

Filed Jan 19, 1965
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VA 1 to 7

CERTIFICATE CERTIFYING RULES

STATE OF WISCONSIN)
DEPARTMENT OF VETERANS AFFAIRS) ss.

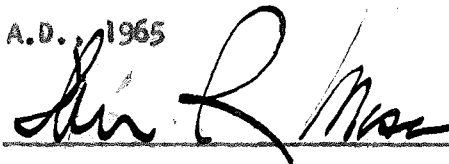
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, John R. Moses, Director of the Department of Veterans Affairs, and custodian of the official records of said department, do hereby certify that the annexed rules and regulations relating to the department were duly approved and adopted by the Board of Veterans Affairs on January 15, 1965.

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have here-
unto set my hand and affixed the
official seal of the Department
at the Capitol, in the City of
Madison, this 15th day of January,

A.D., 1965



John R. Moses, Director

ORDER OF THE BOARD OF VETERANS AFFAIRS ADOPTING RULES

Pursuant to authority vested in the Board of Veterans Affairs, by section 45.35 (4) and Chapter 227, Wisconsin Statutes, the Board of Veterans Affairs hereby repeals the present Veterans Affairs code consisting of Chapters 1, 2, 3, 4, 5, 6 and 7, and a new code consisting of Chapters 1, 2, 3, 4, 5, 6 and 7, is herewith adopted.

This is to certify, that the foregoing is a true and correct copy of a resolution duly and legally adopted by the Board of Veterans Affairs at a legal meeting held on the 15th day of January, 1965.



John R. Moses, Director

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applicant has received from another state any bonus payment provided for the veteran or the dependent because of such veteran's military service in World War II or the Korean Conflict unless such veteran served in a more than one war period as defined in s. 45.35 (5a) (f) and (g), Wis. Stats., 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.

(2) The applicant must state in his application the amount of bonus, date received and name of state from which received.

VA 1.07 STRIKE RELIEF NOT TEMPORARY AID. Aid for direct strike relief does not fall within the definition of temporary aid.

VA 1.08 APPLICANT'S FALSE STATEMENT. (1) SUSPENSION OF BENEFITS. When it appears that an applicant has made a false statement in his application, the county veterans service officer will be advised and requested to investigate and report on the apparent false statement. In any case, where the department shall find after investigation that any applicant has willfully made or caused to be made or conspired, combined, aided or assisted in, arranged for or in any wise procured the making or presentation of any false affidavit or statement submitted relative to any application or claim for veterans benefits from the department, the department may suspend all benefits available to such applicant under Wisconsin Statutes.

(2) RIGHT TO APPEAL. Before such suspension is made effective, the applicant may within 30 days request that he be permitted to appear before the loan advisory committee in person, with or without counsel, to present reasons why such action should not be taken. In such cases, recommendations by the loan advisory committee shall be submitted promptly to the board for review and final action on the appeal. In proper cases the facts in possession of the department shall be forwarded to the local district attorney for necessary action.

(3) REINSTATEMENT OF BENEFITS. The department may, upon application and after investigation and submission of a written report by the county veterans service officer concerned, reinstate benefits. If the department shall find that such application is made without sufficient cause to justify reinstatement it may deny the same.

VA 1.09 REDUCED PAYMENTS BECAUSE OF RETURN TO SERVICE. When a veteran has returned to military service and desires either a reduction in monthly payments or a deferment of payments, the department can properly act upon his application for reduction or deferment when the following statements are submitted:

Chapter VA 1--cont'd.

(1) A statement from the veteran which discloses his present income and demonstrates that his income has been materially decreased by virtue of his military service, and

(2) A statement by the county veterans service officer concerned that his investigation indicates that said application is justified and should be approved.

VA 1.10 RELEASE OF INFORMATION AND RECORDS. All records and papers of the department are to be utilized in a manner to best serve the public interest, but the veteran's right of privacy as to information pertaining to his military or naval service and to confidential information contained in his application for benefits will be respected.

(1) INVESTIGATION. All reports of investigation made by employes of the department or at the direction of the department for official departmental purposes are for the use of the director and his staff only. Materials and information which disclose the investigative techniques of the department or the identity of confidential informants and material received in confidence by representatives of the department will not be released.

(2) PERSONNEL RECORDS. Employee personnel records and information contained therein, the release of which would affect the morale, efficiency or discipline of members of the department will not be released.

(3) RECORDS ARE CONFIDENTIAL. Records pertaining to any application for benefits, whether pending or adjudicated, will be deemed confidential and no disclosure therefrom will be made except in the circumstances and under the conditions set forth in VA 1.10 (4) through (10), and any person making application for benefits shall hereinafter be referred to as the applicant.

(4) DISCLOSURE OF INFORMATION TO AN APPLICANT OR HIS DULY AUTHORIZED REPRESENTATIVE. An applicant may not have access to official department records concerning himself, but information from official records may be disclosed to an applicant or his duly authorized representative as to matters concerning the applicant.

(5) PERSONS AUTHORIZED TO REPRESENT APPLICANTS. "Duly authorized representative" shall be defined as any person authorized in writing by the applicant to act for him, or his legally constituted representative if the applicant is incompetent or deceased. Where for proper reason no such representative has been or will be appointed, his spouse, an adult child or if the applicant is unmarried, either of his parents shall be recognized as the duly authorized representative of the applicant.

Chapter VA 1--cont'd.

(6) DISCLOSURE OF MEDICAL INFORMATION. (a) TO VETERANS. Information contained in medical records on file with the department may be released to the veteran on request, except information contained in the medical record which would prove injurious to his physical or mental health, in which case the information will be released only to his duly authorized representative.

(b) TO PHYSICIANS AND HOSPITALS. Information contained in medical records of veterans and beneficiaries pertaining to medical history, diagnosis, findings, or treatment may be disclosed directly to physicians and hospitals upon request and the submission of a written authorization from the veteran or beneficiary, or in the event he is incompetent, from his duly authorized representative. This information will be released only with the consent of the patient and on the condition that it is to be treated as a privileged communication. However, such information may be released without the consent of the veteran or his representative when a request for such information is received from the Veterans Administration, the United States Public Health Service, the superintendent of a state hospital, a commissioner or head of a state department of mental hygiene, or head of a state, county or city health department.

(7) DISCLOSURE OF LOAN INFORMATION. Information contained in loan files may be made available to any party having an interest in such loan transaction upon approval by the director or pursuant to rules and regulations promulgated by him.

(8) DISCLOSURE TO GOVERNMENTAL AGENCIES. Information contained in department files required for official purposes by any agency of the United States Government or by any agency of the state of Wisconsin or by any law enforcement or public welfare agency of any Wisconsin county or municipality may be furnished in response to an official request, written or oral, from such agency. The requesting agency shall be asked to specify the purpose for which such information is to be used.

(9) DISCLOSURE TO MEMBERS OF STATE LEGISLATURE. Members of the senate and assembly may be furnished such information contained in department files as may be requested for official use.

(10) INSPECTION OF RECORDS BY COUNTY VETERANS SERVICE OFFICERS. A county veterans service officer may be permitted to inspect records pertaining to any application for benefits in which his office may be directly involved upon the condition that only such information contained therein as may be properly disclosed will be disclosed by him only to the applicant or, if the applicant is incompetent, to his legally constituted representative.

Chapter VA 1--cont'd.

(11) JUDICIAL PROCEEDINGS. When records pertaining to any application for benefits are requested for use in any judicial proceedings, they will be released only upon service of a proper subpoena and upon the condition that they will be returned upon conclusion of such proceedings.

(12) ADDRESSES OF APPLICANTS. Addresses of applicants from department records will not be furnished, except as provided in VA 1.10 (5) through (10). When an address is requested by a person to whom it may not be furnished, the person making the request will be informed that correspondence enclosed in an unsealed envelope showing no return address, with the name of the addressee thereon, and bearing sufficient postage to cover mailing costs will be forwarded by the department. At the time the correspondence is forwarded, the department's return address will be placed on the envelope. If undelivered mail is returned to the department, the original sender will be notified thereof, but the envelope will be retained by the department. In no event will letters be forwarded for the purposes of debt collection, canvassing, or harassment.

