

CHAPTER 45.

VETERANS' AFFAIRS, BENEFITS AND MEMORIALS.

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45.01 **Soldiers' memorial hall; providing rooms for.** It shall be the duty of the bureau of engineering to provide suitable rooms in the capitol and properly prepare them for the purpose of a memorial hall dedicated to the soldiers and sailors who served in Wisconsin commands in the civil war of 1861 to 1865 or any subsequent wars. [1931 c. 45 s. 1; 1947 c. 359]

45.02 **Purpose of.** Said rooms when so set aside for the purpose indicated, shall be the headquarters of the Grand Army of the Republic, department of Wisconsin, and the United Spanish War Veterans, department of Wisconsin. The offices of the department commander, assistant adjutant general and assistant quartermaster-general of the Grand Army of the Republic, department of Wisconsin, shall be in said rooms. [1945 c. 298]

45.03 **Stationery for headquarters.** The director of purchases shall furnish all stationery, pens, ink, printing and other supplies necessary for the proper use of the headquarters of the Grand Army of the Republic, on proper vouchers of the quartermaster-general of the Grand Army of the Republic. The director shall also furnish like materials for use of the headquarters of the United Spanish War Veterans, department of Wisconsin, on proper voucher of the department adjutant or quartermaster. [1931 c. 45 s. 1; 1945 c. 298]

45.04 **Memorial hall; custodian; appointment; term; duties.** A custodian and superintendent of said memorial hall, who shall be an honorably discharged United States war veteran, shall be appointed by the Wisconsin department of veterans' affairs for a term of 4 years, whose duty shall be to take proper care of said memorial collection and to procure additions thereto and to so display them as to make them attractive and instructive to visitors to the state capitol. Such appointee shall not be subject to chapter 16 and be paid not to exceed \$2,100 per year, plus any cost of living bonus authorized other state employes, to be paid from the post-war rehabilitation trust fund. [1935 c. 119; 1945 c. 580; 1947 c. 614]

45.05 **County and municipal memorials.** (1) Any city council, village, town or county board may by gift, purchase, contract or condemnation acquire property, real or personal, for the purpose of providing, furnishing, constructing, erecting, repairing and maintaining a suitable memorial to the memory of former residents thereof who lost their lives in the military or naval service of the state or of the United States, or to commemorate and honor the deeds of the soldiers, sailors, marines and nurses who served the nation in any war, or of persons who rendered great state or national service, or to the memory of any president of the United States, or for a combination of any of such purposes.

(2) Such memorial shall be of such character as shall be determined by the governing body of such city, village, town or county, and without limitation because of enumeration, may comprise a public building, park, recreation facility, community forest or other suitable object having a public purpose.

(3) Any city council, town, village or county board may appropriate money and may levy a tax in order to acquire, pay for, construct, erect, furnish, equip, operate, repair, maintain or reconstruct a suitable memorial for the purpose or purposes provided in this section.

(4) Any city council or village, town or county board may authorize the use of any public property respectively of such city, village, town or county as a site for a memorial, and any county may authorize its public property to be so used by any city, village or town therein.

(5) Any city council, village, town or county board may by ordinance or contract provide for the management, control or operation of any memorial, and it may enter into a written lease, for a term not exceeding 25 years, with any duly chartered and incorporated veterans' organization established in said town, city or village, such lease to include provisions for the amount of rental and such conditions of public use as it may determine.

(6) Any county, city, village or town that has previously taken action toward the establishment of a monument or memorial under the statutes of 1943 or prior statutes may continue under such previously existing statutes or may proceed under this section. [1945 c. 301]

45.055 Joint memorials. Any city council or village, town or county board may contract with and make an appropriation to any other unit of government or to any nonprofit corporation without capital stock organized expressly for any of the purposes of section 45.05 and levy a tax therefor, provided that the facilities of such memorial are available to the residents of the governmental unit making such appropriation. [1945 c. 301]

Note: A county board may not make an appropriation of money to an American Legion post for the construction of memorials commemorating military personnel, for under 45.05 (2) the character of such memorial must be determined by the local governing body, and an American Legion post is not such a nonprofit corporation as to be included within the meaning of 45.055. 35 Atty. Gen. 427.

45.056 to 45.058 [Repealed by 1945 c. 301]

45.06 Rooms furnished by county or municipality. The action of any county board or municipality, or department thereof, in granting soldiers, sailors, marines and nurses who served the nation during any of its wars, any other civic, patriotic, educational or historical society, rooms and space within public buildings for the establishment of memorial halls and museums, and occupancy thereof by its members, is hereby authorized and confirmed. Such county board or municipality is hereby empowered and authorized to permit the use and occupancy of such rooms and space for such term and subject to such conditions and provisions as may be by them imposed; provided, however, that any contract, lien or agreement between said county board, municipality or department thereof and any such organization now in force shall continue in force according to the terms thereof. [1931 c. 323; 1945 c. 301]

45.065 [Repealed by 1945 c. 301]

45.066 Memorial trees on highways. No person, firm or corporation shall cut or trim any tree planted along any federal or state trunk highway as a memorial to the soldiers and sailors of any war, without the written permission of the state highway commission. Violations of this section shall be punishable by a fine of not less than ten nor more than two hundred dollars or by imprisonment in the county jail for not to exceed thirty days, or by both such fine and imprisonment; provided, that nothing in this section shall interfere with the rights of abutting property owners in such trees. [1931 c. 246]

[45.07 Stats. 1945 repealed by 1947 c. 604]

45.08 [Renumbered 45.37 (1), (4), (5), (6), by 1945 c. 580]

45.09 Police power of veterans' home police. (1) The officers, guards, janitors and members of the police force of the Grand Army Home for Veterans are hereby authorized and empowered to summarily arrest all persons within or upon the grounds of said institution who shall be guilty of any offense against the laws of the state of Wisconsin or the rules and regulations governing said home; to arrest any vagrant or idle person who shall refuse to leave said premises and grounds when requested so to do, take such offender before any court of competent jurisdiction and cause proper complaint to be made against him, or them; and for such purposes said officers, guards, janitors and members of the police force shall possess and have all the power and authority of police officers and constables.

(2) Any person who shall be guilty of any noisy, boisterous, or disorderly conduct, or of fighting, immoderate drinking, drunkenness, indecent exposure of the person, lewd, wanton, or obscene conduct, or vulgar or obscene language, or of any offense against the laws of the state of Wisconsin, or the rules and regulations governing the said institution, within the grounds thereof, may be summarily arrested by said officers, guards, janitors, and members of the police force, or any of them, and shall upon conviction be punished by a fine of not less than one dollar, nor more than fifty dollars, or by imprisonment in the county jail not less than two days, nor more than sixty days; but if a different penalty or punishment is prescribed by law for any such offense, the same may be imposed instead of the penalty or punishment prescribed in this section.

45.10 County tax for needy soldiers, etc. (1) Every county board shall annually levy, in addition to all other taxes, a tax sufficient to carry out the purposes of this section, such tax to be levied and collected as other county taxes for the purpose of providing aid to needy soldiers, sailors or marines, who performed honorable military or naval service for the United States in time of war, the needy wives, widows, minor and dependent children of such deceased soldiers, sailors and marines, and the needy parents of such soldiers, sailors or marines entitled to aid under sections 45.10 to 45.19.

