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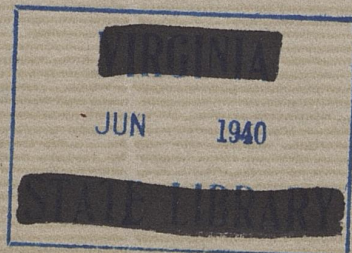
HOWARD B. MYERS, DIRECTOR,
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DIGEST OF PUBLIC WELFARE PROVISIONS
UNDER THE LAWS OF THE STATE OF
WISCONSIN

GOVERNMENT PUBLICATIONS

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2

Preface

This bulletin is one of a series intended to present in abstract form the public welfare provisions of the laws of each of the States.

The purpose of these bulletins is to give a brief review of the provisions for public assistance under the laws of the several jurisdictions, and of the administrative agencies set up by law with reference thereto. A chart showing the organizational relationships of the administrative agencies is included.

The possibility of error in attempting with a limited staff and in a limited time to assemble and digest the formidable mass of material incident to such a study is frankly recognized. The cooperation of those who have occasion to use these digests in reporting any errors of omission or commission noted, or in suggesting improvement in form or content, is invited and will be greatly appreciated.

Meanwhile it is hoped that those interested in considering the reorganization or strengthening of public welfare services in the several States may find the digests of practical value.

June 1940. Va. Div. of Statutory research + drafting. 9

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INDEX TO

ABSTRACT OF WELFARE LAWS OF STATE OF WISCONSIN

<u>Public Welfare Provisions</u>	<u>Page</u>
General Poor Relief	4701
Emergency Relief.	4704
Care of Dependent Children in Their Own Homes	4706
Care of Dependent Children (Institutions and Agencies)	4709
Blind Assistance	4711
Old Age Assistance	4713
Veterans' Relief	4716
 <u>Administrative Provisions</u>	
Public Welfare Department of the Industrial Commission	4721
State Pension Department of the Industrial Commission	4725
State Board of Control	4728
State, Central and Northern Hospitals for the Insane	4738
Homes for the Feeble-Minded	4740
State Tuberculosis Sanatoria and Camp	4743
Schools for the Blind and Deaf	4745
Workshop for the Blind.	4745
Industrial Schools for Girls and Boys	4748
State Reformatory	4750
Industrial Home for Women	4750
Warden of State Prison	4752
State Public School	4755
State Field Agency for Adult Blind	4758
Grand Army Home for Veterans.	4760
Juvenile Court.	4764
County Board of Supervisors	4771
County Department of Public Welfare	4771
County Pension Department	4772
County Soldiers' Relief Commission	4774
Chart Showing Public Welfare Agencies	

DIGEST OF PUBLIC WELFARE PROVISIONSGENERAL POOR RELIEF(a) Description of class

Direct relief: Poor and indigent persons lawfully settled in any town, village or city. 1/ Temporary aid and decent burial given transient paupers. 2/

County Poor Homes: Any pauper who, by reason of sickness, infirmity, decrepitude, old-age, drunkenness or pregnancy is likely to become a public charge; or who is an inebriate or a drug addict; or who lives in a state of squalor or filth likely to induce disease. 3/

County Hospitals: Indigent persons who are afflicted with any disease, malady, deformity or ailment, which can probably be remedied, or which can be advantageously treated by proper medical, dental or surgical care. 4/

(b) Procedure for determining eligibility

Direct relief: No provision.

County Poor Homes: Judge of any court of record, upon petition of officer charged with care of poor, may commit pauper to county home for a definite period of not less than 60 days, or for an indefinite time. No person may be committed without having an opportunity to be heard in person or by someone in his behalf. 5/

County Hospitals: In counties of less than 250,000 the boards of trustees of county institutions, subject to the approval of the State Board of Control, make rules and regulations governing admission. 4/ In counties of 250,000 or more, the boards of trustees of county institutions make all necessary regulations for the admission and discharge of patients. 6/

(c) Measure of responsibility

Direct relief: Form not specified by statute. Transient paupers who are taken sick, lame or otherwise, are given temporary board, maintenance, nursing, medical aid and burial. 2/ Local paupers are given emergency medical relief and hospitalization by municipalities except in counties having 250,000 or more. 7/

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1. Wisconsin Statutes (1933), Sec. 49.01.
 2. Ibid, Sec. 49.03, as amended by Laws (1935), Ch. 453.
 3. Wisconsin Statutes (1933), Sec. 49.07, as amended by Laws (1935), Ch. 353.
 4. Wisconsin Statutes (1933), Sec. 49.145.
 5. Ibid, Sec. 49.07.
 6. Ibid, Sec. 46.21 (2c).
 7. Ibid, Sec. 49.18.

GENERAL POOR RELIEF (Cont'd)

(c) Measure of responsibility (Cont'd)

County Poor Homes: Care at county home, if there be one, otherwise commitment to county home of some other county. 8/

County Hospitals: Medical, dental or surgical care at county hospital, if there be one. 9/

(d) Qualifications imposed

Local system: Legal settlement (one year's residence in a village, city or town.) 10/

The ownership of a home or an equity therein 11/ or an insurance policy of the cash or loan value of \$300 or less does not bar the granting of relief, in the discretion of the authorities in charge of relief, to any person who by reason of unemployment or sickness stands in need of such relief. 12/ Father, mother, husband, children and wife (in order named) are liable for support. 13/ Property of indigent is chargeable for support. 14/ Property of father or widowed mother who desert child is subject to seizure and sale at auction and proceeds used to support children. 15/

(e) Incidence of financial responsibility

Local system: On the town, village or city. 16/ Obligation mandatory. 11/ County reimburses localities for care of paupers who have no legal settlement in the town, city or village where they may be. 17/

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8. Wisconsin Statutes (1933), Sec. 49.07, as amended by Laws (1935), Ch. 353.
 9. Wisconsin Statutes (1933), Sec. 49.145.
 10. Ibid, Sec. 49.02 (4).
 11. Ibid, Sec. 49.01.
 12. Ibid, Sec. 49.025.
 13. Ibid, Sec. 49.11.
 14. Ibid, Sec. 49.10.
 15. Ibid, Sec. 49.13.
 16. Ibid, Sec. 49.01.

The County Board of any county may, by a resolution of the majority of all the Supervisors entitled to a seat in said Board, abolish all distinction between county poor and town, village and city poor, and have the expense of maintaining the poor a county charge; all powers and duties imposed upon towns, villages and cities must then be exercised by the following agencies:

Counties of less than 250,000: Board of trustees of county institutions (elected by the County Board of Supervisors) and superintendents of the county institutions, under the supervision of the State Board of Control.

Counties of 250,000 or more: Manager of county institutions, subject to the control of the board of trustees of county institution. Ibid, Sec. 49.15.

The counties may, by a similar vote, repeal such resolution and thereafter, the poor of the county must be supported in the same manner as if the distinction had never been abolished. Ibid, Sec. 49.16

17. Wisconsin Statutes (1933), Sec. 49.03, as amended by Laws (1935), Ch. 453.

GENERAL POOR RELIEF (Cont'd)(e) Incidence of financial responsibility (Cont'd)

County system: On the county. 18/ Obligation mandatory. 18/
Whether or not the counties abolish the distinction between county poor and town, village and city poor, they may erect county poor homes and county hospitals. 19/

(f) Taxes

No specific provisions.

(g) Administrative agenciesDirect relief:

Local system: Town boards, village trustees or common councils, in towns, villages and cities. 20/

County system:

Counties of less than 250,000: Board of trustees of county institutions (elected by the County Board of Supervisors) and superintendents of the county institutions, under the supervision of the State Board of Control. 21/

Counties of 250,000 or more: Manager of county institutions, subject to the control of the board of trustees of county institution. 21/

County Poor Homes: Board of trustees of any county institution and superintendent of the institution, under the supervision of the Board of Control (counties of less than 250,000) 22/ or manager of county institutions (counties of 250,000 or more). 23/

County Hospitals: Board of trustees of any county institution and superintendent of the institution, under the supervision of the State Board of Control (counties of less than 250,000) 22/ or manager of county institutions (counties of 250,000 or more). 23/

(h) Supervisory controls

In counties of less than 250,000, the State Board of Control has supervision of county institutions. 22/

18. See Footnote # 16 on previous page.

19. Wisconsin Statutes (1933), Sec. 49.145, 49.14.

20. Ibid, Sec. 49.01.

21. Ibid, Sec. 49.14.

22. Ibid, Sec. 46.18, 46.19, 46.20.

23. Ibid, Sec. 46.21.

EMERGENCY RELIEF

(a) Description of class

Preference for employment is given as follows: first, to citizens of Wisconsin; second, to citizens of the United States at the time of making application; last, to aliens who are residents of Wisconsin at the time of making application. 1/

(b) Procedure for determining eligibility

The Department of Public Welfare must cause to be prepared by the various State institutions and departments approved lists of applicants for public employment and must secure from such applicants full information as to their industrial qualifications and submit this information to the Department of Public Welfare. 2/

It is the duty of the Public Welfare Department to ascertain from the various departments and State institutions tentative plans for such extension of public works of the State as may be best adapted to supply increased opportunities for advantageous public labor during periods of temporary unemployment; together with estimates of amounts, character and duration of such employment, number of employees that could profitably be used therein, and the rate of wages and such other information as the Department may deem necessary. 3/

(c) Measure of responsibility

No provision.

(d) Qualifications imposed

No provision.

(e) Incidence of financial responsibility

On the State. 4/

(f) Taxes

There is levied, to raise revenues for relief purposes, in addition to all other income taxes, an emergency tax, ranging from one percent on the first \$1000 of income to 7 percent on any income in excess of \$12,000, on incomes in the calendar year of 1934. Such tax became delinquent on July 1, 1935. 5/

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1. Wisconsin Stat. (1933), Sec. 46-26.
 2. Ibid, as amended by Executive Order #4, (December 7, 1935).
 3. Wisconsin Stat. (1933), Sec. 46.23. as amended by Executive Order #4 (December 7, 1935).
 4. Laws (1935), Ch. 15, 286.
 5. Laws, (1935), Ch. 15, Sec. 2.

EMERGENCY RELIEF (Cont'd)

(f) Taxes (Cont'd)

There is levied a tax on transfers of property (prior to July 1, 1937) which tax must be equal to 25 percent of the excess of \$100 of inheritance tax. 6/

There is levied a one percent tax on the gross receipts from the operation of telephone utilities during the calendar year 1934 in excess of \$10,000 and not in excess of \$15,000; 2 percent on receipts over \$15,000 and not in excess of \$20,000; 3 percent on receipts over \$20,000. 7/

There is levied a 3 percent tax on energy sold by electric, gas, heat and water utilities within the State during the calendar year 1934. 8/

There is levied an income tax ranging from one percent on the first \$2000 of income to 7 percent on all net dividend income above \$5,000 on income of all persons in the calendar year 1933. 9/

(g) Administrative agencies

Public Welfare Department. 10/

(h) Supervisory controls

No provision.

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6. Laws (1935), Ch. 15, Sec. 3.
 7. Ibid, Sec. 4.
 8. Ibid, Sec. 5.
 9. Ibid, Sec. 6.
 10. Executive Order #4 (December 7, 1935).

CARE OF DEPENDENT CHILDREN IN THEIR OWN HOMES(a) Description of class

Mother: Mother or stepmother of a dependent child who is dependent upon the public for proper support, if such mother or stepmother is without a husband, or the wife of a husband who is incapacitated for gainful work by mental or physical disability, which is likely to continue for at least one year in the opinion of a competent physician, or the wife of a husband who has been sentenced to a penal institution for a period of at least one year, or the wife of a husband who has continuously deserted her for one or more years, if the husband has been legally charged with abandonment for a period of one year, or a mother or stepmother who has been divorced from her husband for a period of at least one year and has been unable through use of the provisions of law to compel her former husband to support the child for whom aid is sought. 1/ Any person standing in loco parentis, if the relationship is likely to continue for at least one year. 2/

Dependent child: A child under the age of 16 years, who has been deprived of parental support or care by reason of the death, continued absence from home, or physical or mental incapacity of a parent, and who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, step-sister, uncle or aunt in a place of residence maintained by one or more such relatives at his or their own home. 3/

(b) Procedure for determining eligibility

If any person has knowledge that a dependent child is dependent upon the public for proper support or that the interest of the public requires that such child be granted aid, he may bring any such fact to the notice of a judge of the juvenile court or of a county court of the county in which such child has a legal settlement. After investigation and report by a professional officer or a county children's board 4/, the judge may grant aid to the person having the care and custody of such child. 5/ The person receiving aid must file a monthly report with the judge of the juvenile or county court. 6/ Aid must not continue longer than one year without reinvestigation. 7/

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1. Laws (1935), Ch. 554, Sec. 6 (48.33-5).
 2. Ibid, Sec.6(48.33-7).
 3. Ibid, Sec. 7.
 4. Wisconsin Statutes (1933), Sec. 48.33 (2).
 5. Laws (1935), Ch. 554, Sec. 6 (48.33-4).
 6. Ibid, Sec. 6 (48.33-8).
 7. Ibid, Sec. 6 (48.33-6).

