

Assembly Bill 808

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CHAPTER 295

AN ACT to repeal 20.840 (2) and (82), 45.20, 45.22, 45.276, 45.277, 45.35 (5b) (c) to (h), (8a) and (8b), 45.352 (9), 47.37 (2) (g), 45.38, 45.44, 45.48 (1) and (2); to renumber 45.35 (8c), 45.45 and 45.48 (3) and (4); to amend 20.840 (72) and (81), 45.01, 45.06, 45.066, 45.35 (1), (2), (5a) (intro. par.), (5b) (intro. par.) and (a), (5c), (6), (7), (10) and (11), 45.352 (1), (2) (b), (4) (c), (4a) and (7), 45.365 (1), (4) (intro. par.), (a) and (b), 47.37 (2) (intro. par.) and (a) to (d) and (f), (3), (5) to (7), (9) to (9c), (12) (b), (c) and (e), (13) and (15), 45.40 (2), 45.60 (2), (4) and (5), 59.715 (21), 227.01 (5) (h), 241.09, 247.29 (2) and 310.045 (2); to repeal and recreate 45.02 to 45.04, 45.35 (5b) (b) to (d) and (15), 45.351, 45.352 (10) and 45.353; and to create 20.840 (76), 45.27, 45.35 (8) (b) and 45.37 (6) (f), (10) (d) and (12) (i) of the statutes, relating to modifications of laws pertaining to veterans and making an appropriation.

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

SECTION 1. 20.840 (2) of the statutes is repealed effective July 1, 1965.

SECTION 2. 20.840 (72) of the statutes is amended to read:

20.840 (72) Annually beginning July 1, 1963, \$1,500,000 from the veterans trust fund for the payment of benefits to veterans and their dependents under ch. 45, and for the hospitalization of veterans under ~~s. 45.38 (1)~~ s. 45.351.

SECTION 3. 20.840 (76) of the statutes is created to read:

20.840 (76) UNITED SPANISH WAR VETERANS. On July 1, 1965, and annually thereafter there is appropriated from the veterans trust fund \$1,000 to the United Spanish War Veterans, department of Wisconsin, to help defray the expenses of the annual encampment of said organization.

SECTION 4. 20.840 (81) of the statutes is amended to read:

20.840 (81) From the veterans trust fund after deducting the appropriations made under subs. (71), (72) ~~and~~, (73), (74), (75), (76), (84), (85) ~~and~~ (86) a sum sufficient for the payment of housing loans granted to veterans, ~~veterans nonprofit housing corporations and veterans nonprofit cooperative housing associations~~, and the payment of expense and other payments as a consequence of being mortgagee or owner under ss. 45.352 ~~and~~ 45.353. All repayments of loans and payments of interest made on loans under ~~ss. s. 45.352 and 45.353~~ shall revert to the veterans trust fund.

SECTION 5. 20.840 (82) of the statutes is repealed.

SECTION 6. 45.01 of the statutes is amended to read:

45.01 G.A.R. MEMORIAL HALL; SPACE FOR. ~~It shall be the duty of~~ The department of administration ~~to shall~~ provide suitable rooms in the capitol and properly prepare them for the purpose of a memorial hall, *designated as the G.A.R. 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 men and women of Wisconsin who served in the armed forces of the United States in the civil war of 1861 to 1865 or in any subsequent wars, as enumerated in s. 45.35 (5a) (a) to (g), and the department of veterans affairs shall operate and conduct such memorial hall.*

SECTION 7. 45.02 to 45.04 of the statutes are repealed and recreated to read:

45.02 MEMORIAL COLLECTION. The battle flags of Wisconsin units serving in the nation's wars, and all relics and mementos of such wars donated to or otherwise acquired by the state for display in the G.A.R. Memorial Hall shall constitute the memorial collection. The department of veterans affairs shall catalog and identify all war relics and mementos of the memorial collection, restore, preserve and safeguard such items, procure additions to such collection, provide proper display equipment, and to so display such collection as to make it instructive and attractive to visitors to the state capitol.

45.03 VETERANS ORGANIZATION HEADQUARTERS. The department of veterans affairs shall provide space in the memorial hall for the Grand Army of the Republic, department of Wisconsin, and the United Spanish War Veterans, department of Wisconsin, and shall provide necessary office furniture in such space for such purposes, and shall furnish necessary stationery and other office supplies for such headquarters on the proper voucher of the elected administrative officer of each such organization.