(2) The words "veteran", "soldier", "sailor", "marine" and "nurse" as used in this section and in sections 45.11, 45.12, 45.13, 45.14, 45.15, 45.43 and 45.44 shall apply with like force and effect to both male and female members of the army, navy, marine corps, coast guard and army and navy nurse corps. [1945 c. 550, 587]

Note: Under 45.10 to 45.19, Stats. 1929, soldiers' relief commission has no power to grant relief to indigent parents of living soldier, nor to dependent children of soldier who performed military service for United States only in time of peace. 19 Atty. Gen. 221.

County contingent fund which is created to meet an emergency deficiency in other items of budget, deficiency in soldiers' relief fund may be met from contingent fund, and administrative function of determining such emergency may be delegated to finance committee. (Stats. 1931) 21 Atty. Gen. 960.

Tax levy of one dollar is not compliance with soldiers' relief law, but plain legal duty

of county board is to estimate, reasonably and not arbitrarily, amount that will be required and to levy tax for that amount. (Stats. 1931) 21 Atty. Gen. 1035.

One who during war time was member of S. A. T. C. of university of Wisconsin is entitled to aid from soldiers' and sailors' relief commission pursuant to provisions of 45.10 to 45.19, Stats. 1931. 22 Atty. Gen. 232.

Upon inadequate appropriation being made to carry out provisions of 45.10 to 45.19, Stats. 1939, soldiers' relief commission would necessarily cease to function. 29 Atty. Gen. 240.

45.11 Estimate of amount needed. The county veterans' service commission shall estimate the probable amount required under section 45.10 and shall file such estimate with the county board prior to the adoption of the budget at the November session. [1945 c. 550]

Note: Appropriation for soldiers' relief special tax therefor. (Stats. 1931) 21 Atty. Gen. 816.

45.12 County veterans' service commission. (1) Every county judge shall on or before the second Monday in December appoint 3 residents of the county, each of whom shall be an honorably discharged soldier, sailor or marine who performed military service for the United States in time of war, one of such appointees to serve 3 years, one to serve 2 years, and one to serve one year from the date of appointment, as the "County Veterans' Service Commission" of such county.

(2) Such commission shall be organized by the election of one of their number as chairman. Said judge after the expiration of the terms of those first appointed shall annually appoint one person as a member of such commission for the term of 3 years. He shall require the members of the commission, together with the county veterans' service officer, to execute to the county a joint and several bond, with sufficient sureties to be approved by him, in a sum equal to the tax levied in the current year for expenditure by the commission. Each such bond shall be filed with the county clerk. [1945 c. 550]

Note: Member of soldiers' relief commission may not hold office of assistant secretary of commission. (Stats. 1931) 21 Atty. Gen. 437.

Offices of county veterans' service commissioner and member of county board are

incompatible under 59.03 (3). Offices of veterans' service commissioner and veterans' service officer are incompatible by reason of 45.13, the latter office being subordinate to the former. 35 Atty. Gen. 148.

45.13 [Repealed by 1919 c. 542 s. 2]

45.13 Records of meetings and investigations kept by service officer. The county veterans' service officer shall serve as executive secretary of the county veterans' service commission and all necessary investigations to determine eligibility for aid under section 45.10 shall be made by him or under his direction when so requested by the commission. The county service officer in making such investigation may use such facilities for investigating as shall be made available by the county board of such county. [1945 c. 550]

45.14 Commission, examination, aid. Such commission shall meet at the office of the county clerk or at such other place in the courthouse as the county board shall desig-

nate on or before the first Monday of January in each year and at such other times as may be necessary. The commission may furnish aid to any person within section 45.10 if the right of such person to aid shall be established to their satisfaction. The secretary of the commission shall make and deposit with the county clerk a list containing the name, place of residence and the amount to be paid each such person, which shall be signed by the chairman and secretary. The total disbursements made by the commission shall not exceed the amount collected from the tax levied. When such lists are filed the county clerk shall issue an order upon the county treasurer for the sum designated therein in each case and deliver it to the person entitled thereto. When the commission shall deem it best to furnish aid in a different manner than by supplying money the county clerk shall issue an order upon the county treasurer to the secretary of the commission for such sum as they may have determined upon, and the commission may furnish such supplies as it deems best. The commission shall make a detailed report to the county board at each annual session thereof showing the amount expended. [1945 c. 550]

Note: Relief from soldiers' relief fund under 45.14, Stats. 1931, to be given to needy soldiers, etc., who are residents of county, as distinguished from legal settlement. Such relief is not subject to reimbursement provisions of chapter 49, nor is soldier subject to

removal to county of settlement. 21 Atty. Gen. 522.

Soldiers' relief commission under 45.14, Stats. 1931, may not be provided with funds from general fund to take care of impending shortage in soldiers' relief fund. 21 Atty. Gen. 719.

45.15 Commission, compensation. The county board shall allow the members of the commission a reasonable rate of compensation for services and actual expenses incurred in the performance of their duties to be determined pursuant to section 59.15. The county board may provide for the employment of clerical assistance to the commission. [1931 c. 69; 1945 c. 550, 559]

Note: Member of soldiers' relief commission may be compensated by lawful per diem rate for services rendered in investigating needs of applicants for aid, but he is entitled to compensation for only days actually and necessarily spent in proper performance of his official duties. (Stats. 1937) 27 Atty. Gen. 276.

Members of soldiers' relief commission are to be compensated at same rate as members of county board but there is no limitation upon number of days for which members of such commission may be so compensated. (Stats. 1939) 29 Atty. Gen. 240.

45.16 Burial. Each town board, village board and the aldermen of each ward in every city, shall cause to be interred in a decent and respectable manner in any cemetery in this state, other than those used exclusively for the burial of paupers, at an expense to the county of not less than thirty-five, nor more than one hundred dollars, the body of any honorably discharged soldier, sailor or marine and the wives or widows of such soldiers, sailors or marines who shall have, at any time, served in the army or navy of the United States, and who shall die not leaving sufficient means to defray the necessary expenses of a decent burial, or under financial circumstances which would distress his family to pay the expenses of such burial.

Note: Where funeral expenses of war veteran total two hundred dollars and United States government contributes one hundred dollars toward expense of burial, county may not contribute additional one hundred dollars toward his burial expenses. 21 Atty. Gen. 281.

Expense of burial of honorably discharged sailor of United States navy who died in California and whose body was shipped to Beaver Dam, where he had residence at time of enlistment, should be borne by Dodge county although burial was in another county. 24 Atty. Gen. 233.

When soldier's widow remarries she ceases to be his "widow" within meaning of this section. 24 Atty. Gen. 47.

45.17 Investigation and report. It shall also be the duty of such officers before assuming such charge and expense to make a careful inquiry into and examination of all the circumstances in any such case for the purpose of ascertaining the existence of either of the facts required by the preceding section, and they shall also report the same to the county clerk of their county, setting forth the fact that they found the family of such deceased person in indigent circumstances and all the facts on which they based their action, together with the name, rank and command to which he belonged, the date of death, the place where buried, his occupation while living and an itemized statement of the expenses of such burial.

45.18 Order for expenses; headstone. It shall be the duty of the chairman of the board and the clerk of such county on the receipt of such report to draw an order on the county treasurer for the amount of expenses so incurred, payable to the person or persons designated in said report as being entitled thereto. And the county board of each county shall, upon the death and burial of any such soldier, sailor or marine residing therein at the time of his death, make application to the proper authorities for a suitable headstone as provided for by act of congress, and at the expense of the county cause the same to be placed at the head of his grave.

