 256, 354, 356 to 360, 414 to 419, 432; 1995 a. 225 s. 135; 1997 a. 35, 237; 1999 a. 9, 83; 1999 a. 150 s. 672; 2001 a. 16, 104.

3 **SECTION 108.** 59.535 (1) (a) of the statutes is amended to read:

4 59.535 (1) (a) In this subsection, "veteran" has the meaning given in s. 45.37
5 (1a) 45.01 (12), and includes a person under s. 45.51 (2) (a) 2.

History: 1995 a. 201 ss. 123, 135, 141, 365, 385.

6 **SECTION 109.** 59.535 (4) of the statutes is amended to read:

7 59.535 (4) SERVICE OFFICER AND COMMISSION. The board may appropriate funds
8 for the execution of the duties of the county veterans' veterans service officer and the
9 county veterans' veterans service commission.

History: 1995 a. 201 ss. 123, 135, 141, 365, 385.

10 **SECTION 110.** 59.65 of the statutes is amended to read:

11 **59.65 Publication of financial report.** A board shall cause to be made out
12 and published in the county, as a class 1 notice, under ch. 985, immediately after its
13 annual meeting, a report of the receipts and expenditures of the immediately
14 preceding year and the accounts allowed. The board may waive the publication of
15 names of needy soldiers, sailors, marines and United States war veterans and the
16 amount of ^{aid} relief provided under s. ~~45.14 (2)~~ 45.81 (3) and shall publish in lieu thereof
17 the total disbursements thereunder.

History: 1985 a. 29 s. 3202 (56); 1995 a. 201 s. 434; Stats. 1995 s. 59.65.

18 **SECTION 111.** 66.0509 (title) of the statutes is amended to read:

19 **66.0509 (title) Civil service system; veterans' veterans preference.**

History: 1971 c. 152 s. 38; 1971 c. 154, 211; 1977 c. 196; 1983 a. 532; 1985 a. 225; 1991 a. 101; 1993 a. 246; 1999 a. 150 s. 310; Stats. 1999 s. 66.0509.

20 **SECTION 112.** 66.1201 (9) (x) of the statutes is amended to read:

21 66.1201 (9) (x) To, within its area of operation, either by itself or with the
22 department of veterans affairs, undertake and carry out studies and analyses of

1 ~~veterans'~~ veterans housing needs and meeting those needs and make the study
2 results available to the public, including the building, housing and supply industries.

History: 1973 c. 172; 1975 c. 94, 221, 350; 1977 c. 418; 1979 c. 89; 1979 c. 110 s. 60 (13); 1979 c. 221; 1981 c. 112, 190, 232; 1983 a. 24; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 189, 444; 1987 a. 27, 163; 1991 a. 316; 1993 a. 172, 184, 268, 379; 1995 a. 27, 225; 1997 a. 35; 1999 a. 150 ss. 285, 383, 384, 386, 388; Stats. 1999 s. 66.1201; 2001 a. 103, 104.

3 **SECTION 113.** 67.015 of the statutes is amended to read:

4 **67.015 Housing authorities exempted.** This chapter shall not be applicable
5 to borrowing by housing authorities or county ~~veterans'~~ veterans housing authorities
6 under ss. 66.1201 to 66.1213.

History: 1999 a. 150 s. 672.

7 **SECTION 114.** 69.30 (1) (bm) of the statutes is amended to read:

8 69.30 (1) (bm) "Service office" has the meaning given in s. ~~45.36 (1) (e)~~ 45.04
9 (1) (b).

History: 1989 a. 313; 1991 a. 221, 269, 315; 1995 a. 27; 1997 a. 27; 1999 a. 9.

10 **SECTION 115.** 69.30 (2) of the statutes is amended to read:

11 69.30 (2) A financial institution, state agency, county department, Wisconsin
12 works agency, service office or family care district or an employee of a financial
13 institution, state agency, county department, Wisconsin works agency, service office
14 or family care district is not subject to s. 69.24 (1) (a) for copying a certified copy of
15 a vital record for use by the financial institution, state agency, county department,
16 Wisconsin works agency, service office or family care district, including use under s.
17 ~~45.36 (4m)~~ 45.04 (5), if the copy is marked "FOR ADMINISTRATIVE USE".

History: 1989 a. 313; 1991 a. 221, 269, 315; 1995 a. 27; 1997 a. 27; 1999 a. 9.

18 **SECTION 116.** 70.11 (1) of the statutes is amended to read:

19 70.11 (1) PROPERTY OF THE STATE. Property owned by this state except land
20 contracted to be sold by the state. This exemption shall not apply to land conveyed
21 after September, 1933, to this state or for its benefit while the grantor or others for
22 the grantor's benefit are permitted to occupy the land or part thereof in consideration
23 for the conveyance; nor shall it apply to land devised to the state or for its benefit

1 while another person is permitted by the will to occupy the land or part thereof. This
 2 exemption shall not apply to any property acquired by the department of veterans
 3 affairs under s. ~~45.72 (5) and (7)~~ 45.32 (5) and (7) or to the property of insurers
 4 undergoing rehabilitation or liquidation under ch. 645. Property exempt under this
 5 subsection includes general property owned by the state and leased to a private,
 6 nonprofit corporation that operates an Olympic ice training center, regardless of the
 7 use of the leasehold income.

History: 1971 c. 152, 154, 312; 1973 c. 90; 1973 c. 333 s. 201m; 1973 c. 335 s. 13; 1975 c. 39; 1975 c. 94 s. 91 (10); 1975 c. 199; 1977 c. 29 ss. 745m, 1646 (3), 1647 (5), (7); 1977 c. 83 s. 26; 1977 c. 273, 282, 391, 418, 447; 1979 c. 34 s. 2102 (39) (g); 1979 c. 221, 225; 1979 c. 310 s. 12; 1981 c. 20; 1983 a. 27 ss. 1177, 1178, 1179f; 1983 a. 189 s. 329 (16); 1983 a. 201, 327; 1985 a. 26, 29, 316, 332; 1987 a. 10, 27, 395, 399; 1987 a. 403 s. 256; 1989 a. 25, 31, 307; 1991 a. 37, 39, 269; 1993 a. 263, 307, 399, 490; 1995 a. 27 ss. 3344 to 3348m, 9126 (19); 1995 a. 201, 227, 247, 366; 1997 a. 27, 35, 134, 147, 164, 184, 237; 1999 a. 9, 32, 63, 65; 1999 a. 150 ss. 624, 672; 1999 a. 167, 185; 2001 a. 16, 38, 59, 103; 2003 a. 195, 291.

8 **SECTION 117.** 70.11 (3a) of the statutes is amended to read:

9 70.11 (3a) BUILDINGS AT THE WISCONSIN VETERANS HOME AT KING OR IN
 10 ~~SOUTHEASTERN WISCONSIN HOMES~~. All buildings, equipment and leasehold interests
 11 in lands described in s. ~~45.38~~ 45.03 (5).