45.04 SUPERINTENDENT. To carry out the purposes of ss. 45.01 to 45.04, the department of veterans affairs shall appoint a superintendent of the memorial hall for a term of 4 years outside the classified service, and such other persons under the classified service necessary for the proper conduct of the memorial hall.

SECTION 8. 45.06 and 45.066 of the statutes are amended to read:

45.06 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~~, *veterans organizations or 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 imposed 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.

45.066 MEMORIAL TREES ALONG 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 men and women who served in the armed forces of the United States in time of war, without the written permission of the state highway commission. Violations of this section shall be punishable by a fine of not less than \$10 nor more than \$200 or by imprisonment in the county jail for not to exceed thirty more than 30 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.

SECTION 9. 45.20 and 45.22 of the statutes are repealed.

SECTION 10. 45.27 of the statutes is created to read:

45.27 PREFERENTIAL RATE, WISCONSIN GENERAL HOSPITAL. The rate of charges for care and services at the Wisconsin general hospital to patients named in s. 142.10 shall be as set forth therein. Unless such patients elect to be admitted as private patients, all hospital care and all professional services, including medical, surgical and laboratory services, shall be included in the preferential rate so established.

SECTION 11. 45.276 and 45.277 of the statutes are repealed.

SECTION 12. 45.35 (1), (2), (5a) (intro. par.), (5b) (intro. par.) and (a), (5c), (6), (7), (10) and (11) of the statutes are amended to read:

45.35 (1) ~~The legislature declares that~~ It is the policy of the state to give health, educational and economic assistance to veterans of the armed forces of the United States in World War II and the Korean conflict, and their dependents, who are bona fide residents of this state as defined in sub. 5a) (f) and (g), such assistance to be to such, to the extent and under such the conditions as is determined by the board within the limitations hereinafter set forth. ~~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 who shall be United States war veterans, (one of such 4 whom shall be a Spanish-American war veteran) appointed by the governor by and with the advice and consent of the senate.

(5a) (intro. par.) "Veteran" as used in this chapter, except in s. 45.37 and unless otherwise modified, means any person who served under honorable conditions in the active military or naval service of the United States for 90 days or more during a war period, as enumerated below, or if having served less than 90 days was honorably discharged for a service-connected disability or for a disability subsequently adjudicated to have been service-connected, who has been a resident of this state for at least 10 years next preceding his application or was a resident of this state at the time of his enlistment or induction into service and is a resident of and living in this state at the time of making application. If the service was

in more than one *wartime period*, ~~either service in one entire period must have been served under honorable conditions or have been terminated by an honorable discharge.~~ The benefits available to veterans shall also be made available to the ~~dependents~~ *unremarried widows, widowers and children of persons who were residents of the state at the time of their enlistment or induction into service, who served under honorable conditions in the active military or naval service of the United States and who were officially reported missing in action, killed in action or who died in service during a wartime period.*

(5b) (intro. par.) "Dependent" of a veteran as used in this section ~~means and includes only:~~

(a) A wife or husband, *an unremarried widow or widower*; or a divorced wife only when receiving benefits under a court order.

(5c) No veteran and no dependent of a veteran is eligible for any benefit provided by ~~this section ss. 45.351 and 45.352~~ without specific authorization by the board if such person has received from another state any bonus payment provided for him because of military service in World War II or the Korean conflict or provided for him because of being a dependent of a person who had such military service, unless such veteran served in more than one war period as defined in sub. (5a) (f) and (g) and is qualified by virtue of being a resident of this state at the time of his enlistment or induction into service for a war period other than that for which he received such bonus payment.

(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 *persons who served in the armed forces of the United States at any time and who were honorably discharged veterans*, including such ~~veterans~~ *persons 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~~ *state 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 cooperate with federal agencies in securing for ~~Wisconsin~~ veterans all benefits to which they may be entitled.

(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: 9 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, the Marine Corps League, the United Spanish War Veterans, the Navy Club of the U.S.A., the Veterans of World War II (AMVETS), the Veterans of World War I of the U.S.A., Inc., and the Military Order of the Purple Heart, ~~one veteran who has served in the armed forces in Korea since June 26, 1950,~~ one representative of the American Red Cross and one of the Wisconsin county veterans service officers. 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~~ *deems* advisable.

SECTION 13. 45.35 (5b) (b) to (d) of the statutes are repealed and recreated to read:

45.35 (5b) (b) Any child of the veteran 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 defects. "Child" as used in this section means any natural child, any legally adopted child, any stepchild or child if a member of the veteran's household or any child born out of wedlock if the veteran acknowledges paternity or the same has been otherwise established.