(13) SEPARATION DOCUMENTS. Separation documents evidencing service in the armed forces of the United States will be considered confidential and privileged, anything contained in VA 1.10 (4) through (10) notwithstanding. Examination of such records will be limited to authorized employes of the department and information entered thereon will be disclosed only to interested governmental agencies for the purpose of assisting veterans and their dependents to obtain the rights and benefits to which they may be entitled.

VA 1.11 DUTIES AND RESPONSIBILITIES OF THE DIRECTOR. The administrative and executive duties of the department shall be vested in the director to be administered by him under the rules and regulations of the department and subject to and in accordance with the policies established by the board.

(1) He shall employ a commandant for the Grand Army Home, he shall designate an employe of the department as his deputy, he shall appoint such persons as may be necessary to carry out the functions of the department, and shall, with the approval of the board, appoint a superintendent of the G.A.R. Memorial Hall.

(2) He shall administer and supervise all programs of the department, and he shall serve as an ex-officio member of all advisory, standing and special committees appointed by the board, unless specifically exempted.

Chapter VA 1--cont'd.

(3) He shall coordinate the activities of the department with all state agencies performing functions relating to services available to veterans so as to make the benefits available as promptly and effectively as possible.

(4) He shall administer the program for temporary emergency grants to prevent want and distress and the program for educational grants, for Wisconsin veterans.

(5) He shall administer the economic assistance and housing loan programs for Wisconsin veterans.

(6) He shall administer the medical and hospital treatment program for World War I veterans.

(7) He shall compile a record of the burial places within the state of persons who served in the armed forces of the United States in time of war.

(8) He shall direct the operation of the Grand Army Home for Veterans at King through the commandant so as to provide that members receive complete personal maintenance and medical care.

(9) He shall direct the operation of the G.A.R. Memorial Hall through the superintendent so as to make the memorial collection instructive and attractive to visitors to the state capitol.

(10) He shall formulate and present the department's budget to the legislature.

(11) He shall present to the legislature all proposed legislation recommended by the board. He shall make such reports to and appearances before the legislature on such other matters as it may request of him.

(12) He shall supervise all funds of the department and he shall see that proper records are kept, and shall account for all funds disbursed for any reason whatsoever.

(13) He shall make such regular reports to the board as the board may request of him.

(14) He shall conduct an adequate program of public relations for the department.

(15) He shall make and establish such rules and regulations as may be necessary to carry out the statutes pursuant to the policies established by the board, and he shall make such publication and distribution of such rules and regulations as he may deem necessary.

Chapter VA 1--cont'd.

(16) He shall attempt to obtain full collection of all loans and may take all available legal steps to effect collection provided, however, that he shall have the authority to approve compromise settlements in appropriate cases.

(17) He shall administer the functions of the department in a careful and businesslike manner.

(18) He may refer any problems arising from the discharge of the above duties to an appropriate committee appointed by the board for counsel and advice.

CHAPTER VA 2

GRANTS

VA 2.01 EMERGENCY GRANTS. (1) OBJECTIVE. The department may grant to any eligible Wisconsin veteran or dependent such temporary emergency aid from the veterans trust fund as may be necessary to prevent want or distress.

(2) SCOPE OF EMERGENCY AID. Emergency aid to prevent want or distress may be authorized to provide essential medical care, dental care, glasses, shelter, food, clothing, health insurance, travel, moving expenses, and such incidentals as may be deemed necessary. Emergency aid for a student will be construed as assistance that will enable him to successfully pursue his education.

(3) LIMITATION. Emergency aid will generally be limited to a one month period.

(4) USE OF AVAILABLE AGENCIES. The department may require that the veteran or his dependent requesting assistance obtain medical treatment or other emergency aid required from federal, state, county or local agencies if possible.

(5) STATE FACILITIES TO BE USED FIRST. Emergency aid for hospital and medical care received outside the boundaries of the state of Wisconsin may be authorized only in case of an emergency or upon recommendation of the medical advisory committee.

(6) ACCIDENT CASES. Aid in meeting medical or hospital bills incidental to an accident case will be considered only on a temporary emergency basis for a period generally not exceeding one month, and where such accident results from willful misconduct emergency aid will not be granted.

(7) MATERNITY CASES. Emergency aid in maternity cases may be granted only if want or distress caused by an emergency is established.

(8) DENTAL CASES. Emergency aid for dental care will be limited to extractions, fillings and plate repairs.

(9) PRIOR AUTHORIZATION. Prior authorization must be obtained for medical and dental assistance from the department, but in emergency cases a valid notice must be filed with the department within 10 days of initial treatment. The proper application must be forwarded thereafter without delay.

CHAPTER VA 3

ECONOMIC ASSISTANCE LOANS

VA 3.01 OBJECTIVE. The department may loan to any eligible Wisconsin veteran not more than the statutory limit from the veterans trust fund to provide economic assistance for the purposes set forth in s. 45.35 (8b), Wis. Stats., 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.

VA 3.02 ADMINISTRATIVE PROCEDURE. The following administrative procedures will govern the processing of all loan applications:

(1) ADMINISTRATIVE EXPENSES. Ordinary expenses incidental to making loans will be borne by the department as administrative expenses.

(2) GUARANTOR, WHO MAY NOT BE. No employe of the department, no county veterans service officer and no other person in any way connected with the administrative duties of the department or serving in an advisory capacity thereto shall be accepted as endorser or guarantor on any loan.

(3) COUNTY LOAN ADVISORY COMMITTEE. The director may, upon the recommendation of a county veterans service officer, appoint a county loan advisory committee in such county to furnish information and recommend approval or denial of loan applications.

(4) APPLICATIONS. Applications for loans shall carry the recommendations of the county loan advisory committee where so established. Such committee shall investigate and recommend acceptance or rejection of loan applications to the county veterans service officer. Applications not carrying such recommendations may be processed if they carry the recommendations of the county veterans service officer.

(5) INFORMATION REQUIRED. An application shall contain such information as is necessary to satisfy the department that the proceeds of the loan will be applied as set forth in the application, that the application of such proceeds will substantially contribute to the solution of the veteran's economic problems, and, in the case of business loans, that the veteran's venture will probably succeed.

VA 3.03 LOAN POLICY. In processing loan applications the department will give consideration to the veteran's character, will attempt to ascertain all pertinent facts, and will generally adhere to the following conditions:

Chapter VA 3--cont'd.

(1) REPAYMENT OF LOANS. All loans will be amortized on a monthly basis and the initial term of all loans shall not exceed a maximum of five years for loans secured by real estate and shall not exceed three years for loans secured by chattel mortgages. Guaranteed loans shall not be made for a term in excess of 38 months.

(2) SPOUSE'S SIGNATURE REQUIRED. Both the veteran borrower and his or her spouse must join in the obligation.

(3) FEMALE VETERANS. Loans may be considered for female Wisconsin veterans when the benefits are immediate, direct, personal and tangible to the veteran concerned.

(4) CONSOLIDATION OF DEBTS. Loans will not be made to finance existing debts as long as the veteran's commitments remain within his capacity to pay. After one such loan has been made, further loans will ordinarily not be made for the payment of debts. Such loans will be made only where they will substantially consolidate all the veteran's debts, other than his home mortgage.

(5) EVIDENCE REQUIRED. A veteran making application for an economic assistance loan for the purpose of consolidating debts will furnish the department a statement giving the dates his debts were incurred, the original amounts, purposes for which the debts were incurred and the exact amounts which the creditors will accept to satisfy the debts.

(6) FURNITURE LOANS. Purchase price chattel mortgage loans for furniture will not be made in excess of one-half of the statutory limit, however, loans in an amount not exceeding the statutory limit for such purpose may be made on a guarantor basis.

(7) REAL ESTATE LOANS. Loans may be made for repairing or adding to a veteran's home or business property only where the total cost, which shall be the original cost to the veteran plus improvements less normal depreciation, does not exceed the statutory limit set forth in s. 45.352 (4) (b), Wis. Stats., no economic assistance loan will be made to complement a department housing loan when the combination of such loans will exceed the statutory limit for a housing loan and no economic assistance loans may be made to provide all or any part of the down payment on home purchase.

(8) PAYEES ON STATE CHECKS. Loan checks will be made payable to the veteran and such other person or persons as may be necessary to insure proper application of the loan proceeds.

Chapter VA 3--cont'd.

