



## WISCONSIN LEGISLATIVE COUNCIL

### RECODIFICATION OF CHAPTER 45, VETERANS

Legislative Council Conference Room  
One East Main Street, Suite 401  
Madison, Wisconsin

February 1, 2005  
10:00 a.m. – 12:00 p.m.

[The following is a summary of the February 1, 2005 meeting of the Special Committee on Recodification of Chapter 45, Veterans. The file copy of this summary has appended to it a copy of each document prepared for or submitted to the committee during the meeting. A digital recording of the meeting is available on our Web site at <http://www.legis.state.wi.us/lc>.]

#### Call to Order and Roll Call

Representative Townsend, Chair, called the meeting to order. The roll was called and it was determined that a quorum was present.

Representative Townsend thanked the members of the subcommittee and staff, including Bob Nelson of the Legislative Reference Bureau, for their work in preparing the draft that was before the committee today. He stated that it was his hope that after today's meeting, the draft would be presented to the Board of Veterans Affairs for their review, and then submitted to the Special Committee for a vote by mail ballot.

COMMITTEE MEMBERS PRESENT: Rep. John Townsend, Chair; Reps. Judy Krawczyk, Gabe Loeffelholz, Terry Musser, and Marlin Schneider; Sens. Breske and Brown; and Public Members Kenneth Brown, Anthony Hardie, John O'Brien, and Tim Thiers.

COMMITTEE MEMBERS ABSENT Sen. Scott Fitzgerald; and Public Members Larry Olson and Ken Wendt.

COUNCIL STAFF PRESENT: Dick Sweet and Pam Shannon, Senior Staff Attorneys; and Kelly Mautz, Support Staff.

APPEARANCES: Bob Nelson, Legislative Reference Bureau; Terry McArdle, Department of Military Affairs; and John Rosinski, Department of Veterans Affairs.

## **Approval of the Minutes of the September 30, 2004 Meeting of the Special Committee**

*Rep. Musser moved, seconded by Sen. Brown, to approve the minutes of the committee's September 30, 2004 meeting. The motion carried on a voice vote.*

### **Discussion of LRB-0529/P8**

Pam Shannon discussed the process used by the Drafting Subcommittee to develop the draft that was before the Special Committee today. She noted that the Drafting Subcommittee met six times and included participation by the Department of Veterans Affairs (DVA), the Department of Military Affairs, and county veteran service officers (CSVOs). She reviewed the charge to the committee and discussed how the Drafting Subcommittee had followed that charge in preparing LRB-0529/P8.

Ms. Shannon noted that the current ch. 45, Stats., is divided into two subchapters -- one that includes housing loan provisions and another that includes all other provisions in the chapter. The drafting subcommittee divided the chapter into eight subchapters and the order of the subchapters is based on placing in the beginning of the chapter those provisions that are used most, based on a suggestion from Ken Brown.

Dick Sweet noted that the first 40 pages of the draft contained primarily cross-reference changes and other provisions that had been moved out of ch. 45 and into other chapters of the statutes. He pointed out the various notes in the draft, which highlighted for the committee the minor substantive changes in the draft.

The first provision discussed in some detail by the committee was proposed s. 21.79, Stats., which was renumbered from current s. 45.50, Stats. The committee discussed the fact that certain of the provisions applied to all employers, certain applied just to municipalities, and certain applied to the state and municipalities. However, after discussion, the committee determined that no changes should be made in this section.

Anthony Hardie discussed a provision relating to wearing a military uniform and suggested amending the provision to allow DVA employees to wear military uniforms when performing funeral honors. Terry McArdle noted that federal law already covers the wearing of military uniforms and provides certain exceptions.

*It was moved by Mr. Hardie, seconded by Rep. Musser, that the draft be modified to repeal s. 21.16, Stats. The motion carried on a voice vote.*

The committee discussed proposed s. 45.07, Stats., which was based on current s. 45.014, Stats., and relates to the Wisconsin Veterans Museum.