45.185 Care of soldiers' graves. (1) Every town board, village board, or common council of every city shall at all times see that the graves and tombstones of all members of the armed forces of the United States, 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 wives or widows of all such soldiers, sailors or marine members, receive proper and decent care, and may employ all necessary assistance to carry out the provisions of this section. The expense of the care of such graves and tombstones shall be borne by the respective counties where the said graves are located, except where suitable care is otherwise provided. The amount of expense so charged the county for such care shall not exceed the charge made for the care of other graves in the same cemetery.

(2) It shall also be the duty of such bodies to report to the county clerk of their respective counties, on or before September 1 of each year, the respective locations of the graves so taken care of by them, together with the name and command to which every such member of the armed forces of the United States, including women's auxiliary organizations created by act of Congress belonged, his or her rank at the date of death, and the amount claimed for such care for a fiscal year from July 1 to June 30.

(3) It shall be the duty of the chairman of the board and the clerk of such county, upon receipt of such report, to draw an order on the county treasurer for the amount of the expenses so incurred, payable to the person or persons designated in said report as entitled thereto. [1943 c. 17]

Note: This section includes graves of persons of whether they were honorably discharged, sons who served for any period, regardless 39 Atty. Gen. 169.

45.19 Army nurses given privileges and compensation. Every person who has resided one year or more in Wisconsin, and who served at least ninety days as an authorized union army nurse between the fifteenth day of April, 1861, and the fourth day of July, 1865, shall upon due proof of the facts hereinbefore stated, be entitled to the same privileges and compensation as soldiers of the said civil war have to the following:

- (1) To relief from the county fund for the benefit of indigent soldiers.
- (2) To admission to the Grand Army Home at Waupaca. [1931 c. 79 s. 5]

45.20 Temporary aid to soldiers, sailors and marines, and their dependents. Temporary aid shall be given, granted, furnished and provided, according to the provisions of chapter 49, to and for any honorably discharged indigent soldier, sailor, or marine of any war of the United States and the indigent wife, widow or minor child of any such, without requiring the removal of any such person to any county home, but such temporary aid shall not continue longer than three months at any one time or in any one year unless the authorities charged with the relief of the poor shall determine otherwise.

45.21 Registration of certificate of discharge. Every person who served in the armed forces of the United States including nurses and members of the women's auxiliary military organizations created by the congress, in World War I, World War II, the Civil War, Spanish-American War, or who has served in the armed forces of the United States at any time, and who has been honorably discharged or given a certificate of service or relieved from active service may cause to be recorded with the register of deeds of some county within this state, in a suitable book to be provided by the county for that purpose, his or her certificate of discharge or release. The register of deeds so recording such certificate shall make no charge for such service, except that in counties where the register of deeds is under the fee system and not paid a fixed salary he shall be paid a fee of 25 cents, by the county, for each certificate so recorded. The record of any such certificate heretofore made is hereby legalized. [1943 c. 12; 1945 c. 141]

Note: Notice of separation from the United States naval service, is an instrument entitled to record under 45.21. 34 Atty. Gen. 323, 35 Atty. Gen. 317.

45.215 [Renumbered section 45.42 by 1945 c. 580]

45.23 [Renumbered section 59.07 sub. (14a) by 1919 c. 422 s. 19]

45.25 Wisconsin Memorial Hospital. (1) A hospital, to be known as the "Wisconsin Memorial Hospital," is hereby established, to be constructed, erected and equipped as hereinafter provided. Such hospital shall be for the care and treatment of discharged soldiers, sailors, nurses and marines, residents of this state at the time of their enlistment, who served in the armed forces of the United States in the late war against Germany and her allies, who are suffering from mental diseases and who are or may hereafter become beneficiaries of the federal war risk insurance act.

(4) The state department of public welfare is authorized and empowered to enter into contracts on behalf of the state of Wisconsin with the federal war risk insurance bureau or any other legally authorized department, bureau or commission of the United States gov-

ernment for the maintenance, care and medical treatment at federal or joint federal and state expense of discharged soldiers, sailors, nurses and marines, who were residents of the state of Wisconsin at the time of their enlistment, and who served in the armed forces of the United States in the war against Germany and Austria and are suffering from mental diseases, and who have or may become beneficiaries under the federal war insurance bureau; for the erection, construction and equipment at federal expense or at joint state and federal expense of a suitable hospital building or buildings for the care, maintenance and treatment of such disabled soldiers, sailors, nurses and marines, the employment of physicians, nurses and attendants, the purchasing of medicines, surgical equipment, therapeutical appliances, and all other equipment, appliances and apparatus needed to properly equip a hospital for the care and treatment of persons suffering from mental diseases. [1943 c. 93]

45.255 **Memorial hospital; control of patients.** The provisions of the statutes, relating to the commitment, custody, transfer, parole and discharge of insane persons in state hospitals for the insane, shall be applicable to the Wisconsin memorial hospital, which is authorized to admit any duly committed insane person from any county in the state, eligible to be admitted into said hospital.

45.27 [Renumbered section 45.38 by 1945 c. 580]

45.271 [Renumbered section 45.40 by 1945 c. 580]

45.275 [Renumbered section 45.41 by 1945 c. 580]

45.276 **Service memorial institutes.** (1) There shall be erected and equipped in connection with the medical school of the university and the Wisconsin general hospital institutes for the advancement and utilization of knowledge of medicine and hygiene including rehabilitation, to be known as "Service Memorial Institutes."

(2) Such institutes shall be a memorial to those who served the state and nation in the World War. The regents of the university shall erect at an appropriate place in said institutes a suitable tablet stating the source of the funds from which the institutes were erected and equipped and such other statements as they may deem appropriate.

(3) The institutes may be utilized for the scientific, educational and social work of the medical school and hospital, for the work of the state laboratory of hygiene, for the work of the state psychiatric institute, the laboratory of the state toxicologist, and for similar work established or to be established for the promotion of the health of the people of the state and the advance of the knowledge of medicine and hygiene, including methods of rehabilitation.

45.277 **Hospital care; charge for.** The rate of charges for services rendered patients at the Wisconsin general hospital or in the service memorial institutes under section 45.38 (1) shall in no case exceed the rate of charges determined by the board of regents for similar care rendered public patients under section 142.07. Members of the medical, surgical and laboratory staffs of the Wisconsin general hospital and the service memorial institutes shall not receive any special compensation for services rendered such patients. [1931 c. 79 s. 6; 1943 c. 177; 1945 c. 587]

45.278 [Repealed by 1929 c. 513 s. 7]

45.30 **Commitment of insane veteran.** (1) Whenever it appears that any veteran is eligible for treatment in a United States veterans' facility and commitment is necessary for the proper care and treatment of such veteran, the court of the county in which the veteran is found, may, upon receipt of a certificate of eligibility from the veterans' administration, after adjudging the veteran insane in accordance with law, direct such veteran's commitment to the veterans' administration for hospitalization in a United States veterans' facility. Upon admission to any such facility, the veteran shall be subject to the rules and regulations of the veterans' administration. The chief officer of such facility is vested with the same powers exercised by superintendents of state hospitals for mental diseases within this state with reference to the retention, transfer or parole of the veteran committed. Notice of pending commitment proceedings shall be furnished the person to be committed and his right to appear and defend shall not be denied. The commitment of a veteran to a veterans' facility within this state by a court of another state under a similar provision of law has the same force and effect as if such commitment were made by a court of this state. After a veteran has been legally committed to any hospital or asylum for the insane in this state the superintendent of such hospital or asylum in any county having a population of 500,000 or more or the state department of public welfare when the commitment has been made to any other such hospital or asylum upon receipt of a certificate of eligibility from the veterans' administration evidencing the right of such veteran to be admitted to a veterans' facility may transfer such veteran to such facility and the cost of the veteran's transportation, together with that of

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any necessary attendant, shall be a proper charge against such veteran's care in such institution. After such transfer the powers granted by this section to the superintendent of such veterans' facility shall be applicable. Any veteran transferred as provided in this subsection shall be deemed committed to the veterans' administration pursuant to the original commitment.