(9) NONQUALIFYING LOAN PURPOSES. Loans will not be made:

(a) For the payment of debts owed to or owed by the members of the family of either the veteran or the veteran's spouse;

(b) To finance business transactions between the veteran and the members of the veteran's family or the spouse's family;

(c) Where the guarantor receives any loan proceeds;

(d) For a veteran to engage in any business enterprise which the experience of the department has shown to involve unnecessarily high risk; or

(e) For the benefit of any corporation.

VA 3.04 SECURITY. Security will be required on all loans in excess of \$250. Furniture will not be taken as security on loans for business purposes or for the payment of debts.

(1) VALUE OF SECURITY. Loans will not be made in amounts in excess of the reasonable value of the property pledged as security or to be acquired from the proceeds of loans.

(2) UNACCEPTABLE SECURITY. Second chattel mortgages and mortgages on merchants' stocks of goods in trade will not be accepted as security for loans.

(3) REAL ESTATE. When real estate is offered as security, the veteran mortgagor must submit evidence that he has merchantable title to such real estate and sufficient equity therein to provide adequate security for the loan. When the department has a first mortgage loan on real estate, it will retain the abstract of title or title policy until such loan is paid in full.

(4) INSURANCE. A veteran is required to carry insurance at his own expense on real estate improvements and chattels mortgaged to the department in a company acceptable to the department, in an amount equal to or greater than the balance owing on the mortgage plus all encumbrances prior in security to the mortgage, and must furnish the department with an insurance policy with a standard mortgage endorsement showing the department's interest at the time the loan is made evidencing such insurance coverage.

(a) Fire and extended coverage insurance must be carried on real estate improvements.

(b) Fire, lightning and windstorm insurance must be carried on farm machinery and livestock and fire and comprehensive coverage insurance must be carried on all other types of chattels.

Chapter VA 3--cont'd.

VA 3.05 EDUCATIONAL LOANS. A loan for educational purposes to assist a veteran to complete his educational objective as stated on his application will be granted upon the condition that arrangements for monthly repayment will be entered into immediately upon withdrawal from or completion of the approved course of instruction, and in the case of a medical student upon completion of internship.

VA 3.06 EDUCATION IN OUT-OF-STATE SCHOOLS. All loans to veterans attending schools outside Wisconsin must be guaranteed by one or more responsible Wisconsin residents, and no such loans will be made when adequate courses of study in the desired field of education are available in Wisconsin.

CHAPTER VA 4

HOUSING LOANS

VA 4.01 OBJECTIVE. The department may loan to any eligible Wisconsin Veteran not more than the statutory limit for a housing loan from the Veterans Trust Fund to assist him in providing a home for himself and his family. Such loan shall be limited to the amount required after the veteran has applied his own funds and has obtained the maximum amount of financing available from local lending agencies. The department shall give priority to the most necessitous cases. In considering such loans the department shall determine that the total cost of such home does not exceed its fair market value, that such house is adequate for the veteran and his family, and that the veteran's total commitments will not exceed his ability to repay.

VA 4.02 ALLOCATION OF FUNDS. Available housing loan funds shall be allocated on March 1, July 1 and November 1 as follows: \$200,000 to be used by the department for housing loans in those counties which from time to time have exhausted regular allocations, and the balance shall be allocated to the counties on the basis of their veteran populations, as determined by the latest census of veterans compiled by the Bureau of the Census.

VA 4.03 LOANS TO INDIVIDUALS. A housing loan may be made to an individual veteran to provide a house for himself and his family. Individual housing loans may also be made to two qualified veterans for the purchase or construction of a two-family unit to provide a home for each, but for multiple-unit housing for more than two veterans such veterans shall proceed exclusively under s. 45.353, Wis. Stats., and Wis. Adm. Code s. VA 4.10.

VA 4.04 GENERAL LOAN POLICY. (1) STATUTORY LIMIT. No housing loan will be made to complement an economic assistance loan when the combination of such loans will exceed the statutory limit for a housing loan.

(2) DEFAULT ON ECONOMIC ASSISTANCE LOANS. The department will not approve an application for a housing loan to a veteran who is in default on an economic assistance loan.

(3) DEFINITION OF DEPENDENT. Dependent, for the purposes of this chapter, shall mean any person who is dependent upon the veteran for more than one-half of his support and who resides with the veteran.

Chapter VA 4--cont'd.

(4) SINGLE VETERANS. A housing loan may be made to a single veteran with a dependent or dependents. A single veteran with no dependents will qualify for a housing loan only if he is able to establish that the home he intends to purchase, construct or improve will be his permanent residence.

(5) REFINANCING. A loan for refinancing of existing housing indebtedness may only be made to assist a veteran who is in danger of losing his home through legal action and where such loan will permit him to place his housing indebtedness on a sound financial basis.

(6) NECESSARY IMPROVEMENTS. A housing loan may be made for improvement to a veteran's present dwelling if necessary to provide adequate living quarters for the veteran and his family or if required to preserve the veteran's present housing investment and only if the property will have sufficient value after completion of the improvements to provide adequate security for the department's loan.

(7) COMPLETED CONSTRUCTION. Back filling, rough grading, access walks and driveways are required to complete the construction of a home and must be included in the bids or estimates submitted.

(8) BUILT-INS CONSIDERED REAL ESTATE. Built-in ovens and stoves and carpeting will be considered a part of the real estate in purchase and construction applications.

(9) EXCHANGE OF HOUSING. A housing loan may be made to a veteran who has previously owned a home and sold it if the reason for the sale is acceptable to the department and if he uses the net proceeds realized from the sale to acquire his new dwelling. The department may allow a veteran to pay non-housing obligations from such net proceeds if it is determined that such obligations were incurred for medical, hospital and funeral expenses, or for any other obligations for necessitous items which were incurred prior to the sale of the former home which would impair his ability to make future shelter cost payments. A sale of a home which has occurred more than one year prior to the date of application will not be subject to the provisions of this section.

(10) SECOND APPLICATIONS. Favorable consideration will be given to a veteran's second application for a housing loan where he sold his previous home for an acceptable reason, such as removal to another city by his employer, change of employment to increase his earning potential or job stability, or need for a larger home due to increase in his family. Where the veteran has sold his home within one year prior to date of second application he must show that the net proceeds received from the sale of his former

Chapter VA 4--cont'd.

home are used to acquire his new home, except that the department may allow the veteran to pay from the net proceeds obligations which were incurred for medical, hospital or funeral expenses.

4.05 FINANCIAL REQUIREMENTS. (1) VETERANS FUNDS. The word "funds" in s. 45.352 (2) (b), Wis. Stats., shall mean cash on hand, liquid investments, or any asset, the conversion of which to cash would not mean substantial loss to the veteran. The funds of a veteran include all funds owned by the veteran and his wife, individually and jointly. A veteran is required to apply his funds in acquiring a home prior to obtaining a loan from the department, but the department may permit a veteran to retain that part of such funds as may in its determination be necessary and reasonable for expenses directly incidental to acquiring and occupying a home.

(2) MINIMUM CONTRIBUTION. A veteran must contribute funds or assets in an amount or value equal to at least five per cent of the total cost of the home he proposes to purchase, construct or improve, and he must be financially able with the aid of a department housing loan to complete the purchase, improvement or construction of such home. If such contribution has been or is to be acquired by borrowing, his application will not be approved.

(3) ADDITIONAL SECURITY FOR LOAN. Any real estate a veteran is unable to dispose of may be included in the mortgage to the department as additional security, and the veteran will be required to apply the net proceeds from its future sale to reduce the mortgage loan principal balance before release of said real estate from the mortgage.

(4) GIFTS TO THE VETERAN. A gift of money or the value of property received by a veteran as a gift may be considered his own funds. To be considered funds of the veteran the donor must certify that the gift is outright and irrevocable and that no repayment is required. In determining the value of real estate the assessed value as equalized for the state tax purposes and the appraised value shall be considered and the higher value may be used in satisfying the statutory five per cent requirement and in determining the total cost of the property. Where the donor has recently acquired the real or personal property, the actual cost to the donor may be used to determine the value of the gift.

(5) CLOSING COSTS AND MOVING EXPENSES. A veteran must have sufficient funds for closing costs and moving expenses in addition to the funds necessary to consummate the purchase, improvement or construction of his home and such funds may not be borrowed from any source. All closing costs must be paid by the veteran in cash at the time of closing.

Chapter VA 4--cont'd.

