

## Chapter VA 1

### GENERAL

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**History:** Chapter VA 1 as it existed on February 29, 1960 was repealed and a new chapter VA 1 created effective March 1, 1960.

**VA 1.01 Liberal statutory constructions.** (1) It shall be the policy of the board of veterans affairs to have the provisions of chapter 45, Wis. Stats., administered in a most expeditious and liberal manner, resolving all reasonable doubt in favor of the claimant, to the end that the various benefits are made available to eligible veterans and/or their dependents as promptly and effectively as possible.

(2) Any veteran, who is an applicant for a benefit, in addition to making a supplemental written presentation, may appear in person, with or without counsel, to present the merit of his case or appeal from a decision of the department before the proper committee of the department at a time and place arranged by the county veterans service officer who processed the veteran's application.

**History:** Cr. Register, February, 1960, No. 50, eff. 3-1-60.

**VA 1.02 Benefits to those who qualify.** It shall be the policy of the board to give assistance to all qualified Wisconsin veterans and their dependents in all matters connected with the securing of any aid or benefit that may be due them under federal or state law by reason of their service in the armed forces of the United States. Financial aid or benefits under the law will not be extended to veterans or dependents where need for such aid or benefit arises or results from the misconduct of the veteran or the beneficiary.

**History:** Cr. Register, February, 1960, No. 50, eff. 3-1-60.

**VA 1.03 Cooperation with other agencies.** In addition to coordinating the activities of all state agencies performing functions relating to the medical, hospital, placement and training, educational, economic or vocational rehabilitation of Wisconsin veterans and/or their dependents, the department shall cooperate with all federal, state, county or other agencies whose functions include rehabilitation of Wisconsin war veterans.

**History:** Cr. Register, February, 1960, No. 50, eff. 3-1-60.

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**VA 1.04 Supplement to federal benefits.** It shall be the policy of the board to supplement federal benefits only in the form of rehabilitation and only when in the opinion of the department such additional grants are necessary to prevent want or distress and to otherwise assist in the veteran's successful rehabilitation.

**History:** Cr. Register, February, 1960, No. 50, eff. 3-1-60.

**VA 1.05 Individual determination to be made.** The extent of grants to prevent want or distress is delegated to the director or his accredited representative who shall base his determination on the facts as they exist in each individual case.

**History:** Cr. Register, February, 1960, No. 50, eff. 3-1-60.

**VA 1.06 Scope of emergency aid.** Emergency aid to prevent want or distress shall be construed to include medical, dental, glasses, subsistence (food and clothing), funds to meet insurance payments, travel, or moving expense and such other incidentals as may be deemed necessary for the veteran's successful rehabilitation or which will enable him to successfully pursue his course of instruction.

**History:** Cr. Register, February, 1960, No. 50, eff. 3-1-60.

**VA 1.07 Departmental employees.** All employees of the department of veterans affairs shall, insofar as possible, be war veterans.

**History:** Cr. Register, February, 1960, No. 50, eff. 3-1-60.

**VA 1.08 Information required from out-of-state bonus applicants.** (1) It shall be the policy of the board that applications of veterans who have lived continuously in Wisconsin for 10 years at time of application, who have received bonuses from other states as set forth in the statutes, be handled as other Wisconsin veteran applications. The department shall be authorized to reject such applications if not meeting general requirements.

(2) To expedite action on this type of application, the veteran must show:

(a) Amount of bonus, date received, and name of state.

(b) Sworn statement verifying proof of date establishing 10 years of continuous living in Wisconsin. Such applications will be examined in the light of the veteran's present need, the progress he has made in his rehabilitation, and will take into consideration the amount of bonus received from his former state of residence.

(c) A complete statement as to all other available facts will be required to assist the department in expediting action on applications of this nature.

(d) Where a veteran has received a bonus from a former home state and now qualifies under the provisions of our statutes, before an application for a grant is presented to the board for a decision, all possibility of handling the request as a rehabilitation loan will be exhausted.

**History:** Cr. Register, February, 1960, No. 50, eff. 3-1-60.

**VA 1.10 Strike relief not temporary aid.** It shall be the policy of the board that strike relief cases shall be handled and considered within the framework of the policy of emergency aid previously adopted by the board, that aid for direct strike relief does not fall within the definition of temporary aid.

**History:** Cr. Register, February, 1960, No. 50, eff. 3-1-60.

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**VA 1.11 Applicant's false statement.** When a veteran makes a false statement on his application form, the facts will be referred back to the county veterans service officer, together with the local loan committee, for a report on the case. In any case, where the department shall find after investigation that any applicant has 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 false affidavit, statement or paper concerning any application or claim for veteran's benefits, the department may suspend all benefits granted to such veteran under Wisconsin Statutes, provided, however, that before such suspension is made effective, the veteran may within 30 days request that he be permitted to appear before the board in person with or without counsel to present reasons why such action should not be taken. In proper cases the facts in possession of the department shall be forwarded to the local district attorney for necessary action.

**History:** Cr. Register, February, 1960, No. 50, eff. 3-1-60.

**VA 1.12 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 such applications when the following are received:

- (1) A statement from the veteran which discloses his present income and his statement that his income has been materially decreased by virtue of his military service, and
- (2) A statement of approval from the county veterans service officer concerned based upon his investigation.

**History:** Cr. Register, February, 1960, No. 50, eff. 3-1-60.

**VA 1.13 Confidential records.** Records pertaining to individual veterans are confidential (See Chapter 289, Laws of 1959).

**History:** Cr. Register, February, 1960, No. 50, eff. 3-1-60.

**VA 1.15 Duties and responsibilities of the director.** The administrative functions of the department shall be in charge of the director who shall carry out the provisions of law and the policy and code of the board. He shall employ a commandant for the Grand Army Home, and with the approval of the board shall appoint a custodian and superintendent of memorial hall.

(1) The director 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.

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

(3) He shall administer the program for temporary emergency assistance to prevent want and distress of World War II and Korean veterans.

(4) He shall administer the rehabilitation and housing loan programs for World War II and Korean veterans.

(5) He shall administer the medical and hospital treatment program for World War I veterans, and with the advice and approval of the board shall make such rules as are deemed necessary.

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(6) He shall administer the compilation of veterans' graves records within the state, and obtain all available information required for such records.

(7) He shall direct the operation of the Grand Army Home for Veterans at King through the commandant to insure that members receive proper care as required by statutes and the policy of the board.

(8) He and/or his designated agent or agents shall present the department's budget to the legislature.

(9) He and/or his designated agent or agents shall present to the legislature all proposed legislation recommended by the board. He shall make such reports to and appearances before the legislature on other matters when requested to do so.

(10) 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.

(11) He shall make regular reports to the board, as the board directs.

(12) He shall supervise all public relations of the department, shall designate personnel to participate in any and all meetings, conferences, requests for speakers, requests for programs from various veterans organizations, and shall determine the employes' method of travel for the most economical and efficient operation of the department.

(13) He shall report any flagrant violations of his authority to the board.

(14) He shall manage the appropriated funds and supervise expenditures for the best interest of efficiency and strict economy.

**History:** Cr. Register, February, 1960, No. 50, eff. 3-1-60.