*It was moved by Rep. Schneider, seconded by Rep. Musser, that the draft be amended to add the phrase "and during any subsequent period" after the reference to "civil war of 1861 to 1865." The motion carried on a voice vote.*

The committee discussed the provision in current law that allows DVA to acquire lands necessary for two veterans homes, those at Union Grove and King, but not at the Veterans Home at Chippewa Falls.

*It was moved by Rep. Schneider, seconded by Rep. Krawczyk, that the draft be amended to give DVA this authority with respect to the Veterans Home at Chippewa Falls. The motion carried on a voice vote.*

Mr. Hardie suggested that the provision in proposed s. 45.61 (5), Stats., that relates to expenses of burial be modified to add the phrase “for members of veterans homes” after the cited appropriation.

*It was moved by Rep. Krawczyk, seconded by Rep. Schneider, that this change be made and that a similar change be made in s. 20.485 (1) (gk), Stats., to add the words “members of the” before references to veterans home. The motion carried on a voice vote.*

Mr. Hardie suggested, with respect to the new section dealing with CVSOs, proposed s. 45.80, Stats., that the subsections dealing with grants to counties and tribes for improvement of services and transportation grants be each made into separate sections. This change was made with unanimous consent of the committee. In addition, he suggested that what had been proposed as s. 45.82, Stats., be made a subsection in proposed s. 45.81, Stats. This change was also made by unanimous consent.

The committee also discussed the provision in the draft relating to county veteran service commissions. Under current law, commissions consist of three persons and the draft provides that the commissions consist of “at least” three persons. Mr. Brown explained that four counties already have commissions with more than three members and that other counties are also considering increasing membership.

The committee next discussed proposed s. 45.83, Stats., which relates to burial allowances. Under current law, the cost of interment of veterans who do not have sufficient means to cover burial expenses is paid by the county, up to \$300. Mr. Brown had suggested that \$300 figure be deleted and replaced by “at a rate to be determined by the county.” In response to a question, Mr. Sweet noted that the \$300 figure was last changed in 1970 when it was increased from \$150 to \$300.

*It was moved by Rep. Musser, seconded by Rep. Loeffelholz, to substitute “not less than \$300” for the current provision that limits expenditure to \$300. It was moved by Rep. Schneider, seconded by Sen. Breske, to increase this to \$500; this motion failed on a voice vote. The motion to add the language “not less than \$300” carried on a voice vote.*

The committee also discussed proposed s. 45.60, Stats., which relates to military funeral honors. A motion by Rep. Krawczyk to include in this provision persons who served under honorable conditions in the National Guard or Reserves, and to specify that the provision covers funeral honors that occur in Wisconsin, was approved by unanimous consent.

### **Other Business**

Representative Musser noted that provisions of this draft will have to be reconciled with whatever changes are made in ch. 45, Stats., by the 2005-07 Biennial Budget Act. Mr. Sweet explained that he, Ms. Shannon, and Mr. Nelson would work on reconciling this draft with whatever changes are made in the Budget Act and other veterans legislation.

Ms. Shannon described the Joint Legislative Council process for introduction of study committee bills. If this draft is approved by the Special Committee, it will next go to the Joint Legislative Council, a committee consisting of 22 legislators. If the Joint Legislative Council votes to introduce the draft, it will be introduced in the Assembly, since the Special Committee's chair is a member of the Assembly, and will go through the normal legislative process for bills.

### **Plans for Future Meetings**

Representative Townsend indicated that this would most likely be the last meeting of the Special Committee. Staff will incorporate the changes approved at today's meeting, and send the final draft to committee members by mail ballot for final approval after review by the Board of Veterans Affairs. Representative Townsend thanked everyone for their work on the recodification.

### **Adjournment**

The meeting was adjourned at 12:00 p.m.

RNS:ksm:wu