(6) SUBTERFUGE. If closing costs, financing charges or other expenses usually paid by a buyer in a purchase transaction are included in the purchase price or assumed by the seller, the amount of such costs, charges or expenses so included or assumed will be deemed to be a reduction in the purchase price and will be subtracted from the purchase price and from the veteran's total proposed investment in the property. If the remainder of the veteran's total proposed investment is less than 5 per cent of the adjusted cost of the property, he will be required to increase his investment by the amount of the difference between his reduced investment and 5 per cent of the adjusted cost of the property. The same requirement will apply in construction or improvement applications where such costs or expenses are included in the construction contract or assumed by the contractor or builder.

(7) INCOME. "Income", for the purposes of this chapter, shall mean the amount of gross income a veteran is receiving for his regular work together with any income from other sources that may reasonably be expected to continue for the term of the loan.

(a) Part-time and overtime pay, unemployment compensation and the income of a veteran's wife will be considered "income" only when sufficient evidence is submitted by the veteran establishing that such sources of income are regular and dependable.

(b) Pensions and disability compensation will be considered "income" unless temporary in nature.

(c) Only net rental income will be considered "income".

(d) The income shown on his income tax return for the prior year is the "income" of a self-employed veteran or of a veteran who must pay his own job-connected expenses; however, in proper cases, the department may accept a recent profit and loss statement covering a period of not less than six months as evidence of the "income" of such veteran. Depreciation of property used in earning income shall be considered as a business expense in determining "income."

(8) SHELTER COST. A veteran's shelter cost shall be his monthly payments of principal, interest on mortgage loans, and 1/12 of annual real estate taxes and fire and extended coverage insurance premiums.

(a) OVER 25 PER CENT. An application will be denied where a veteran's shelter cost will be in excess of 25 per cent of his monthly income.

Chapter VA 4--cont'd.

(b) LESS THAN 20 PER CENT. The department will set monthly payments on the department's loan to require a veteran to use not less than 20 per cent of his monthly income for shelter cost, but where it is determined that such payments will create an undue hardship the department may set lower monthly payments. In determining whether an undue hardship would be created, the department may consider such factors as the size of the veteran's family, utility costs, monthly income, continuing medical expenses, and indebtedness incurred for medical or funeral expenses or for other necessitous items.

(9) FINANCIAL STABILITY. (a) INDEBTEDNESS. The department will consider the purposes for which a veteran's debts were incurred, the total amount of his indebtedness, his total monthly payments on such indebtedness in relation to his income, and his record of meeting past financial obligations in determining whether his indebtedness is excessive. If the department determines that his accumulated indebtedness indicates financial instability or that the amount of his monthly payments will impair his ability to make shelter cost payments and meet ordinary living expenses, his loan application will not be approved.

(b) WIFE'S DEBTS. The independent debts of a veteran's wife and joint debts must be included in the veteran's total indebtedness.

(c) FINANCIAL INSTABILITY. Where a veteran's record of meeting his financial obligations indicates that he has been unable to satisfactorily manage his family finances, his loan application may be disapproved, unless it is determined that his financial difficulties could not have been avoided by prudent management.

4.06 PROPERTY QUALIFICATIONS. (1) GENERAL. A housing loan will only be made on a home which is determined to be adequate for the veteran applicant and his family, which is located within a reasonable distance of the veteran's place of employment, and the total cost of which to the veteran does not exceed its market value.

(2) TWO-BEDROOM HOMES. An application by a veteran who has two or more children of different sexes to purchase a two-bedroom home will not be approved unless the veteran can satisfy the department as to the future adequacy of such home.

(3) SUB-STANDARD HOMES. Applications for loans to purchase sub-standard homes, temporary dwellings, or homes not meeting minimum requirements of health and sanitation, such as garages, basements, or cottages inadequately converted for permanent occupancy, will not be approved.

Chapter VA 4--cont'd.

(4) NON-RESIDENTIAL BUILDINGS. Non-residential buildings which have been converted to housing, such as schoolhouses, cheese factories, fire stations, quonset-type buildings, and chicken houses, will qualify only if it is determined that they are adequate for dwelling purposes as converted and that they can be readily resold.

(5) MOBILE HOMES. Mobile homes, whether located on a foundation or not, do not qualify for a housing loan.

(6) SPLIT LOTS. An application to purchase two homes on one lot will be approved only if the veteran is able to establish that the home in which he desires to reside cannot be purchased separately. An application to purchase a house situated on a lot deemed to be of inadequate size will not be approved.

(7) RENTAL UNITS. If building use conforms to that of the area or community, the fact that income from apartments in a multiple unit home is in excess of the income that would be received from the portion occupied by the veteran will not preclude favorable consideration of the loan application.

(8) BUSINESS PURPOSES. Where a dwelling is a part of a building also used for business purposes, the portion of the building used for business purposes must be less than 50 per cent of its total area and the business portion must be used by the veteran in carrying on his own business.

(9) EXCESSIVE LAND VALUE. A home located on a large parcel of land in a residential area, on land with water frontage, on land in a commercial area, on a farm with farm land and farm buildings or on rural non-farm property must be adequate for the veteran's family, and the appraised value of such home must equal or exceed 50 per cent of the total cost of the land, home and other improvements.

VA 4.07 PRIMARY FINANCING. (1) DEPARTMENT'S PRIORITY POSITION. The veteran will be required to submit a commitment from the proposed primary lender with the application. Such commitment will be directed to the department and will agree that only the amount of loan so committed will have priority of lien over the department's second mortgage, and that additional monies advanced, except for the payment of taxes and insurance, will not have such priority without written consent by the department.

Chapter VA 4--cont'd.

(2) PRELIMINARY EVIDENCE OF TITLE AND FINANCING. When the primary lender is a private individual or where the department cannot be assured that the disbursement of loan funds will be adequately supervised, a copy of the proposed primary mortgage and mortgage note, and a preliminary attorney's opinion of title on the abstract extended to date, or a current title report, must be submitted. A preliminary attorney's opinion of title on the abstract extended to date or a current title report must also be submitted when an existing primary mortgage loan is to be retained or assumed by the applicant or when the department is requested to make a first mortgage loan.

(3) MAXIMUM PRIMARY FINANCING. (a) DEFINITIONS. 1. Maximum primary financing is the maximum loan which lending institutions in the lending area would make to another borrower in the ordinary course of business under the same or similar circumstances, pursuant to applicable laws and regulations.

2. Where a veteran is assuming an existing primary mortgage which equals or exceeds 50 per cent of the cost of the property such loan will be considered maximum primary financing.

3. In an improvement loan application, an existing primary mortgage which equals or exceeds 40 per cent of the appraised valuation of the property after improvements will be considered maximum primary financing.

(b) VETERAN MUST OBTAIN. A veteran must obtain maximum primary financing. Where maximum primary financing is not obtained, the veteran must submit explanatory statements from local lending institutions. Such statements shall include the following:

1. The amount of loan applied for by the veteran.
2. The maximum loan they would be willing to make to the veteran.
3. Their reasons for not approving maximum primary financing.

VA 4.08 APPRAISALS. (1) GENERAL. Appraisals must be submitted with all housing loan applications and must be completed on the department's appraisal report form or on a form that contains the same information when completed. Appraisals submitted must include the following statement or words of similar import: "This is the price which this property should sell for on the present market."

Chapter VA 4--cont'd.

(2) USE OF APPRAISALS. Appraisals submitted with applications will be used in determining whether the property so appraised will adequately secure the proposed loan by the department, but such appraisals are advisory only and the department may determine the value of the property for its purposes by means of a property inspection by a department representative, by obtaining an appraisal report at its own expense, or by such other means as it may deem practical. When the sales price or construction cost exceeds either the appraisal figure or the department's determination of value, the loan application will not be approved.

(3) APPRAISERS. Only appraisals made by Veterans Administration approved appraisers or by appraisers who have submitted their qualifications and have been determined by the department to be equally competent will be accepted. The director may designate appraisers in any county for the protection of veterans and the department and in counties where such appraisers have been designated, only their appraisals will be accepted. The department shall maintain and publish from time to time a list of appraisers whose appraisals will be accepted by the department.

4.09 REGULATIONS ON APPROVED LOANS. (1) DISBURSEMENT OF LOAN FUNDS. The department shall establish appropriate procedures to regulate and control the disbursement of loan funds so as to assure proper application and to properly secure the department's investment, and for that purpose may designate local disbursing agents to act for and under the direction of the department.