History: 1971 c. 152, 154, 312; 1973 c. 90; 1973 c. 333 s. 201m; 1973 c. 335 s. 13; 1975 c. 39; 1975 c. 94 s. 91 (10); 1975 c. 199; 1977 c. 29 ss. 745m, 1646 (3), 1647 (5), (7); 1977 c. 83 s. 26; 1977 c. 273, 282, 391, 418, 447; 1979 c. 34 s. 2102 (39) (g); 1979 c. 221, 225; 1979 c. 310 s. 12; 1981 c. 20; 1983 a. 27 ss. 1177, 1178, 1179f; 1983 a. 189 s. 329 (16); 1983 a. 201, 327; 1985 a. 26, 29, 316, 332; 1987 a. 10, 27, 395, 399; 1987 a. 403 s. 256; 1989 a. 25, 31, 307; 1991 a. 37, 39, 269; 1993 a. 263, 307, 399, 490; 1995 a. 27 ss. 3344 to 3348m, 9126 (19); 1995 a. 201, 227, 247, 366; 1997 a. 27, 35, 134, 147, 164, 184, 237; 1999 a. 9, 32, 63, 65; 1999 a. 150 ss. 624, 672; 1999 a. 167, 185; 2001 a. 16, 38, 59, 103; 2003 a. 195, 291.

12 **SECTION 118.** 70.11 (9) of the statutes is amended to read:

13 70.11 (9) MEMORIALS. All memorial halls and the real estate upon which the
 14 same are located, owned and occupied by any organization of United States war
 15 veterans organized pursuant to act of congress and domesticated in this state
 16 pursuant to the laws of this state, containing permanent memorial tablets with the
 17 names of former residents of any given town, village, city or county who lost their
 18 lives in the military or naval service of the state or the United States in any war
 19 inscribed thereon, and all personal property owned by such organizations, and all
 20 buildings erected, purchased or maintained by any county, city, town or village as
 21 memorials under s. ~~45.05 or 45.055~~ 45.72. The renting of such halls or buildings for
 22 public purposes shall not render them taxable, provided that all income derived

1 therefrom be used for the upkeep and maintenance thereof. Where such hall or
2 building is used in part for exempt purposes and in part for pecuniary profit, it shall
3 be assessed for taxation to the extent of such use for pecuniary profit as provided in
4 s. 70.1105 (1).

History: 1971 c. 152, 154, 312; 1973 c. 90; 1973 c. 333 s. 201m; 1973 c. 335 s. 13; 1975 c. 39; 1975 c. 94 s. 91 (10); 1975 c. 199; 1977 c. 29 ss. 745m, 1646 (3), 1647 (5), (7); 1977 c. 83 s. 26; 1977 c. 273, 282, 391, 418, 447; 1979 c. 34 s. 2102 (39) (g); 1979 c. 221, 225; 1979 c. 310 s. 12; 1981 c. 20; 1983 a. 27 ss. 1177, 1178, 1179f; 1983 a. 189 s. 329 (16); 1983 a. 201, 327; 1985 a. 26, 29, 316, 332; 1987 a. 10, 27, 395, 399; 1987 a. 403 s. 256; 1989 a. 25, 31, 307; 1991 a. 37, 39, 269; 1993 a. 263, 307, 399, 490; 1995 a. 27 ss. 3344 to 3348m, 9126 (19); 1995 a. 201, 227, 247, 366; 1997 a. 27, 35, 134, 147, 164, 184, 237; 1999 a. 9, 32, 63, 65; 1999 a. 150 ss. 624, 672; 1999 a. 167, 185; 2001 a. 16, 38, 59, 103; 2003 a. 195, 291.

5 **SECTION 119.** 71.05 (6) (b) 28. (intro.) of the statutes is amended to read:

6 71.05 (6) (b) 28. (intro.) An amount paid by a claimant for tuition expenses for
7 a student who is the claimant or who is the claimant's child and the claimant's
8 dependent who is claimed under section 151 (c) of the Internal Revenue Code, to
9 attend any university, college, technical college or a school approved under s. 45.54
10 39.90, that is located in Wisconsin or to attend a public vocational school or public
11 institution of higher education in Minnesota under the Minnesota-Wisconsin
12 reciprocity agreement under s. 39.47, calculated as follows:

13 **SECTION 120.** 86.03 (4) of the statutes is amended to read:

14 86.03 (4) CUTTING OR INJURING TREES ON HIGHWAY. No person shall cut down,
15 break, girdle, bruise the bark, or in any other manner injure, or allow any animal
16 under that person's control to injure, any public or private trees, shrubs, or hedges
17 growing within the highway, except as the owner thereof or the public authority
18 maintaining the highway may cut down, trim and remove trees, shrubs, and hedges
19 for the purpose of and conducing to the benefit and improvement of the owner's land
20 or the highway facility, subject to sub. (7).

History: 1991 a. 316; 1993 a. 490; 2001 a. 107.

21 **SECTION 121.** 86.03 (6) of the statutes is amended to read:

22 86.03 (6) FINES. Any Except as provided in sub. (7), any person violating any
23 of the provisions of this section shall be deemed guilty of a misdemeanor and upon

1 conviction thereof shall be punished by a fine not to exceed \$25 for each tree or shrub
2 damaged, felled or destroyed.

3 **History:** 1991 a. 316; 1993 a. 490; 2001 a. 107.

3 **SECTION 122.** 86.03 (7) of the statutes is created to read:

4 86.03 (7) No person may cut or trim any tree planted along any federal or state
5 trunk highway as a memorial to the men and women who served in the armed forces
6 of the United States in time of war, without the written permission of the
7 department. Violations of this section shall be punishable by a fine of not less than
8 \$10 nor more than \$200 or by imprisonment for not more than 30 days or both.
9 Nothing in this section shall interfere with the rights of abutting property owners
10 in those trees.

11 **SECTION 123.** 120.13 (37) (a) 3. of the statutes is amended to read:

12 120.13 (37) (a) 3. Left high school before receiving a high school diploma to join
13 the U.S. armed forces during a war period under s. 45.001 (5) 45.01 (13).

History: 1973 c. 94, 290; 1975 c. 115, 321; 1977 c. 206, 211, 418, 429; 1979 c. 20, 202, 221, 301, 355; 1981 c. 96, 314, 335; 1983 a. 27, 193, 207, 339, 370, 518, 538; 1985 a. 29 ss. 1725e to 1726m, 1731; 1985 a. 101, 135, 211; 1985 a. 218 ss. 12, 13, 22; 1985 a. 332; 1987 a. 88, 187; 1989 a. 31, 201, 336, 359; 1991 a. 39, 226, 269; 1993 a. 16, 27, 284, 334, 399, 450, 481, 491; 1995 a. 27 ss. 4024, 9126 (19), 9145 (1); 1995 a. 29, 32, 33, 65, 75, 225, 235, 289, 439; 1997 a. 27, 155, 164, 191, 237, 335; 1999 a. 9, 19, 73, 83, 115, 128; 1999 a. 150 s. 672; 1999 a. 186; 2001 a. 38, 98, 103, 105; 2003 a. 254.

14 **SECTION 124.** 125.14 (2) (e) of the statutes is amended to read:

15 125.14 (2) (e) *Disposal.* The department shall dispose of the alcohol beverages
16 turned over to it by the court by either giving it to law enforcement agencies free of
17 charge for use in criminal investigations, ~~giving it to state-operated veterans'~~
18 ~~hospitals in amounts needed for medicinal purposes,~~ selling it to the highest bidder
19 if the bidder is a person holding a license or permit issued under this chapter, or
20 destroying it, at the discretion of the department. If the department elects to sell the
21 alcohol beverages, it shall publish a class 2 notice under ch. 985 asking for sealed bids
22 from qualified bidders. Any items or groups of items in the inventory subject to a
23 security interest, the existence of which was established in the proceedings for

1 conviction as being bona fide and as having been created without the secured party
2 having notice that the items were being used or were to be used in connection with
3 the violation, shall be sold separately. The net proceeds from the sale, less all costs
4 of seizure, storage, and sale, shall be turned over to the secretary of administration
5 and credited to the common school fund.