(2) Before adjudging a veteran insane in accordance with law, the court, upon the receipt of a certificate of eligibility from the veterans' administration, may commit such veteran to a veterans' administration facility to be detained for a reasonable length of time, to be fixed by the court, for the purpose of observation. Whenever an application to determine insanity is made in the manner prescribed by section 51.01, the court shall make such inquiry as may be necessary and proper to ascertain whether the alleged insane person is eligible for treatment in a veterans' administration facility, and shall notify the Wisconsin department of veterans' affairs of the pendency of such action and of the commitment. [1939 c. 331; 1945 c. 238, 587]

Note: 45.30 does not apply to veterans ment of public welfare under 357.11 and committed to the central state hospital or 357.13. 35 Atty. Gen. 322. other hospital designated by the depart-

45.35 Wisconsin department of veterans' affairs. (1) The legislature declares that it is the policy of the state of Wisconsin to assume responsibility for the health, educational and economic rehabilitation and hospitalization of veterans of the armed forces of the United States in World War II, and their dependents, who are bona fide residents of this state as defined in section 45.35 (5a). The legislature further declares that the state intends by the enactment of this section to render all possible aid and assistance to such World War II veterans, servicemen officially reported as missing in action and their dependents, when aid and assistance has not been provided. A liberal construction of this section is intended.

(2) There is created a Wisconsin department of veterans' affairs consisting of a board of veterans' affairs, a director and administrative staff. The board shall consist of the governor and 6 members, 4 of whom shall be United States war veterans, (one of such 4 shall be a Spanish-American war veteran) appointed by the governor by and with the advice and consent of the senate.

(3) Of the 6 members appointed, 2 shall serve for terms expiring March 1, 1945, 2 shall serve for terms expiring March 1, 1947, and 2 shall serve for a term expiring March 1, 1949, or until their successors are appointed and qualify. Upon the expiration of such initial terms successors shall be appointed for terms of 6 years each. Members shall receive no compensation for their services but shall be reimbursed for expenses actually and necessarily incurred in the performance of their duties.

(4) The functions of the board shall be policy forming. It shall elect one of its members chairman and one secretary. The board may prescribe rules and regulations governing its procedure. The state chief engineer shall assign adequate office space in the capitol building for the department and its administrative staff. The records and files of the adjutant general and of any other state department or officer shall, upon request, be made available to the board.

(5) The administrative functions of the board shall be in charge of a director appointed by the governor by and with the consent of the senate for an indefinite term and not subject to chapter 16. He shall receive such salary as the board may determine not exceeding \$6,500 per annum. The director shall appoint such administrative staff as may be necessary pursuant to chapter 16. He shall also appoint with the approval of the board a custodian and superintendent of memorial hall pursuant to section 45.04.

(5a) "Veteran" as used in this section means any person who served in the active military or naval service of the United States at any time between August 27, 1940 and July 25, 1947 who was honorably discharged therefrom, or who served under honorable conditions, after 90 days or more of active service, or if having served less than 90 days was honorably discharged for disability incurred in line of duty, who has been a resident of this state for at least 5 years next preceding his application or a resident of this state at the time of his enlistment or induction into service and such resident at the time of making application and, in all cases, who continues his residence in this state during the full period of the rehabilitation.

(5b) "Dependent" of a veteran as used in this section means and includes:

(a) A wife or husband; or a divorced wife only when receiving benefits under a court order.

(b) Any natural child under 18 years of age, or if in full attendance at a recognized school of instruction, or of any age if incapable of self-support by reason of mental or physical defect.

- (c) Any legally adopted child.
- (d) Any stepchild or child if a member of the veteran's family.
- (e) Any illegitimate child, only if the veteran acknowledges paternity or the same has been otherwise established.
- (f) The natural mother or natural father or a person to whom the veteran stands in loco parentis and who has so stood for not less than 12 months prior to veteran's entrance into active service.
- (g) A minor sister or minor brother.
- (h) A brother or sister of any age if incapable of self-support by reason of mental or physical defect.

(6) The department shall co-ordinate the activities of all state agencies performing functions relating to the medical, hospital, or other remedial care, placement and training, educational, economic or vocational rehabilitation of honorably discharged veterans, including such veterans with disabilities whether or not service connected or war connected. In particular it shall co-ordinate the activities of the state board of vocational and adult education, state selective service administration, state department of public welfare, industrial commission, state superintendent of public instruction, the university of Wisconsin, teachers colleges and other educational institutions, and all other departments or agencies performing any of the functions specified, to the end that the benefits provided in this section may be made available to returning veterans as promptly and effectively as possible.

(7) The department shall maintain contacts with county service officers and local agencies, the American Red Cross and veterans' organizations concerned with the welfare of veterans and shall contact and co-operate with federal agencies in securing for Wisconsin veterans all benefits to which they may be entitled.

(7a) The department upon request shall assist all persons residing in the state of Wisconsin having claims against the United States for pensions, bounty or back pay, where such claims have arisen out of or by reason of service in the wars of the country. To this end it shall co-operate with their agents or attorneys, advise as to the legality of claims, furnish all necessary certificates and certified abstracts from and copies of records and documents in its office, and in all practicable ways seek to secure speedy and just action upon all claims now pending or which may hereafter be filed. It shall also in cases where it may be expedient act as agent or attorney of record in prosecuting claims for such persons as may request it to do so; provided, that for any such services rendered no person in the employ of the department shall make any charge or demand or receive from the said claimants or any of them, directly or indirectly, any pay or compensation whatever. It shall provide for registration with the register of deeds of each county the names of all persons from such county who died in the services of the United States during the Spanish-American War, Philippine insurrection or Chinese relief expedition or World Wars I and II.

(8) The department may provide treatment for any veterans for any physical or mental disease or injury or the consequent result of such disease or injury, which is directly or indirectly traceable to the military or naval service, or may provide such treatment for any dependent of a serviceman officially reported as missing in action. The powers conferred by section 45.38 in connection with the furnishing of treatment for veterans of World War I are, so far as applicable and not in conflict with this section, conferred on the department in carrying out the provisions of this subsection.

(8a) The department may extend to any such veteran or any of his dependents such temporary emergency aid or relief as it may deem advisable to prevent want or distress, except that this subsection does not apply to any veteran whose total period of service has been as a student detailed for training under the army specialized training program, the army air forces college training program, the military or naval academies, or any similar program under the jurisdiction of the navy, marine corps, or coast guard. The benefits and aids provided under section 45.35 shall not be assignable and shall be exempt from garnishment and execution.