(c) 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.

(d) A minor sister or minor brother or a brother or sister of any age if incapable of self-support by reason of mental or physical defects.

SECTION 14. 45.35 (5b) (e) to (h), (8a) and (8b) of the statutes are repealed.

SECTION 15. 45.35 (8c) of the statutes is renumbered 45.35 (8) (a).

SECTION 16. 45.35 (8) (b) of the statutes is created to read:

45.35 (8) (b) The benefits and aid provided under ss. 45.351 and 45.352 shall not be assignable and shall be exempt from garnishment and execution.

SECTION 17. 45.35 (15) of the statutes is repealed and recreated to read:

45.35 (15) LIBERAL CONSTRUCTION INTENDED. The provisions of this section and ss. 45.351, 45.352 and 45.37 shall be construed as liberally as the language permits in favor of applicants.

SECTION 18. 45.351 of the statutes is repealed and recreated to read:

45.351 ECONOMIC ASSISTANCE. (1) The department may extend to any veteran or any of his dependents such temporary emergency aid as it deems advisable to prevent want or distress.

(2) The department may lend any veteran not more than \$1,500 to be used for the purchase of a business or business property or the repairing or adding to his home or business property, the education of himself or his children or to provide essential economic assistance, where the veteran's need is established to the satisfaction of the department and he is unable to meet that need from his own resources or available credit upon manageable terms. The department may prescribe loan conditions, but the interest rate shall be 2 per cent per annum and the term shall not exceed 15 years. Loan expense may be charged to the veteran. The department may execute necessary instruments, collect interest and principal, compromise indebtedness, sue and be sued, and write off indebtedness which it deems uncollectible. Interest and repaid principal shall be paid into the veterans trust fund. The department may lend for educational purposes not more than \$1,500 to any veteran's widow who has not remarried for herself or a minor child or children of a veteran whose death was directly or indirectly due to service causes if (a) such veteran otherwise would have qualified for such a loan, and (b) such widow or child

has resided in this state for 5 years immediately preceding the date of application.

(3) The department shall insure the life of every veteran who obtains a loan under sub. (2) after July 1, 1963, for the amount of principal and interest due on the state loan and the state of Wisconsin shall be named the beneficiary. If the veteran dies before paying off the loan, the insurance shall be used to pay the balance of the state loan, and the director shall satisfy the loan.

(a) The department shall procure bids for the purchasing of such insurance in compliance with the laws governing the purchase and furnishing of services to state agencies.

(b) The department shall pay the premiums from the appropriations made by s. 20.840 (72) and require the debtors to repay their prorata share of the premiums at such time and in such amounts as is determined by the department.

(4) All expenditures for the execution of this section shall be paid out of the appropriation in s. 20.840 (72).

SECTION 19. 45.352 (1), (2) (b), (4) (c), (4a) and (7) of the statutes are amended to read:

45.352 (1) "~~Veteran~~" as used in this section and s. 45.353 has the same meaning as in s. 45.35 (5a), (f) and (g) and "Department" as used in this section means the Wisconsin department of veterans affairs.

(2) (b) The department in administering this section is directed to determine that the purchase price total cost to the veteran of any premises to be purchased or constructed by him does not exceed the general average of property values and building costs in the area its market value, that the veteran will not be incurring an excessive indebtedness in view of his income, and that the veteran requires a loan in addition to his own funds. ~~In the event that~~ If the department determines that the applications for loans shall exceed the funds available, the department shall give priority of loans to the most necessitous cases and take all action necessary to spread the available funds among the maximum possible number of veterans. ~~It is the intent of the legislature that the provisions of ss. 45.352 be construed as liberally as the language permits in favor of the veteran.~~

(4) (c) Has available for application on the cost of such home an amount equivalent to at least 5 per cent of such total cost. Such amount may consist of money and other assets, including land to be used for the construction, which land may be taken at its assessed valuation for taxation purposes.

(4a) The department may grant a loan under this section, to a veteran otherwise eligible hereunder, for the purpose of refinancing existing housing indebtedness or increasing an existing department housing loan when satisfied as to the need therefor.

(7) The department shall have and exercise the rights, as the case may be, of owners or mortgagees generally, and Any payments or expenses necessary to be made to protect the state's interest investment shall be made from the appropriation made by s. 20.840 (81).

SECTION 20. 45.352 (9) of the statutes is repealed.