(2) INCREASE IN PRIMARY MORTGAGE LOAN. That part of a loan which, at the time the loan is made, is in excess of the amount stated in the primary lender's commitment, or any subsequent increase or advance in the principal balance, except for the payment of taxes and insurance, shall not acquire priority of lien superior to the department's second mortgage unless approved in writing by the department. In such cases, the department may take whatever action it deems advisable to protect its second mortgage interest and may require immediate payment of its loan.

(3) INSTRUMENTS NECESSARY TO COMPLETE LOAN. The department shall withhold \$100 of the loan proceeds until the following instruments have been received:

(a) The mortgage note to the department properly executed and of even date with the mortgage.

(b) The mortgage to the department properly executed and recorded.

Chapter VA 4--cont'd.

(c) Evidence that the mortgage to the department is a valid lien, subject only to the primary mortgage, if any, described in the primary lender's commitment to the department. Such evidence shall consist of either an attorney's opinion on title directed to the department or a title insurance policy.

(d) A memorandum of fire and extended coverage insurance or fire and windstorm insurance in an amount at least equal to the appraised value of the improvements at the time of application.

(e) A copy of the closing statement in all purchase transactions showing that all tax credits given a veteran on closing have been deposited in an escrow account to be applied as the taxes shall become due.

(4) VETERAN CHARGED. Where a veteran fails to provide evidence that the mortgage to the department is a valid lien subject only to the primary mortgage, if any, described in the primary lender's commitment, or fails to carry at his own expense fire and extended coverage insurance or fire and windstorm insurance in an amount at least equal to the appraised value of the improvements at the time of application on property mortgaged to the department, the department shall procure the necessary insurance or title evidence and charge the cost to the veteran.

(5) RECORDING FEES. All recording fees incurred in completing the mortgage loan to the department will be paid by the veteran.

(6) PAYMENT DISTRIBUTION. Monthly installments will be applied first to interest, then to mortgage cancellation life insurance premiums, and then to principal.

(7) REDUCTION IN MONTHLY PAYMENTS. The terms of the contract between the veteran and the department must be complied with by the veteran after the note and mortgage have been executed, but the department may change the time and manner of repaying the obligation at the request of the veteran when such change is justified by circumstances not in existence at the time the loan was made.

(a) REQUEST BY VETERAN. The veteran must submit an affidavit setting forth the manner in which his present circumstances differ from those existing at the time of his application and setting forth the change in repayment schedule requested. Such affidavit must be accompanied by a recommendation in writing from the appropriate county veterans service officer, stating that such officer has read the veteran's affidavit and upon investigation believes it does or does not merit consideration and the reasons for such belief.

Chapter VA 4--cont'd.

(b) INVESTIGATION BY DEPARTMENT. The department may directly investigate a veteran's present circumstances and, when circumstances justify, approve a change in his repayment schedule without requiring the submission of the above statements.

(8) FALSE STATEMENT BY APPLICANT. Whenever it is determined that an applicant has obtained a housing loan through fraud, misrepresentation, or through concealment of a material fact in his application, the department's mortgage note may be accelerated and full payment demanded.

(9) TRANSFER OF POSSESSION. The department may accelerate its mortgage note and require that its mortgage loan be paid in full when a veteran transfers physical possession of the premises, and will so provide in the note and mortgage.

(10) SALE OF PROPERTY. The department will accelerate its mortgage note and require that its mortgage loan be paid in full when a veteran completes a sale of the principal property mortgaged to the department.

(11) SUBORDINATION AGREEMENT. A subordination agreement to permit an increase in a veteran's primary mortgage may be executed by the department only when the additional loan will be used to improve the property providing its mortgage security, when it is satisfied that the property as improved will provide adequate security for its mortgage and when the improvements are deemed necessary.

(a) The veteran must submit evidence of his present income and his shelter cost payments under the repayment terms of the proposed new primary note and mortgage to establish that the new shelter cost payments will not be excessive in view of his income.

(b) The department may execute a subordination agreement for the application of siding only when it is demonstrated that new siding is necessary to protect the veteran's housing investment and that the property as improved will have a value sufficiently in excess of the total encumbrances to provide adequate security for the department's loan.

(c) Subordination agreements to add garages, family rooms, modernize kitchens and bathrooms and to make similar improvements may be entered into if the cost of such improvement is not disproportionate to the value of the home.

(d) Subordination agreements to refinance existing obligations of the veteran for improvements or remodeling will not be executed unless the veteran is in danger of losing his home through legal action.

Chapter VA 4--cont'd.

(12) PARTIAL RELEASE OF MORTGAGE. The department may release a portion of the property providing security for its mortgage if the release of such property will not unduly diminish the value of the remainder of the property. The department may require that any funds received by a veteran from the sale of the property so released must be applied pro rata to all mortgages thereon in the ratio existing between such mortgages at the time the department's loan was made. If the primary mortgagee waives claim to such funds or if the department holds the primary mortgage, then such funds shall be applied as a principal reduction of the department's mortgage loan. If all or part of such funds are to be used to improve the property the department may approve such use, provided that the expenditure of said funds will be supervised.

(13) RELEASE OF SATISFACTION. The department's satisfaction of mortgage, the mortgage, and mortgage note shall not be released for a period of two weeks following receipt of final payment, but such instruments shall be released immediately upon receipt of final payment in cash or in the form of a bank draft, bank money order, cashiers check, certified check, or savings and loan or building and loan association check.

VA 4.10 VETERANS COOPERATIVES AND NONPROFIT CORPORATIONS.

(1) STOCKHOLDERS INTEREST. The department will require proof in the application or otherwise that no member or stockholder of the corporation will have any financial interest therein other than as a purchaser of a home and that no member or stockholder of the corporation will make any profit in dealing with the corporation, either through the sale of real estate or through contracting with that corporation.

(2) CONTRACTOR BOND. The contractor will furnish a bond for completion running to the department, in addition to the corporation and the first mortgagee.

(3) STOCK PURCHASE NOT ELIGIBLE. No direct loans will be made to veterans for the purpose of purchasing stock in such a corporation.

(4) LOANS ON NON-PLATTED SUBDIVISIONS. Loans on property other than subdivisions already platted where municipal utilities are available, will be carefully scrutinized.

(5) DOCUMENTS REQUIRED. A certified copy of the articles of incorporation, and such other papers as may be required, will accompany the application.

CHAPTER VA 5

G.A.R. MEMORIAL HALL

VA 5.01 OBJECTIVE. The department shall maintain a memorial hall in the capitol designated as the G.A.R. Memorial Hall and dedicated to the soldiers and sailors who served in Wisconsin commands in the Civil War of 1861 to 1865 or any subsequent wars for the following purposes:

(1) To provide the headquarters of the Grand Army of the Republic, department of Wisconsin;

(2) To provide the headquarters of the United Spanish War Veterans, department of Wisconsin;

(3) To provide a suitable place for the collection, care, management and display of the battle flags of Wisconsin units in the Civil War and the Spanish American War and the war relics, books and mementos of the memorial collection of the G.A.R. Memorial Hall.

VA 5.02 VETERANS ORGANIZATION HEADQUARTERS. The department shall make a specific space allocation to the Grand Army of the Republic, department of Wisconsin, and to the United Spanish war veterans, department of Wisconsin, for the state headquarters of each organization for so long as it shall exist, and either such organization may permit a sharing of such headquarters space with any state council or association of veterans organizations with which it may be affiliated.

VA 5.03 SUPERINTENDENT, DUTIES AND RESPONSIBILITIES OF. (1) OPERATION OF HALL. The superintendent under the direction of the director shall operate and conduct the G.A.R. Memorial Hall pursuant to Wisconsin statutes and in accordance with the policies established by the board.

(2) MEMORIAL COLLECTION. He shall have charge and custody of the battle flags of Wisconsin units in the Civil War and the Spanish American War and the war relics, books and mementos of the memorial collection of the G.A.R. Memorial Hall.

(3) PRIMARY FIELD. If space for display covering the Civil War or any subsequent wars shall be inadequate, the primary field of the memorial collection shall be the Civil War and the Spanish American War, and all materials in the memorial collection not related to such wars or in duplication of materials in the collection related to such wars may be made available on loan to the museum at the Grand Army Home for Veterans at King, or to other public museums.

Chapter VA 5--cont'd.