CARE OF DEPENDENT CHILDREN IN THEIR OWN HOMES (Cont'd)(c) Measure of responsibility

The aid granted must be sufficient to enable the person having the care and custody of such children to care properly for them. The amount to be granted is determined by a budget for each family, worked out annually by the judge of the court and the County Board or a committee designated by it, in which all possible income as well as expenses must be considered. Medical and dental aid may be granted to minor children, the mother, or the incapacitated father as necessary. Burial expenses, not to exceed \$100, are allowed for burial of the child. 8/ Maternity aid is granted for 6 months prior to and 6 months following birth of child. 9/

(d) Qualifications imposed

Mother, stepmother, person in loco parentis: Must be a fit and proper person to have the custody of the child and the period of aid must be likely to continue longer than one year. 10/ There must be one or more dependent children living with the person charged with their care and custody, who are under 16 years of age, provided that the court in its discretion may also grant aid for the support of minor children over 16, but in such cases the county is not entitled to any Federal aid. 10/ May be required to do remunerative work outside of home. 11/

Child: Child must have legal settlement in the county, but this qualification may be waived, in the discretion of the State Pension Department, if the applicant has resided in the State one year. 10/ Receipt of other public aid, except medical and dental care, is a bar to relief. 8/

Incapacitated father: Aid may be granted to a father or other male relative of the specified degrees of kinship who is physically incapacitated for gainful employment but capable of caring for a dependent child in his home. 12/

Property: Ownership of homestead not a bar if total cost of maintenance of the homestead does not exceed the rental which the family would be obliged to pay for living quarters. 10/

(e) Incidence of financial responsibility

On the county, subject to 33 1/3% reimbursement by the State. 13/ State pays entire amount in case child has no county legal settlement. 13/ Cities and towns in counties of 150,000 population or more, reimburse county for amount of aid granted to their residents, minus State contribution. 14/

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8. Laws (1935), Ch. 554, Sec. 6 (48.33-6).
 9. Wisconsin Statutes (1933), Sec. 48.331.
 10. Laws (1935), Ch. 554, Sec. 6 (48.33-5).
 11. Ibid, Sec. 6 (48.33-8).
 12. Ibid, Sec. 6 (48.33-7).
 13. Ibid, Sec. 6 (48.33-11).
 14. Wisconsin Statutes (1933), Sec. 48.33 (10).

CARE OF DEPENDENT CHILDREN IN THEIR OWN HOMES (Cont'd)(f) Taxes

No specific provisions. (State and county: General funds 15/)

Town, city, village: Special tax. 16/

(g) Administrative agencies

Juvenile court or county court 17/, in cooperation with County Department of Public Welfare in counties of 500,000 or more population, and County Pension Department, if established, in counties of less than 500,000 population. 18/

(h) Supervisory controls

State Pension Department. 19/

15. Laws (1935), Ch. 554, Sec. 6 (48.33-11).

16. Wisconsin Statutes (1933), Sec. 48.33 (10).

17. Laws (1935), Ch. 554, Sec. 6 (48.33-4).

18. Ibid, Sec. 49.51 (2).

19. Ibid, Sec. 2.

CARE OF DEPENDENT CHILDREN (INSTITUTIONS AND AGENCIES)

(a) Description of class

Neglected children under 18 and dependent children under 16 years of age. 1/ (See: Footnote 2 under "Juvenile Court" for definitions.) Crippled children under 21 years of age. 2/

(b) Procedure for determining eligibility

(1) Verified petition to juvenile court by any person having knowledge of the facts. 3/

(2) Application for admission to Orthopedic Hospital filed by a public official, teacher, or minister with the county judge of the county wherein the child has legal settlement. 4/

(c) Measure of responsibility

Care in a county home, a suitable public institution, a suitable child welfare agency licensed by the State Board of Control, or a foster home 1/; care in the State Public School 5/; hospitalization for crippled children in the Children's Orthopedic Hospital 2/; care of crippled children in State Public School 6/.

(d) Qualifications imposed

Orthopedic Hospital: Child must have a legal settlement in one of the counties of the State. 7/

State Public School: Child must be under 16 years of age. No child who is feeble-minded, insane or epileptic is admitted. 8/

(e) Incidence of financial responsibility

(1) County homes: On the county. Obligation mandatory. 9/

(2) Licensed welfare agencies: County pays each agency a reasonable weekly sum (to be agreed upon by the juvenile court and the agency) for each child committed. Obligation mandatory. 10/

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1. Wisconsin Stat. (1933), Sec. 48.07 (1)
 2. Ibid, Sec. 36.32; Laws (1935), Ch. 555; Wis. Stat. (1933), Sec. 142.01, 48.21.
 3. Wisconsin Stat. (1933), Sec. 48.06.
 4. Ibid, Sec. 142.02.
 5. Ibid, Sec. 48.19; 48.20.
 6. Ibid, Sec. 48.21.
 7. Ibid, Sec. 142.01.
 8. Ibid, Sec. 48.20 (1); 142.08.
 9. Ibid, Sec. 48.07 (6).
 10. Ibid, Sec. 48.07 (6) as amended by Laws (1935), Ch. 455.

CARE OF DEPENDENT CHILDREN (INSTITUTIONS AND AGENCIES) (Cont'd)(e) Incidence of financial responsibility (Cont'd)

(3) Foster homes: County pays foster homes not to exceed \$7 per week for each child committed. Obligation mandatory. 11/

(4) State Public School: Maintained by the State, but county of child's legal settlement reimburses State one-half of cost of care. 12/ Obligation mandatory. 13/

(5) Orthopedic Hospital: On the State, subject to reimbursement of 50 per cent by the counties. Obligation optional. 14/

(f) Taxes

No specific provisions.

(g) Administrative agencies

Commitment by juvenile court. 15/ County children's boards investigate child welfare agencies and report concerning them to court and State Board of Control. 16/

(h) Supervisory controls

State Board of Control. 16/

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11. Wisconsin Stat. (1933), Sec. 48.07 (6) as amended by Laws (1935), Ch. 455.
 12. Ibid, Sec. 48.20 (4)
 13. Ibid, Sec. 48.20 (1); 142.08.
 14. Ibid, Sec. 36.32, Laws (1935), Ch. 555.
 15. Wisconsin Stat. (1933), Sec. 48.07 (1)
 16. Ibid, Sec. 48.30, 48.31.

BLIND ASSISTANCE

(a) Description of class

Any needy person 18 years of age or more who is blind or blind and deaf. 1/

(b) Procedure for determining eligibility

Application in writing filed with county judge of county wherein applicant resides, in such manner and in such form and containing such information as may be prescribed by the State Pension Department. The application must be transmitted to the examiner of the blind and deaf for the county who must enter upon it the results of his examination and return it to the county judge. The county judge decides whether the applicant is entitled to a pension and fixes the amount thereof. 2/ Review of denial is allowed to the State Pension Department. 3/

(c) Measure of responsibility

Not to exceed \$360 per year if blind or \$480 per year if blind and deaf. 1/

(d) Qualifications imposed

Applicant must be a resident of Wisconsin at time of loss of sight, or have been a resident of the State for 5 years during the 9 years immediately preceding application, the last year of which must have been continuous and immediately preceding application. 1/

Applicant must not be an inmate of any State, county, or municipally owned charitable, reformatory, or penal institution nor in attendance at any State, county, or municipally owned school for the blind or deaf wherein instruction, room and board and other incidentals are furnished free of charge, except the summer school of the Wisconsin School for the Blind. 1/

Applicant must not publicly solicit alms and must have no relatives legally responsible for his support and able to support him. 1/

Annual income, including pension, must not exceed \$780. 1/

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1. Laws (1935), Ch. 554, Sec. 8 (47.08).
 2. Ibid, Sec. 9.
 3. Ibid, Sec. 2 (49.50) (4).

BLIND ASSISTANCE (Cont'd)

(e) Incidence of financial responsibility

On the county, subject to 80 per cent reimbursement. 4/
The State also reimburses the counties for personnel employed in the administration of blind pensions to an amount not to exceed 4 per cent of the total paid by each county to beneficiaries as blind pensions. 5/
Obligation mandatory. 4/

(f) Taxes

The county board of every county must annually levy a tax upon the taxable property therein, sufficient to pay the pensions provided for. 4/

(g) Administrative agencies

County Board may establish a county Department of Public Welfare in counties of 500,000 or more population. 6/ Where established, these departments cooperate with the county judge in administering pensions. 7/

County Board may establish a County Pension Department in counties of less than 500,000 population. 6/ Where established, these departments cooperate with the judge in administering pensions. 7/

Where these departments are not established, the county court and other agencies designated by the County Board administer the pension laws. 6/

(h) Supervisory controls

State Pension Department adopts rules and regulations and exercises actual supervision. 8/

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4. Laws (1935), Ch. 554, Sec. 8. (47.08).
 5. Ibid, Sec. 49.51 (3).
 6. Ibid, Sec. 49.51 (2).
 7. Ibid, Sec. 9.
 8. Ibid, Sec. 2.

OLD AGE ASSISTANCE

(a) Description of class

Any person who has attained the age of 65 years or upwards; provided that this specified minimum age may be reduced to 60 years whenever the Federal Government makes aid available to the states for old age assistance to persons between 60 and 65 years of age. 1/

(b) Procedure for determining eligibility

Written application to county judge of county wherein applicant resides, in such manner and form as prescribed by the State Pension Department. 2/ The judge decides upon the application and fixes the amount of assistance, if any. 3/ Review by State Pension Department of denial of application allowed. 4/

(c) Measure of responsibility

Pension not to exceed \$1 per day. 1/

Such reasonable funeral expenses as the county judge may direct, not to exceed \$100. 5/

(d) Qualifications imposed

Applicant must be a citizen of the United States. 1/

Applicant must have resided in the State for at least 5 years during the 9 years preceding application, the last year of which residence must have been continuous and immediately preceding application. Absence in the service of the United States or the State of Wisconsin is not deemed to interrupt residence if a domicile has not been acquired outside the State. 1/

Applicant must not be an inmate of a charitable institution maintained by the State or any of its political subdivisions, or of a private charitable, benevolent, or fraternal institution or home for the aged to which no admission charge as a life tenant has been made, provided, an inmate of a county home may apply while in the home, but aid does not begin until applicant ceases to be an inmate of the home. 1/

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1. Laws (1935), Ch. 554, Sec. 4.
 2. Wisconsin Stat. (1933), Sec. 49.27.
 3. Ibid, Sec. 49.28
 4. Laws (1935), Ch. 554, Sec. 2 (4).
 5. Wisconsin Stat. (1933), Sec. 49.30.

OLD AGE ASSISTANCE (Cont'd)(d) Qualifications imposed (Cont'd)

Value of property or combined value of property of husband and wife living together must not exceed \$5,000 1/; annual income, including pension, must not exceed \$1 per day 1/ (income from non-revenue producing property computed at 5 per cent). 6/

During the continuance of old age assistance no beneficiary may receive any other relief from the State or any political subdivision thereof except for medical and surgical assistance. 7/

County judge may require assignment of pensioner's property as a condition to granting aid. 8/

Upon death of recipient or surviving spouse (both of whom were assisted) the State has a lien for the total amount paid, plus 3 per cent interest. 9/

Applicant must not have deprived himself, directly or indirectly, of any property for the purpose of qualifying for pension. 10/

Applicant, at time of making application, must not be an inmate of any prison, jail, workhouse, infirmary, insane asylum or any other public correctional institution. 11/

Applicant must not, during 10 years immediately preceding application, have been imprisoned for a felony. 11/

If a husband, has not without just cause failed to support his wife and his children under the age of 15 years for 6 months or more during the 15 years preceding application. 11/

Has not, within one year preceding application, been a habitual tramp or beggar. 11/

Has no child or other person responsible at law for his support and able to support him. 11/

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6. Wisconsin Stat. (1933), Sec. 49.24.
 7. Ibid, Sec. 49.31.
 8. Ibid, Sec. 49.26.
 9. Laws (1935), Ch. 554, Sec. 4.
 10. Wisconsin Stat. (1933), Sec. 49.23 (3).
 11. Ibid, Sec. 49.22.