SECTION 21. 45.352 (10) of the statutes is repealed and recreated to read:

45.352 (10) Whenever any instalment of principal, interest or other charge payable under the terms of a note or mortgage given under this section becomes delinquent, the department may, upon application of the mortgagor and by agreement in writing executed by the parties, extend

the time within which the obligation under such note and mortgage or any part thereof shall be paid, reduce the amount of monthly instalments and provide such other terms and conditions relative to the time and manner of repaying the obligation as the department deems necessary and reasonable in view of all the circumstances of the case. If the department finds an application is made without sufficient cause to justify granting relief under this subsection it may deny the same.

SECTION 22. 45.353 of the statutes is repealed and recreated to read:

45.353 GRANTS TO VETERANS ORGANIZATIONS. (1) In this section:

(a) "State veterans organization" means a state organization or department of a national veterans organization, which national organization is incorporated by an act of congress.

(b) "Regional office" means the veterans administration regional office in Wisconsin.

(2) Upon application the department shall pay to any state veterans organization, which establishes that it, or its national organization, or both, has maintained a full-time service office at the regional office for at least 5 years preceding the date of application, a sum equal to 25 per cent of all salaries and travel expenses paid during the previous fiscal year specified under sub. (3) by such state veterans organization to employes engaged in veterans claims service and stationed at such regional office, except that the sum paid to each such state veterans organization annually shall not be less than either \$2,500, or the amount of salaries and travel expenses paid by such state veterans organization to employes stationed at such regional office, whichever is less, nor more than \$7,500.

(3) Application by any such state veterans organization shall be filed annually with the department for the 12-month period commencing on April 1 and ending on March 31 of the year in which it is filed. An application shall contain a statement of salaries and travel expenses paid to employes engaged in veterans claims service maintained at the regional office by such state veterans organization covering the period for which application for a grant is made, which statement has been certified as correct by an accountant certified under ch. 135 and sworn to as correct by the adjutant or principal officer of the state veterans organization. The application shall also contain the state organization's financial statement for its last completed fiscal year and such evidence of claims service activity as the department requires. Sufficient evidence shall be submitted with an initial application to establish that the state veterans organization, or its national organization, or both, has maintained a full-time service office at the regional office without interruption throughout the 5-year period immediately preceding such application. Subsequent applications must be accompanied by an affidavit by the adjutant or principal officer of such state veterans organization stating that a full-time service office was maintained at the regional office by such state veterans organization, or by such state organization and its national organization, for the entire 12-month period for which application for a grant is made.

(4) The board may establish such rules as are necessary to administer this section.

SECTION 23. 45.365 (1) and (4) (intro. par.), (a) and (b) of the statutes are amended to read:

45.365 (1) The Wisconsin department of veterans affairs, hereafter in this section referred to as the department, shall operate and conduct the Grand Army home for veterans at King, hereafter in this section referred

to as the home, and employ a commandant and such officers, nurses, attendants and other personnel as may be necessary for the proper conduct of the home. In compliance with the compensation plan established pursuant to s. 16.105 (4) it may ~~make and determine~~ *recommend to the bureau of personnel* charges for meals, living quarters, laundry and other services furnished to employes and members of the employes' family maintained as such. All moneys received from ~~each and every~~ person for or on account of such services shall be paid within one week after receipt into the general fund and shall be credited to the appropriation provided for this purpose by ch. 20. Complete personal maintenance and medical care to include programs and facilities which promote comfort, recreation, well-being or rehabilitation, shall be furnished all members under the policy of the department.

(4) (intro. par.) For the purpose of providing ~~an infirmary domiciliary building~~ *necessary buildings* at the ~~Grand Army home for veterans at King~~, improvements and additions thereto and equipment therefor, and to enable the construction, financing and ultimate acquisition thereof, and for no other purpose unless authorized by the legislature, the ~~board of veterans' affairs~~ *department* shall have the following powers and duties:

(a) The power to lease and re-lease state-owned lands at the ~~Grand Army home for veterans at King~~ and improvements to a nonprofit-sharing corporation for terms not exceeding 50 years each, and to enter into contracts with such corporation, all upon condition that the corporation shall construct on the leased land ~~an infirmary domiciliary building~~ *buildings*, or additions and improvements thereto, and provide such equipment therefor, as the ~~board of veterans' affairs~~ *shall designate department designates* and shall lease the same to the ~~board of veterans' affairs~~ *department* upon satisfactory terms as to the current rental, maintenance and ultimate purchase by the ~~board of veterans' affairs~~ *department*.