6 History: 1981 c. 79; 1989 a. 253; 1997 a. 291; 2003 a. 33.

SECTION 125. 125.26 (6) of the statutes is amended to read:

7 125.26 (6) Temporary Class “B” licenses may be issued to bona fide clubs, to
8 county or local fair associations or agricultural societies, to churches, lodges or
9 societies that have been in existence for at least 6 months before the date of
10 application and to posts of ~~veterans~~ veterans organizations authorizing the sale of
11 fermented malt beverages at a particular picnic or similar gathering, at a meeting
12 of the post, or during a fair conducted by the fair association or agricultural society.
13 The amount of the fee for the license shall be determined by the municipal governing
14 body issuing the license but may not exceed \$10. An official or body authorized by
15 a municipal governing body to issue temporary Class “B” licenses may, upon
16 issuance of any temporary Class “B” license, authorize the licensee to permit
17 underage persons to be on the premises for which the license is issued. A license
18 issued to a county or district fair licenses the entire fairgrounds where the fair is
19 being conducted and all persons engaging in retail sales of fermented malt beverages
20 from leased stands on the fairgrounds. The county or district fair to which the license
21 is issued may lease stands on the fairgrounds to persons who may engage in retail
22 sales of fermented malt beverages from the stands while the fair is being held. A
23 municipal governing body may issue a temporary Class “B” license for premises that

1 are covered by a “Class B” permit issued under s. 125.51 (5) (b) 2. if the applicant
2 meets the requirements of this subsection.

3 **History:** 1981 c. 79; 1985 a. 302; 1987 a. 249, 399; 1989 a. 253; 1991 a. 269; 1993 a. 112, 378; 1995 a. 282; 1999 a. 9; 1999 a. 150 s. 672.

3 **SECTION 126.** 125.51 (10) of the statutes is amended to read:

4 125.51 (10) TEMPORARY LICENSES. Notwithstanding s. 125.68 (3), temporary
5 “Class B” licenses may be issued to bona fide clubs, to county or local fair associations
6 or agricultural societies, to churches, lodges or societies that have been in existence
7 for at least 6 months before the date of application and to posts of veterans’
8 organizations authorizing the sale of wine in an original package, container or bottle
9 or by the glass if the wine is dispensed directly from an original package, container
10 or bottle at a particular picnic or similar gathering, at a meeting of the post, or during
11 a fair conducted by the fair association or agricultural society. The amount of the fee
12 for the license shall be \$10, except that no fee may be charged to a person who at the
13 same time applies for a temporary Class “B” license under s. 125.26 (6) for the same
14 event. A license issued to a county or district fair licenses the entire fairgrounds
15 where the fair is being conducted and all persons engaging in retail sales of wine from
16 leased stands on the fairgrounds. The county or district fair to which the license is
17 issued may lease stands on the fairgrounds to persons who may engage in retail sales
18 of wine from the stands while the fair is being held. Not more than 2 licenses may
19 be issued under this subsection to any club, county or local fair association,
20 agricultural association, church, lodge, society or ~~veterans’~~ veterans post in any
21 12-month period.

22 **History:** 1981 c. 79, 202, 220; 1983 a. 27 ss. 1489c, 2202 (38); 1983 a. 250, 516; 1985 a. 74, 239, 302; 1987 a. 27, 91, 103, 249, 354, 399; 1989 a. 16, 30, 31, 252, 253, 359;
1991 a. 39; 1993 a. 112; 1995 a. 27; 1997 a. 27, 41, 248, 259; 1999 a. 9, 183; 2001 a. 16, 49; 2003 a. 124.

22 **SECTION 127.** 132.16 (1) (a) of the statutes is amended to read:

23 132.16 (1) (a) “Organization” means any association, lodge, order, fraternal
24 society, beneficial association, or fraternal and beneficial society or association;

1 historical, military, or ~~veterans'~~ veterans organization; labor union; foundation;
2 federation; or any other society, organization, or association, degree, branch,
3 subordinate lodge, or auxiliary thereof, whether incorporated or unincorporated, the
4 principles and activities of which are not repugnant to the constitution and laws of
5 the United States or of this state.

6 **History:** 1985 a. 135 s. 83 (4); 1991 a. 189; 1993 a. 482; 2001 a. 107.

SECTION 128. 139.31 (3) of the statutes is amended to read:

7 139.31 (3) Cigarettes sold to post exchanges of the armed forces of the United
8 States and to federally ~~or state~~ operated veterans hospitals in this state and
9 cigarettes sold to an interstate carrier of passengers for hire to be resold to bona fide
10 passengers actually being transported and cigarettes sold for shipment outside this
11 state in interstate commerce are not subject to the tax.

12 **History:** 1971 c. 125; 1981 c. 20, 317, 390; 1983 a. 2, 27; 1985 a. 29; 1987 a. 27; 1991 a. 269; 1995 a. 27; 1997 a. 27; 2001 a. 16.

SECTION 129. 139.76 (2) of the statutes is amended to read:

13 139.76 (2) Tobacco products sold to or by post exchanges of the U.S. armed
14 forces, to or by federally ~~or state-operated~~ operated veterans hospitals in this state,
15 and tobacco products sold to an interstate carrier of passengers for hire to be resold
16 to bona fide passengers actually being transported and tobacco products sold for
17 shipment outside this state in interstate commerce are not subject to the tax.

18 **History:** 1981 c. 20; 1983 a. 27; 1989 a. 56; 1999 a. 9; 2001 a. 16. ✓

SECTION 130. 146.997 (1) (c) of the statutes is amended to read:

19 146.997 (1) (c) "Health care facility" means a facility, as defined in s. 647.01 (4),
20 or any hospital, nursing home, community-based residential facility, county home,
21 county infirmary, county hospital, county mental health complex or other place
22 licensed or approved by the department of health and family services under s. 49.70,

1 49.71, 49.72, 50.03, 50.35, 51.08 or 51.09 or a facility under s. ~~45.365~~ 45.50, 51.05,
2 51.06, 233.40, 233.41, 233.42 or 252.10.

3 **History:** 1999 a. 176, 186; 2001 a. 38, 70, 74, 89, 105; 2003 a. 33.

3 **SECTION 131.** 150.31 (5m) of the statutes is amended to read:

4 150.31 (5m) The department shall decrease the statewide bed limit specified
5 in sub. (1) to account for any reduction in the approved bed capacity of the nursing
6 ~~home operated at the Wisconsin Veterans Home at King or at the nursing care a~~
7 skilled nursing facility operated by the department of veterans affairs under s.
8 ~~45.385~~ 45.50 (1), as specified in s. ~~45.375 (2)~~ 45.50 (10).

9 **History:** 1983 a. 27; 1985 a. 29; 1987 a. 27; 1989 a. 336; 1995 a. 20, 27; 1997 a. 13, 27, 36, 237, 252; 1999 a. 63.

9 **SECTION 132.** 150.46 (1) of the statutes is amended to read:

10 150.46 (1) This subchapter does not apply to ~~the Wisconsin Veterans Home at~~
11 ~~King or to the nursing care facility a Wisconsin veterans home~~ operated by the
12 department of veterans affairs under s. ~~45.385~~ 45.50.

13 **History:** 1991 a. 120; 1993 a. 16; 1999 a. 9, 63.

13 **SECTION 133.** 150.46 (3) of the statutes is repealed.