(8b) The department may make loans in its own name and on its own behalf to veterans for the purposes of their rehabilitation, education or for the purpose of aiding and assisting them in the purchase of property or a business, not to exceed \$1,000 to each such veteran, on such terms as the department may deem desirable. Money received from repayments of such loans shall be paid into and credited to the post-war rehabilitation trust fund. The department is hereby granted power and authority to execute any and all proper documents and enter into such agreements as it may deem necessary to carry out the provisions of this section and to charge a rate of interest on all loans not exceeding the rate of 2 per cent per annum. The loans granted under this section shall not exceed 15 years in length. The department is further empowered to charge all expenses

of the making of the loan to the applicant. The department is further empowered to sue and be sued, to make collections, deal with and enter into compromises for the payment of such indebtedness as may be due or become due to the department.

(8e) Notwithstanding any other provision of the statutes to the contrary, any minor who is a veteran under the provisions of this section, may execute in his or her own right, notes or mortgages to the department and such notes and mortgages, when so executed, shall not be subject to the defense of infancy.

(9) The department in co-operation with the rehabilitation division of the state board of vocational and adult education shall make available to disabled veterans the benefits of vocational training and guidance, including veterans who have filed claims for federal rehabilitation benefits and during the pendency of such claims. In cases where such claims are allowed and federal reimbursement is made to the state, such money shall be paid into and become a part of the post-war rehabilitation trust fund.

(10) The department in co-operation with the industrial commission and state selective service administration or any other federal, state or local agency shall formulate and carry out plans for the training and placement of returning veterans in peace-time work.

(11) The board shall create an advisory committee which shall consist of the following members: 4 representatives of veterans' organizations, of whom one each shall be selected and certified to the board within 30 days after July 4, 1943 and annually thereafter not later than October 1 of each year by the state departments of the American Legion, the Disabled American Veterans, the Veterans of Foreign Wars, and the United Spanish War Veterans, one veteran of World War II, and one representative of the American Red Cross. The members of said committee shall receive no compensation for their services but shall be entitled to reimbursement for necessary expenses incurred in the performance of their duties. Said committee shall assist the board in administering and carrying out the purposes of this section. The board may create such other advisory committees as it may deem advisable.

(12) (a) All expenditures for execution of functions under this section shall be made from the post-war rehabilitation trust fund as provided in section 20.036.

(b) The director shall certify to the director of budget and accounts for payment all aid to veterans and their dependents authorized under the rules and regulations of the board and shall certify or approve and forward to him pay rolls and other vouchers for other expenditures of the board authorized under such rules and regulations [and those claims submitted by the veterans' organizations] in section 20.15.

(13) The department may receive money, lands or other gifts in its name for the benefit of Wisconsin veterans and their dependents, or either, in accordance with policies adopted by the board. Such money shall be deposited in the state treasury and credited to the post-war rehabilitation trust fund and is appropriated therefrom by section 20.036 (11) to the department to be used in accordance with such policies. [1943 c. 443; 1943 c. 553 s. 5; 1945 c. 33, 409, 580, 587; 1947 c. 9, 261, 332, 604, 614]

Cross Reference: For post-war rehabilitation trust fund, see 20.037.

Note: Ch. 443, laws of 1943, does not authorize the veterans recognition board to pay for treatment given prior to the effective date of the law. 34 Atty. Gen. 249.

The board of veterans affairs may make loans to veterans as defined in (5a) not to exceed \$750 in the aggregate to each veteran for the purpose of educating him; to aid or assist him in the purchase of real estate, personal property or a business. The power to grant loans to aid or assist in purchasing real or personal property carries with it power to grant loan to enable veteran to acquire real or personal property necessary to rehabilitate himself or to establish himself in business. The board has specific power to make loans to veterans for purposes of their rehabilitation. This includes both physical and economic rehabilitation and the board may grant loan to enable veteran to pay unpaid doctor and hospital bills and other miscellaneous obligations if board finds such loan will aid or promote the economic rehabilitation of the veteran. The question is one of fact to be determined by the board in view of the circumstances surrounding each case. 34 Atty. Gen. 311.

Powers and duties of board of veterans affairs under (8) discussed. 34 Atty. Gen. 401.

Under facts stated department of veterans affairs has implied power to grant funds from the post-war rehabilitation trust fund to the university to furnish housing for approximately 1,000 World War II veterans

who desire to attend the university provided housing is for the exclusive use of veterans who are bona fide residents of the state and who also meet the tests stated in (5a). 35 Atty. Gen. 201.

The term "veteran" as used in describing the class of persons to which department of veterans affairs may grant loans under (8b) is limited to individuals, and does not include corporations. Procedure outlined and approved for accepting corporate guarantees and chattel mortgages to secure payment of loans to individuals. 35 Atty. Gen. 366

45.35 and 45.38 which authorize director of department of veterans affairs to provide medical and hospital treatment for veterans for service-connected diseases or disabilities do not authorize him to employ the services of a private agency on a commission or brokerage basis for arranging and paying for such treatment. 36 Atty. Gen. 3, 149.

Any arrangement by the board or department of veterans affairs to provide medical treatment or aid to qualified World War II veterans or their dependents as provided in 45.35, Stats. 1945, must adequately protect the interests of the state and its taxpayers. The duty to guard and protect the public interest is a continuing one which necessarily involves the exercise of judgment and discretion and for that reason cannot be delegated. A public officer or board has no authority to enter into any contract or arrangement which would impair its responsibilities in these respects. 36 Atty. Gen. 149.

45.355 Wisconsin veterans' housing authority. (1) There is created the "Wisconsin veterans' housing authority" consisting of a board of veterans' housing, a director and administrative staff. The board of veterans' housing shall consist of 5 members of which one shall be a member of the board of veterans' affairs, one a registered architect and one a practical builder. Appointments to the board of veterans' housing shall be made by the governor by and with the advice and consent of the senate. Of the members first appointed, one shall be appointed for a term of one year, one for a term of 2 years, one for a term of 3 years, one for a term of 4 years and one for a term of 5 years. Successor members shall be appointed for terms of 5 years and members shall hold office until their successors are elected and qualify. No such member shall be connected in an official capacity with any political party. Members of said board shall receive no compensation for their services as such, but shall receive reimbursement for expenses necessarily incurred in and about performance of their duties. The director shall be appointed by the governor by and with the consent of the senate for an indefinite term and not subject to chapter 16 and he may utilize the services of the administrative staff of the department of veterans' affairs to such extent as the board of veterans' affairs may authorize.

(2) The function of the board of veterans' housing shall be policy forming and the performance of such duties given to it in other sections of the statutes. It shall elect one of the members chairman, one vice-chairman and one secretary. The board may prescribe rules and regulations governing its procedure. The state chief engineer shall assign adequate office space in the capitol building for the department and its administrative staff. The records and files of the adjutant general and any other state department or officer shall, upon request, be made available to the board.

(3) The Wisconsin veterans' housing authority shall have the following powers, duties and functions:

(a) To assist in the co-ordination of the state, county, municipal and private activities relating to veterans' housing.

(b) To co-operate with any and all federal departments, agencies and independent establishments relating to veterans' housing, materials, priorities and finances.

(c) To assist any housing authority, municipality or other private enterprise engaged in supplying additional veterans' housing in the acquisition of materials, finances, legal aid and compliance with federal rules and regulations.

(d) To recommend to any housing authority authorized by statute to engage in the furnishing of veterans' housing, such action as will improve and increase housing facilities for veterans and otherwise to advise as to any and all problems relating to the establishment and operation of such housing authorities.

(e) To utilize the services and facilities of existing state departments and boards.

(f) To undertake and carry out studies and analyses of the veterans' housing needs and of meeting such needs and make the results of such studies available to the public and the building, housing and supply industries; and may also engage in research and disseminate information on the subject of veterans' housing.