(b) The duty to apply the revenues derived from the operation of such ~~infirmary domiciliary building~~ *buildings*, and additions and improvements thereto and all moneys available and to become available from the federal government for care of veteran members at the said ~~Grand Army home for Veterans~~, including moneys in the appropriation provided in s. 20.840 (61), to the payment of such rentals; and to apply any surplus which may be available or accrue from any such sources toward the purchase price of such ~~building, addition, improvement~~ *buildings, additions, improvements* and equipment.

SECTION 24. 45.37 (2) (intro. par.) and (a) to (d) and (f), (3), (5) to (7), (9) to (9c), (12) (b), (c) and (e), (13) and (15) of the statutes are amended to read:

45.37 (2) (intro. par.) ~~Veterans~~ *A veteran who meet the following requirements may be admitted to the home if he:*

(a) ~~Were~~ *Was* a bona fide ~~residents~~ *resident* of this state at the time of entering service with the armed forces and who ~~have~~ *has* resided in this state continuously for 5 years next preceding the date of application for membership. Residence may not be initiated by residence in a U.S. veterans administration facility. ~~Members who die while residents of the home shall be deemed residents of Waupaca county for all purposes connected with the administration of their estates.~~

(b) ~~Are~~ *Is* found by the department to lack adequate means of support for ~~themselves~~ *himself* and dependents, and ~~are~~ *is* 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.

(c) ~~Are~~ *Is* 50 years of age or over.

(d) ~~Have~~ *Has* not been convicted of a felony or of a crime involving moral turpitude or ~~have, if so, has~~ produced sufficient evidence of subsequent good conduct and reformation of character as to be satisfactory to the department.

(f) Reports or has total assets under \$1,000, unless the applicant for membership ~~agrees to turn~~ *turns* over such assets in excess of \$1,000 to the state for the sole use and benefit of the home. *Property or any interest therein conveyed or disposed of by the applicant within 5 years immediately prior to application for admission by gift or for less than adequate consideration shall be considered assets upon admission to the extent of the value of the gift or to the extent consideration therefor was inadequate, unless such assets were conveyed to the state or unless it is determined by the department that the conveyance or disposal of such assets had no relation to prospective entrance into the home.* Such assets shall be held in escrow by the home for 60 days, any time during which the applicant may decide to leave the home, and demand the funds in escrow less the actual cost of his care and maintenance, in addition to payments under sub. (9).

(3) (a) A disabled ~~veterans~~ *veteran* under 50 years of age, if otherwise qualified, may be admitted if unable to secure adequate care from the federal government.

(b) ~~Veterans~~ *A veteran* whose ~~services are~~ *service is* not credited to Wisconsin but who ~~are~~ *is* otherwise qualified for membership may be admitted if ~~they have~~ *he has* resided continuously in this state for the 10 years next preceding the date of application.

(5) ADDITIONAL ELIGIBILITY REQUIREMENTS OF A WIFE OF A VETERAN. ~~Wives of~~ *A wife of an eligible ~~veterans~~ *veteran is* eligible only if *she meets the requirements of sub. (2) (d) to (f) and if:**

(a) ~~They have~~ *She has* lived continuously with ~~the~~ *her* veteran husband not less than 5 years immediately before making application for membership; and

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

(c) ~~Wives~~ *A wife* who ~~become~~ *becomes* widowed while ~~members~~ *a member* of the home must qualify for membership as ~~widows~~ *a widow* under sub. (6) if ~~their~~ *her* membership is to be continued.

(d) ~~Wives~~ *A wife of an eligible ~~veterans~~ *veteran* by virtue of a bona fide marriage invalidly entered into but validated prior to application for admission shall, for the purpose of this subsection and sub. (6), be considered married to such eligible ~~veterans~~ *veteran* from the ~~dates~~ *date* such invalid ~~marriages were~~ *marriage was* entered into.*

(6) ADDITIONAL ELIGIBILITY REQUIREMENTS OF A WIDOW. The ~~widows~~ *widow of ~~veterans~~ *a veteran* who would be eligible if living, ~~are~~ *is* eligible if *she meets the requirements of sub. (2) (d) to (f) and if:**

(a) ~~They were~~ *She was* married to and living with ~~their~~ *her* veteran ~~husbands~~ *husband* not less than 5 years immediately prior to the death of ~~the~~ *her* veteran husband, or ~~were~~ *was* married to the veteran at the time ~~the~~ *spouse he* entered the service and ~~were~~ *was* widowed by the death of ~~the~~ *her* spouse in the service or as a result of physical disability incurred during such service and before they were married 5 years, or the period ~~in~~ *during* which ~~they were~~ *she was* married to and lived with ~~the~~ *her* spouse

plus the period of ~~their~~ *her* widowhood is 5 years or more, or ~~were if she~~ *was* married to and living with ~~their~~ *her* veteran ~~husbands~~ *husband* less than 5 years and a child was born of the marriage; and