14 **SECTION 134.** 150.84 (2) of the statutes is amended to read:

15 150.84 (2) "Health care facility" means a facility, as defined in s. 647.01 (4), or
16 any hospital, nursing home, community-based residential facility, county home,
17 county infirmary, county hospital, county mental health center or other place
18 licensed or approved by the department under s. 49.70, 49.71, 49.72, 50.02, 50.03,
19 50.35, 51.08 or 51.09 or a facility under s. ~~45.365~~ 45.50, 51.05, 51.06, 233.40, 233.41,
20 233.42 or 252.10.

21 **History:** 1991 a. 250; 1993 a. 27; 1995 a. 27; 1997 a. 35; 1999 a. 9.

21 **SECTION 135.** 150.93 (5) of the statutes is amended to read:

22 150.93 (5) This section does not apply to a hospital ~~established under s. 45.375~~
23 ~~(1)~~ operated by the state department of veterans affairs under s. 45.50 (10).

History: 1991 a. 250; 1995 a. 20, 27.

1 **SECTION 136.** 150.95 (2) of the statutes is amended to read:

2 150.95 (2) This section does not apply to a hospital established under s. 45.375
3 ~~(1) operated by the state department of veterans affairs under s. 45.50 (10).~~

4 History: 1991 a. 250; 1995 a. 20, 27.

4 **SECTION 137.** 155.01 (6) of the statutes is amended to read:

5 155.01 (6) "Health care facility" means a facility, as defined in s. 647.01 (4), or
6 any hospital, nursing home, community-based residential facility, county home,
7 county infirmary, county hospital, county mental health center or other place
8 licensed or approved by the department under s. 49.70, 49.71, 49.72, 50.02, 50.03,
9 50.35, 51.08 or 51.09 or a facility under s. ~~45.365~~ 45.50, 51.05, 51.06, 233.40, 233.41,
10 233.42 or 252.10.

11 History: 1989 a. 200; 1991 a. 281; 1993 a. 27, 105, 112, 490; 1995 a. 27 ss. 4395, 9126 (19); 1997 a. 35, 67; 1999 a. 9, 180; 2001 a. 70, 89, 105.

11 **SECTION 138.** 157.637 of the statutes is amended to read:

12 **157.637 Veteran burials.** A cemetery authority of a cemetery, other than a
13 cemetery that is affiliated with a religious society organized under ch. 187, may not
14 prohibit the burial, as defined in s. 157.061 (1), of the human remains of a person
15 specified in s. 45.358 (3) (a) to (g) ~~45.61 (3)~~ ² at the cemetery if the cemetery authority
16 is paid in its usual and customary manner for the burial.

17 History: 2003 a. 70.

17 **SECTION 139.** 182.028 of the statutes is amended to read:

18 **182.028 School corporations.** Any corporation formed for the establishment
19 and maintenance of schools, academies, seminaries, colleges, or universities, or for
20 the cultivation and practice of music shall have power to enact bylaws for the
21 protection of its property, and provide fines as liquidated damages upon its members
22 and patrons for violating the bylaws, and may collect the same in tort actions, and
23 to prescribe and regulate the courses of instruction therein, and to confer such the
24 degrees and grant such the diplomas as are usually conferred by similar institutions

1 or as shall be appropriate to the courses of instruction prescribed, except that no
2 corporation shall operate or advertise a school that is subject to s. 45.54 (10) 39.90
3 (7) without complying with the requirements of s. 45.54 39.90. Any stockholder may
4 transfer his or her stock to the corporation for its use; and if the written transfer so
5 provides the stock shall be perpetually held by the board of directors with all the
6 rights of a stockholder, including the right to vote.

7 **SECTION 140.** 186.113 (14) (a) of the statutes is amended to read:

8 186.113 (14) (a) Process applications, act as closing agent and service loans
9 made under s. 45.79 45.37, with the approval of the department of veterans affairs.

History: 1971 c. 193; 1973 c. 12 s. 20; 1973 c. 208; 1973 c. 255 ss. 2, 3, 5; 1973 c. 336 s. 56; 1975 c. 345; 1977 c. 136, 342, 447; 1979 c. 121, 282; 1981 c. 5, 156, 319, 391;
1983 a. 368, 369; 1987 a. 403 s. 256; 1991 a. 221, 269; 1993 a. 112, 482; 1995 a. 27, 55, 151, 336; 1997 a. 35, 152; 2003 a. 63.

10 **SECTION 141.** 188.26 of the statutes is amended to read:

11 **188.26 Veterans; corporations.** Whenever any corporation is formed under
12 ch. 180 or 181 or this chapter for the purpose of assisting any veteran, as defined in
13 s. 45.37 ~~(1a)~~ 45.01 (12), or a person under s. 45.51 (2) (a) 2, or operating social clubs
14 in which the name "veteran" appears, the department of financial institutions shall
15 investigate the same to ascertain the character thereof, and whether or not the same
16 has been procured by fraudulent representation or concealment of any material fact
17 relating to such veteran's name, purpose, membership, organization, management
18 or control or other material fact. If the department of financial institutions so finds,
19 such findings, misrepresentation or concealment shall be reported to the attorney
20 general, and the attorney general shall bring an action to vacate or annul the
21 corporate charter.

History: 1979 c. 32 s. 92 (6); 1983 a. 430; 1995 a. 27, 400.

22 **SECTION 142.** 215.21 (2) of the statutes is amended to read:

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.

History: 1971 c. 222; 1973 c. 205, 208; 1975 c. 11, 359; 1975 c. 371 s. 50; 1975 c. 387; 1977 c. 58, 140; 1979 c. 250, 287; 1981 c. 45; 1983 a. 36, 167; 1989 a. 103; 1991 a. 316; 1993 a. 213, 453, 482; 1995 a. 27, 104, 227, 417; 1997 a. 27, 283; 2001 a. 109.

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.

History: 1987 a. 359; 1987 a. 403 s. 182; Stats. 1987 s. 440.71; 1989 a. 45; 1995 a. 27 s. 6590; Stats. 1995 s. 224.71; 1997 a. 27, 145; 2001 a. 16; 2003 a. 33, 260.

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).

History: 1971 c. 270; 1973 c. 333; 1977 c. 196 ss. 24, 100; 1977 c. 418; 1981 c. 20, 26; 1983 a. 27 ss. 1604, 2200 (15); 1983 a. 409, 453, 538; 1987 a. 32; 1989 a. 31; 1991 a. 101, 147; 1993 a. 16, 254; 1995 a. 27, 255; 1997 a. 27; 1999 a. 65, 87; 2001 a. 16, 103; 2003 a. 33 ss. 2385 to 2387s, 9160.

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 ~~(14)~~ or under section 1 of executive order 10957 dated
15 August 10, 1961.

History: 1971 c. 270; 1973 c. 333; 1977 c. 196 ss. 24, 100; 1977 c. 418; 1981 c. 20, 26; 1983 a. 27 ss. 1604, 2200 (15); 1983 a. 409, 453, 538; 1987 a. 32; 1989 a. 31; 1991 a. 101, 147; 1993 a. 16, 254; 1995 a. 27, 255; 1997 a. 27; 1999 a. 65, 87; 2001 a. 16, 103; 2003 a. 33 ss. 2385 to 2387s, 9160.

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.