(4) CATALOG COLLECTION ARTICLES. He shall identify and prepare and maintain a current catalog of all articles in the memorial collection and all acquisitions thereto.

(5) RESTORE, PRESERVE AND SAFEGUARD. He shall take such steps as may be necessary to restore, preserve and safeguard all articles in the memorial collection and all acquisitions thereto. He shall not sell, mortgage, transfer or dispose of in any manner or remove from the memorial hall, except for temporary purposes, any article therein a part of the memorial collection, but upon the recommendation of the director and the approval of the board any duplicate article or article outside the field of the memorial collection may be sold or exchanged for the purpose of procuring additional materials for display.

(6) ACQUISITION. He shall procure by loan, gift, exchange or purchase such additions to the memorial collection as may be necessary in order to develop a representative museum collection depicting and commemorating the service of Wisconsin men and women in the nations wars.

(7) DISPLAY. He shall display the memorial collection so as to make it instructive and attractive to visitors to the state capitol.

(8) RESEARCH. He shall permit such research to be conducted upon any materials in the memorial collection, whether on display or in storage, as is consistent with the preservation and safeguarding of such materials.

(9) VISITORS. He shall welcome and register visitors to the hall, conducting them through the hall and explaining the exhibits and displays of the memorial collection and the historical significance of the service and the events they depict.

(10) UNWELCOME VISITORS. He shall take such steps as may be necessary to protect visitors and the memorial collection from persons who would interfere with the peaceful enjoyment of the memorial hall, the memorial collection, and may forcibly eject all such persons if necessary.

(11) THEFT OR VANDALISM. He shall take such steps as may be necessary to protect the memorial collection from theft or vandalism and shall report promptly to the director and the capitol police any evidence of theft or vandalism coming to his attention.

(12) RECORDS AND REPORTS. He shall keep records on all matters affecting the memorial hall and the memorial collection, including acquisitions, articles borrowed or loaned for research or display, and visitors to the memorial hall, he shall prepare an annual report to the board on the operation of the memorial hall, and he shall make such other reports as the director may require.

CHAPTER VA 6

GRAND ARMY HOME FOR VETERANS
KING, WISCONSIN

VA 6.01 ADMISSION AND CARE OF MEMBERS. (1) OBJECTIVE. The department shall maintain and operate the Grand Army Home for Veterans and shall admit as members eligible veterans, their eligible wives, widows and mothers, and shall furnish all members complete personal maintenance and medical care to include programs and facilities which promote comfort, recreation, well-being and rehabilitation.

(2) APPLICATION. No person shall be admitted until he has submitted an application on forms furnished by the Home and such application has been approved by the commandant. Each question must be fully and accurately answered and the completed application properly executed. Upon admission of the applicant as a member, the completed application shall be a valid and binding contract by and between the member and the Home.

(3) EXHIBITS REQUIRED. Each application must be accompanied by a complete financial statement of the applicant, a physician's report of physical examination of the applicant, two affidavits attesting to the applicant's Wisconsin residence, and original or certified copies of reports of separation or discharges of the applicant or the veteran upon whose eligibility the applicant is relying for all periods of active service in the Armed Forces of the United States during one wartime period as enumerated in s. 45.35 (5a)(a) through (g), Wis. Stats.

(4) WIFE. A veteran's wife shall also furnish with her application a certified copy of certificate of marriage to the veteran.

(5) WIDOW. A veteran's widow shall also furnish with her application a certified copy of her certificate of marriage to the veteran and a certified copy of her veteran husband's death certificate.

(6) MOTHER. A widowed mother of a veteran shall also furnish with her application a certified copy of her marriage certificate to and a certified copy of the death certificate of her last husband, a certified copy of the public record of birth of the veteran through whom eligibility is claimed, and a complete physician's report of physical examination and two residence affidavits pertaining to her veteran son.

(7) ELIGIBILITY, DETERMINATION OF. If the applicant or the county veterans service officer assisting him with the application requests a review of a determination of ineligibility, the matter shall be referred to the director for review.

Chapter VA 6--cont'd.

(8) READMISSION. A former member may be readmitted if a new application has been submitted and approved by the commandant and all money which may have been owed to the Home by the former member has been paid, and in case of an undesirable or dishonorable discharge, if the commandant is satisfied that the conduct leading to such discharge will not be repeated.

(9) DEPENDENTS OF MEMBERS. Nonmember dependents of members will not be quartered or maintained at the Home, except under the policy for guests prescribed by the commandant, unless employed by the Home in a capacity requiring them to live in available housing on the Home grounds.

(10) QUARTERS, ASSIGNMENT OF. Assignment of quarters to members shall be based on the Home medical director's recommendations and the availability of space appropriate to the member's needs.

(11) CLOTHING AND COMFORT ITEMS. Clothing, tobacco, stationery, toiletries, and necessary aids to good grooming, including barber and beautician services, will be furnished to members as their needs may require. All clothing issued will remain the property of the state of Wisconsin.

(12) MEDICAL CARE. Complete medical care, including surgical procedures, hospitalization, medications, special diets, dental care including dental prosthesis, eye glasses, braces, hearing aid batteries and repairs, and ancillary medical care services will be furnished members as their needs may require.

(13) ASSETS. Prior to admission, applicants must turn over all 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 five 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. An applicant's just and legal debts will be taken into consideration for the purpose of determining the amount of excess assets due the state. An applicant who turns over encumbered property to the state out of the proceeds of the sale of which property he is to receive all or any part of the amount which he is permitted to retain upon admission, shall receive such amount from the proceeds of the sale of such property only after such proceeds have paid all encumbrances against such property and all costs of its sale, but in the event such property is not sold within six months of the date of the member's admission, the department may advance to the member up to one-half of the difference between the assets retained by the member upon admission and \$1,000 from the appropriation provided by s. 20.840 (62), Wis. Stats., if the department is satisfied that the value of the property is sufficiently in excess of all encumbrances against such property and costs of management and sale of such property to warrant such advance.

Chapter VA 6--cont'd.

(14) DEFINITION OF ASSETS. Assets for the purpose of this section means any property of value, to include without limitation by reason of enumeration real property, tangible and intangible personal property, accrued interest, cash, cash value of life insurance, monies to which applicant is entitled by award, judgment or settlement as received, life insurance proceeds to which applicant may be entitled, annuities containing unexecuted options to select lump sum payments, gifts, devises, bequests, inheritances and hereditaments, except personal clothing and personal effects of no apparent market value.

VA 6.02 DUTIES AND RESPONSIBILITIES OF THE COMMANDANT. (1) OPERATION OF THE HOME. The commandant, under the direction of the director, shall operate the Grand Army Home for Veterans pursuant to Wisconsin Statutes and in accordance with the policies established by the board.

(2) MEDICAL AND NURSING CARE. He shall conduct a complete program of medical and nursing care for all members of the Home as their needs may require.

(3) MEMBER RECORDS. He shall keep a record of each member of the Home which will include information establishing eligibility for admission, date of admission, personal and financial data, and period of membership.

(4) CUSTODY OF PROPERTY. He shall have charge and custody of the Home including all property appertaining thereto or within the boundaries thereof, and he may take such reasonable steps as may be necessary to safeguard such property including examination of vehicles, baggage, parcels or any property leaving the Home.

(5) EMPLOYEES. He shall employ such persons as may be necessary and authorized to carry out the functions of the Home.

(6) LAW ENFORCEMENT. He shall designate as his deputies such employes as may be necessary to assist him in enforcing upon the grounds of the Home the laws of the state of Wisconsin and the rules and regulations governing the Home, and for such purposes he and his deputies shall have all the powers of constables.

(7) MEMBER HELP. He may employ such member help as is deemed necessary, and payment for member services will be made according to the pay plan of the bureau of personnel. No member will be required to perform any work as a member employe if he does not choose to do so and no member employe shall work more than five hours per day.

(8) BUDGET. He shall prepare the Home's budget request for the ensuing biennium so as to permit operation of the Home to meet applicable minimum standards established by state regulatory agencies and shall present such budget request to the director.

Chapter VA 6--cont'd.

(9) FUNDS, ACCOUNTABILITY FOR. He shall supervise all funds of the Home and see that proper records are kept, shall maintain internal fiscal control, shall account for all funds received and disbursed and shall take all necessary steps to recover any property or funds transferred, assigned or withheld contrary to law.

