

No. 31, A.]

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CHAPTER 303

AN ACT to repeal 45.37 (2) (intro. par.) to (e) and (fa) and (g); to renumber 45.37 (1), (2) (h) and (3) to (10); to renumber and amend 45.37 (2) (f); and to create 45.37 (1) to (7) and (9) to (15) (titles) of the statutes, relating to the qualifications for admission to the Grand Army home.

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

SECTION 1. 45.37 (1) of the statutes is renumbered 45.365 (1).

SECTION 2. 45.37 (2) (intro. par.) to (e) and (fa) and (g) of the statutes are repealed.

SECTION 3. 45.37 (1) to (7) of the statutes are created to read:

45.37 WHO ARE ENTITLED TO MEMBERSHIP. (1) GENERAL STATEMENT. Within the limitations of the facilities of the home, the department may admit to membership in the Grand Army home for veterans persons who meet the qualifications set forth in this section.

(2) **BASIC ELIGIBILITY REQUIREMENTS.** Men or women who served on active duty in the armed forces of the United States during a war period or under conditions comparable thereto as may be determined by the department and who meet the following requirements may be admitted to the home:

(a) *Residence.* Were bona fide residents of Wisconsin at the time of entering service with the armed forces and who have resided in Wisconsin continuously for 10 years next preceding the date of application for membership. Residence may not be initiated by residence in a U.S. veterans administration facility.

(b) *Active duty.* Had at least 90 days of active duty in the armed forces.

(c) *Discharge under honorable conditions.* Were discharged from such service under conditions considered honorable by the department.

(d) *Means test.* Are found by the department to lack adequate means of support for themselves and dependents, and are temporarily or permanently incapacitated due to physical disability or age from following any substantially gainful occupation. Priority shall be granted to those who have no personal resources and who certify that they have no parent, spouse or child able to care for them and the department shall make such investigation as is necessary to ascertain the correctness of such certifications.

(e) *U.S. care.* Are eligible to similar care in a facility controlled by the U.S. veterans administration.

(f) *Age.* Are 50 years of age or over.

(g) *Crimes.* Have not been convicted of a felony or of a crime involving moral turpitude or have produced sufficient evidence of subsequent good conduct and reformation of character as to be satisfactory to the department.

(h) *Chronic ailments.* Is not a chronic alcoholic, drug addict, psychotic or active tuberculosis case.

(i) *Assets.* Reports or has total assets under \$500, unless the applicant for membership agrees to turn over such assets in excess of \$500 to the state for the sole use and benefit of the home.

(j) *Prior transfer of assets.* Has not within 5 years immediately prior to application for admission conveyed or disposed of property or any interest therein of a value in excess of \$500 by gift or sale for an inadequate consideration, except in cases where the property is conveyed to the state. If the department determines that any such conveyance or disposition of property had no relation to prospective entrance into the home, the last provision shall not be applicable.

(3) **EXCEPTIONS TO THE BASIC ELIGIBILITY REQUIREMENTS.** (a) *Less than 90 days service.* Veterans with less than 90 days of service, if otherwise qualified as specified herein, shall be considered eligible if such service was terminated as a result of service connected disability.

(b) *Under 50 years of age.* Disabled veterans under 50 years of age, if otherwise qualified, may be admitted if unable to secure adequate care from the federal government.

(c) *Nonresident.* Veterans whose services are not credited to Wisconsin but who are otherwise qualified for membership may be admitted if they have resided continuously in this state for the 15 years next preceding the date of application.

(4) **ADMISSION PRIORITIES.** (a) *Order of eligibility of veterans.* Applications except in cases where there is an immediate need for physical care or economic assistance shall be passed upon in order of priority in point of time of commencement of the military service upon which the privilege of membership in the home is based.

(b) *Basis for eligibility of nonveterans.* Wives, widows and mothers derive their eligibility from the eligibility of the veteran upon whose service it is based.

(c) *Order of priority.* The order of priority for admission to the home shall be as follows:

1. Eligible veterans shall have first priority;
2. Wives of eligible veterans shall be given second priority;
3. Widows of eligible veterans shall be given third priority;
4. Mothers of eligible veterans shall be given fourth priority;
5. The department may deviate from this sequence upon order of the board in order to prevent the separation of a family unit of husband and wife.

(5) **ADDITIONAL ELIGIBILITY REQUIREMENTS OF WIVES OF VETERANS.**

Wives of eligible veterans are eligible only if:

(a) They have lived continuously with the veteran husband not less than 10 years immediately before making application for membership; and

(b) The husband is a member of the home or is institutionalized because of physical or mental disability; and

(c) Wives who become widowed while members of the home must qualify for membership as widows under sub. (6) if their membership is to be continued.

(6) **ADDITIONAL ELIGIBILITY REQUIREMENTS OF WIDOWS.** The widows of veterans who would be eligible if living, are eligible if:

(a) They were married to and living with their veteran husbands not less than 10 years immediately prior to the death of the veteran or were married to the veteran at the time the veteran entered the service and were widowed by the death of the veteran in the service or as a result of physical disability incurred during such service and before they were married 10 years; and

(b) Have not remarried; and

(c) Are 50 years of age or over at the date of application; and

(d) Are physically disabled; and

(e) Are unable adequately to care for themselves and lack adequate means of support.

(7) **ADDITIONAL ELIGIBILITY REQUIREMENTS OF MOTHERS.** The mothers of veterans who whether living or dead, were eligible for membership, are eligible if they:

(a) Are widowed; and

(b) Have reached 60 years of age; and

(c) Have resided in this state continuously for the 10 years next preceding the date of application for membership; and

(d) Are physically disabled, unable adequately to care for themselves and lack adequate means of support.

SECTION 4. 45.37 (2) (f) of the statutes is renumbered 45.37 (8) and amended to read:

45.37 (8) **EFFECT OF CHANGE IN STANDARDS.** The members of the home on July 7, 1949 shall not be required to requalify for membership because of changes made in eligibility standards unless they are subsequently discharged and later apply for re-entry into the home, or unless the financial or physical status of any member has changed or improved so that he would no longer be eligible for admission under the standards applicable at the time of his admission. * * *

SECTION 5. 45.37 (2) (h) and (3) to (7) of the statutes are renumbered 45.37 (9) to (15) respectively.

SECTION 6. 45.37 (8) to (10) of the statutes are renumbered 45.365 (2) to (4) respectively.

SECTION 7. 45.37 (9) to (15) (titles) of the statutes are created to read:

45.37 (9) FORMULA FOR MEMBER INCOME PAYMENTS.

(10) CONVEYANCE OF PROPERTY.

(11) DISPOSITION OF PROPERTY DESCENDING TO STATE.

(12) CARE AS LIEN ON ASSETS OF MEMBER.

(13) MEMBERS ELIGIBLE TO PRIVILEGE OF WISCONSIN GENERAL HOSPITAL.

(14) POWERS OF COMMANDANT OVER PERSONAL FUNDS OF MEMBERS.

(15) ELIGIBILITY FOR BURIAL AND INTERMENT AT THE HOME.

Approved July 3, 1957.