History: 1971 c. 40, 270; 1973 c. 333, 335; 1977 c. 29, 187; 1977 c. 196 ss. 34, 108, 130 (5); 1977 c. 272, 418, 449; Stats. 1977 s. 230.08; 1979 c. 34, 189, 221, 356, 361; 1981 c. 20, 347, 374; 1983 a. 27 ss. 1605o to 1609am, 2200 (15); 1983 a. 189 s. 329 (27); 1983 a. 371, 378; 1985 a. 29; 1987 a. 27, 119, 204, 354, 399, 403; 1989 a. 31, 107,

119, 122, 169, 208, 219, 336; 1991 a. 39, 250, 269; 1993 a. 16, 349, 399; 1995 a. 27 ss. 6245 to 6277m, 9126 (19), 9130 (4); 1995 a. 216; 1997 a. 3, 27, 179, 194, 237; 1999 a. 9, 42, 87, 186; 2001 a. 16, 19, 109; 2003 a. 33 ss. 2392 to 2407b, 9160; 2003 a. 91, 326.

1 **SECTION 148.** 230.315 (1) (c) of the statutes is amended to read:

2 230.315 (1) (c) The employee has received a military leave of absence under s.
3 230.32 (3) (a) or 230.35 (3), under a collective bargaining agreement under subch. V
4 of ch. 111, or under rules promulgated by the office of employment relations or is
5 eligible for reemployment with the state under s. ~~45.50~~ 21.79 after completion of his
6 or her service in the U.S. armed forces.

History: 2003 a. 162.

7 **SECTION 149.** 230.36 (1m) (b) 1. (intro.) of the statutes is amended to read:

8 230.36 (1m) (b) 1. (intro.) A forest ranger or field employee of the department
9 of natural resources who is subject to call for forest fire control duty ~~or fire watcher~~
10 ~~employed at the Wisconsin Veterans Home at King or at the facilities at a Wisconsin~~
11 ~~veterans home~~ operated by the department of veterans affairs under s. ~~45.385~~ 45.50,
12 and lifeguard, at all times while:

****NOTE: Can the "fire watcher" language be eliminated?

History: 1971 c. 164, 270; 1973 c. 333 s. 201m; 1975 c. 39, 189, 199, 224, 422; 1977 c. 26; 1977 c. 196 ss. 57, 119, 130 (4); 1977 c. 418 ss. 728, 729, 924 (50); 1977 c. 447 ss. 146, 206; Stats. 1977 s. 230.36; 1979 c. 32; 1979 c. 221 ss. 745, 746, 2292 (15); 1985 a. 29, 135; 1987 a. 27, 83; 1989 a. 31; 1993 a. 98, 215, 491; 1995 a. 27, 77; 1997 a. 283; 1999 a. 63, 85, 186; 2001 a. 16, 103, 104; 2003 a. 83.

13 **SECTION 150.** 234.03 (13m) of the statutes is amended to read:

14 234.03 (13m) To purchase and enter into commitments for the purchase of
15 veterans housing loans made pursuant to s. ~~45.79~~ 45.37.

History: 1971 c. 287; 1973 c. 208, 333; 1975 c. 221; 1977 c. 418; 1981 c. 349 ss. 12, 32; 1983 a. 27 ss. 1622e to 1622m, 2202 (20); 1983 a. 81; 1983 a. 83 ss. 7, 8, 22; 1983 a. 192; 1985 a. 29 ss. 2242, 3200 (28); 1985 a. 334; 1987 a. 27, 399; 1993 a. 16, 112, 437; 1997 a. 27.

16 **SECTION 151.** 234.40 (1) of the statutes is amended to read:

17 234.40 (1) The authority shall issue its negotiable bonds in such principal
18 amount and length of maturity as to provide sufficient funds for veterans housing
19 loans to be made pursuant to s. ~~45.79~~ 45.37.

History: 1973 c. 208, 333; 1975 c. 26; 1977 c. 418; 1979 c. 102; 1981 c. 349 s. 32; 1983 a. 27 s. 2202 (20); 1983 a. 81 s. 13; 1983 a. 83 s. 22; 1983 a. 192; 1985 a. 29 s. 3202 (28); 1985 a. 334; 1993 a. 437; 1997 a. 27.

20 **SECTION 152.** 234.40 (3) of the statutes is amended to read:

1 234.40 (3) It is the intent of the legislature that the authority be used to finance
2 the veterans housing program. Nothing in this chapter shall be construed to
3 supersede the powers vested by subch. ~~II~~ III of ch. 45 in the department of veterans
4 affairs for carrying out program responsibilities for which debt has been incurred by
5 the authority.

History: 1973 c. 208, 333; 1975 c. 26; 1977 c. 418; 1979 c. 102; 1981 c. 349 s. 32; 1983 a. 27 s. 2202 (20); 1983 a. 81 s. 13; 1983 a. 83 s. 22; 1983 a. 192; 1985 a. 29 s. 3202 (28); 1985 a. 334; 1993 a. 437; 1997 a. 27.

6 **SECTION 153.** 234.41 (1) of the statutes is amended to read:

7 234.41 (1) There is established under the jurisdiction of the authority a
8 veterans housing loan fund. All moneys resulting from the sale of bonds for the
9 purpose of veterans housing pursuant to s. ~~45.79~~ 45.37, unless credited to the
10 veterans capital reserve fund, shall be credited to the fund.

History: 1973 c. 208, 333, 336; 1991 a. 39.

11 **SECTION 154.** 234.41 (2) of the statutes is amended to read:

12 234.41 (2) The authority shall use moneys in the fund for the purpose of
13 purchasing loans representing veterans housing loans pursuant to s. ~~45.79~~ 45.37.
14 All disbursements of funds under this section for purchasing mortgage loans shall
15 be made payable to authorized lenders as defined in s. ~~45.71(2)~~ 45.31(3) and eligible
16 persons as defined in s. ~~45.71(6)~~ 45.31(5).

History: 1973 c. 208, 333, 336; 1991 a. 39.

17 **SECTION 155.** 234.60 (3) (a) of the statutes is amended to read:

18 234.60 (3) (a) The authority may not have outstanding at any time in aggregate
19 principal amount of bonds or notes issued under this section before January 1, 1983
20 more than \$150,000,000 less not more than \$50,000,000 in aggregate principal
21 amount of revenue obligations issued subject to s. ~~45.79(6)(e)~~ 45.37(6)(c) on or after
22 May 8, 1982 and before November 1, 1982.

History: 1981 c. 349; 1983 a. 27 s. 2202 (20); 1983 a. 36 s. 96 (4); 1983 a. 81 s. 13; 1983 a. 82; 1983 a. 83 s. 22; 1983 a. 192; 1985 a. 29 ss. 2128 to 2131, 3202 (28); 1985 a. 78, 334; 1987 a. 27, 69; 1989 a. 31; 1993 a. 437; 1997 a. 27.

23 **SECTION 156.** 234.60 (3) (b) of the statutes is amended to read:

1 234.60 (3) (b) The authority may not have outstanding at any time in aggregate
2 principal amount of bonds or notes issued under this section from January 1, 1983,
3 to December 31, 1983, more than \$185,000,000 less not more than \$50,000,000 in
4 aggregate principal amount of revenue obligations issued subject to s. 45.79 (6) (e)
5 45.37 (6) (c) from January 1, 1983, to October 31, 1983.

History: 1981 c. 349; 1983 a. 27 s. 2202 (20); 1983 a. 36 s. 96 (4); 1983 a. 81 s. 13; 1983 a. 82; 1983 a. 83 s. 22; 1983 a. 192; 1985 a. 29 ss. 2128 to 2131, 3202 (28); 1985 a. 78, 334; 1987 a. 27, 69; 1989 a. 31; 1993 a. 437; 1997 a. 27.