(10) ANNUAL REPORT. He shall prepare an annual report covering operations of the Home as soon as practicable after the close of each fiscal year.

(11) BOND. He shall provide a surety bond at the expense of the Home in an amount sufficient to cover his financial responsibility as commandant and shall be adequately bonded for his responsibilities as legal guardian of members and administrator of the estates of deceased members.

(12) SAFEGUARDING RECORDS. He shall safeguard all records of the Home and maintain the confidential nature of medical and personal information regarding employes and members pursuant to Wis. Adm. Code s. VA 1.10.

(13) MEETINGS AND REPORTS. He shall attend all meetings of the board and King Committee and shall make such monthly reports on the operation of the Home as may be necessary to keep the board informed. He shall submit such other reports and attend such other meetings as the director may require.

(14) EMERGENCY MEDICAL TREATMENT. He may authorize emergency first aid medical service to a person not connected with the Home when transportation to a local doctor or hospital would, in the opinion of the Home medical director, endanger the life of such person.

(15) EMPLOYEE RULES. He shall establish and publish such rules as may be necessary for the regulation of employe conduct.

(16) VISITOR RULES. He shall establish rules governing non-member visitors to the Home including guests and relatives of members. Such rules will not become effective until they have been approved by the board and published.

(17) MEMBER RULES. He shall establish rules for the regulation of conduct of members and shall be responsible for the enforcement of such rules. Such rules will not become effective until they have been approved by the board and published.

(18) DEFINITION - "PUBLISHED". For the purposes of this chapter, "published" shall mean printing of regulations, making them available to members, employes and visitors and posting them on a bulletin board which will be maintained for that purpose in a public place on the Home grounds.

Chapter VA 6--cont'd.

VA 6.03 TRAFFIC AND CONDUCT ON HOME PROPERTY. (1) DRIVER'S LICENSE REQUIRED. No person shall operate any motor vehicle on any roadway, driveway or parking lot of the Home unless he holds a valid and current operator's license issued under Chapter 343, Wis. Stats., or unless exempt under the provisions of s. 343.05 (2), Wis. Stats., from the requirement that he hold such a license in order to operate a motor vehicle on the highways of this state, and no person shall operate a motor vehicle anywhere on such grounds except on a roadway, driveway or parking lot. Members using power wheelchairs are exempt from the requirements of this section.

(2) VEHICLE LICENSE REQUIRED. No person shall operate any motor vehicle on any roadway, driveway, or parking lot of the Home unless the same has been properly registered as provided by chapter 341, Wis. Stats., unless exempt under an applicable provision of s. 341.05, Wis. Stats., from the requirement that the vehicle be registered in order that it may be operated on the highways of this state. Members using power wheelchairs are exempt from the requirements of this section.

(3) TRUCKS AND TRAILERS PROHIBITED. Operation of trucks or motor vehicles towing trailers on any roadway, driveway or parking lot of the Home is prohibited except as may be authorized by the commandant.

(4) DUMPING PROHIBITED. The dumping of any waste, trash, debris, or other rubbish on the Home grounds or along the Home grounds lakeshore is prohibited, except in disposal areas designated by the commandant or elsewhere as may be specifically designated by him.

(5) REMOVING PROPERTY PROHIBITED. The removal of any shrubs, trees, plants, wood, rocks, earth or other natural products or materials from the Home grounds is prohibited except as may be authorized by the commandant.

(6) WILDLIFE MOLESTATION PROHIBITED. The removal, destruction or molestation of any wildlife within the boundaries of the Home grounds is prohibited except as may be authorized by the commandant.

(7) DAMAGING PROPERTY PROHIBITED. The defacing of, damage to, or wanton destruction of any structures, buildings, improvements, shrubs, trees or plants on the Home grounds is prohibited.

(8) DRUNKENNESS PROHIBITED. Any person who is found in an intoxicated condition on the Home grounds shall be subject to arrest and prosecution.

(9) CANVASSING, PEDDLING AND SOLICITING. All canvassing, peddling or soliciting is prohibited on the grounds or in the buildings of the Home, except that the commandant may authorize Home posts and chapters of veterans organizations and their auxiliaries to conduct fund raising activities at designated times and places, and to solicit membership. The commandant may authorize and establish conditions for solicitation at the Home by other charitable organizations.

(10) LAKESHORE USE. Use of the Home lakeshore, beaches, piers, boating and swimming facilities by persons other than members and employes or guests of members or employes in their personal company is prohibited. Use of such facilities shall be at their own risk and shall be limited to daylight hours.

(11) CAMPING AND PICNICKING. Camping on the Home grounds is prohibited. Picnicking may be authorized by the commandant on the Home grounds in areas specifically designated by him as picnic grounds. He shall establish rules governing permitted picnic hours, the disposal of garbage and other refuse, and such other matters as may be deemed necessary.

(12) FIREARMS. The carrying or use of firearms within the limits of the Home, except by firing squads or for police or military purposes, is prohibited unless authorized by the commandant.

(13) PENALTY. The penalty for violating the rules and regulations contained in this section shall be as provided in s. 946.73, Wis. Stats., and in addition to such penalty violators will be held responsible for damages.

VA 6.04 CONDUCT AND RESPONSIBILITIES OF MEMBERS. (1) RULES AND REGULATIONS. Members shall obey all rules of the Home and all rules and regulations prescribed by the commandant.

(2) MEMBER INCOME. All members receiving income shall deposit evidence thereof with the commandant as received. Members may not retain on their persons or in their quarters a sum of money larger than the commandant shall deem reasonable and safe. Member accounts at the Home or a bank designated by the commandant must be used for deposit of members' funds.

(3) DEFINITION OF INCOME. Income for the purpose of this chapter 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, pensions, annuities, compensation, social security, railroad retirement, public or private retirement, insurance benefits, wages, salaries, alimony, rents, interest, dividends,

Chapter VA 6--cont'd.

profits, returns on investment, monies received for loss, damage or injury, awards, gifts, devises, bequests and hereditaments. Income shall not include wages, salary or payment to a member for services rendered to the Home as an employe thereof.

(4) MEMBER INCOME PAYMENTS. Each member will pay to the state of Wisconsin from his income on the date of its receipt such sum of money as is required by s. 45.37 (9), Wis. Stats., computed on a monthly basis. When a member fails to pay money due the state within ten days of receipt of income from which such money should be paid, the commandant shall take such reasonable steps to collect the obligation as circumstances warrant. If an obligation to the state is not paid within 30 days of the receipt of income from which said obligation should be paid, the member may be given an undesirable discharge.

(5) MEMBER INCOME PAYMENTS, ANNUAL BASIS. A member may elect at any time to have his member income payments computed on a twelve month basis, the last month of which shall be the calendar month in which the election is made, and in the event of such election the member income due the state shall be due and payable within 10 days of the last day of the month of such election. Upon such election, the income received by the member during such twelve month period shall be totalled, and the amount of such income he is required to pay to the state shall be computed on an annual basis, and he shall then pay over from income received in the final month of such twelve month period the difference between the amounts he actually paid over to the state from month to month during such period and the amount of such annual basis computation.

(6) ANNUAL FINANCIAL STATEMENT. Members are required to file complete annual financial statements with the Home.

(7) JOINT ACCOUNTS PROHIBITED. Joint accounts may not be held by members with any other person or persons.

(8) BORROWING PROHIBITED. A member shall not borrow from nor loan money to another member.

(9) DISPOSAL OF CLOTHING PROHIBITED. A member shall not sell, give away, throw away nor destroy clothing issued by the Home.

(10) ALCOHOLIC BEVERAGES PROHIBITED. Members may not bring any alcoholic beverages onto the Home grounds or keep such beverages in their quarters.

(11) PHYSICAL EXAMINATION. All members shall submit to periodic physical examinations and to such treatment as may from time to time be required.

Chapter VA 6--cont'd.

(12) PERSONAL CLEANLINESS. Cleanliness of person and dress is required of members at all times.

(13) CLEANLINESS OF QUARTERS. Clothing, beds, quarters, dormitories and cottages shall be kept in a neat and clean condition, and all members' quarters must be available for inspection between the hours of 8:00 a.m. and 8:00 p.m. All members must remain in their quarters during the period for which formal inspections or fire drills are scheduled, unless excused by the commandant or in the case of sickness by a Home physician.

