

**BILL****SECTION 92**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

16  
17  
18 **45.40 Economic assistance. (1) SUBSISTENCE AID.** (a) The department may  
19 provide subsistence aid to an incapacitated veteran or a dependent of a veteran in  
20 an amount that the department determines advisable to prevent undue hardship.  
21 The department may provide subsistence aid under this subsection to a person  
22 whose incapacitation is the result of alcohol or other drug abuse, if the person is  
23 participating in an alcohol or other drug abuse treatment program approved by the  
24 department. The department may provide subsistence aid on a month-to-month  
25 basis or for a 3-month period. The department may provide the aid for a 3-month

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

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

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

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

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

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

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

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

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

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

12 The payment shall be as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

**SUBCHAPTER V****VETERANS HOMES**

22  
23  
24 **45.50 Veterans homes; management.** (1) (a) The department shall operate  
25 the Wisconsin Veterans Home at King and employ a commandant for the home. The

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 1. A veteran.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10          (b) Has not remarried.

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

12          (d) Is physically disabled.

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

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

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

22          (a) Has reached 60 years of age.

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18 (a) The deceased veteran's name.

19 (b) The service in which the deceased veteran was engaged.

20 (c) The appropriate designation of the deceased veteran's armed forces unit.

21 (d) The deceased veteran's rank and period of service.

22 (e) The name and location of the cemetery or other place in which the deceased  
23 veteran's body is interred.

24 (f) The location of the deceased veteran's grave in the cemetery or other place  
25 of interment.



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

3 (2) The department may prepare blank forms for the transmission to the  
4 department of the information required for the record under sub. (1). The  
5 department may distribute the forms to county veterans service officers. A county  
6 veterans service officer within whose county any cemetery or other burial place is  
7 located in which deceased veteran's bodies are interred shall submit the facts  
8 required for the record under sub. (1) to the department on the forms provided by the  
9 department, if so requested by the department.

10 SUBCHAPTER VII

11 MEMORIALS

12 **45.70 Veterans memorials.** (1) PERSIAN GULF MEMORIAL. From the  
13 appropriation under s. 20.485 (2) (d), the department shall provide funding to the  
14 Wisconsin Vietnam Veterans Memorial Project, Inc., for the construction of a  
15 memorial for the veterans of the Persian Gulf War. The memorial shall be  
16 constructed at the veterans memorial site located at the Highground in Clark  
17 County. The department may expend up to \$60,000 for the memorial for the veterans  
18 of the Persian Gulf War.

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

24 (b) No structures, other than memorials approved by the board, and no walks,  
25 roads, or subterranean footings may be placed or erected upon Camp Randall

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1 Memorial Park unless authorized by the legislature; nor shall the park be used for  
2 any purpose other than a memorial park.

3 (c) Camp Randall Memorial Park, Madison, Wisconsin, is established and  
4 described as follows: beginning on the west line of Randall Avenue 96.6 feet north  
5 of the center line of Dayton Street extended; thence west at right angles to Randall  
6 Avenue 370 feet; thence south parallel to Randall Avenue 722 feet; thence west at  
7 right angles to Randall Avenue 235 feet; thence south parallel to Randall Avenue 205  
8 feet to the north line of Monroe Street; thence north 50 degrees 14 minutes east along  
9 the north line of Monroe Street approximately 780 feet to the west line of Randall  
10 Avenue; thence north along the west line of Randall Avenue 429 feet to the place of  
11 beginning.

12 **45.71 Catalog of memorials.** The department shall prepare a catalog of  
13 memorials, describing each memorial and giving its location and condition. The  
14 department shall periodically update that catalog.

15 **45.72 County and municipal memorials.** (1) In this section and s. 45.73,  
16 “local unit of government” means a city, village, town, or county.

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

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

5           (4) Any local unit of government may appropriate money and may levy a tax  
6 to acquire, pay for, construct, erect, furnish, equip, operate, repair, maintain, or  
7 reconstruct a suitable memorial for the purpose or purposes provided in this section.

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

12           (6) Any local unit of government may by ordinance or contract provide for the  
13 management, control, or operation of any memorial. The local unit of government  
14 may enter into a written lease, for a term not exceeding 25 years, with any duly  
15 chartered and incorporated veterans organization established in the local unit of  
16 government. The lease shall include the provisions for the amount of rental and such  
17 conditions of public use as the local unit determines.

18           (7) Any local unit of government may contract with or make an appropriation,  
19 or both, to any other local unit of government or to any nonprofit corporation without  
20 capital stock organized expressly for any of the purposes of this section or to any duly  
21 chartered and incorporated veterans organization established in the local unit of  
22 government, and for the purpose of raising funds for memorial purposes or  
23 contributions. The local unit of government may levy taxes upon the taxable  
24 property located in the local unit of government, or borrow money and issue bonds  
25 in the manner and under the regulations provided by ch. 67. The facilities of the

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1 memorial shall be available to the residents of the local unit of government making  
2 the appropriation to the extent that the governing body of the local unit of  
3 government may require.

4 **45.73 Sites for veterans memorial halls.** (1) Any local unit of government  
5 may donate to any organization specified in s. 70.11 (9) land upon which is to be  
6 erected a memorial hall to contain the memorial tablet specified in s. 70.11 (9).

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

16 **45.74 Memorial corporations organized under 1919 act.** (1) Any  
17 commission or board of trustees that governs a corporation organized to construct a  
18 memorial under s. 45.057 (5), statutes of 1919 to 1943 (created by chapter 598, laws  
19 of 1919, and repealed by chapter 301, laws of 1945), shall have the following powers  
20 in addition to those it now has:

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

23 (b) The powers set forth in s. 181.0302 and all other applicable provisions of ch.  
24 181.

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1 (c) The power to convey any property under its control to any municipality and  
2 lease it back under terms agreed upon by the commission or board of trustees and  
3 the municipality.

4 (d) The power to dissolve the corporation and dispose of the real and personal  
5 property of the corporation in a manner that it deems will best serve the purposes  
6 for which it was organized and the interests of the community.

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

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

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