OLD AGE ASSISTANCE (Cont'd)

(e) Incidence of financial responsibility

On the county, subject to 80 per cent reimbursement by the State. 12/ The State also reimburses the counties for personnel employed in the administration of old age pensions to an amount not to exceed 4 per cent of the total paid by each county to beneficiaries as old age pensions. 13/ Obligation mandatory. 9/

(f) Taxes

No specific provisions.

(g) Administrative agencies

County Board may establish a county Department of Public Welfare in counties of 500,000 or more population. 14/ Where established, these departments cooperate with the county judge in administering pensions. 15/

County Board may establish a county Pension Department in counties of less than 500,000 population. 14/ Where established, these departments cooperate with the judge in administering pensions. 15/ Where the departments are not established, the county court and other agencies designated by the county board administer the pension laws. 14/

(h) Supervisory controls

State Pension Department adopts rules and regulations and exercises actual supervision. 16/

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12. Laws (1935), Ch. 554, Sec. 5.
 13. Ibid, Sec. 49.51 (3).
 14. Ibid, Sec. 59.51 (2).
 15. Wisconsin Stat. (1933), Sec. 49.27.
 16. Laws (1935), Ch. 554, Sec. 2.

VETERANS' RELIEF(a) Description of classTemporary aid

Any honorably discharged indigent soldier, sailor, or marine of any war of the United States and the indigent wife, widow, or minor child of such. 1/ Union army nurses of the Civil War. 2/

Grand Army Home for Veterans

(1) Soldiers, sailors, and marines who have served at least 70 days in the Civil War, Spanish-American War, Philippine Insurrection, China Relief Expedition, the World War, or in any other war or military expedition of the United States who were honorably discharged from such service, and whose services were credited to Wisconsin, and who are 50 years of age, or over. Veterans otherwise eligible for admission but who served less than 70 days, are likewise eligible if such service was terminated as a result of physical disability in the line of duty, and disabled veterans under 50 years of age may be admitted if unable to secure adequate care from the Federal Government; 3/

(2) Wives of veterans who have lived continuously with their husbands not less than 1 year before making application; 3/

(3) All mothers and wives and widows of World War veterans who were married prior to November 11, 1918 and who, if widowed, have not remarried; 3/

(4) Mothers, and widows who have not remarried, of veterans who have served at least 70 days in the Civil War, Spanish-American War, Philippine Insurrection, or China Relief Expedition; 3/

(5) Women residing in the State who served as army nurses in any of the wars or military expeditions of the United States; 3/

(6) No wife or widow of any veteran, who was married subsequent to November 11, 1918 may be admitted before she has reached the age of 50 years, but this does not apply to the wives of disabled veterans who are admitted to the home. 3/

1. Wisconsin Stat. (1933), Sec. 45.20.

2. Ibid, Sec. 45.19.

3. Ibid, Sec. 45.08.

VETERANS' RELIEF (Cont'd)

(a) Description of class (Cont'd)

General Relief

Needy soldiers, sailors, or marines, who performed military or naval service for the United States in time of war, the indigent wives, widows, minor and dependent children of such deceased soldiers, sailors, and marines, and the indigent parents of such soldiers, sailors, or marines who have not left surviving them widows or children entitled to relief. 4/

Burial

Indigent veterans, wives, and widows. 5/

Hospitalization

Any indigent disabled honorably discharged soldier, sailor, marine, or nurse who is ineligible for Federal hospitalization. 6/

(b) Procedure for determining eligibility

General Relief

Chairman of the town board, the board of village trustees, or the supervisors of each ward of a city make an annual written report to the county board of their respective counties containing the names of indigent veterans entitled to relief. 7/ The county Soldiers' Relief Commission, after approving the list, fixes the amount to be paid each veteran. Such list is then sent to the county clerk and county treasurer; the latter pays the amount specified to the veterans. 8/

(c) Measure of responsibility

Temporary Relief

Amount not specified but aid may not continue longer than 3 months at any one time or in any one year, unless the authorities charged with the relief of the poor determine otherwise. 9/

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4. Wisconsin Stat. (1933), Sec. 45.10.
 5. Ibid, Sec. 45.16.
 6. Ibid, Sec. 45.275, 45.07(i).
 7. Ibid, Sec. 45.11.
 8. Ibid, Sec. 45.14.
 9. Ibid, Sec. 45.20.

VETERANS' RELIEF (Cont'd)

(c) Measure of responsibility (Cont'd)

Grand Army Home for Veterans

Care and maintenance at the home. 10/

General relief

Cash not to exceed \$150 per person 11/, or supplies as the county Soldiers' Relief Commission may deem best. 12/

Burial

Minimum: \$35. Maximum: \$100. 13/

Hospitalization

Care at Wisconsin General Hospital, except in emergency and special cases. 14/

(d) Qualifications imposed

Every soldier, sailor, marine, or nurse who served in the war against Germany and its allies and who has been honorably discharged or relieved from active service must cause to be recorded with the register of deeds of some county in the State, his or her certificate of discharge or release. 15/

Civil War nurses must have served at least 90 days as authorized Union army nurses between April 15, 1861 and July 4, 1865, and must have resided one year or more in Wisconsin. 16/

Temporary aid

Legal settlement (one year's residence) in any town, village, or city of the State. 17/

Grand Army Home for Veterans

Applicant must have resided in Wisconsin 10 continuous years immediately preceding application and must pay 20 per cent of

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10. Wisconsin Stat. (1933), Sec. 45.08.
 11. Ibid, Sec. 60.18(16).
 12. Ibid, Sec. 45.14.
 13. Ibid, Sec. 45.16.
 14. Ibid, Sec. 45.275, 45.07(1).
 15. Ibid, Sec. 45.21.
 16. Ibid, Sec. 45.19
 17. Ibid, Sec. 49.02, 45.20.

VETERANS' RELIEF (Cont'd)

(d) Qualifications imposed (Cont'd)

Grand Army Home for Veterans (Cont'd)

his income from any source, or at the option of the commandant, all of his income in excess of \$400, into the general fund for the home, provided that the wife of a veteran may, in addition, retain annually \$100 independent income. Veterans whose services are not credited to Wisconsin and who are otherwise qualified may be admitted after having resided 15 years in Wisconsin immediately prior to application. 18/ Inmate must sign an agreement vesting title in the Home upon his death to all personal property, subject to the rights of heirs at law or next of kin. 19/

Burial

Insufficient means to defray the necessary expenses of a decent burial; or financial circumstances are such that it would distress his family to pay the expenses of such burial. 20/

Hospitalization

Applicant must have been resident of Wisconsin for not less than 5 years immediately preceding application for treatment, and must be ineligible for Federal hospitalization. 21/

(e) Incidence of Financial Responsibility

Temporary aid

On town, village or city. 22/ On the county if pauper has not legal settlement in any town, city, or village. Obligation mandatory. 23/

Grand Army Home for Veterans

On the State. Obligation mandatory. 24/

General relief

On the county. Obligation mandatory. 25/

Burial

On the county. Obligation mandatory. 20/

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18. Laws (1935), Ch. 422, Sec. 1.
 19. Ibid, Sec. 2.
 20. Wisconsin Stat. (1933), Sec. 45.16.
 21. Ibid, Sec. 45.275, 45.07(1).
 22. Ibid, Sec. 49.01, 45.20.
 23. Ibid, Sec. 49.04(1), 45.20.
 24. Laws (1935), Ch. 535, Sec. 2 (20.03-7), 45.07.
 25. Wisconsin Stat. (1933), Sec. 45.10.

VETERANS' RELIEF

(e) Incidence of Financial Responsibility (Cont'd)

Hospitalization

On the State. Obligation mandatory. 26/

(f) Taxes

General relief

Special county tax levy. 27/

Burial

Special county tax levy. 27/

(g) Administrative Agencies

Temporary aid

County Board. 28/

Grand Army Home for Veterans

Board of Managers of Home. 29/

General relief

County Soldiers' Relief Commission. 30/

Burial

Town Board, village board, or aldermen of each ward
in every city. 31/

Hospitalization

Soldiers' Rehabilitation Board. 26/

(h) Supervisory Controls

None provided.

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26. Wisconsin Stat. (1933), Sec. 45.275, 45.07(1).
27. Ibid, Sec. 45.16, 45.10.
28. Ibid, Sec. 49.14, 45.20.
29. Ibid, Sec. 45.07.
30. Ibid, Sec. 45.14.
31. Ibid, Sec. 45.16.

ABSTRACT OF ADMINISTRATIVE PROVISIONS

PUBLIC WELFARE DEPARTMENT
(Created by Executive Order) 1/

OF THE

INDUSTRIAL COMMISSION
(Statutory Body)

I. General Powers and Duties

(a) The Public Welfare Department, subject to such supervision and direction as the Industrial Commission may give, has authority to:

(1) Reimburse the local units of government for relief expenditures made in accordance with the final allotments of Federal and State funds made by the Wisconsin Emergency Relief Administration and make all necessary audits and reports in connection with disbursements of Federal and State relief funds. 2/

(2) Pay outstanding obligations incurred for relief purposes by the Wisconsin Emergency Relief Administration. 2/

(3) Collect all amounts due the State in connection with relief. 2/

(4) Fulfill responsibilities assumed by the Wisconsin Emergency Relief Administration in connection with Works Progress Administration projects for the production of goods to be distributed through public relief and welfare agencies. 2/

(5) Allot to the several counties of the State according to the rules and regulations adopted by the Department, all funds available for relief under the 1934 appropriation provisions. 2/

(6) Execute all responsibilities relative to the administration of relief imposed upon the Industrial Commission by the Laws of Wisconsin and upon the State by the Federal Government, in connection with grants to the State of Federal funds and commodities for relief purposes, and in connection with the various employment and rehabilitation programs conducted by the Federal Government including:

(a) The establishment and operation of central application bureaus for the certification of eligible applicants to the Federal Resettlement Administration, Federal Works Program and the Civilian Conservation Corps. 2/

(b) The collection of information and the preparation of reports in connection with public welfare problems. 2/

1. This Department was created with the approval of the Industrial Commission by Governor La Follette, December 7, 1935, to supplant the Wisconsin Emergency Relief Administration. (Executive Order #4, December 7, 1935).

2. Executive Order #4, Sec. 2, (December 7, 1935).

I. General Powers and Duties (Cont'd)

(7) Supply advisory and technical assistance in the development of relief and welfare programs to the local units of government and in transferring eligible persons from the present relief rolls to old age pensions and other special forms of assistance. 3/

(8) Prepare and publish reports on problems of public welfare, compile information leading to improvement of service to those in need, develop plans for remedying conditions contributing to dependency, and perform such other functions in connection with public welfare of the State as may be assigned to it by proper authority. 3/

(b) The following powers and duties of the Commission may be delegated by it to the Public Welfare Department under such rules, supervision and regulations as it may deem proper: 4/

(1) The Commission and the public relief agencies must cooperate with other State and local officials who can furnish public employment, to the end that those in need of relief shall be given an opportunity to work for such relief. 5/

(2) Relief must be administered in accordance with rules and regulations to be adopted by the Industrial Commission to insure adequate home investigations of the needs of applicants, the keeping of proper case records, etc. 5/

(3) The Commission may make such investigations and adopt such rules and regulations as are necessary to insure the observance of conditions prescribed. 5/

(4) The Commission has power to administer relief directly through such agencies other than local relief agencies as the Commission may deem necessary. 5/

II. Composition and Appointment of Governing Body

The Governor, by and with the consent of the Senate, appoints 3 members of the Industrial Commission, to serve 6-year rotating terms. 6/

3. Executive Order #4, Sec. 2, (December 7, 1935).

4. Ibid, Sec. 5, (December 7, 1935).

The Industrial Commission is authorized and empowered to delegate to the Public Welfare Department, the performance of the functions assigned to it by Executive Order #2.

5. Laws (1933), Ch. 363.

6. Wisconsin Statutes (1933), Sec. 101.02.

This Commission succeeded to the powers and duties of the Commissioner of Labor and Statistics and the Industrial Accident Board. Ibid, Sec. 101.12, 101.02.

III. Reports

The Public Welfare Department has authority to prepare and publish reports on problems of public welfare. 7/

IV. Executive

The executive officer of the Public Welfare Department is a State Director of Public Welfare. 8/

V. Staff

The personnel of this agency includes a legal assistant, a financial assistant, a supervisor of special programs, a supervisor of the transient program, a supervisor of social service, a supervisor of commodity distribution, a purchasing agent, a general auditor and a general statistician. 8/

Salaries, terms and qualifications not provided for by law.