- (b) ~~Have~~ *Has* not remarried; and
- (c) ~~Are~~ *Is* 45 years of age or over ~~at~~ on the date of application; and
- (d) ~~Are~~ *Is* physically disabled; and
- (e) ~~Are~~ *Is* unable adequately to care for ~~themselves~~ *herself* and ~~lack~~ *lacks* adequate means of support; and

(7) The ~~mothers~~ *mother* of ~~veterans~~ *a veteran* who, whether living or dead, would be eligible for membership if living, ~~are~~ *is* eligible if ~~they~~ *she* meets the requirements of sub. (2) (d) to (f) and if ~~she~~ *she*:

- (a) ~~Are~~ *Is* widowed; and
- (b) ~~Have~~ *Has* reached 60 years of age; and
- (c) ~~Have~~ *Has* resided in this state continuously for the 5 years next preceding the date of application for membership; and
- (d) ~~Are~~ *Is* physically disabled, unable adequately to care for ~~them-~~ *selves* *herself* and ~~lack~~ *lacks* adequate means of support.
- (e) If ~~their~~ *her* veteran son died during a war period or subsequently died of a service-connected disability.

(9) Each member of the home, regardless of the date of his admission, shall pay the following portions of his ~~annual~~ *monthly* income into the general fund of the state. If husband and wife are both members their incomes shall be combined before applying the rates.

Income Brackets	Rates
1st \$120 \$10 -----	none
2nd \$120 \$10 -----	none
3rd \$120 \$10 -----	40 per cent
4th \$120 \$10 -----	50 per cent
5th \$120 \$10 -----	60 per cent
6th \$120 \$10 -----	70 per cent
7th \$120 \$10 -----	75 per cent
All remaining income -----	100 per cent

Payments of the amounts indicated above shall be made at such time and in such amounts as the board of the department shall ~~provide~~ *provides* by rule or regulation. Payments of these amounts shall be made first and to the fullest extent possible from sources of income other than pension or compensation paid by the veterans administration. The department may remit not to exceed \$10 monthly from the payments required of each married veteran for the personal use of his wife while she is a member of the home. The department may remit such sums monthly as it deems necessary for the care of nonmember dependents of a member. "Income" as used in this section, ~~shall~~ *means* money, property or anything of monetary value received from any source to which a member may become entitled subsequent to admission, to include, without limitation by reason of enumeration, all pensions from state, federal or private sources, annuities, social security payments, railroad retirement, public or private retirement, compensation, wages, salary, alimony, rents, interest, dividends, profits, return on investment, moneys received for loss, damage or injury, awards, gifts, devises, bequests and hereditaments, and ~~recurrent~~ *insurance payments from state, federal and private sources* benefits but shall not include wages, salary or payment to a member for services rendered to the home as an employe thereof. The operation of the home exchange including the operation of the hobby shop for the sale of products made by all members shall be conducted under the supervision of the ~~board of veterans affairs~~ *department* and the members of the home participating in the work of the home exchange may be reimbursed ~~in~~ *such*

~~manner as the board may direct according to the pay plan of the bureau of personnel.~~

(9a) If the pension payments to a member ~~under guardianship~~ are suspended because his estate *or account* exceeds the limit established by the veterans administration, the ~~board~~ department may, in lieu of the procedures set forth in sub. (9), direct that the per diem cost for the care of the member be charged to the estate *or account* of the member.

(9c) All ~~income funds~~ held by the home for the members *not needed by the members for their own use* shall be deposited in a bank in the form of certificates of deposit in the name of the home, and the interest therefrom shall be paid annually into *the gifts and bequests fund* of the home for the purposes for which that fund exists.

(12) (b) Upon filing as in par. (a) the lien herein imposed attaches to all real property of the member *including a house trailer used as an abode* presently owned or subsequently acquired (including joint tenancy and homestead interests) in any county in which such certificate is filed for the amount of the net cost to the state for care and maintenance furnished or thereafter furnished to the member and it remains a lien until satisfied. The lien shall not sever a joint tenancy nor affect the right of survivorship except that the lien shall be enforceable to the extent that the member had an interest prior to his decease. The lien takes priority over any lien or conveyance subsequently acquired, made or recorded, except tax liens.