6 **SECTION 157.** 252.14 (1) (d) of the statutes is amended to read:

7 252.14 (1) (d) “Inpatient health care facility” means a hospital, nursing home,
8 community-based residential facility, county home, county mental health complex
9 or other place licensed or approved by the department under s. 49.70, 49.71, 49.72,
10 50.02, 50.03, 50.35, 51.08 or 51.09 or a facility under s. 45.365 45.50, 48.62, 51.05,
11 51.06, 233.40, 233.41, 233.42 or 252.10.

History: 1989 a. 201; 1991 a. 32, 39, 160, 189, 269, 315; 1993 a. 27 ss. 326 to 331; Stats. 1993 s. 252.14; 1993 a. 105, 190, 252, 443; 1993 a. 490 s. 143; 1993 a. 491, 495; 1995 a. 27 ss. 6322, 9145 (1); 1997 a. 27, 35, 67, 75, 175; 1999 a. 9, 32, 180; 2001 a. 70, 80, 89.

12 **SECTION 158.** 341.14 (6) (a) of the statutes is amended to read:

13 341.14 (6) (a) Upon application to register an automobile or a motor truck or
14 dual purpose farm truck that has a gross weight of not more than 8,000 pounds by
15 any person who was a member of any of the U.S. armed services and who was held
16 as a prisoner of war during ~~any of the conflicts described in s. 45.001 (5) a war period,~~
17 as defined in s. 45.01 (¹³14), or while in service in Bosnia, Grenada, Lebanon, Panama,
18 Somalia, or a Middle East a crisis under s. 45.34 zone, as defined in s. 45.01 (11), and
19 upon submission of a statement from the U.S. department of veterans affairs
20 certifying that the person was a prisoner of war during ~~one of the conflicts described~~
21 in s. 45.001 (5) a war period, as defined in s. 45.01 (¹³14), or while in service in Bosnia,
22 Grenada, Lebanon, Panama, Somalia, or a Middle East a crisis under s. 45.34 zone,
23 as defined in s. 45.01 (11), the department shall issue to the person a special plate

1 that is colored red, white, and blue and that has the words "ex-prisoner of war"
 2 placed on the plate in the manner designated by the department.

History: 1971 c. 164 s. 83; 1971 c. 299; 1975 c. 384, 417; 1977 c. 16; 1977 c. 29 ss. 1417, 1418, 1654 (7) (a), (e); 1977 c. 43, 183, 292, 418, 447; 1979 c. 236; 1981 c. 255; 1983 a. 227, 430, 511; 1985 a. 29, 55; 1985 a. 87 ss. 1, 5; 1985 a. 124, 202; 1985 a. 332 ss. 191, 251 (4); 1987 a. 19, 64, 112, 145, 315, 399, 403; 1989 a. 31, 54, 56, 137, 302, 304, 312, 359; 1991 a. 2, 39, 100, 240; 1993 a. 16, 291, 303, 415, 491; 1995 a. 147, 253, 255, 445; 1997 a. 27, 67, 252, 255; 1999 a. 9, 32, 80, 92, 167, 186; 2001 a. 16, 38, 103, 109; 2003 a. 83, 184.

3 **SECTION 159.** 341.26 (2) (g) of the statutes is amended to read:

4 341.26 (2) (g) A motor vehicle operated exclusively by a nationally chartered
 5 war ~~veterans'~~ veterans organization and used only for the purpose of advertising the
 6 organization.

History: 1971 c. 164 s. 83; 1971 c. 250; 1973 c. 200, 325, 333; 1975 c. 429; 1977 c. 23; 1977 c. 29 ss. 1431 to 1434, 1654 (7) (a); 1977 c. 145, 292, 418, 447; 1979 c. 32 ss. 69, 92 (1); 1979 c. 221; 1981 c. 20; 1983 a. 152, 175, 180, 192, 227, 270, 538; 1985 a. 120, 187; 1987 a. 106, 154, 216; 1987 a. 312 s. 17; 1987 a. 399, 403; 1989 a. 31; 1991 a. 39, 316; 1993 a. 64, 350; 1995 a. 338; 1997 a. 27, 237; 1999 a. 9, 80, 85, 142, 159; 2003 a. 321.

7 **SECTION 160.** 421.301 (6) of the statutes is amended to read:

8 421.301 (6) "Business day" means any calendar day except Saturday and
 9 Sunday, and except the following business holidays: New Year's Day, Martin Luther
 10 King Jr.'s Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor
 11 Day, Columbus Day, ~~Veterans'~~ Veterans Day, Thanksgiving and Christmas.

INSERT 152-II →

History: 1971 c. 239; 1973 c. 3; 1975 c. 407; 1979 c. 10, 89; 1983 a. 7; 1991 a. 148, 316; 1993 a. 111, 112; 1995 a. 329; 1997 a. 302; 1999 a. 162; 2001 a. 10.

12 **SECTION 161.** 460.05 (1) (e) 1. of the statutes is amended to read:

13 460.05 (1) (e) 1. Graduated from a school of massage therapy or bodywork
 14 approved by the educational approval board under s. 45.54 39.90 or completed
 15 training program approved by the department under the rules promulgated under
 16 s. 460.04 (2) (b).

17 **SECTION 162.** 563.11 (1) (intro.) of the statutes is amended to read:

18 (intro)
 563.11 (1) Any bona fide religious, charitable, service, fraternal or ~~veterans'~~
 19 veterans organization or any organization, other than the state or any political
 20 subdivision of the state, to which contributions are deductible for federal income tax
 21 purposes or state income or franchise tax purposes, may apply to the department for

1 a license to conduct bingo. In this subsection, “service organization” includes all of
2 the following:

3 **History:** 1973 c. 156; 1989 a. 147; 1991 a. 39; 1991 a. 269 ss. 782bd, 782bh; Stats. 1991 §. 563.11.

3 **SECTION 163.** 565.10 (14) (a) (intro.) of the statutes is amended to read:

4 565.10 (14) (a) (intro.) In this subsection, “nonprofit organization” means a
5 religious, charitable, service, fraternal or ~~veterans’~~ veterans organization or any
6 organization, other than the state or a political subdivision of the state, to which
7 contributions are deductible for federal income tax purposes or state income or
8 franchise tax purposes, which meets all of the following criteria:

9 **History:** 1987 a. 119, 399; 1989 a. 172; 1991 a. 39, 269; 1993 a. 112; 1995 a. 27; 1997 a. 27; 1999 a. 9.

9 **SECTION 164.** 610.70 (1) (e) of the statutes is amended to read:

10 610.70 (1) (e) “Medical care institution” means a facility, as defined in s. 647.01
11 (4), or any hospital, nursing home, community-based residential facility, county
12 home, county infirmary, county hospital, county mental health center, adult family
13 home, assisted living facility, rural medical center, hospice or other place licensed,
14 certified or approved by the department of health and family services under s. 49.70,
15 49.71, 49.72, 50.02, 50.03, 50.032, 50.033, 50.034, 50.35, 50.52, 50.90, 51.04, 51.08,
16 or 51.09 or a facility under s. ~~45.365~~ 45.50, 51.05, 51.06, or 252.10 or under ch. 233,
17 or licensed or certified by a county department under s. 50.032 or 50.033.

18 **History:** 1997 a. 231; 1999 a. 9, 79.

18 **SECTION 165.** 812.30 (9) of the statutes is amended to read:

19 812.30 (9) “Need-based public assistance” means aid to families with
20 dependent children, relief funded by a relief block grant under ch. 49, relief provided
21 by counties under s. 59.53 (21), medical assistance, supplemental security income,
22 food stamps, or benefits received by veterans under s. ~~45.351(1)~~ 45.40 (1) or under
23 38 USC 501 to 562.