(14) GIFT OF PROPERTY BY A MEMBER. A gift of property by a member shall be invalid unless physical possession of such property is transferred to the donee at the time the gift is made and unless such property is removed from the premises of the Home before the death of the member. A gift of property by a member during his lifetime with the understanding that the member may retain physical possession of such property until his death or a gift of property which is to take effect upon the death of the member donor is invalid.

(15) LOAN OF PROPERTY TO MEMBER. Property loan to a member by a nonmember must be declared to be loaned property at the time its possession is transferred to the member, and the nonmember loaning the property to the member must at such time file a sales slip, invoice or other evidence of his ownership with the Home office and affix an identifying tag to the loan property which tag must remain affixed to such property during the term of the member's stay at the Home. Any property not so identified will be deemed the property of the member upon his death, and will be distributed to the state.

(16) MARRIAGE OF MEMBERS. Members who marry without the consent of the commandant shall be subject to the provisions of VA 6.05 (6).

(17) FUNERAL TRUST AGREEMENT. A woman member who plans to be buried away from the Home or a member who plans to have features in his or her funeral arrangements that are more costly than those routinely provided, may, with the approval of the commandant, enter into a funeral trust agreement with a funeral home of his or her choice to accomplish such plan.

VA 6.05 DISCIPLINE, DISCHARGES AND LEAVES OF ABSENCE. (1) DISCIPLINARY PROCEDURE. The Home shall maintain a complete record of each offense by a member against rules and regulations of the Home showing the name of the offender, date and place of the offense, and the nature of the offense. Each member charged with a violation of Home rules and regulations shall be furnished with

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a copy of the charge or charges placed against him. No member shall be discharged, suspended, or disciplined in any way without a hearing before the commandant at a time and place to be fixed by him. A summary of evidence introduced, the findings and the decision of the commandant must be filed in each case.

(2) DISCIPLINARY ORDERS, REVIEW AND APPEAL. A member found guilty by the commandant of violating rules and regulations of the Home may be discharged, given an enforced leave of absence for a period not exceeding 60 days, restricted to the Home grounds or designated portions thereof, or disciplined in such other manner as the commandant may deem just and proper. Upon written application by the member involved within ten (10) days of issuance of a disciplinary order by the commandant, the director shall review any discharge, enforced leave of absence, restriction or other disciplinary action ordered by the commandant, and confirm, modify or reverse such order. The member involved may, within ten (10) days of such action by the director, appeal from the decision by the department before the appropriate departmental committee. In such cases, recommendations by the committee shall be submitted promptly to the board for review and final action on the appeal. Upon application for review or appeal, the disciplinary order involved shall be stayed pending determination of the review or appeal.

(3) OFF-LIMITS. The commandant may prohibit any member from entering any tavern or establishment in the vicinity of the Home and he may declare any such establishment off-limits to any or all members if such action is necessary for the maintenance of discipline and control.

(4) GRIEVANCE PROCEDURE. Any member having a grievance or complaint of any kind against the Home or its management, may present such grievance or complaint in writing to the commandant. In the event the member is not satisfied with action by the commandant upon such grievance or complaint he may refer the matter to the director, and the commandant shall promptly transmit such grievance or complaint together with his written report of investigation and action thereon to the director. In the event the member is not satisfied with action by the commandant and the director upon such grievance or complaint he may appeal the matter to the board.

(5) HONORABLE DISCHARGE. A member may receive an honorable discharge from membership at the Home upon application, provided that he has paid all money due the Home, has accounted for all property issued to him not suitable for reissue, that no disciplinary action has been currently imposed or is pending against him, and that he is able to exercise sound judgment in planning and

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providing for his own physical welfare. When a member requires special living or travel facilities or is unable to exercise sound judgment in planning for his own physical welfare, the commandant may refer the request for discharge to the county veterans service officer in the veteran's home county for assistance, and may delay granting an honorable discharge until proper facilities for his care and travel are assured.

(6) UNDESIRABLE DISCHARGE. A member may be given an undesirable discharge if an obligation to the Home is not paid within 30 days of the date of receipt of income from which that obligation should be paid, if he marries without the consent of the commandant, or if he leaves the Home without satisfying the conditions for an honorable discharge.

(7) DISHONORABLE DISCHARGE. A member may be given a dishonorable discharge for frequent or habitual intoxication, willful disobedience of proper orders, failure to maintain restrictions imposed as a disciplinary measure, habitual use of profane, obscene or abusive language, defacing of, damage to or destruction of any structures, buildings, improvements, shrubs, trees or plants on the Home grounds, for unauthorized discharge of firearms within the limits of the Home, for assault on another person, for theft, for committing any other crime, or for immoral or indecent conduct.

(8) LEAVES OF ABSENCE. Leaves of absence may be granted by the commandant for a period of not to exceed 60 days during a calendar year, but may be extended by the director if circumstances warrant. Payments to the state, as required by s. 45.37 (9), Wis. Stats., shall continue during the period of absence. The Home will not be responsible for any expense incurred by members while absent from the Home except for emergency medical expenses authorized by a Home physician, providing notice is given to the Home within 24 hours of the onset of the emergency. Quarters will not be reserved during any absence unless such absence is authorized by the commandant.

(9) LEAVES OF ABSENCE, MEDICAL. Leaves of absence will be granted to veteran members while undergoing treatment in a Veterans Administration hospital, or in another authorized hospital, and to women members while in any hospital or sanatorium away from the Home, and this leave shall not be charged to the 60 day annual allowance.

VA 6.06 EMPLOYE RULES. (1) RULES AND DUTIES. Employes shall obey all rules prescribed by the commandant, and shall discharge such duties as may be assigned to them by or on the order of the commandant.

CHAPTER VA 7

GRANTS TO VETERANS ORGANIZATIONS

VA 7.01 DEFINITIONS: (1) "Nationally accredited veterans organization" as used in s. 45.351 (1), Wis. Stats., shall mean the state department of a veterans organization which has representatives authorized to present claims before the Veterans Administration and which is incorporated by an act of the Congress of the United States (See Title 36 United States Code).

(2) In this chapter the following terms shall have the designated meanings:

(a) "State department" means a state of Wisconsin department or organization of a national veterans organization.

(b) "Regional office" means the Veterans Administration Regional Office in Milwaukee, Wisconsin.

(c) "Moneys paid to employes" means salaries and travel expenses paid by "state departments" to employes maintained by them at the "regional office" whether or not engaged in veterans claims service.

(d) "Grant" means a grant under s. 45.351, Wis. Stats., to a "state department."

VA 7.02 LIMITATIONS. A grant will be made only to a state department and will be based solely upon moneys paid to employes by such state department. No state department shall receive a grant larger than the amount of moneys paid to employes by such state department, notwithstanding the minimum set forth in s. 45.351 (1), Wis. Stats.

VA 7.03 ELIGIBILITY. Only a state department which has by itself, or with the financial assistance of its national organization, maintained a full time service office at the regional office for at least 5 years immediately next preceding its application may be eligible for a grant. In order to be eligible for a grant, a state department must submit with its initial application sufficient evidence to establish that it or its national organization has maintained a full time service office at the regional office without interruption for the five year period immediately preceding such application. Subsequent applications for grants must be accompanied by affidavits by the adjutant or principal officer of the state department concerned stating that a full time service office has been maintained at the regional office for the entire year for which application for payment of the grant is made.

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VA 7.04 APPLICATION. Applications by a state department shall be filed annually with the department for periods commencing on the first day of April in each year and ending on the 31st day of March of the year in which they are filed. An application shall consist of evidence of eligibility and of the following exhibits:

(1) A financial statement, including a report of all income and expenses of the state department, covering the last completed fiscal year of such state department.

(2) A statement of moneys paid to employes by such state department covering the year for which application for a grant is made.

(3) A report of the number of veterans' claims processed by employes maintained at the regional office by the state department either solely or in combination with its national organization covering the year for which application for a grant is made.

(4) All exhibits constituting a state department's application must be accompanied by sworn statements as to their accuracy by a Wisconsin certified public accountant.

VA 7.05 ADMINISTRATION. The provisions of this chapter shall be administered by the director. He shall determine the eligibility of a state department for a grant and the amount of the grant for which it qualifies, and he may prescribe uniform forms for reporting number of claims processed. When an application has been filed, if the director determines that the state department concerned has not adequately established its claim for a grant, he may require additional information. Any state department dissatisfied with a determination of the director may appeal such determination to the board.