

**2015 DRAFTING REQUEST**

**Bill**

Received: **12/20/2014** Received By: **mgallagh**  
Wanted: **As time permits** Same as LRB:  
For: **Administration-Budget 266-8593** By/Representing: **McElgunn**  
May Contact: Drafter: **zwyatt**  
Subject: **Veterans - miscellaneous** Addl. Drafters:  
Extra Copies:

Submit via email: **YES**  
Requester's email:  
Carbon copy (CC) to: **michael.gallagher@legis.wisconsin.gov**  
**zachary.wyatt@legis.wisconsin.gov**  
**sbostatlanguage@webapps.wi.gov**

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**Pre Topic:**

DOA:.....McElgunn, BB0323 -

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**Topic:**

Clarify eligibility for the military funeral honors program

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**Instructions:**

See attached

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**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>
/P1	zwyatt 1/20/2015	kfollett 1/21/2015	jmurphy 1/21/2015	_____	lparisi 1/21/2015		State

FE Sent For:

<END>

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/P1	zwyatt	csicilia 1/12/2015 1 P115F 1/21	jm 1/21	jm 1/21			State
FE Sent For:			<END>				

**Gallagher, Michael**

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**From:** CathleneH <cathleneh@gmail.com>  
**Sent:** Friday, December 19, 2014 7:14 PM  
**To:** Gallagher, Michael  
**Subject:** Fwd: Statutory Language Drafting Request - BB0323

Sent from my iPhone

Begin forwarded message:

**From:** <[christopher.mcelgunn@wisconsin.gov](mailto:christopher.mcelgunn@wisconsin.gov)>  
**Date:** December 19, 2014 at 3:45:11 PM CST  
**To:** <[cathlene.hanaman@legis.wisconsin.gov](mailto:cathlene.hanaman@legis.wisconsin.gov)>  
**Cc:** <[Jana.Steinmetz@wisconsin.gov](mailto:Jana.Steinmetz@wisconsin.gov)>, <[christopher.mcelgunn@wisconsin.gov](mailto:christopher.mcelgunn@wisconsin.gov)>, <[Christopher.Connor@wisconsin.gov](mailto:Christopher.Connor@wisconsin.gov)>  
**Subject:** Statutory Language Drafting Request - BB0323

Biennial Budget: 2015-17

DOA Tracking Code: BB0323

Topic: Clarify eligibility for the Military Funaeral Honors Program

SBO Team: HSI

SBO Analyst: McElgunn, Christopher  
Phone: 608-266-8593  
E-mail: [christopher.mcelgunn@wisconsin.gov](mailto:christopher.mcelgunn@wisconsin.gov)

Agency Acronym: DVA

Agency Number: 485

Priority: Medium

Intent:

Modify language to define eligibility. Amend Section 45.60 (1)(a), Stats. to replace "deceased veterans and to deceased persons who served under honorable conditions in any national guard or in a reserve component of the U.S. armed forces" with "to eligible military members in the following categories:

1. Military personnel on active duty.
2. Former military members who served on active duty and were discharged under conditions other than dishonorable.
3. Members of the selective service.
4. Former members of the Selected Reserve and National Guard who served at least one term of enlistment or period of initial obligated service and were discharged under conditions other than dishonorable.

5. Former members of the Selected Reserve and National Guard who were discharged due to a service related disability.

Attachments: False

Please send completed drafts to [SBOStatlanguage@webapps.wi.gov](mailto:SBOStatlanguage@webapps.wi.gov)

## Wyatt, Zachary

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**From:** Wyatt, Zachary  
**Sent:** Monday, January 12, 2015 9:36 AM  
**To:** McElgunn, Christopher J - DOA  
**Subject:** BB0323 Military funeral honors

Christopher,

Do you have any additional information on the request relating to the military funeral honors program (BB0323)? I'm not sure it's necessary to list all these groups.

1. A person killed on active duty is a veteran under s. 45.01 (12) (g).
2. A former active duty member who received an honorable discharge is a veteran under s. 45.01 (12) (a) to (c). This definition does require a specified length of service. Is the intent to extend the funeral honors to a person who served any period of active duty?
3. What exactly is meant by a "member of the selective service"? If it refers to a person who has been drafted into active service, they effectively become a member of group 2. As with 2, perhaps the idea is to grant funeral benefits to anyone who was drafted into service, regardless of the length of their service?
4. This one does confer a benefit to a group whose members would not currently be considered veterans.
5. A person discharged as a result of a disability is a veteran under s. 45.01 (12) (e).

I can certainly draft the list as requested, if the intent is to have a list. I just wanted to clarify that it may not be entirely necessary.

**Zachary D. Wyatt**  
Legislative Attorney  
Wisconsin Legislative Reference Bureau  
zachary.wyatt@legis.wisconsin.gov  
608.267.3362

*\* per C. McElgunn, via phone on 1/12/2015, DVA wants the list as-is to conform with Federal guidelines. - ZDW*



ZDW: [signature]

DOA:.....McElgunn, BB0323 - Clarify eligibility for the Military Funeral Honors Program.

**FOR 2015-2017 BUDGET — NOT READY FOR INTRODUCTION**

Due 1/23

Don't Gen

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**VETERANS** ✓

Under current law, DVA administers a program to coordinate the provision of military funeral honors to deceased veterans and to deceased persons who have served under honorable conditions in any national guard or in a reserve component of the U.S. armed forces.

X Under this bill, members of the following groups are eligible for military funeral honors: military personnel on active duty; former military personnel who received a discharge other than dishonorable; members of the selective service; former members of the selected reserve and national guard who served a term of enlistment or obligated service and received a discharge other than dishonorable; and former members of the selected reserve and national guard who were discharged due to a service-connected disability.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

4

1 SECTION 1. 45.60 (1) (a) of the statutes is renumbered 45.60 (1) (a) (intro.) and  
2 amended to read:

(intro.)

3 45.60 (1) (a) The department shall administer a program to coordinate the  
4 provision of military funeral honors in this state to ~~deceased veterans and to~~  
5 ~~deceased persons who have served under honorable conditions in any national guard~~  
6 ~~or in a reserve component of the U.S. armed forces.~~ all of the following:

History: 2005 a. 22, 25; 2007 a. 200; 2013 a. 20.

7 SECTION 2. 45.60 (1) (a) 1. of the statutes is created to read:

8 45.60 (1) (a) 1. Military personnel on active duty.

9 SECTION 3. 45.60 (1) (a) 2. of the statutes is created to read:

10 45.60 (1) (a) 2. Former military members who served on active duty and were  
11 discharged under conditions other than dishonorable.

12 SECTION 4. 45.60 (1) (a) 3. of the statutes is created to read:

13 45.60 (1) (a) 3. Members of the selective service.

14 SECTION 5. 45.60 (1) (a) 4. of the statutes is created to read:

15 45.60 (1) (a) 4. Former members of the selected reserve and national guard who  
16 served at least one term of enlistment or period of initial obligated service and were  
17 discharged under conditions other than dishonorable.

18 SECTION 6. 45.60 (1) (a) 5. of the statutes is created to read:

19 45.60 (1) (a) 5. Former members of the selected reserve or national guard who  
20 were discharged due to a service-connected disability.

21 (END)



State of Wisconsin  
2015 - 2016 LEGISLATURE



LRB-1007/P1  
ZDW:kjf:jm

DOA:.....McElgunn, BB0323 – Clarify eligibility for the military funeral honors program

**FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION**

1 **AN ACT ...; relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

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(END)