VI. Financial Provisions

There was levied to provide revenues for relief purposes, an emergency relief tax on net incomes of all persons other than corporations, in the calendar year 1934, or corresponding fiscal year, at rates ranging from 1% on the first \$1,000 to 7% on any sum in excess of \$12,000. Such emergency tax became delinquent on July 1, 1935. 9/

In addition to these taxes, there was levied an emergency relief tax ranging from 1% to 3% on telephone utilities 10/, and a 3% tax on energy sold by electric, gas and heat utilities. 11/

Limitation of Funds:

From the receipts of these taxes, allotments are made as follows:

Tax Commissioner, on March 14, 1935, July 1, 1935 and January 1, 1936, a sum sufficient for the performance of its duties under this Act. 12/

Tax Commissioner, \$50,000 as a non-lapsable appropriation for the purpose of collecting delinquent taxes. 12/

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7. Executive Order #4, Sec. 2, (December 7, 1935).
 8. Data submitted by State Industrial Commission (Preliminary Chart), December 9, 1935.
 9. Laws (1935), Ch. 15, Sec. 2.
 10. Ibid, Sec. 4.
 11. Ibid, Sec. 5.
 12. Ibid, Sec. 8.

VI. Financial Provisions (Cont'd)Limitation of Funds (Cont'd)

State Treasurer, on March 14, 1935, July 1, 1935 and January 1, 1936, a sum sufficient with the approval of the Emergency Board, for the performance of his duties under this Act. 13/

Industrial Commission (Public Welfare Department), on May 14, 1935, not to exceed \$30,000 for payment of tuition charges for University extension courses of indigent unemployed citizens. 13/

State Board of Control, on January 1, 1936, \$200,000 for the State's share of the aid to dependent children paid by counties in 1935. 13/

From the general fund from the revenues derived from the aforementioned taxes, there is appropriated, as a non-lapsable appropriation, not exceeding \$200,000 to the Public Welfare Department, to administer relief and for the purpose of carrying out the functions of that agency. The appropriation must be made available at such times and in such amounts as the Emergency Board may order. 14/

13. Laws (1935), Ch. 15, Sec. 8.

14. Ibid, Ch. 286.

STATE PENSION DEPARTMENT
(Statutory Body)

OF THE

INDUSTRIAL COMMISSION
(Statutory Body)

I. General Powers and Duties

(a) The Pension Department

The Department is given the following duties:

(1) To supervise the administration of old age assistance, aid to dependent children and blind pensions. 1/

(2) To prepare and submit to the proper Federal authorities State plans for the administration of these forms of public assistance in conformity with the statutes of the State. 1/

(3) To adopt rules and regulations, not in conflict with any express provisions of any law of the State, for the efficient administration of these forms of public assistance, in agreement with all requirements governing the allowance of Federal aid to the States for these purposes. 2/

(4) To advise all county officers charged with the administration of such laws of these requirements, and to render all possible assistance in securing compliance therewith, including the preparation of all necessary blanks and reports. 2/

(5) To publish such information as it may deem advisable to acquaint persons entitled to any of these forms of public assistance with the provisions of the law governing same. 2/

(6) To accord a review within 30 days to any applicant whose application has been denied by a county officer. 3/

(7) The Department may at any time terminate payment of any State or Federal aid which has been improperly allowed or is no longer warranted. 4/

(8) The Department succeeds to all of the property and records of the State Board of Control relating to the administration of old age pensions, aid to dependent children and blind pensions. 5/

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1. Laws (1935), Ch. 554, Sec. 2 (1).
 2. Ibid, Sec. 2 (2).
 3. Ibid, Sec. 2 (4).
 4. Ibid, Sec. 2 (5).
 5. Ibid, Sec. 2a.

I. General Powers and Duties (Cont'd)(b) The County Officers

To the end that Wisconsin and its counties may be enabled to receive Federal aid for old age assistance, aid to dependent children, and blind pensions, all County Officers and employes performing any duties in connection with the administration of these forms of public assistance must observe all rules and regulations made and promulgated by the State Pension Department and must keep such records and furnish all reports which the Industrial Commission may require in relation to their performance of such duties. 6/

II. Composition and Appointment of Governing Body

The Department is created within the Industrial Commission and consists of a member of the Industrial Commission, selected by such Commission, the Director of the Budget, and the Administrator of said Department, who is known as the Supervisor of Pensions. 7/

III. Reports

The Department must make such reports in such form and containing such information as the proper Federal authorities may from time to time require as a condition of the granting of such Federal aid. 8/

IV. Executives

See "Supervisor of Pensions" under "Composition and Appointment of Governing Body".

V. Staff

All employees of the Board of Control whose principal duties relate to old age assistance, aid to dependent children and blind pensions, are transferred by the Act creating this Department to the State Pension Department and are continued in the positions they respectively occupied and at the salaries they received in the month of September 1935, subject to the right of the Pension Department to make changes in personnel, salaries, titles and duties, in conformity to the Civil Service law, as it may deem necessary. 9/

6. Laws (1935), Ch. 554, Sec. 2 (3)

7. The first Supervisor of Pensions must be the person in immediate charge of the work done by the Board of Control in relation to old age assistance at the time of creation of the Pension Department. Any successor to such Supervisor must be selected by the Industrial Commission in accordance with requirements of the Civil Service law. Laws (1935), Ch. 554, Sec. 2 (1). See "Industrial Commission" under "State Department of Public Welfare".

8. Laws (1935), Ch. 554, Sec. 2 (1).

9. Ibid, Sec. 2a.

VI. Financial Provisions

Beginning July 1, 1935, there was appropriated from the State General fund to the State Pension Department, annually, 20 per cent of all moneys received from the Federal government for administration of old age assistance and blind pensions, to be expended for the performance of the duties of the State Pension Department in connection with these forms of public assistance. 10/

Amount of Appropriation:

For the fiscal year beginning July 1, 1935, there was appropriated the sum of \$1,050,000.

For the fiscal year beginning July 1, 1936, there is appropriated the sum of \$1,750,000.

Limitation on funds:

State aid for old age assistance <u>11/</u>	\$1,000,000
State and Federal aid to blind, and to the blind and deaf <u>12/</u>	50,000
State aid to dependent children <u>13/</u>	<u>700,000</u>
Total	\$1,750,000

The counties pay old age pensions and blind pensions, subject to 80 per cent reimbursement by the State, and the aid to mothers, subject to thirty-three and one-third per cent reimbursement by the State. However, the State pays the total cost of aid in cases where a child has no legal settlement in the county in which application is made. 14/

10. Laws (1935), Ch. 554, Sec. 5 (20.572).
 11. Ibid, Sec. 4. (This appropriation is conditioned upon the approval by the Emergency Board.)
 12. Ibid, Sec. 8.
 13. Ibid, Sec. 6.
 14. Ibid, Secs. 5 (2), 8 (3), and 6 (11b).

STATE BOARD OF CONTROL

(Statutory Body)

I. General Powers and Duties

- (1) The State Board of Control must maintain and govern:
- (a) Wisconsin State Hospital for the Insane
Central Hospital for the Insane
Northern Hospital for the Insane
 - (b) Wisconsin Home for the Feeble-minded
(Northern Wisconsin Colony and Training School)
Southern Wisconsin Home for the Feeble-minded
(Southern Wisconsin Colony and Training School)
 - (c) Wisconsin State Tuberculosis Sanatorium
Northern State Tuberculosis Sanatorium
State Tuberculosis Camp
(Lake Tomahawk Camp)
 - (d) Wisconsin School for the Blind
Wisconsin School for the Deaf
Wisconsin Workshop for the Blind
(Formerly Wisconsin Institute for Blind Artisans) 1/
 - (e) Wisconsin Industrial School for Boys
Wisconsin Industrial School for Girls
 - (f) Wisconsin State Reformatory
Wisconsin Industrial Home for Women
 - (g) State Prison
 - (h) State Public School

And all other charitable, curative, reformatory, and penal institutions which may be established or maintained by the State. 2/

(2) The Board of Control supervises and directs the management and affairs and preserves and cares for the buildings, grounds and all other property pertaining to the several institutions, and it promotes the objects for which they are established. 2/

(3) The Board must take and hold in trust, all property transferred to the State for the use of any of the institutions, and on or before July first of each year it must make complete inventories of all property of each institution. 2/

1. Laws (1935), Ch. 309.

2. Wisconsin Statutes (1933), Sec. 46.03. See following page.

(Footnote # 2 Continued)

The State Psychiatric Institute must investigate medical and social conditions which directly or indirectly result in State care, develop and promote measures to relieve and prevent the need for State care, and undertake special education and training and generally seek, by research and investigation, to prevent the conditions which result in State care. The State Psychiatric Institute must render a specialized service to the State institutions under the jurisdiction of the State Board of Control, which service is to be available to the State Board of Control at all times and to the institutions under its jurisdiction. Such State institutions must be open at all times to the Wisconsin Psychiatric Institute for prosecution of research investigation. It is the duty of the Institute to make Wasserman tests and other chemical examinations. Wisconsin Statutes (1933), Sec. 36.227 (3).

The governing body of the State Psychiatric Institute is composed of the President of the University of Wisconsin, the Dean of the Medical School, the Director of the Institute, and 3 members of the State Board of Control. Ibid, Sec. 36.227 (6)

The Board of Regents of the University must house, equip, and maintain as a part of the University, the Wisconsin Psychiatric Institute, and the Board may appoint such assistants as are necessary to accomplish the purposes of the Psychiatric Institute and fix their compensation. Ibid, Sec. 36.227 (3), (5).

The provisions relating to the commitment, custody, transfer, parole, and discharge of insane persons in State hospitals for the insane are applicable to the Psychiatric Institute, which is authorized to admit any duly committed insane person from any county in the State. Ibid, Sec. 51.235.

Transfers of insane persons from the Institute to any hospital for the insane, or from any State or county institution under the jurisdiction of the State Board of Control to the Institute may be made only with the approval of the State Board of Control. Ibid, Sec. 36.227 (6).

I. General Powers and Duties (Cont'd)

(4) The Board must make and cause to be printed, regulations for its own government and the management of the institutions, and it must establish and maintain a system and prescribe forms for keeping the books and accounts and for rendering reports of the institutions. 3/

(5) The Board or some member or members must visit and inspect each of the several institutions at least once a month. 3/

(6) The Board must allow all persons in any of the institutions of confinement or commitment to receive spiritual advice and ministrations from any recognized clergyman of the church to which they belong. 3/

(7) The Board may give such instruction in occupational therapy or vocational training at the institutions as it deems wise. 3/

(8) The Board must promote the enforcement of all laws for the protection of mentally defective, illegitimate, dependent, neglected, and delinquent children, except laws, the administration of which is expressly vested in some other State department. To this end it must cooperate with juvenile courts and all licensed child welfare agencies and institutions of a public or private character, and when so designated by the court having jurisdiction it must act as trustee to receive and administer funds directed to be paid for the support of any child. 3/

(9) When notified of the birth or expected birth of an illegitimate child, the Board must see to it that the interests of such child are safeguarded, that appropriate steps are taken to establish the paternity, and that there is secured for it the nearest possible approximation to the care, support, and education that it would be entitled to if born of lawful wedlock. 3/

(10) The Board must appoint the heads of each of the several institutions. The duties of such officers are fixed by the Board, but the Board may combine the functions and duties of superintendent or warden and steward in one person at any institution, except the State hospitals for the insane. The salaries of the officers of the several institutions, if not otherwise fixed by law, are fixed by the Board. 4/

(11) Except as otherwise prescribed by law, the Board fixes the number and prescribes the duties and compensation of subordinate officers, teachers, and employees in the institutions, who are appointed by the officer in charge, subject to approval by the Board; and it may remove any officer, teacher, or employee guilty of malfeasance or neglect of duty. 4/

3. Wisconsin Statutes (1933), Sec. 46.03.

4. Ibid, Sec. 46.05.

I. General Powers and Duties (Cont'd)

(12) The Board must investigate all complaints against any of the institutions under its control or against their officers or employees, and it may summon witnesses and investigate the affairs of any such institution. 5/

(13) The Board must make application to the Boards of Regents for the admission to the General Hospital of any inmate of any State institution under the Board of Control or of any person committed to or applying for admission thereto, who is afflicted with any disease, malady, deformity or ailment which can probably be remedied at the General Hospital, in all cases where such person cannot receive proper care at the institution to which he has been committed. 6/

