



## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

**2005 Wisconsin Act 22**  
[2005 Assembly Bill 210]

**Recodification of Veterans Statutes**

*2005 Wisconsin Act 22* recodifies ch. 45, Stats., the chapter of the statutes relating to veterans.

The Act resulted from 2005 Assembly Bill 210, which was introduced by the Joint Legislative Council on the recommendation of the Council's Special Committee on Recodification of Chapter 45, Veterans, and the Special Committee's drafting subcommittee. The Special Committee was directed to conduct a recodification of ch. 45, including 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.

The Act does the following:

1. Reorganizes the entire chapter by subdividing it into eight subchapters. Previously, the chapter consisted of two subchapters, one of which related to housing programs, and the other of which included all other veterans programs and services. The subchapters in the new ch. 45, Stats., are as follows:

- I. General Provisions
- II. Education and Training
- III. Veterans Housing Loan Program
- IV. Assistance Programs
- V. Veterans Homes
- VI. Funerals, Burials, and Cemeteries
- VII. Memorials
- VIII. Local Responsibilities

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents.

2. Makes nonsubstantive editorial changes to modernize language to make the language consistent with current drafting style.

3. 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.

4. 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 (previously ss. 45.50, 45.51, and 45.53, Stats.) are moved to ch. 21, Stats., which relates to military affairs.

5. 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 previous s. 45.353 (2), Stats., is simplified in the new s. 45.41 (2), Stats., by showing how much is received by the organization depending on the level of expenditure.

6. Makes minor substantive changes, including the following:

a. Expands the definition of “veteran” that is used in ch. 45 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 inactive or active duty for training purposes.

b. Changes the names of the state veterans facilities in 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 applies the laws that previously applied to just one or two of the homes to all three homes.

c. Expands 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 Veterans Affairs determines and designates by rule. In designating a war period, the department is required to review the criteria used to establish the war periods listed in the statutes and consult with the U.S. Department of Defense.

d. Requires that ch. 45 be construed as liberally as the language permits in favor of applicants for veterans benefits. Previously, the liberal construction provision applied to many, but not all, parts of the chapter.

e. Allows deceased persons who served under honorable conditions in the National Guard or Reserves to receive military funeral honors. Previously, military funeral honors were limited to deceased persons who served in the U.S. Armed Forces.

***Effective Date:*** The Act takes effect on July 23, 2005.

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July 25, 2005

RNS:PS:rv