(c) Upon termination of membership in the home, the liens shall be enforceable by the state in the manner provided for the ~~foreclosure of mortgages under ch. 278; provided that enforcement of mechanics' liens upon real property.~~ In any action to foreclose such a lien the statute of limitations shall not constitute a defense. No such lien shall be enforced against the homestead of the member while it is occupied by him, a surviving spouse or by any minor children, or any incapacitated adult children of the member.

(e) At any time the department is satisfied that the collection of the amount owing to the state will not be jeopardized or that the release of the lien in whole or in part is necessary to provide for the maintenance of the member, his spouse, or minor children, or incapacitated adult child, it may release the lien as to all or any part of the real property of the member, *including a house trailer used as an abode*, which release shall be filed in the office of the register of deeds of the county in which the certificate is filed. The member, his heirs, personal representatives or assigns may discharge such lien at any time by paying the amount thereof to the department, which shall execute a satisfaction which shall be filed with the register of deeds.

(13) The provisions of s. ~~142.07~~ *142.10* are applicable to veterans of ~~all wars~~ while members of the home, subject to the same restrictions and with the same privileges now enjoyed by the *other* veterans of World War I at the Wisconsin general hospital. Costs incident to the hospitalization of members of the home shall be paid from the appropriation for the operation of the home, ~~except for these veterans of World War I who are eligible to hospitalization and treatment under the provisions of s. 45.38 and except those veterans of World War II who are eligible to treatment under the provisions of s. 45.35.~~

(15) (a) Any veteran ~~who served honorably in any branch of the military forces of the United States, while 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 cemetery of the home which shall be known as the "Wisconsin Veterans Memorial Ceme-

tery". Cost of preparing grave and erection of marker shall be paid from the appropriation made by s. 20.840 (31).

(b) Burial shall be provided in the cemetery of the home for any wife, widow or mother of ~~an honorably discharged a veteran of any branch of the military forces of the United States who was engaged in any of its wars,~~ where such wife, widow or mother at the time of her death was a member of the home or if not a member where she within 6 months of the veteran's death applies to the department for permission to be buried at the home at her own expense. The widow of the veteran shall have the privilege of selecting a lot next to her husband if available. Permission shall be given by the department for a period of one year from date of granting, but may be extended, on her request, for additional one-year periods. All expenses incident to the burial at the home of a member shall be paid from the estate of the decedent, except that if there is no estate or the estate is insufficient, the expense of burial, or necessary part thereof, shall be paid from the appropriation made by s. 20.840 (31) and the amount expended therefor shall not exceed the amount therein specified.

SECTION 25. 45.37 (2) (g) of the statutes is repealed.

SECTION 26. 45.37 (6) (f), (10) (d) and (12) (i) of the statutes are created to read:

45.37 (6) (f) Has resided in this state continuously for the 5 years immediately preceding the date of her application for membership.

(10) (d) A person who at the time of his death was a member of the home shall be deemed an inhabitant of or resident in Waupaca county for the probate of his will and issuance of letters testamentary and the administration of his estate.

(12) (i) After probate or administration proceedings have been initiated and notice to the creditors given, as required by s. 313.03, and it appears from the inventory filed in said estate that the amount of the lien owing to the state exceeds the value of estate assets, after deducting such expenses as provided in par. (d), the court may order summary closing proceedings under s. 311.05 and assign the real estate, if any, to the state.

SECTION 27. 45.38 of the statutes is repealed.

SECTION 28. 45.40 (2) of the statutes is amended to read:

45.40 (2) The written lease entered into between the Wisconsin state department of the American Legion and the conservation commission dated June 15, 1944, which leases Camp American Legion for a period of 10 years commencing June 1, 1944, shall continue in full force for an additional 10 years, *and may be renewed for additional 10 year periods thereafter*, notwithstanding the expiration of the term expressed therein, so long as the Wisconsin state department of the American Legion or any of the American Legion posts organized under s. 188.08 maintains on such property structures which were constructed prior to May 31, 1956, at the expense of the Wisconsin state department of the American Legion or any such post, for the purpose of the rehabilitation, restoration or recreation of veterans and their dependents of the Spanish-American war, the Philippine insurrection, the Mexican border service, World Wars I and II and the Korean conflict.

SECTION 29. 45.44 of the statutes is repealed.

SECTION 30. 45.45 of the statutes is renumbered 45.35 (16).

SECTION 31. 45.48 (1) and (2) of the statutes are repealed.