(14) The Board must, at such times as it deems it advisable, submit to a board of experts, i.e. one surgeon and one alienist appointed by the Board of Control, acting in conjunction with the superintendents of the State and county institutions who have charge of the criminal, insane, feeble-minded, and epileptic persons, the names of inmates whose mental and physical condition they want examined, and if said experts and superintendent unanimously find that procreation is inadvisable, it is lawful to sterilize such inmate, provided that no operation may be performed, except in cases authorized by the Board. 7/

(15) Whenever any inmate lawfully committed to any State or county penal, reformatory, curative, or charitable institution ought to be removed from any one of these institutions to any other of them, the Board may order such removal, designating to which institution the inmate must be removed and by whom the removal must be made. 8/

(16) The Board must investigate and supervise all the charitable, reformatory, and penal institutions of every county and municipality, all detention homes for children, and all industrial schools, hospitals, asylums, and institutions; and it has power to license, revoke licenses of, and exercise supervision over all child welfare agencies and the placement of children in foster homes, and to grant and authorize the granting of permits to foster homes. 9/

(17) The Board must visit, inspect annually, and collect statistics in regard to county homes, jails, municipal prisons, houses of correction, workhouses, and other institutions where persons convicted or suspected of crime or insane persons are confined, and report to the Governor whenever requested. 9/

5. Wisconsin Statutes (1933), Sec. 46.05.

6. Ibid, Sec. 46.115.

7. Ibid, Sec. 46.12.

8. Ibid, Sec. 46.11.

9. Ibid, Sec. 46.16.

I. General Powers and Duties (Cont'd)

(18) The Board must establish a field agency for the care of the adult blind, said agency to be under the direction of the Superintendent of the Wisconsin School for the Blind, and the Board must appoint suitable persons to execute the duties of the agency. 10/

(19) The Board must make provisions for treatment of narcotic drug addicts at one of the State institutions, to which commitment is made from counties, villages, and cities of the second, third, and fourth classes. 11/

(20) The Board may sit as a commission in lunacy to determine the sanity or insanity of any person committed to any hospital or asylum for the insane. 12/

(21) The Board must establish a department of the Board of Control to be known as the "Juvenile Department", which Department must exercise all the powers and duties of the Board relating to the care, education, protection, or reformation of dependent, neglected, mentally defective, or delinquent children. 13/

(22) The Board has the following powers and duties in regard to probations and paroles:

(a) The Board, with the approval of the Governor, may, upon 10 days' written notice to the district attorney and judge who participated in the trial, parole any prisoner convicted of a felony and imprisoned in the State Prison or House of Correction at Milwaukee County. 14/

10. Laws (1935), Ch. 309.

11. Ibid, Ch. 306, Sec. 5.

12. "Handbook and Directory of State Board of Control" (1934), p. 2495.

13. Wisconsin Statutes (1933), Sec. 46.04.

14. Ibid, Sec. 57.06.

The Governor has the power to grant reprieves, pardons, and commutations after conviction, for all offenses except treason (upon conviction for which he may suspend execution of sentence) and cases of impeachment, and may permit temporary removal of convicts from confinement. He must annually communicate to the legislature each case, with data regarding it, and may issue his warrant or warrants for carrying conditional pardons into effect. Constitution of Wisconsin, Article V, Sec. 6, and Wisconsin Statutes (1933), Sec. 57.11 and 57.115. When it appears to the satisfaction of the Governor that a convict to whom a conditional pardon has been granted, has violated or failed to comply with the required conditions during term of sentence he may cause the convict to be brought before him, and when the Governor is satisfied that the convict has violated or failed to comply with the required conditions, he may cause him to be remanded to the institution from which he was discharged. Wisconsin Statutes (1933), Sec. 57.11.

I. General Powers and Duties (Cont'd)

(22) (Cont'd)

(b) It must appear to the satisfaction of the Board that some suitable employment has been secured, before any such prisoner may be paroled; and the prisoner must at least once each month render a written report to the Board, giving such information as may be required, which must be approved by the person in whose employment the prisoner may be at the time. 15/

(c) The Board retains the legal custody of each such paroled prisoner, and on the order of the Board he may be reimprisoned in the prison or house of correction; and must be reimprisoned whenever found exhibited in any show or exhibition. 15/

(d) The Board must furnish the clerk of every court of record in Wisconsin exercising criminal jurisdiction with blank forms, setting forth all requirements and conditions used by them in the parole of persons from the State institutions, but amended so as to be applicable to the probation of convicts. 16/

(e) Every defendant placed on probation by the courts, except as otherwise provided, is subject to the control and management of the Board under the regulations applying to persons paroled from State institutions after a period of imprisonment therein; and immediately upon the entry of the order of probation the clerk of the court must certify a copy of the record in the case and deliver it to the Board, whereupon the custody of the convict must vest in the Board. 16/

15. Wisconsin Statutes (1933), Sec. 57.06.

16. Ibid, Sec. 57.02, Sec. 1, 2.

The court may suspend judgment or stay execution of any adult convicted of a felony, placing him on probation, and the adult may be returned to the court and sentenced, discharged or continued under probation. Ibid.

The court may suspend judgment or stay execution of an adult convicted of a misdemeanor or abandonment of wife or child, and place him on probation under its conditions, and may revoke such probation for violation of the conditions, and at any time after such revocation, stay further execution or terminate the probation period, or discharge the probationer from custody. Ibid, Sec. 57.04.

The court may suspend sentence and place any minor other than a delinquent child, found guilty of a misdemeanor or convicted of felony, under the control of the State Board of Control or some responsible adult. Such minor may be returned and sentenced, discharged or continued under probation for an additional period fixed by the court, subject to like return, discharge, sentence or further probation thereafter. Ibid, Sec. 57.05.

II. Composition and Appointment of Governing Body

The Board of Control consists of 3 members, one of whom must be a woman, appointed by the Governor, by and with the consent of the Senate. Members serve 6-year rotating terms and each receives an annual salary of \$5,000 and actual and necessary traveling expenses incurred in the discharge of official duties. The members must devote their entire time to the duties of their offices. The Governor may remove any member for inefficiency or mal-feasance in office. Before removal, the Governor must give the member a copy of the charges against him and there must be a public hearing at which the member can be heard in his own defense. The Board must meet biennially and elect one of its members president, who serve for 2 years. The Board must choose a secretary biennially, fix his compensation, and prescribe his duties. 17/

III. Reports

The Board must, at the close of each fiscal year, cause all the financial transactions and accounts of the several institutions to be thoroughly examined by an accountant, and the accountant must submit a full and detailed report of such examination to the Governor as soon as practicable. 18/

On or before December first in each even-numbered year, the Board must report to the Governor, with recommendations, respecting the subjects in its charge or under its supervision. 19/

The officer in charge of each institution under the control of the Board must make a monthly and biennial report to the Board. The inspectors employed to investigate the institutions must make a report of their investigations to the Board. 20/

The clerk of the court must mail to the Board, certified copies of information, indictment, plea, sentence, judgment or order for probation, and each report made monthly or oftener by the probation officer having a person placed on probation by the court in his control, and receives the compensation provided by law for certifying copies of papers in his custody, to be paid out of the treasury of the county in which the probationer was convicted. 21/

Paroled prisoners must report to the Board at least once each month. 22/

IV. Executive

The president of the Board of Control is elected biennially by the members from their own number. He serves for 2 years. 17/

V. Staff

A secretary, who must be a competent and experienced bookkeeper, is appointed by the Board. He must keep records and accounts under such regulations as the Board may prescribe. 23/

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17. Wisconsin Statutes (1933), Sec. 46.01.
 18. Ibid, Sec. 46.03.
 19. Ibid, Sec. 46.15.
 20. Ibid, Sec. 46.05, 46.14, 46.10.
 21. Ibid, Sec. 57.04.
 22. Ibid, Sec. 57.06.
 23. Ibid, Sec. 46.04.

V. Staff (Cont'd)

Such agents and inspectors as may be necessary are appointed and their compensation fixed by the Board. They inspect all institutions subject to the Board's inspection. 24/

One or more officers to be known as field officers are appointed by the Board. It is their duty to look after the welfare of all persons paroled from any State penal institution or from the house of correction of Milwaukee county. 24/

A director and such assistants as may be needed in the Juvenile Department of the Board are appointed and their compensation fixed by the Board. 24/

VI. Financial Provisions

The administrative expenses of the Board of Control are paid with appropriations from the general fund of the State. 25/

The counties pay the State institutions for the care of indigents (including board, clothing, dental and surgical care, burial and transfer) sent to such institution from their counties, provided said inmates have a legal settlement in their county. The State pays for the care of inmates not having legal settlement in any town, village, or city in the State. 26/

A revolving fund is created by the Board of Control, out of any moneys in its hands belonging to persons who have been placed on probation who have violated their contracts and absconded, or may in the future violate their contracts and abscond, or whose whereabouts is, or may become unknown. 27/

These funds must be used to defray the expenses of clothing or other necessities, and for transporting probationers who are without money or other means to secure them. 27/

24. Wisconsin Statutes (1933), Sec. 46.04.

25. Laws (1935), Ch. 549, 535.

26. Ibid., Ch. 336, Sec. 3.

Treatment of patients sent from a State institution to the State of Wisconsin General Hospital is paid one-half by the sending institution and one-half by the State. Wisconsin Statutes (1933), Sec. 46.115.

27. Wisconsin Statutes (1933), Sec. 57.075.

Provisions for use of moneys in revolving fund: All payments made from such funds must be recollected from such probationers for whose benefit they are paid whenever collection thereof is possible; and any moneys belonging to any absconding probationers so paid into the revolving fund must be repaid to such probationers in accordance with law, with interest at 3 percent, in case a lawful claim therefor is filed with the Board of Control showing the legal right of the claimant to such money. Ibid.

VI. Financial Provisions (Cont'd)Amount of Appropriation:

Annually, beginning July 1, there is appropriated from the general fund to the State Board of Control the sum of \$3,136,500. 28/

Limitation of Funds: 28/

General Administration: Annually, for general expenditures incurred in the execution of the functions of the State Board of Control \$ 229,000

Operation of Institutions: Annually -

Wisconsin State Hospital for the Insane
 Central Hospital for the Insane
 Northern Hospital for the Insane
 Northern Wisconsin Colony and Training School
 Southern Wisconsin Colony and Training School
 Wisconsin State Tuberculosis Sanatorium
 Lake Tomahawk State Camp
 Wisconsin School for the Blind
 Wisconsin School for the Deaf
 Wisconsin Workshop for the Blind 29/
 Wisconsin Industrial School for Boys
 Wisconsin Industrial School for Girls
 Wisconsin State Reformatory
 Wisconsin Industrial Home for Women
 State Prison
 State Public School. 2,600,000

Property repairs and maintenance:

Annually, for the above named institutions 217,000

Permanent property and improvements:

Annually, miscellaneous, for the above named institutions . 88,000

Prevention of procreation: Annually,

including mental and physical examination of inmates. 2,500

28. Laws (1935), Ch. 336, Sec. 3 and Wisconsin Statutes (1933), Sec. 20.17.

29. Laws (1935), Ch. 309.

VI. Financial Provisions (Cont'd) 30/

Limitation of Funds: (Cont'd)

Insurance and coal: Annually, an amount sufficient to cover the cost of insurance and of coal and other solid fuel for the several institutions, and for freight charges thereon 31/

Marketing prison products: In order to cooperate with other States in the protection and coordination of prison industries, the Board is authorized to spend out of the binder twine or prison industries, receipts not to exceed \$ 2,500

30. Laws (1935), Ch. 336, Sec. 3 and Wisconsin Statutes (1933), Sec. 20.17.

From the appropriation for the operation of the several institutions a sufficient sum must be used to cover the cost of hiring, on or before January 1, 1936, such additional employees as are necessary to reduce the hours of work of guards, attendant guards, nurses and attendants in the State charitable and penal institutions to 8 hours per day, or a maximum of 48 hours per week. In the event that the amount is not needed to hire additional employees, the unexpended balance of such increase must be used for food and clothing, and to increase the salaries of all employees in such institutions who receive less than \$75 per month. Ibid.

31. No provision.

SUPERINTENDENTS OFWISCONSIN STATE HOSPITAL FOR THE INSANE
CENTRAL HOSPITAL FOR THE INSANE
NORTHERN HOSPITAL FOR THE INSANE(Statutory Body) 32/I. General Powers and Duties(a) Superintendents:

The Superintendents of the State Hospitals for the Insane must devote all their time and attention to their official duties, which duties are fixed by the Board of Control, except as otherwise provided by law. 33/

(b) Board of Control:

The Board of Control maintains and governs these Hospitals for the Insane. 34/

For additional powers and duties see "General Powers and Duties" under "State Board of Control".