(g) To employ such assistants as it may deem necessary to carry out its functions without regard to the provisions of chapter 16.

(h) To perform such other duties as specifically set forth in other sections of the statutes. [1947 c. 412]

45.37 Veterans' home; management; who entitled to maintenance and burial. (1) The Wisconsin department of veterans' affairs shall operate and conduct the Grand Army Home for Veterans and employ such officers, nurses, attendants and other employes as may be necessary for the proper conduct of the said home.

(2) The allowances appropriated by section 20.036 (7) are for the maintenance of employes who are actually maintained in the Grand Army Home for Veterans, and for the following members of the home:

(a) Soldiers, sailors and marines who have served at least 70 days in the Civil War, Spanish-American War, Philippine insurrection, China relief expedition and soldiers, sailors, nurses and marines, who have served at least 90 days of active duty in World War I or World War II, or in any other war or military expedition of the United States, who were honorably discharged from such service, who have no adequate means of support and are temporarily or permanently incapacitated due to disability from following any substantially gainful occupation, and who are eligible for similar care in a facility controlled by the veterans' administration, and whose services were credited to Wisconsin, and who are 50 years of age or over. Veterans otherwise eligible for admission but who served less than 70 days and 90 days, as specified above, shall be likewise eligible if such service was terminated as a result of physical disability incurred in line of duty. Disabled veterans under 50 years of age, if otherwise qualified, may be admitted if unable to secure

adequate care from the federal government. The husband or mother, or both, of a qualified female veteran, of any United States war or expedition, where such husband has attained the age of 50 years or more and has lived continuously with such veteran for not less than 10 years before making application, and where such mother has attained the age of 70 years or more and have no adequate means of support and are temporarily or permanently incapacitated due to disability, other than mental, from following any substantially gainful occupation, shall be eligible for admission to the home under the provisions of this section.

(b) Wives of those veterans who are eligible to membership under the provisions of paragraph (a) have lived continuously with their husband not less than 10 years before making application and whose husbands are members of the home.

(c) The widows of those veterans eligible to membership under the provisions of paragraph (a), and who were married to and living with their veteran husband not less than 10 years immediately prior to his death, and who have not remarried.

(d) The widowed mothers of those veterans eligible to membership under the provisions of paragraph (a).

(e) All women, except those referred to in section 45.19, who, as members of the armed forces of the United States, participated in any war or military expedition shall be considered veterans as defined in paragraph (a) and shall be eligible to membership under the terms and conditions applying to male veterans.

(f) 1. No wife, widow, mother, husband or widower of any World War I veteran, who was married subsequent to November 11, 1918, shall be admitted before he shall have reached the age of 50 years, but this shall not apply to the wives or husbands of disabled veterans who are admitted to the home.

2. No wife, widow, mother, husband or widower of any World War II veteran, who was married subsequent to July 1, 1947 shall be admitted before he shall have reached the age of 50 years, but this shall not apply to the wives or husbands of disabled veterans who are admitted to the home.

(g) No person of any of the classes specified in paragraphs (a) to (f) shall be admitted to the Grand Army Home for Veterans until he shall have presented satisfactory proof of 10 years' continuous residence in this state immediately preceding the application for admission, nor unless he shall pay 20 per cent of his income and all of his income from any source in excess of \$500 per year, into the general fund for the maintenance and operation of the home; except that the net income of such person after applying such 20 per cent deduction shall not be less than \$20. Complete medical care and personal maintenance will be furnished all members under the policy of the Wisconsin department of veterans' affairs. "Income" as used in this section shall not include wages, salary or payment to a member as an employe of the home. The department shall allow a wife of a member to retain for personal use annually a sum not to exceed \$100 independent income, and may remit such monthly sums as it deems necessary for the care of the minor dependents of a member. Veterans whose services are not credited to Wisconsin and who are otherwise qualified may be admitted upon producing satisfactory proof of at least 15 years' continuous residence in this state immediately preceding date of application.

(h) Membership in any national home for veterans located in Wisconsin shall not constitute residence in this state for the purposes of this subsection.

(i) The provisions of section 142.07 are applicable to veterans of all wars, subject to the same restrictions and with the same privileges now enjoyed by the veterans of the world war at the state of Wisconsin general hospital. Costs incident to the hospitalization of members of the Grand Army Home for Veterans shall be paid from the appropriation of the operation of said home.

(j) All members who enter the home shall sign an agreement as follows: "I, in consideration of having received domiciliary care, agree that in event of my death, leaving no heirs at law or next of kin, all personal property owned by me at the time of my death, including money or choses in action held by me and not disposed of by will, whether such property be the proceeds of pension, compensation, or life insurance, or otherwise derived, shall vest in and become the property of the state of Wisconsin for the sole use and benefit of the Grand Army Home for Veterans, subject to be reclaimed by any legatee or person entitled to take the same by inheritance at any time within one year after my death."

(3) Applications for entrance into and maintenance at the Grand Army Home for Veterans shall be considered and passed upon in the following order: Civil War veterans; the mothers, wives and widows of Civil War veterans; Civil War nurses, their husbands and mothers; veterans of the Spanish-American War, Philippine insurrection and China relief expedition; the mothers, wives and widows of veterans of the Spanish-American War, Philippine insurrection and China relief expedition; and veterans of World War I and World War II and of all other wars and military expeditions of the

United States; and the mothers, wives, widows and husbands and widowers of veterans of the wars last mentioned.

(4) If any additional land shall be purchased with the moneys at any time appropriated by the state to the Grand Army Home for Veterans, the title thereto shall be taken to the state and shall be held by and for the uses and purposes of the said home so long as used for the present objects and purposes thereof, and no payment shall be made out of the state treasury or otherwise for any such land until the title shall have been examined and the conveyance thereof to the state of Wisconsin approved by the attorney-general, and every such deed of conveyance shall be immediately recorded in the office of the proper register of deeds and thereafter filed with the secretary of state.

(5) The commandant or manager or superintendent of the Grand Army Home may receive, disburse and account for personal funds of members of the home, other than state funds, received from any source, upon court order, under policies adopted by the board of veterans' affairs.

(7) Any honorably discharged veteran of any branch of the military forces of the United States, who has been engaged in any war of the United States and who at the time of his death was a resident of this state, shall be eligible for burial and interment at the Grand Army Home for Veterans.

(8) Burial shall be provided in the cemetery of the Grand Army Home for Veterans for any wife, widow, mother or husband of an honorably discharged veteran of any branch of the military forces of the United States who was engaged in any of its wars, where such wife, widow, mother or husband at the time of his death was a member of said home. Such burial shall be paid from the appropriation made by section 20.036 (7)

(a) and the amount expended therefor shall not exceed the amount therein specified. [1931 c. 347; 1935 c. 422; 1943 c. 72, 546; 1945 c. 113, 213, 411, 507, 580, 587; 43.08 (2); 1947 c. 604]

Note: Surgeons at Wisconsin veterans' home, who are employed on salary, may retain fees that they receive for certificates of vital statistics required by law unless otherwise stipulated in contract fixing their salaries. 20 Atty. Gen. 770.

Term "income from any source" as used in 45.07 (2) (g), Stats. 1937, is used in broad sense as meaning "means of support derived from any source" as applied to any individual in question, but income of wife is not income of husband and vice versa. 28 Atty. Gen. 232.

45.38 Medical, hospital treatment for World War I veterans. (1) The director with the advice and approval of the board of veterans' affairs shall have power and authority:

(a) To make such rules and regulations as may be deemed necessary to carry out the provisions of this section.

