

2009 DRAFTING REQUEST

Bill

Received: **05/05/2009**

Received By: **rnelson2**

Wanted: **As time permits**

Identical to LRB:

For: **Thomas Lothian (608) 266-1190**

By/Representing: **Tyler**

This file may be shown to any legislator: **NO**

Drafter: **rnelson2**

May Contact:

Addl. Drafters:

Subject: **Veterans - co vetn serv offices**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Lothian@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Veteran records at the register of deeds.

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	rnelson2 05/11/2009	nmatzke 05/13/2009	phenry 05/13/2009	_____	cduerst 05/13/2009	sbasford 08/25/2009	

FE Sent For:

none

<END>

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/?	rnelson2						
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5/13 Ph
5/13 Ph
<END> / RW

FE Sent For:

Nelson, Robert P.

From: Parisi, Lori
Sent: Tuesday, May 05, 2009 9:56 AM
To: Nelson, Robert P.
Subject: FW: Draft request

Bob, Could you please take care of this drafting request?? Thanks.

From: August, Tyler
Sent: Tuesday, May 05, 2009 9:54 AM
To: LRB.Legal
Subject: Draft request

Rep. Lothian would like a draft to make changes to 45.05 of the Wisconsin statutes. Suggested language from the Veterans Officers is included below...

Thank you,

Tyler

Sincerely,

Tyler August
Legislative Aide
State Representative Tom Lothian
32nd Assembly District
608-266-1190
tyler.august@legis.state.wi.us

Every person who has served in the U.S. armed forces at any time, and who has been honorably discharged or given a certificate of service or relieved from active service may record with the register of deeds of any county, in a suitable book provided by the county for that purpose, a certificate of service or release, **or such other document deemed necessary and appropriate by the county veterans service officer**. The ~~certificate-~~**documents** shall be accessible only to the discharged person or that person's dependents if **deceased** or duly authorized representative, as defined in s.45.04 (1) (a), the county veterans service officer, the department, or any person with written authorization from the discharged person or that person's dependents if **deceased**. The register of deeds may not charge for recording, except that in counties where the register of deeds is under the fee system and not paid a fixed salary, the county shall pay the fee specified in s. 59.43(2) (ag). The record of any certificate of discharge or release made prior to July 6, 1919, is legalized.



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

2009 Bill

SA ✓
X-ref ✓

Gen.

1 AN ACT ...; relating to: veterans records with the register of deeds. ✓

Analysis by the Legislative Reference Bureau

Currently, a veteran who has been honorably discharged or given a certificate of service or relieved from active service may record the certificate of discharge or release with the county register of deeds. ✓ Under current law, the recorded certificate is accessible only to the veteran, ✓ the veteran's dependents, a duly authorized representative of the veteran, ✓ the county veterans service officer, ✓ the department of veterans affairs, ✓ or a person with written authorization from the veteran or the veteran's dependents. ✓ Currently, "duly authorized representative" includes a person with written authorization from the veteran, or if no representative is authorized in writing, the veteran's spouse, adult child, or the parents of an unmarried veteran. ✓ veterans

This bill expands what can be recorded in the register of deeds office to include documents that the county veteran service officer considers necessary and appropriate for recording. ✓ The bill also limits a dependent's access to the veteran's records to only allow that access if the veteran is deceased. ✓

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

2 SECTION 1. 45.05 of the statutes is amended to read:

3 **45.05 Registration of certificate of discharge.** Every person who has
4 served in the U.S. armed forces at any time, and who has been honorably discharged

1 or given a certificate of service or relieved from active service may record with the
2 register of deeds of any county, in a suitable book provided by the county for that
3 purpose, a certificate of discharge or release, or documents that the county veterans
4 service officer considers necessary and appropriate for recording. The certificate
5 documents recorded under this section shall be accessible only to the discharged
6 person or that person's ~~dependents~~ or duly authorized representative, as defined in
7 s. 45.04 (1) (a), the county veterans service officer, the department, the person's
8 dependants ^{dependents} if the discharged person is deceased, or any person with written
9 authorization from the discharged person or that discharged person's dependents if
10 the discharged person is deceased. The register of deeds may not charge for
11 recording, except that in counties where the register of deeds is under the fee system
12 and not paid a fixed salary, the county shall pay the fee specified in s. 59.43 (2) (ag).
13 The record of any certificate of discharge or release made prior to July 6, 1919, is
14 legalized.

15 History: 2005 a. 22.

(END)

Basford, Sarah

From: Rep.Lothian
Sent: Tuesday, August 25, 2009 8:28 AM
To: LRB.Legal
Subject: LRB 2833

Please jacket LRB 2833 for introduction.

Thank you,

Tom

Sincerely,

Rep. Tom Lothian
Wisconsin's 32nd Assembly District
608-266-1190