32. The Governor and the State Board of Control constitute a special board that divides the State by counties into 2 districts, all insane persons from one district to be sent to the Wisconsin Hospital for the Insane (located near Madison), and all from the other district to be sent to the Northern Hospital for the Insane, located near Oshkosh. The Central State Hospital, located at Waupun, is an institution used for the care of the criminal insane. Wisconsin Statutes (1933), Sec. 51.15, 51.21 to 51.24.

Commitments: Commitments to the Wisconsin and Northern Hospitals are made by a county court or a district court, which is a court of record, upon application to the court by any 3 citizens, one of whom is the nearest relative or friend available, or a person with whom the person resides. There must be a hearing by the court, that the person in question is, in fact, insane. No person idiotic from birth may be committed to either Hospital; neither may any person physically infirm nor mentally imbecile be committed. Ibid, Sec. 51.01, 51.02, 51.04 (5).

The Board of Control, acting as a commission in lunacy, may adjudge any prisoner in the State Prison, State Reformatory, Industrial Home for Women, any county jail, or the Milwaukee House of Correction to be insane, and may, with the approval of the Governor, remove such person to the Central Hospital for the Insane. Ibid, Sec. 51.22.

The words "insane persons" are construed to include every idiot, non compos lunatic and distracted person. Ibid, Sec. 370.01 (7).

33. Wisconsin Statutes (1933), Sec. 46.05, 51.16.

34. Ibid, Sec. 46.03.

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "State Board of Control".

III. Reports

The Superintendents of each Hospital must cause to be kept a daily record of each inmate and must on the first Monday of each month report to the Board of Control such information as it may require, and on or before July first of each even-numbered year, the Superintendents must make a biennial report to the Board. 35/

IV. Executive

The Superintendents of these Hospitals are appointed by the Board of Control, and, if not otherwise provided by law, the Board fixes their salaries. The Superintendents must take and file the official oath. 36/

V. Staff

An assistant physician, a matron, and a steward for each Hospital are appointed by the Board, and, if not otherwise provided by law, the Board fixes their salaries and duties. 37/

For additional "Staff" provisions see "General Powers and Duties", numbers 10, 11, and 12, under "State Board of Control".

VI. Financial Provisions

See "Financial Provisions" under "State Board of Control".

The expense of the maintenance, care and treatment of each inmate in any State or county hospital or asylum for the insane must be computed at the rate of \$4.20 per week. For each such inmate maintained at public charge elsewhere than in the county of his legal settlement, the whole rate is chargeable to the State and one-half thereof chargeable over by the State against the county, if any, in which such inmate has a legal settlement. For all other such inmates maintained at public charge one-half of said rate is chargeable to the State and one-half to the county in which such inmate has a legal settlement. 38/

35. Wisconsin Statutes (1933), Sec. 46.14, 51.20.

36. Ibid, Sec. 46.05, 51.16.

37. Ibid, Sec. 46.05.

38. Ibid, Sec. 51.08.

SUPERINTENDENTS OF

WISCONSIN HOME FOR THE FEEBLE-MINDED
(NORTHERN WISCONSIN COLONY AND TRAINING SCHOOL)

SOUTHERN WISCONSIN HOME FOR THE FEEBLE-MINDED
(SOUTHERN WISCONSIN COLONY AND TRAINING SCHOOL)

(Statutory Body) 39/

I. General Powers and Duties

(a) Superintendents:

(1) The Superintendents of both the Northern and the Southern Wisconsin Colony and Training School, with the approval of the State Board of Control, have the power to discharge inmates, but no epileptic may be sent or returned to any county home. 40/

(2) It is the duty of the Superintendent, whenever any inmate dies, to cause a post mortem examination to be made upon the brain of the deceased, if it may benefit scientific research and investigation. 41/

(b) State Board of Control:

(1) The Board of Control maintains and governs each of these institutions. 42/

39. The purpose of these institutions (formerly known as the Wisconsin Home for the Feeble-minded and the Southern Wisconsin Home for the Feeble-minded) is to care for and train mentally deficient and epileptic persons. Wisconsin Statutes (1933), Sec. 52.01.

Commitments: Commitments to these institutions are made by a county court or a district court which is a court of record, upon application to the court by any 3 citizens, one of whom is the nearest relative or friend available, or a person with whom the person resides. Ibid, Sec. 51.01, 52.02.

There must be a hearing by the court and a certification by a clinical psychologist and a licensed physician skilled in mental diagnosis appointed by the court, that the person in question is, in fact, mentally deficient or epileptic. Ibid, Sec. 51.02, 52.02.

40. Wisconsin Statutes (1933), Sec. 52.03.

41. Ibid, Sec. 52.04.

42. Ibid, Sec. 46.03.

I. General Powers and Duties (Cont'd)

(b) State Board of Control: (Cont'd)

(2) Each of these institutions must maintain the following departments: A school department for the educable grades or classes; a custodial department for the helpless and lower types; and such other departments or colonies as the welfare of the inmates may require. And the Board of Control must establish therein such vocational training as is adapted to the several departments. 43/

(3) The Board must make all necessary regulations to govern the temporary or final discharge of all inmates in both institutions. 44/

(4) Whenever any person is committed to either of the institutions, and such institution is filled to its capacity, the Board may transfer such person to the other institutions; or, if both institutions are filled, to a county asylum for the chronic insane. 44/

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "State Board of Control".

III. Reports

See "Reports" under the "State Board of Control".

43. Wisconsin Statutes (1933), Sec. 52.01.

44. Ibid, Sec. 52.03.

In case any person is sent to either of these institutions through a mistake in the diagnosis of his mental condition or disease or from any other cause, to be determined by the Board acting as a commission in lunacy, such person, if insane, must be transferred to a State hospital for the insane; or if a resident of Milwaukee county, to the Milwaukee Hospital for the Insane; and if found neither insane nor mentally deficient, he must be returned to the county from which committed. Ibid.

Should an inmate of either institution become insane, he must be sent to the State Hospital for the Insane from the district of which he was a resident just prior to his admission to the institution, in the manner prescribed by law. Ibid.

IV. Executive

The Superintendent of each institution is appointed by the State Board of Control. The Board fixes the duties and salaries of each officer. 45/

V. Staff

A steward and matron for each of the institutions for the feeble-minded are appointed by the Board, and their salaries and duties fixed by the Board. The steward of each institution must execute and file an official bond in such sum and with such sureties as the Board may prescribe. 45/

For additional "Staff" provisions see "General Powers and Duties", numbers 10, 11, and 12 under "State Board of Control".

VI. Financial Provisions

See "Financial Provisions" under "State Board of Control".

45. Wisconsin Statutes (1933), Sec. 46.05.

SUPERINTENDENTS OF

WISCONSIN STATE TUBERCULOSIS SANATORIUM
NORTHERN STATE TUBERCULOSIS SANATORIUM
STATE TUBERCULOSIS CAMP
(LAKE TOMAHAWK CAMP)

(Statutory Body) 46/

I. General Powers and Duties

(1) The State Board of Control maintains and governs the Wisconsin State Tuberculosis Sanatorium, the Northern State Tuberculosis Sanatorium, and the State Tuberculosis Camp. 47/

(2) The Board is authorized to cause transfers of tubercular inmates of the Industrial Schools and the State Public School to the Sanatoriums. 48/

(3) The Board must prescribe regulations for admission to and for the administration of the State Tuberculosis Camp. 49/

46. Admission to Sanatoriums: Any person who has a legal settlement in the State and is affected with pulmonary tuberculosis in the incipient or slightly advanced stage may be admitted to either the Wisconsin State or the Northern State Tuberculosis Sanatorium, but preference must be given to those suffering from the disease in the incipient form. There may also be admitted any such person who presents symptoms of tuberculosis calling for careful observation in order to make a diagnosis, and who, in the opinion of the respective Superintendents is a proper subject for treatment. Applicants for admission must be given a preliminary medical examination at various places throughout the State, as designated by the Board of Control. There may also be admitted for care and treatment upon proper certificate of the examining physician and recommendation of the Superintendent of such Institution, any inmate committed to the Industrial School for Boys, Industrial School for Girls, or the State Public School, who is suffering from tuberculosis. Wisconsin Statutes (1933), Sec. 50.02.

Admission to Tuberculosis Camp: Any person who is threatened with or recovering from tuberculosis and who has a legal settlement in the State may be received into the State Tuberculosis Camp and cared for at the rate determined by the Superintendent and the Board of Control to be the cost of maintenance. Any person unable to pay for his care may be admitted as a county charge. Ibid, Sec. 52.05.

Hearings: The judge of the county wherein applicant has a legal settlement may, upon application, subsequent investigation and hearing, order that the applicant be admitted to the institutions as a public charge. Ibid, Sec. 50.03.

47. Wisconsin Statutes (1933), Sec. 46.03.

48. Ibid, Sec. 50.02.

49. Ibid, Sec. 50.04.

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "State Board of Control".

III. Reports

The officers in charge of these institutions must make a monthly report to the Board of Control, the report comprising an itemized statement of all receipts and disbursements, and of the daily number of inmates, officers, teachers, and employees, and the wages paid to each. And on the first day of July in each even-numbered year, the officers in charge must make a biennial report to the Board. 50/

IV. Executive

Superintendents of these institutions are appointed by the State Board of Control. The duties and salaries of such officers are fixed by the Board. 51/

V. Staff

The Board of Control may appoint as medical examiners of each of these institutions any reputable physicians having citizenship in Wisconsin. The fee of such physicians (not to exceed \$4.00) is payable by the applicant. 52/

For additional "Staff" provisions see "General Powers and Duties", numbers 10, 11, and 12 under "State Board of Control".

VI. Financial Provisions

See "Financial Provisions" under "State Board of Control".

The maintenance of indigent patients is paid by the State, with reimbursement by the county of patient's legal settlement of one-half the cost of maintenance, plus the entire amount of all other expenses, that is, necessary traveling expenses, surgical, and dental work. Whenever the county of legal settlement cannot be determined because the patient's legal settlement is in doubt, the total cost of such support is charged against the State. 53/

50. Wisconsin Statutes (1933), Sec. 46.14.

51. Ibid, Sec. 46.05.

52. Ibid, Sec. 50.02.

53. Ibid, Sec. 50.03, 50.075.

SUPERINTENDENTS OF
SCHOOLS FOR THE BLIND AND DEAF 54/
AND THE
WORKSHOP FOR THE BLIND 55/

I. General Powers and Duties

(a) Superintendent:

(1) The Superintendent of the School for the Blind has charge of the library of the School, which constitutes a State circulating library for the blind which all blind citizens of the State have the privilege of using, subject to such regulations as the Superintendent may make, on their approval by the State Board of Control. 56/

54. Admission: Whenever, to any county or municipal judge, it is made to appear that any blind or deaf child of proper age is deprived of suitable education by neglect or refusal of its parents or either of them, or its guardian, the judge must summon such parents or parent, guardian or other person to bring the child before him and if the facts are admitted or established the judge may, in his discretion, order the child to be sent to the School for the Blind or the School for the Deaf. Wisconsin Statutes (1933), Sec. 47.03.

All blind and deaf residents of the State between the ages of 8 and 25 years, of suitable capacity to receive instruction, must be received and taught in these Schools free of charge. Like pupils may also be received from any person or corporation without the State, upon the payment of sums prescribed by the State Board of Control; but no such pupil may ever be received to the exclusion of any resident pupil. Ibid, Sec. 47.02.

55. Admission: The Board of Control may, in its discretion, provide means of instruction in the Workshop to any adult blind residents of the State who desire to learn a trade; and may provide for a reasonable allowance, not to exceed \$75, for the board of indigent blind artisans who are not residents of the City of Milwaukee, for a reasonable time. See also "State Agency for the Adult Blind". Ibid, Sec. 47.06.

The Workshop is operated by the Board under the supervision of the School for the Blind. Ibid, Sec. 57.05.