(b) To provide treatment for any men and women who served in the military or naval forces of the United States at any time from March 1, 1917, until July 1, 1919, for any physical or mental disease or injury or the consequent result of such disease or injury, which is directly or indirectly traceable to such military or naval service. Such person must have been a resident of this state for not less than five years next immediately preceding his application for treatment.

(c) To select hospitals or institutions in which treatments shall be given, and make the usual and necessary contracts for the payment for such treatments as well as for the payment for extra treatments, operations, tests or examinations and appliances necessary for the authorized rehabilitation of the patient.

(d) To determine the nature of the treatment to be given any patient for his physical or mental improvement.

(e) To terminate contracts for treatments of patients at any time and transfer patients from one hospital to another.

(2) Excepting in cases of emergency or where in the opinion of the board the best interest of any patient will be promoted by a special selection, the board shall select hospitals or institutions in the following order:

- (a) State owned or operated;
- (b) County owned or operated;
- (c) Municipally owned or operated;
- (d) Sectarian or endowed;
- (e) Privately owned or operated.

(3) No person, otherwise eligible, but who is receiving or will receive treatment under or through federal authority, shall receive any benefit under the provisions of this section unless the board determines that such federal treatment is inadequate or that such person will be further injured by delay in receiving treatment.

(4) The board's decision as to the eligibility of any person for treatment, the selection of a hospital or institution, the duration of treatments, and the expenditures of moneys shall be final.

(5) On July 1, 1924, the balance then in the fund provided for by chapter 5, special session of 1919, the balance then in the fund provided for by chapter 667, laws of 1919, and the balance then in the fund provided for by section 20.03 (5) of the 1923 statutes, together with additions to either such fund from taxes thereafter paid, shall be transferred to and constitute what shall be known as "Soldiers' Rehabilitation Fund," for the purpose of carrying out the provisions of this section and the benefits provided by said chapter 5, special session of 1919, and chapter 667, laws of 1919. The benefits provided by chapter 667, laws of 1919, shall not be available after July 1, 1944, except to such eligible persons who have filed their application with the adjutant general prior to July 1, 1944.

(6) After the taking effect of this section all charges against and all sums properly payable out of either of the funds mentioned in subsection (5) shall be paid out of the said soldiers' rehabilitation fund.

(7) The soldiers' rehabilitation fund shall be invested by the state annuity and investment board, in the same character of securities as is provided by law for the investment of funds under the teachers' retirement act, and preference shall be given to applications for loans to farmers and co-operative associations.

(8) The word "treatment" as used in this section means medical or hospital care, or, in lieu thereof, other remedial care, whether received within or without a hospital, sanatorium, institution, or other like facility. [1931 c. 67 s. 163; 1931 c. 271; 1933 c. 368; 1937 c. 161; 1943 c. 202; 1945 c. 580]

Note: Informal request of veterans for with adjutant general prior to April 15, 1937. benefits of chapter 161, Laws 1937, may be 26 Atty. Gen. 286. considered as sufficient application if filed

45.39 Educational aid for World War I veterans. (1) Any person discharged, or released, or furloughed subsequent to April 7, 1917, upon honorable conditions, from any branch of the military or naval service of the United States, including all Red Cross and other nurses in military camps or hospitals who were a part of the military or naval forces of the United States in this country or overseas during the World War, and who at the time of entering such service, which must have been prior to November 12, 1918, was a resident of this state, and who was in the service at least 3 months, or each child not under 16 and not over 24 years of age of a veteran who was killed in action or died of wounds or disease, traceable to World War service, between the dates of April 6, 1917, and July 2, 1921, and who desires to continue his education in any of the public, elementary, high or vocational schools of this state, or in special schools organized for this purpose or in the county training or county agricultural schools, or in the institute of technology, the teachers' colleges, Stout institute, or in the university of Wisconsin, or in any other institution of learning in this state at which was organized an S. A. T. C., or in any other institution of high school or collegiate grade in the state not run for profit shall, under rules and regulations to be prescribed by the Wisconsin department of veterans' affairs, be entitled to receive \$30 per month while in regular attendance as a student at any such institution, but not to exceed a total of \$1,080 for each veteran or each child in lieu of the soldier bonus provided for in chapter 667 of the laws of 1919, except as hereinafter provided. The benefit of this section shall not accrue to any person for time spent while taking training in any student army training camp, nor to any person, who, though inducted into service did civilian work at civilian pay.

(2) Any person described in subsection (1) who was, subsequent to September 8, 1919, and to his discharge from military service, and prior to a formal assignment to an educational institution in accordance with the law, in regular attendance at a school in accordance with the provisions of this section, shall be entitled, upon application to the Wisconsin department of veterans' affairs, to the educational bonus during the period of regular attendance between his entrance into school subsequent to September 8, 1919, and to his discharge from military service and the date of assignment by the department.

(3) The Wisconsin department of veterans' affairs shall prescribe such rules as it shall deem necessary for the carrying out of the provisions of this section, always meeting the expressed wishes of the applicant as far as possible.

(4) Accompanying all applications for this bonus the applicant shall furnish satisfactory proof that he was a bona fide resident of the state at the time of induction or enlistment, and shall furnish other proof satisfactory to the department that he comes within the provisions of this section.

(5) Each school to which a student has been assigned by the department under the provisions of this section shall, upon admission of any such student or of notice that a student already registered is allowed the bonus, advise the department of the date of admission of this student to the school during the then present academic year, or during the following academic year, and it shall certify to said department monthly on a pay roll form to be presented by the said department, the names of all students entitled to

the bonus under the provisions of this section who are in regular attendance at such institution the preceding month.

(6) The acceptance of the bonus provided for in chapter 667 of the laws of 1919 shall preclude any person from availing himself of the privileges of this section, unless he shall first return to the state treasury the bonus received. Whenever any such person who has drawn his cash bonus under chapter 667 of the laws of 1919 and is desirous of entering school under the benefits of the educational bonus law, but is not eligible to receive the benefits owing to the fact that he is financially unable to return the amount of the cash bonus, the department is authorized to allow such person the benefits commencing the date of his assignment to school under the provisions of this section; with the further provision that the monthly benefits be withheld by the department until the amount withheld equals the amount received under chapter 667, laws of 1919.

(7) The benefits provided in this section shall not be available to veterans after July 1, 1933, except only to veterans who enrolled prior to October 1, 1931, and who by July 1, 1933, have completed at least two years of college work. Nor shall the benefits of this section be available after July 1, 1945, to the child not under 16 and not over 24 years of age of a veteran who was killed in action or died of wounds or disease, traceable to World War service, between the dates of April 6, 1917, and July 2, 1921.

(8) The department may make all necessary investigations as to the eligibility of any applicant to the aid provided for in this section and its decision shall be final.

(9) Any person who has received the bonus provided by chapter 667 of the laws of 1919, shall not be eligible to the benefits provided by this section until and unless he has complied with either one of the requirements of subsection (6).