History: 1993 a. 80; 1995 a. 27, 201; 2001 a. 61.

1 **880.60 (title) United States uniform veterans' veterans guardianship**
2 **act.**

3 **History:** 1971 c. 41 ss. 8, 12; Stats. 1971 s. 880.60; 1973 c. 284; 1973 c. 333 s. 201m; 1979 c. 89; 1983 a. 189; 1989 a. 56; 1993 a. 486; 1999 a. 63, 85.

3 **SECTION 171.** 880.60 (1) (a) of the statutes is amended to read:

4 880.60 (1) (a) “Administrator” means the ~~administrator of veterans' secretary~~
5 ~~of the U.S. department of veterans affairs of the United States or the administrator's~~
6 his or her successor.

7 **History:** 1971 c. 41 ss. 8, 12; Stats. 1971 s. 880.60; 1973 c. 284; 1973 c. 333 s. 201m; 1979 c. 89; 1983 a. 189; 1989 a. 56; 1993 a. 486; 1999 a. 63, 85.

7 **SECTION 172.** 880.60 (5) (b) of the statutes is amended to read:

8 880.60 (5) (b) The petition for appointment shall set forth the name, age, place
9 of residence of the ward, the name and place of residence of the nearest relative, if
10 known, and the fact that the ward is entitled to receive benefits payable by or through
11 the ~~veterans' administration~~ U.S. department of veterans affairs and shall set forth
12 the amount of moneys then due and the amount of probable future payments.

13 **History:** 1971 c. 41 ss. 8, 12; Stats. 1971 s. 880.60; 1973 c. 284; 1973 c. 333 s. 201m; 1979 c. 89; 1983 a. 189; 1989 a. 56; 1993 a. 486; 1999 a. 63, 85.

13 **SECTION 173.** 880.60 (19) of the statutes is amended to read:

14 880.60 (19) SHORT TITLE. This section may be cited as the “Uniform Veterans’
15 Veterans Guardianship Act.”

16 **History:** 1971 c. 41 ss. 8, 12; Stats. 1971 s. 880.60; 1973 c. 284; 1973 c. 333 s. 201m; 1979 c. 89; 1983 a. 189; 1989 a. 56; 1993 a. 486; 1999 a. 63, 85.

16 **SECTION 174.** 944.21 (8) (b) 3. a. of the statutes is amended to read:

17 944.21 (8) (b) 3. a. Is a technical college, is a school approved by the educational
18 approval board under s. ~~45.54~~ 39.90 or is a school described in s. ~~45.54~~ 39.90 (1) (e)
19 6., 7. or 8.; and

20 **SECTION 175.** 948.11 (4) (b) 3. a. of the statutes is amended to read:

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LEGISLATIVE REFERENCE BUREAU

LRB

.....

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.

PREFATORY NOTE: The draft does the following:

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.

Makes nonsubstantive editorial changes to modernize language ^{to make the language consistent} and for consistency with current drafting style.

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.

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.

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.

Makes minor substantive changes that the drafting subcommittee ^{special committee} concluded are relatively noncontroversial. These include the following:

Expanding the definition of "veteran" that is used in ^{current ch. 45} the chapter 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 active duty for training purposes.

Changing the names of the state veterans facilities in ^{current} the 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.

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 of veteran 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 veterans affairs.

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.

PREFATORY NOTE: 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 ✓

- 45.01 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 Program ✓

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

Subchapter V ✓

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. ✓

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

2 (j) A person who died in the line of duty while on active duty for training
3 purposes in the U.S. armed forces or in forces incorporated as part of the U.S. armed
4 forces.

5 (12) "Veterans home" means the Wisconsin Veterans Home at Union Grove, the
6 Wisconsin Veterans Home at King, ~~and~~ ^{the} Wisconsin Veterans Home at Chippewa
7 Falls.

8 (13) "War period" means any of the following:

9 (a) Indian war: ~~Between~~ 1860 and 1898.

10 (b) Spanish American war: ~~Between~~ April 21, 1898, and April 11, 1899.

11 (c) Philippine insurrection: ~~Between~~ April 12, 1899, and July 4, 1902 (extended
12 to July 15, 1903, if actually engaged in Moro Province hostilities).

13 (d) Boxer rebellion: ~~Between~~ June 16, 1900, and May 12, 1901.

14 (e) ~~(da)~~ Mexican border service: ~~Between~~ June 19, 1916, and April 5, 1917.

15 (f) ~~(e)~~ World War I: ~~Between~~ April 6, 1917, and November 11, 1918 (extended to
16 April 1, 1920, if service was in Russia).

17 (g) ~~(f)~~ World War II: ~~Between~~ August 27, 1940, and July 25, 1947.

18 (h) ~~(fm)~~ Korean conflict: ~~Between~~ June 27, 1950, and January 31, 1955.

19 (i) ~~(g)~~ Vietnam war: ~~Between~~ August 5, 1964, and January 1, 1977, excepting
20 service on active duty for training purposes only.

21 (j) ~~(h)~~ Persian Gulf war: ~~Between~~ August 1, 1990, and the ending date of
22 Operation Desert Shield or the ending date of Operation Desert Storm as established
23 by the department by rule.

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 Records of meetings and investigations kept by service officer ✓
- 45.83 Burial allowance. ✓
- 45.84 Care of graves. ✓
- 45.85 County tax for needy veterans. ✓

Page 41, after line 16

XXXX NOTES

XXXX NOTE: Current ch. 45 does not contain a general definition of "child" or "dependent". Instead, those terms are used in various places in the chapter to mean different things. This draft creates a definition of "child" with minor wording changes, and makes it applicable to the entire chapter rather than just to certain provisions. The draft also creates definition of "dependent" which is slightly broader than the current definition in that it applies to all surviving spouses, rather than just unremarried surviving spouses.

Should go directly after sub. (4).

invert

invert

Page 46, after line 4

XXXX NOTE: In this draft, the following three categories of persons are included in the definition of "veteran" that are not included under current law:

- a. A person who is missing in action while serving in the U.S. armed forces or in forces incorporated as part of the armed forces. ✓
- b. A person who dies as a result of a service-connected disability. ✓
- c. A person who dies in the line of duty while on active duty for training purposes in the armed forces or forces incorporated in the armed forces. ✓

after par. (4)

U.S.

Page 46, after line 7

XXXX NOTE: This draft defines the term "veterans home" to mean the three veterans homes at King, Union Grove, and Chippewa Falls. Thus, particularly in subch. V provisions where "veterans home" or "veterans homes" appears, the term pertains to all three facilities. Under current law, many of the provisions refer by name to just one of the homes.

after sub. (12)

invert

invert

Page 47, after line 13

XXXX NOTE: The language in par. (k), above, is not in current ch. 45. It is intended to provide a mechanism for designating future war periods without having to enact legislation each time. Instead, DVA would be authorized to determine and designate a

after par. (k)

the department of veterans affairs (DVA)

STET All DVA

department of Veterans Affairs

war period by rule, after reviewing criteria used to establish existing war periods and consulting with the U.S. DVA, when the U.S. is in a conflict that places persons at such risk that DVA concludes the period should be designated a war period.

the
Page 48, line 22
after sub. (2)

Page 49, after line 12

NOTE: Under current s. 45.35 (7a), DVA is required to provide the register of deeds in every county with the names of all persons from the county who died while in the service during wars ranging from the Spanish-American War through the Vietnam War. After consulting with registers of deeds and determining that they have not been receiving such lists, the subcommittee concluded that the requirement is outdated and should be removed.

after
Sub. (14)