56. Wisconsin Statutes (1933), Sec. 47.04.

I. General Powers and Duties (Cont'd)(a) Superintendent: (Cont'd)

(2) The Superintendent of the School for the Blind, may, with the approval of the Board of Control, grant scholarships to the School. 57/

(b) State Board of Control:

(1) The Board of Control maintains and governs each of these institutions. 58/

(2) The Board is authorized to furnish artisans attending the Workshop for the Blind a limited amount of materials and tools required in their employments. 58/

(3) The Board may provide means of transportation from any point within the State to Milwaukee for any indigent blind artisan who is a resident of the State and desires to avail himself of the privileges of the Workshop for the Blind. 59/

(4) The Board must fix the period of the school year in the Wisconsin Schools for the Deaf and Blind at not less than 40 weeks, prescribe the school terms, confer upon meritorious pupils therein such academic and literary degrees as are usually conferred by similar institutions, and grant diplomas accordingly. 60/

(5) The Board must maintain a summer school for adult blind persons, to be maintained in connection with the School for the Blind. 61/

(6) For additional "Powers and Duties" of the Board of Control in relation to these Institutions, see "General Powers and Duties" under "State Board of Control".

57. Wisconsin Statutes (1933), Sec. 47.07.

58. Ibid, Sec. 46.03, 47.05.

59. Ibid, Sec. 47.06.

60. Ibid, Sec. 47.02.

61. Ibid, Sec. 47.01.

I. General Powers and Duties (Cont'd)

(c) Steward:

The steward of the School may provide means of transportation for resident indigent pupils going from and returning thereto. 62/

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "State Board of Control".

III. Reports

The superintendents of each Institution must make a monthly report to the Board. On July first of each even-numbered year the superintendents must make a biennial report to the Board. 63/

See also "Reports" under "State Board of Control".

IV. Executive

The Board must appoint and fix the duties and salaries of a superintendent for each School. 64/

V. Staff

The Board must appoint a steward for each institution, and fix his duties and salary. The stewards must execute and file an official bond in such sum and with such sureties as the Board may prescribe. 64/

The Board may appoint and fix the compensation of such agents and inspectors as may be necessary to inspect and investigate the Institutions. 65/

For additional "Staff" provisions, see "General Powers and Duties", numbers 10, 11, and 12 under "State Board of Control".

VI. Financial Provisions

See "Financial Provisions" under "State Board of Control".

62. Wisconsin Statutes (1933), Sec. 47.02.

63. Ibid, Sec. 46.14.

64. Ibid, Sec. 46.05.

65. Ibid, Sec. 46.04.

SUPERINTENDENT OF INDUSTRIAL SCHOOL FOR BOYS

AND

SUPERINTENDENT OF INDUSTRIAL SCHOOL FOR GIRLS

(Statutory Bodies) 66/

I. General Powers and Duties

(a) Superintendents:

(1) The superintendents must procure the return of any person escaping from the Schools. 67/

(2) The superintendents must charge to each of the several counties, the sum of \$2.50 per week for the care and maintenance of each child in the Schools from said counties. 67/

(b) State Board of Control:

(1) The Board of Control maintains and governs the Industrial School for Boys and the Industrial School for Girls. 68/

(2) The Board has sole authority to discharge any child or children from either of the Schools, who has been legally committed thereto, subject to the power of the Governor to grant pardons, and it may return any such child to the court, justice or other authority which ordered its commitment, when in its judgment such child is an improper subject for its care and management or is found incorrigible, whose continuance in the school it may deem prejudicial to the management and discipline thereof, or who, for any other cause, in its judgment, ought to be removed therefrom. 69/

66. Commitments: Any child over 12 and under 18, convicted of a criminal offense, may, in the discretion of the judge or magistrate before whom the case is tried, to be committed to one of the Industrial Schools instead of the State Prison, or Reformatory, or the Industrial Home for Women, House of Correction, county jail, or police station, as the case may be. All commitments of such children must be to the age of 21 years or until paroled. Wisconsin Statutes (1933), Sec. 48.15, 54.07.

67. Wisconsin Statutes (1933), Sec. 48.17, 46.10.

68. Ibid, Sec. 46.03.

69. Ibid, Sec. 48.16.

In such case the court, justice or other authority has the power and must proceed as might have been done if the commitment had not been ordered to the School. Ibid.

The Juvenile Judge must record all information as to commitments made by himself and his predecessors in office. Ibid, Sec. 48.18.

I. General Powers and Duties (Cont'd)

(b) State Board of Control: (Cont'd)

(3) The Board may restore any child duly committed to either of the Schools to the care of its parents or guardians before the expiration of its term of commitment, if in its judgment, such action is in the best interest of the child. 70/

(4) The Board may parole any child committed whenever it is satisfied that such action is for the best interests of the child. Every such paroled child must remain in the legal custody of the Board until 21 years of age, and may be returned to the Institution from which he was paroled, or if then 17 years of age in the case of boys, or 18 or more in the case of girls, may be transferred to the State Reformatory or Industrial Home for Women. 70/

(5) The Board must cause all children to be placed at such employments and instructed in such branches of useful knowledge as are best suited to their years and capacities. 71/

(6) For additional powers and duties of the Board of Control, see "General Powers and Duties" under "State Board of Control".

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "State Board of Control".

III. Reports

The superintendents must, on the first day of July in each year, report to the Juvenile Court of each county the names of all children in the Schools, whose support is chargeable to the county. 72/

See also "Reports" under "State Board of Control".

IV. Executive

The superintendent of each institution and a steward for the Industrial School for Boys, are appointed by the State Board of Control, which fixes their duties and salaries. 73/

V. Staff

See "General Powers and Duties", numbers 10, 11, and 12 under "State Board of Control".

70. Wisconsin Statutes (1933), Sec. 48.16.

71. Ibid, Sec. 48.17, 46.10.

72. Ibid, Sec. 48.18.

73. Ibid, Sec. 46.05.

VI. Financial Provisions

See "Financial Provisions" under "State Board of Control".

The county from which a child is committed must pay the Schools \$2.50 per week for the care of the child. 74/

SUPERINTENDENTS OFWISCONSIN STATE REFORMATORYWISCONSIN INDUSTRIAL HOME FOR WOMEN

(Statutory Body) 75/

I. General Powers and Duties

(1) The State Board of Control maintains and governs the Wisconsin State Reformatory and the Wisconsin Industrial Home for Women. 76/

74. Wisconsin Statutes (1933), Sec. 48.17, 46.10.

75. Commitments: Male persons not less than 16 nor more than 25 years of age and female persons not less than 18 nor more than 30 years of age, of the following classes, may, in the discretion of the court, be sentenced and committed, respectively, to the State Reformatory or Industrial Home for Women:

(a) Male persons convicted the first time of a felony or convicted the first time of any misdemeanor punishable by imprisonment in the county jail or house of correction for one year or more; except male persons convicted of murder in the first or second degree.

(b) Female persons convicted the first time of a felony and female persons whenever convicted of any misdemeanor punishable by imprisonment in the county jail or house of correction for one year or more; except female persons convicted of murder in the first or second degree.

(c) Female persons convicted of any other misdemeanor.

Persons previously convicted and committed by the juvenile court must be classified as above, as though no such previous conviction had occurred. Wisconsin Statutes (1933), Sec. 54.02.

All courts of record having criminal jurisdiction in the State, regardless of their jurisdiction as otherwise defined by statute, have power to make commitments. Upon the recommendation of the Superintendent and the Board of Control, the Governor may discharge any inmate of the Reformatory after he has served the minimum term of punishment prescribed by law for his offense. Ibid, Sec. 54.03.

76. Wisconsin Statutes (1933), Sec. 46.03.

I. General Powers and Duties (Cont'd)

(2) The Board must equip and maintain one ward or department of the Industrial Home with suitable hospital facilities for the treatment of women afflicted with venereal disease; and it must also equip and maintain a psychological laboratory for the study and treatment of mental disorders to which women and girls addicted to immoral practice are subject. Such females must be committed for treatment and such industrial training as will enable them to support themselves properly, and they are subject to such examinations, treatments, operations and tests, under the regulations of the Board, as may be deemed necessary by the State Board of Health to improve their physical and mental condition. 77/

(3) With the approval of the Governor, the Board of Control may transfer any male inmate of the Reformatory or of the Industrial Home, whose continued presence there is considered detrimental to the other inmates, to the State Prison. 78/

(4) When any convict is received into the Reformatory or Industrial Home, the Board must cause to be entered in a register the date of admission, the name, age, nativity, nationality, parentage, education, and environment of the inmate. A semiannual entry must be made on such register of the progress made by each inmate. 79/

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "State Board of Control".

III. Reports

See "Reports" under "State Board of Control".

IV. Executive

The State Board of Control appoints for the State Reformatory, a Superintendent; and for the Industrial Home for Women, a Superintendent who must be a woman. The duties and salaries of these Superintendents are fixed by the Board, except as otherwise provided by law. 80/

77. Wisconsin Statutes (1933), Sec. 54.01 (2).

78. Ibid, Sec. 54.07.

Male convicts in the State Prison and in the Milwaukee County House of Correction and female convicts in any county jail may, with executive approval, be transferred from any of these institutions to the Reformatory or to the Industrial Home and may be returned to the institutions from which they were respectively taken. Ibid.

Inmates of the Industrial School for Boys who have reached the age of 17 years and inmates of the Industrial School for Girls who have reached the age of 18 years, and inmates of other institutions, public or private, who have reached like ages, respectively, and who were committed to said institution by a court and were then eligible for commitment to the Industrial Schools, may be transferred to the Reformatory or Industrial Home, respectively, by the Board of Control. The Board may return such children at any time to the school or to the county from which they were sent. Ibid.

79. Wisconsin Statutes (1933), Sec. 54.06.

80. Ibid, Sec. 46.05.

V. Staff

An assistant superintendent and a steward for the State Reformatory and a steward, who must be a woman, for the Industrial Home for Women are appointed by the Board of Control. Their salaries and duties are fixed by the Board, if not otherwise provided by law. 81/

For additional "Staff" provisions, see "General Powers and Duties", numbers 10, 11, and 12 under "State Board of Control".

VI. Financial Provisions

See "Financial Provisions" under "State Board of Control".

WARDEN OF STATE PRISON

(Statutory Body)

I. General Powers and Duties(a) Warden:

(1) The Warden, under the direction of the State Board of Control, has charge and custody of the State Prison, with all lands and other property pertaining to it, and must superintend the police of the prison and the discipline of convicts. 82/

(2) The Warden must enforce the regulations of the Board of Control for the government of the officers and convicts of the prison. 82/

(3) The Warden must deliver to the county sheriffs, a receipt acknowledging receipt of each prisoner delivered to the prison, which the sheriff must file with the clerk of the court where conviction and sentence were had. 83/

(4) The Warden must govern and employ all convicts in the manner prescribed by law and the regulations of the prison. 84/

(5) Under the direction of the Warden, all necessary means must be used to maintain order in the prison, enforce obedience, suppress insurrections and effectually prevent escapes, even at the hazard of life. 85/

(6) The Warden and all prison officers must uniformly treat prisoners with kindness and there must be no corporal or other painful and unusual punishment inflicted upon convicts for violation of prison rules. 86/

81. Wisconsin Statutes (1933), Sec. 46.05.

82. Ibid, Sec. 53.02.

83. Ibid, Sec. 53.04.

84. Ibid, Sec. 53.05.

85. Ibid, Sec. 53.07.

86. Ibid, Sec. 53.08.

I. General Powers and Duties (Cont'd)

(a) Warden: (Cont'd)

(7) The Warden may adopt such measures as he deems proper to aid in detecting and capturing escaped convicts. 87/

(8) The Warden must, in case of the death of any convict, cause the body to be decently buried or deliver it to the relatives or friends of the convict if demanded by them within 24 hours. 88/

(9) The Warden must receive into the State Prison all persons convicted before any court of the United States, held within Wisconsin and sentenced by the court to the punishment of imprisonment at hard labor in the Prison. 89/

(b) State Board of Control:

The Board of Control maintains and governs the State Prison and Prison Farms. 90/

For additional powers and duties of the Board of Control in relation to the State Prison, see "General Powers and Duties" under "State Board of Control".

(c) Chaplain:

(1) The Chaplain must hold divine service in the chapel once on each Sunday, instruct the prisoners in their moral and religious duties and visit the sick on suitable occasions. 91/

(2) The Chaplain must act as librarian; be in attendance at the prison daily during usual business hours, unless excused by the warden; and devote not less than 3 hours per day, once a week, and oftener if the Board of Control considers it necessary, to instructing those prisoners who need such instruction in the common branches of English education. 91/

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "State Board of Control".

III. Reports

The Warden must make a monthly report to the Board of Control, comprising an itemized statement of all receipts and disbursements and of the daily number of inmates, officers, teachers and employes, and the wages paid to each. On the first day of July, in each even-numbered year, he must make a biennial report to the Board, including the number of United States convicts in the Prison. 92/

87. Wisconsin Statutes (1933), Sec. 53.13.

88. Ibid, Sec. 53.14.

89. Ibid, Sec. 53.16.

90. Ibid, Sec. 46.03.

91. Ibid, Sec. 53.06.

92. Ibid, Sec. 46.14, 53.18.

III. Reports (Cont'd)

See also "Reports" under "State Board of Control".