(10) There is appropriated from the soldiers' rehabilitation fund to the Wisconsin department of veterans' affairs a sum sufficient to carry out the provisions of this section, and the provisions of chapter 667, laws of 1919. [1931 c. 271, 305; 1931 c. 476 s. 3; 1933 c. 368; 1935 c. 111; 1939 c. 456; 1945 c. 20, 580]

Note: Soldiers' educational bonus act is extended by chapter 305, Laws 1931, to adopted child of deceased veteran. It is not extended to his stepchild but marriage of his widow does not deprive his child of its beneficence. 20 Atty. Gen. 855.
Words "who enrolled prior to October 1, 1931," as given in 37.25 (7), as amended by ch. 368, laws of 1945, mean enrollment at approved school although no assignment was made by adjutant general. "Completed at least two years of college work" includes college work had prior to passage of initial law. Informal request for benefits enumerated in this section is all that is required. 22 Atty. Gen. 657.

45.40 Camp American Legion. The Wisconsin department of veterans' affairs is authorized to transfer from the soldiers' rehabilitation fund to the Wisconsin state department of the American Legion the sum of \$50,000 for the purpose of purchasing the buildings and equipment at Camp Minnewawa, located on state land between Tomahawk lake and Big Carr lake in Oneida county, and for the establishment at that place of a restoration camp for sick and disabled veterans of World Wars I and II and their dependents, the said American Legion having already contracted to purchase said camp for such purposes. The ownership of all of the buildings and equipment of such camp shall revert to the state upon the discontinuance of the use thereof for such purposes. On or before January 15 of each year the said department of the American Legion shall file with the governor and the Wisconsin department of veterans' affairs a written report of the operations and the financial status of such camp. Effective July 1, 1945 Camp Minnewawa shall be known as Camp American Legion. [1945 c. 580; 1947 c. 534]

Note: Board of trustees of Camp American Legion may admit as paying patients sick and disabled World War veterans from other states. 27 Atty. Gen. 462.

45.41 Disabled veterans; hospitalization when ineligible for federal hospitalization. The Wisconsin department of veterans' affairs shall provide hospitalization for any needy, disabled, honorably discharged soldier, sailor, marine or nurse of any war who is ineligible to hospitalization under the provisions of Public Act No. 2 of the First Session of the Seventy-third Congress and who is suffering from physical or mental disabilities not the result of misconduct. To be eligible to hospitalization hereunder the applicant must have been a resident of this state for not less than 5 years immediately preceding his application for treatment. Such hospitalization, except in cases requiring other or special treatment which can be provided only at some other hospital, sanatorium or out-patient facility and in emergency cases, shall be provided at the Wisconsin general hospital. When requested by the veteran, or someone in his behalf, treatment of the kind permitted by the provisions of section 147.19 (2), and convalescent care in connection therewith, may be provided. The Wisconsin general hospital, such sanatorium or out-patient facility shall be entitled to payment in such cases at a rate not to exceed cost per day for each patient, which amount shall be paid by the soldiers' rehabilitation fund out of the appropriation of section 20.035 (2) [Stats. 1933]. The Wisconsin department of veterans' affairs shall make necessary rules and regulations to carry out the provisions of

this section in accordance with the legislative declaration that the state of Wisconsin assumes responsibility for the hospitalization of soldiers, sailors, marines and nurses of any war who are bona fide residents of this state in cases where the federal government refuses to provide such necessary hospitalization. [1933 c. 442 s. 3; 1945 c. 580]

45.42 Veterans' burial places compiled. (1) The Wisconsin department of veterans' affairs shall compile a record of the burial places within the state of soldiers, sailors or marines who served in the military or naval forces of the United States. Such record, so far as practicable, shall indicate the name of each such person; the service in which he was engaged; the number of the regiment or company, if a soldier, and of the command, if a sailor or marine; the rank and period of service; the name and location of the cemetery or other place in which his body is interred; the location of the grave in such cemetery or other place; and the character of headstone or other marker if any, at such grave.

(2) The department shall cause blank forms to be prepared whereby the information required for such record may be transmitted to it. Every person or corporation, including a municipal corporation, owning or controlling any cemetery or burial place within the state in which are interred the bodies of persons who served in the military or naval forces of the United States, shall file with the department a certificate on the forms provided by it of the facts required for such record, so far as the same are within the knowledge of such person, corporation or its agents. The department shall cause blank certificates to be distributed to such persons and corporations as it deems advisable, with a request that such information be transmitted to it, but the failure to receive such blank and request shall not relieve any person or corporation from the obligation of complying with this section, within 90 days after it takes effect.

(3) It shall be the duty of the department to make a careful inquiry and examination for the purpose of collecting and checking the records required by this section. [1945 c. 580]

45.43 County veterans' service officer. (1) **ELECTION.** The county board shall elect a county veterans' service officer who shall be an honorably discharged veteran who served the United States in time of war.

(2) **TERM.** Upon his first election the county veterans' service officer shall serve until the first Monday in January of the second year subsequent to the year of his election, and, if reelected, it shall be for a term of two years.

(3) **SALARY.** The salary of the county veterans' service officer shall be fixed by the county board prior to or at the time of his election and annually thereafter.

(4) **MILWAUKEE COUNTY.** In counties having a population of 500,000 or more such officer shall be appointed subject to sections 16.31 to 16.44.

(5) **DUTIES.** The county veterans' service officer shall advise with veterans of all wars residing in the county who were engaged in the service of the United States, relative to any complaint or problem arising out of war service and shall render to them and their dependents all possible assistance. The county board shall provide him with office space, clerical assistance and such other needs as will enable him to perform his duties and may appoint such assistant county service officers as are necessary, who shall be honorably discharged veterans who served the United States in time of war. The service officer shall make such reports as the board may require.

(6) **CO-OPERATION.** The county veterans' service officer shall co-operate with the several federal and state agencies which render services or grant aids or benefits to veterans and their dependents. [1945 c. 550, 587]

Note: Member of county board which elects county veterans' service officer is ineligible to be elected to or hold such position for the balance of his term as member of the county board. Disability extends for the entire term. In event of resignation the disability continues until the expiration of the time when his term of office as member of the county board would have expired had there been no resignation. 34 Atty. Gen. 265.

45.44 County veterans' co-ordinating council. (1) In each county the county veterans' service commission may appoint a county veterans' co-ordinating council, each council consisting of:

(a) The following ex officio officers or representatives so far as they are existent in the county:

Chairman of the county board.

County superintendent of schools.

Director of the county pension department.

County agricultural agent.

Secretary of the county veterans' service commission.

County representative of the United States employment service.

Director or directors of schools of vocational and adult education.

A representative of the rehabilitation division of the state board of vocational and adult education.

A representative of each selective service board to be designated by the board, except that in counties having a population of 500,000 or more not to exceed 5 representatives of all boards to be designated by the governor.

County chairman of the American Red Cross.

One member each of the veterans' organizations established by act of Congress, to be selected by the county board chairman from a panel of 5 persons submitted by the county headquarters of the respective organizations, and who shall be a resident of the county.

(b) The following appointive members:

Two representatives each of labor, industry and the public.

Such additional members not exceeding 5 as the commission may determine.

(2) The members of the co-ordinating council shall receive no compensation for services. The terms of appointed members shall be 2 years. Vacancies shall be filled in the same manner as the original appointment.

(3) The council shall meet at such times and at such places as it may determine or as the county veterans' service commission may request.

(4) The co-ordinating council shall advise with the county veterans' service commission relative to the co-ordination of activities of all agencies in the county which perform functions relating to hospitalization, medical treatment and care, granting of economic aid, reemployment placement and training, claims for compensation and insurance, educational or vocational rehabilitation of discharged war veterans and their dependents, including women in affiliated services, to the end that benefits provided by federal, state and county governments may be made available to veterans and their dependents as promptly and effectively as possible. [1945 c. 550, 587]