Page 56, after line 22

NOTE: Current law requires that certain provisions of ch. 45 be construed as liberally as the language permits in favor of applicants (for veterans benefits). Those provisions relate to: (1) general DVA powers and duties; (2) tuition reimbursement; (3) economic assistance; (4) personal loans; (5) veterans homes; and (6) housing loans. This draft would extend that requirement for liberal construction of provisions to the chapter as a whole.

before
Subch. 11

Page 64, after line 11

NOTE: Under current law and this draft, all state government departments and agencies, including state courts, every superintendent or foreman on the public works of the state, and all political subdivisions must give a paid leave of absence to veterans for Memorial Day. However, under current law, only city department heads are directed to assign work in such a manner as to permit the greatest number of employees to be off duty for all or part of that day. This draft makes that requirement applicable to all of the government entities that are required to grant the paid leave of absence. It also eliminates the reference to superintendents and foremen on the public works.

insert

bill

Page 95, after line 20

NOTE: Under current law, state veterans organizations may apply to DVA to receive payments for services they provide to veterans at the regional U.S. DVA office. In order to receive reimbursement, the organizations must have maintained a full-time service office at the regional office for five of the ten years preceding application. The draft clarifies here and in s. 45.41 (3) that the service must have been provided for five consecutive years within that ten-year period.

STET the department of Veterans Affairs
department of Veterans Affairs

after
Sub. (3)

Page 99, after line 21

NOTE: Under current law, DVA is required to employ a commandant at the Veterans Home at King and is authorized to employ one at the Veterans Home at Union Grove. This draft permits DVA to also employ a commandant at the Veterans Home at Chippewa Falls.

after
par. (a)

Page 100, after line 25

NOTE: Under current law, DVA is authorized to acquire by gift, purchase, or condemnation lands necessary for the purposes of the Veterans Homes at King and Union Grove. Should this draft extend that authorization for purposes of the Veterans Home at Chippewa Falls?

after sub. (3)

*

18

Page 110, after line 24

*** NOTE: Current law provides that local units of member organizations of the council on veterans programs, as well as members of the national guard, may provide military funeral honors. In practice, on occasion, DVA staff also provides those honors. Further, DVA has certified local units of some veterans organizations that are not members of the council on veterans programs to perform military funeral honors. To conform to current practice, this draft adds DVA staff and local units of certified non-member organizations to the list of entities that may provide military funeral honors and permits DVA to reimburse those organizations for their service.

after sub. (a) par. (b)

Page 113, after line 22

*** NOTE: This draft specifies that DVA will hold a burial plot for the surviving spouse of a person eligible for burial at the Central Wisconsin Cemetery for a year, with possible extensions in one-year periods. Should this language be expanded to include the other veterans cemeteries?

after sub. (5)

Page 126, after line 7

*** NOTE: Under current law, this language provides that a county may not allocate any portion of a grant awarded for transportation services for use by another county department and may not reduce funding to a county veterans service office based upon receipt of a grant. The subcommittee considered the first phrase to be vague and eliminated it, concluding that retaining just the second phrase was sufficient.

after par. (e)

Invert

Invert

2nd

Page 127, after line 21

*** NOTE: Under current law, a county veterans service commission is authorized to furnish aid to a needy veteran or specified family members. The commission secretary is required to provide a list of aid recipients and the amount of aid received to the county clerk, who then passes that information on to the county treasurer for disbursement of aid. The commission is required to make a detailed report to the county board showing the amount expended.

after par. (e)

(CVSO)

There seems to be reluctance on the part of CVSOs to make that list too widely available, due to privacy concerns of the needy veterans and their families. Therefore, this draft provides that the commission's list of aid recipients and amounts is to go directly to the county treasurer for disbursement of aid and that the report to the county board may not include any personal identifying information regarding aid recipients.

Page 128, after line 19

*** NOTE: This provision relates to burial of indigent veterans at county expense. The draft retains current law which provides that the cost of interment is the county's responsibility, cannot exceed \$300, and is in addition to any federal burial allowance. However, Committee member and CVSO Ken Brown has recommended alternative language for the full Committee's consideration that would eliminate the specific dollar amount and instead provide that the cost of interment shall be at a rate to be determined by the county.

after sub. (1)

Invert

Page 128, after line 25

*** NOTE: Under current law, before assuming the burial expense, the CVSO must determine whether the veteran or family member has died with insufficient means to cover the expenses and report the results of that determination to the county clerk. In this

after sub. (2)

^{bill}
~~draft~~, that report would be made to the ^{invert} appropriate authorities designated by the county."

Insert 64-16

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 state
 3 or political subdivision who has at any time served in and been honorably discharged
 4 from the U.S. armed forces or from forces incorporated as part of the U.S. armed
 5 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)

Definitions. In this section:

1. "Institution of higher education" has the meaning given in 20 USC 1001 (a).
 20 Full-time classroom study means

21 Part-time classroom study means any of the following:

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

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

1 c. Enrollment by any other eligible student in courses for which ~~no~~^o more than
2 11 semester or the equivalent trimester or quarter credits will be given upon
3 satisfactory completion.

4 d. Study during a summer semester or session. *end of insert*

5 3. "Tuition" means any of the following:

6 a. For the University of Wisconsin System, academic fees, as described in s.
7 36.27 (1), and segregated fees.

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

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

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

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

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

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

INSERT 152-11

AM; 421.203 (1)

421.203(W)

(1) Consumer credit transactions, not governed by ch. 428, which are made, insured or guaranteed by the federal government or any agency thereof, or by any federal instrumentality chartered under the federal farm credit act of 1971 (P.L. 92-181; 85 stats. 583; 12 USC 2001 et seq.), or by the department of ~~veteran's~~ ^{veterans} affairs shall be subject to only those provisions set forth in sub. (2).

Nelson, Robert P.

From: Sweet, Richard
Sent: Friday, December 17, 2004 4:55 PM
To: Nelson, Robert P.
Cc: Shannon, Pam
Subject: RE: here

Bob,

I skimmed the draft quickly and just have a few suggestions:

- ✓ 1. In the prefatory note, the bullets and sub-bullets were deleted, which resulted in everything being at the same level. Can we restore them? If not, can we use numbers and letters, so that the first 6 paragraphs after the first colon would be 1. to 6. and the next 4 paragraphs after the second colon would be a. to d.?
2. Some of the notes have 4 stars and some don't. Is it possible to use 4-star notes for things that still have to be considered by the subcommittee and use non-starred notes for things we are highlighting for the full committee (or vice versa)? I can help you sort out which is which. ?
- ✓ 3. The relating clause says that the bill provides penalties. I don't recall any penalties. We moved the tree provision to the DOT chapter, but I don't think we changed the penalties. *I can't remember where,*
4. In the LRB analysis, can you change "NOTES" to "PREFATORY NOTE". All of the other notes will drop out when the bill is introduced. *Yes*
- ✓ 5. In the second note on page 46 [after 45.01(12)], the next-to-last "of" should be "or". *No* *Yes*
- ✓ 6. The note on page 94 [after s. 45.40(1)] should be deleted. *Yes*
- ✓ 7. In the note on page 128 [after s. 45.80(9)], "drafting subcommittee" should replace "special committee". *Yes*

Thanks.

Dick

-----Original Message-----

From: Nelson, Robert P.
Sent: Friday, December 17, 2004 2:08 PM
To: Shannon, Pam; Sweet, Richard
Subject: here

<< File: 05-0529/P5 >>

Robert P. Nelson
Senior Legislative Attorney
608-267-7511