April 24, 2019 - Introduced by Senators NASS, CARPENTER, BERNIER and JACQUE, cosponsored by Representatives KULP, VANDERMEER, MURSAU, EDMING, SPIROS, TUSLER, THIESFELDT, PRONCHINSKE and SKOWRONSKI. Referred to Committee on Labor and Regulatory Reform.

**AN ACT to amend 45.85 (1), 45.85 (2) and 45.85 (3); and to create 20.485 (2) (cm) and 45.85 (2m) of the statutes; relating to: care of the graves of veterans and making an appropriation.**

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**Analysis by the Legislative Reference Bureau**

This bill requires the Department of Veterans Affairs to reimburse cities, villages, and towns for costs incurred in the care of veterans’ graves, subject to the following limitations:

1. A city, village, or town may not receive more than $5 per grave per year.
2. All cities, villages, and towns located in the same county may not receive more than a total of $10,000 under the bill per year.

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

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

**SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:
SENATE BILL 180

20.485 Veterans affairs, department of

(2) LOANS AND AIDS TO VETERANS

(cm) Care of graves; local assistance GPR A 720,000 720,000

SECTION 2. 20.485 (2) (cm) of the statutes is created to read:

20.485 (2) (cm) Care of graves; local assistance. The amounts in the schedule for the purpose of making reimbursement payments to municipalities under s. 45.85 (2m) for expenses incurred in caring for veterans’ graves.

SECTION 3. 45.85 (1) of the statutes is amended to read:

45.85 (1) Every town board, village board, or and common council of every city shall at all times see that the graves and tombstones located in each cemetery owned by, operated by, maintained by, or under the control of the city, village, or town of all veterans, including women’s auxiliary organizations created by act of Congress, who shall at any time have served in any branch of the armed forces of the United States, and of the spouses or surviving spouses of all those veterans, receive proper and decent care, and may employ all necessary assistance to carry out this section. The Subject to reimbursement under subs. (2m) and (3), the expense of the care of the graves and tombstones shall be borne by the county city, village, or town that owns, operates, maintains, or controls the cemetery where the graves are located, except where suitable care is otherwise provided. The amount of expense charged the county for the care may not exceed the charge made for the care of other graves in the same cemetery.

SECTION 4. 45.85 (2) of the statutes is amended to read:
45.85 (2) The governing body specified in sub. (1) shall report to the county clerk of its county. Each city, village, or town may, on or before September 1 of each year, submit an application for reimbursement under sub. (2m) to the department. The application shall include the locations of the graves cared for by the governing body city, village, or town under sub. (1), including the name and location of the cemetery, together with the names of the deceased and the amount claimed expended for care of the graves for the fiscal year from the previous July 1 to June 30.

Section 5. 45.85 (2m) of the statutes is created to read:

45.85 (2m) (a) From the appropriation under s. 20.485 (2) (cm) and subject to the limitations under par. (b), the department shall reimburse each city, village, or town for the expenditure amounts shown in its application for reimbursement under sub. (2).

(b) 1. All cities, villages, and towns located in the same county may not receive more than $10,000 under par. (a) in the aggregate in any fiscal year. If the aggregate amount of expenditures shown in all applications for reimbursement submitted under sub. (2) by cities, villages, and towns located in the same county exceeds $10,000 in a fiscal year, the department shall prorate the amounts paid under par. (a) among those cities, villages, and towns.

2. No city, village, or town may receive a reimbursement under par. (a) in any fiscal year that exceeds $5 per grave cared for under sub. (1).

Section 6. 45.85 (3) of the statutes is amended to read:

45.85 (3) The chairperson of the county board and the county clerk, upon receipt of the report under sub. (2), shall of the county in which a cemetery is located may draw an order on the county treasurer for the amount of the expenses incurred in caring expended for the care of graves, payable to the person or persons designated
in the report as being entitled to the payment under sub. (1) by the city, village, or town that owns, operates, maintains, or controls the cemetery for which the city, village, or town does not receive reimbursement under sub. (2m).

**SECTION 7. Effective date.**

(1) This act takes effect on the day after publication, or on the 2nd day after publication of the 2019 biennial budget act, whichever is later.