SECTION 32. 45.48 (3) and (4) of the statutes are renumbered 45.48 (1) and (2), respectively.

SECTION 33. 45.60 (2), (4) and (5) of the statutes are amended to read:

45.60 (2) There is created a Wisconsin veterans memorial commission consisting of the governor, *the director of the department of veterans affairs, the director of the state historical society* and 6 members appointed by the governor, ~~2~~ 3 of whom shall be veterans who have been approved by the Wisconsin veterans council, *and* 3 shall be selected from patriotic organizations interested in the preservation and establishment of war and veterans memorials, ~~and one a representative from the state historical society.~~

(4) The functions of the ~~board~~ *commission* shall be policy forming. It shall have the power to approve, to recommend and to veto any proposed plans, modifications and changes or policies with respect to established state memorials, including the Camp Randall memorial park, Madison, Wisconsin, as described in chapter 28, laws of 1913, and any future veterans state memorials; and to recommend the creation and establishment of veterans state memorials.

(5) The members of the ~~board~~ *commission* shall annually elect one of its members chairman and one secretary. The commission may prescribe rules ~~and regulations~~ governing its procedure.

SECTION 34. 59.715 (21) of the statutes is amended to read:

59.715 (21) Case records and other record material of all public assistance kept pursuant to ch. 49 ~~and s. 45.20~~ where no payments have been made for 5 years or more, provided that a face sheet or similar record of each case and a financial record of all payments for each aid account shall be permanently preserved, and ~~provided further,~~ that records of aid to the blind, aid to dependent children, old-age assistance and aid to disabled persons, and all case records of relief when a claim for reimbursement from the state is pending under s. 49.04, shall be destroyed only in accordance with the rules adopted by the state department of public welfare.

SECTION 35. 227.01 (5) (h) of the statutes is amended to read:

227.01 (5) (h) Relates to the management, discipline or release of persons who are *members of the Grand Army home for veterans at King, or who are* committed to state institutions or to the state department of public welfare or who are placed on probation;

SECTION 36. 241.09 of the statutes is amended to read:

241.09 No assignment of the salary or wages of any married man shall be valid for any purpose unless such assignment shall be in writing signed by the wife, if she at the time ~~he is~~ *is* a member of his family, and unless her signature ~~he is~~ *is* witnessed by 2 disinterested witnesses; nor shall any assignment of the salary or wages of any person be valid as to any such salary or wages to accrue more than 2 months after the date of the making of such assignment, except that assignments of salary or wages made directly to licensees under ss. 115.07, 115.09, 214.15 or to state or national banks, savings banks, trust company banks, savings and loan associations, *the Wisconsin department of veterans affairs* or credit unions, may include salary or wages to accrue more than 2 months after

the date of making such assignment, and except that any assignment of wages made in connection with a proceeding under s. 128.21 shall run concurrently with the period during which the amortization proceedings are in effect and shall become void upon the dismissal of the proceedings. Nothing in this section shall apply to assignments made under s. 101.10 (14) nor to any authorization from an employe to his employer directing him to make deductions from wages to accrue in the future for union or employe club dues, insurance or annuities, war bond purchases, contributions to the American Red Cross, a community fund or other similar charity, or any indebtedness to his employer.

SECTION 37. 247.29 (2) of the statutes is amended to read:

247.29 (2) If any party entitled to alimony or support money, or both, is receiving public assistance under either ~~s. 45.20~~ or ch. 49, such party may assign his right thereto to the county department of public welfare or municipal relief agency granting such assistance. Such assignment shall be approved by order of the court granting such alimony or support money, and may be terminated in like manner; except that it shall not be terminated in cases where there is any delinquency in the amount of alimony and support money previously ordered or adjudged to be paid to such assignee without the written consent of the assignee or upon notice to the assignee and hearing. When an assignment of alimony or support money, or both, has been approved by such order, the assignee shall be deemed a real party in interest within s. 260.13 but solely for the purpose of securing payment of unpaid alimony or support money adjudged or ordered to be paid, by participating in proceedings to secure the payment thereof.

SECTION 38. 310.045 (2) of the statutes is amended to read:

310.045 (2) In a petition for probate of a will or for administration, the legatees and devisees and the surviving spouse and heirs of the decedent are persons interested. *The state is an heir of the decedent as provided in s. 45.37 (10) and (11) when the decedent was a member of the Grand Army home for veterans at the time of his death.* Creditors who are not petitioners are not interested persons within the meaning of this subsection.

Approved September 10, 1965.