IV. Executive

The Warden is appointed by the State Board of Control, which fixes his salary. He must reside in the Warden's residence on the prison property. 93/

V. Staff

A steward, deputy warden, chaplain and matron are appointed for the Prison by the State Board of Control, which prescribes their duties and compensation. 94/

The Deputy Warden, appointed by the Board, must perform the duties of the warden in his absence, reside within the Prison grounds, and, under the direction of the Warden, assist in administering the government and discipline of the Prison; and he must perform all the duties, have all the powers and be subject to all the obligations and liabilities of the Warden in case of the disability of the Warden or vacancy in that office. 95/

The Warden may engage a Catholic clergyman to hold services once each month for the benefit of prisoners of that faith, at an expense not to exceed \$200 per year. 96/

For additional "Staff" provisions, see "General Powers and Duties", numbers 10, 11, and 12 under "State Board of Control".

VI. Financial Provisions

See "Financial Provisions" under "State Board of Control".

93. Wisconsin Statutes (1933), Sec. 46.04, 53.18.

94. Ibid, Sec. 46.05.

95. Ibid, Sec. 53.03.

96. Ibid, Sec. 53.06.

SUPERINTENDENT OF
STATE PUBLIC SCHOOL
(Statutory Body) 97/

I. General Powers and Duties

(1) The State Board of Control maintains and governs the State Public School. 98/

(2) The Board must equip the School with the necessary appliances, material, equipment, and facilities therefor. 99/

(3) The State Board of Control may transfer crippled children, whenever suitable arrangements can be made, to some other appropriate hospital in the State where surgical assistance and care may be given. 100/

97. Object: To educate physically, intellectually, vocationally, and morally, dependent or neglected children, until temporary or permanent homes can be procured in good families for those who are eligible for such placing. Wisconsin Statutes (1933), Sec. 48.19.

Admission: The Board of Control must admit to the School dependent and neglected children under 16 years of age, but no child who is feeble-minded, insane, or epileptic may be committed to the School, and if committed, must be returned to the county from which committed. Children received into the School may be retained until they are 21 years of age. Any child received may at any time after its admission be transferred by the Board to some other more appropriate institution. Ibid, Sec. 48.18.

In addition to the above classes, there must also be received any children under 21, residents of the State, who are crippled or deformed in body; provided said crippled or deformed conditions are amendable to cure or amelioration by surgical or other means. All provisions of law for the commitment, cure, disposition, control, and discharge of the inmates of the School, and all restrictions upon their admission, must apply to such crippled or deformed children. Ibid, Sec. 48.21.

98. Wisconsin Statutes (1933), Sec. 46.03.

99. Ibid, Sec. 48.21.

It is the duty of the Department of Public Instruction to inspect the educational work of this School and to assist the State Board of Control in developing the work of physical, vocational, and moral training of the children. Ibid, Sec. 48.22.

100. Wisconsin Statutes (1933), Sec. 48.21.

I. General Powers and Duties (Cont'd)

(4) The Board is the legal guardian of all children permanently committed to the School. It may place them in families under the same conditions as are prescribed for licensed child welfare agencies, and it may make written contracts with responsible and suitable persons for keeping them during their minority, providing therein for their education in the public schools where they may reside, for teaching them some useful occupation, and for their kind and proper treatment as members of the families in which they are placed. 101/

(5) The Board may consent to the adoption of any such child by any person in the manner provided by law; and such consent in writing has the same force and effect as if given by the parent or parents of the child. On the consummation of adoption proceedings, the guardianship of the Board ceases. 101/

(6) The Board must provide and keep in the School a record in which must be entered the information received from the juvenile court at the time of commitment, together with available data regarding the antecedents and former environment of the child. As complete a record as possible must also be kept and continued during the guardianship of the Board, which must include full information regarding every agreement for the placement of the child. 102/

II. Composition and Appointment of Governing Body

See "Composition and Appointment of Governing Body" under "State Board of Control".

III. Reports

Every 3 months the Superintendent of the State Public School must report in writing to the Board of Control the names of inmates of the School, together with such additional information as the Board may require. 103/

See "Reports" under "State Board of Control".

IV. Executive

A Superintendent for the State Public School is appointed and his salary and duties are fixed by the Board of Control. 104/

101. Wisconsin Statutes (1933), Sec. 48.22.

As often and at such times as are directed by the Board, each agent of the School must visit any or all children placed in charge of any person by the Board, inquire into and investigate the condition of such children and thereupon report to the Board. Ibid.

102. Wisconsin Statutes (1933), Sec. 48.23.

103. Ibid, Sec. 48.20.

104. Ibid, Sec. 46.05.

V. Staff

A steward and a matron for the State Public School are appointed and their duties and salaries fixed by the Board of Control. The steward must execute and file an official bond in such sum and with such sureties as the Board may prescribe. 105/

The Board may appoint, to serve during its pleasure, one or more agents of the School, who must investigate all applications to take such children by adoption or otherwise and the persons who make the applications. Each such agent while acting in that capacity is paid his necessary traveling expenses, which expenses are charged against the appropriation for the School. 106/

The Board must engage and fix the salaries of additional physicians, surgeons, nurses, teachers, and other employees necessary to care for crippled children. 107/

For additional "Staff" provisions, see "General Powers and Duties", numbers 10, 11, and 12 under "State Board of Control".

VI. Financial Provisions

See "Financial Provisions" under "State Board of Control".

One-half of the net cost of caring for a child committed to the State Public School must be paid by the county of his legal settlement. The county is also chargeable with the compensation paid to any person for taking any child to the State Public School. The compensation paid to any person taking any child to the School may not exceed the sum of \$5 per day and necessary expenses, and no charge may be made for more than one person escorting each child. 108/

The State pays for the care of inmates not having legal settlement in any town, village, or city in the State. 109/

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105. Wisconsin Statutes (1933), Sec. 46.05.
106. Ibid, Sec. 48.22.
107. Ibid, Sec. 48.21.
108. Ibid, Sec. 48.20.
109. Ibid, Sec. 46.10.

STATE FIELD AGENCY FOR ADULT BLIND

(Statutory Body)

I. General Powers and Duties

Social and Statistical Division

(1) The Social and Statistical Division must perform such duties as in the judgment of the State Board of Control seem likely in any way to assist, rehabilitate, or ameliorate the condition of any adult blind of the State. 1/

(2) The Division must visit the blind at their homes, investigate their living conditions and home surroundings, and give them such instruction and assistance as seems likely to improve their condition, increase their happiness, and make them more useful, self-respecting and self-supporting citizens. 1/

(3) The Division must make inquiries concerning the cause of blindness in order to learn what proportion of these cases are preventable, and must cooperate with the State Board of Health in adopting and enforcing proper preventive measures. 1/

(4) The Division must make and keep a record of all the blind in the State, showing, as far as possible, the cause of the blindness, physical, mental and financial condition, capacity for educational and industrial training, and such other facts as the agency may think proper and valuable. 1/

(5) The Division must supply to the counter authorities any information in its possession which may aid in any way in the administration of the law providing pensions or relief to blind persons. 1/

(6) The Division must ameliorate the condition of the aged or helpless blind by promoting visits to them in their homes for the purpose of instruction, and by such other lawful means as may seem to the bureau to be expedient. 1/

Commercial Division

(1) The Commercial Division must establish an employment agency so that the blind may be employed in industries for which they are fitted. 2/

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1. Laws (1935), Ch. 309, Sec. 2 (2).
 2. Ibid, Sec. 2 (3).

I. General Powers and Duties (Cont'd)

Commercial Division (Cont'd)

(2) The Division must establish schools for industrial training and work schools or shops for the employment of suitable blind persons, and is empowered to equip and maintain the same, to pay the employes suitable wages and to devise a means for the sale and distribution of the products thereof. The agency may also provide or pay for, during their training, temporary lodging and support for pupils or workmen received at any industrial schools or workshops established by it. 2/

(3) The Division must establish a trade bureau so that raw materials can be supplied to the blind at the cost and the finished product disposed of by cooperative marketing. 2/

II. Composition and Appointment of Governing Body

This agency, established by the State Board of Control, is under the direction of the Superintendent of the Wisconsin School for the Blind. It is divided into 2 divisions, one known as the Commercial Division, and the other as the Social and Statistical Division. 3/

III. Reports

No provision.

IV. Executive

See "Superintendent of Wisconsin School for the Blind", under "Composition and Appointment of Governing Body".

V. Staff

The State Board of Control appoints suitable persons to execute the duties of said agency. 3/

VI. Financial Provisions

This agency is financed by appropriations from the general fund of the State. 4/

3. Laws (1935), Ch. 309, Sec. 2 (1)

4. The agency deposits its cash balance in the general fund and the sum so deposited and all amounts hereafter received from the sale of materials or articles manufactured by the blind are credited to this appropriation and must be reappropriated to the Wisconsin Workshop for the Blind. Laws (1935), Ch. 309, Sec. 3 (18).

BOARD OF MANAGERS OF GRAND ARMY HOME FOR VETERANS 1/

(Statutory Body)

I. General Powers and Duties(a) Board of Managers

(1) The Board of Managers must, together with the Departmental Commander of the G.A.R., visit the Home not less than twice each year and carefully examine the management, system of accounts, care of members, and such other details of management as it deems proper. 2/

1. Admission: The following are entitled to maintenance in the Home: (1) All soldiers, sailors, and marines, whose services were credited to Wisconsin and who are 50 years of age or over, who were honorably discharged, and who have served at least 70 days in any war or military expedition of the United States; (2) Veterans who served less than 70 days but whose services were terminated by physical disability in line of duty; (3) Disabled veterans under 50 years of age if unable to obtain adequate care from Federal government; (4) All women residing in State who served as army nurses in any military expedition of the United States; (5) All wives of veterans who have lived continuously with their husbands for at least 10 years immediately preceding application; (6) All mothers and wives (and widows who have not remarried) of World War veterans who were married prior to November 11, 1918; (7) Mothers (and widows who have not remarried) of veterans of at least 70 days service in Civil War, Spanish-American War, Philippine Insurrection, or China Relief Expedition; (8) Veterans whose services were not credited to Wisconsin who otherwise qualify and show 15 years continuous residence in Wisconsin immediately preceding application. Laws (1935), Ch. 422.

No wife or widow of a veteran of the World War, married subsequent to November 11, 1918, may be admitted before reaching age of 50 years; but this does not apply to wives of disabled veterans already admitted. Wisconsin Stat. (1933), Sec. 45.08.

No person may be admitted until he or she has presented proof of 10 years' continuous residence in the State immediately preceding application, nor unless he or she pays 20% of income from any source, or, at option of commandant, all over \$400 into a general fund for maintenance of the Home; provided, that wife may retain, in addition, from independent income, \$100 per annum for personal use; provided, further, that Advisory Board may, at its discretion, remit such sum as it deems necessary for care of minor dependents of a member of the Home.

(Footnote Forwarded)

I. General Powers and Duties (Cont'd)(b) Adjutant-General

(1) The Adjutant-General must, with the approval of the Board of Managers in matters of general policy, operate and conduct the Home. 3/

(2) The Adjutant-General must compile a record of the burial places within the State of soldiers, sailors, or marines, who served in the military or naval forces of the United States. Every person or corporation controlling any cemetery or burial place within the State, in which interred veterans' bodies are found to lie, must submit necessary information to the Adjutant-General. 4/

II. Composition and Appointment of Governing Body

The Board of Managers of the Home consists of 4 ex officio members, the Adjutant-General, the State Surgeon, the Chief Quartermaster, and the Departmental Commander of the G.A.R., and 4 members appointed by the Governor for terms of 6 years, all of which appointive members must be members of either the G.A.R. or the Women's Relief Corps. No member of the Board is compensated by the State for his services as such member, but is reimbursed for actual necessary expenses incurred. 5/

(Footnote #1 Continued)

Applications for admission are to be considered and passed upon in the following order: (1) Civil War veterans; (2) Mothers, wives and widows of Civil War veterans; (3) Nurses of Civil War; (4) Veterans of Spanish-American War, Philippine Insurrection, and China Relief Expedition; (5) Mothers and wives of veterans of Spanish-American War, Philippine Insurrection, and China Relief Expedition; (6) Veterans of World War and all other military expeditions of United States; (7) Mothers and wives of veterans of World War and all other military expeditions of the United States. Wisconsin Stat. (1933), Sec. 45.07.

Inmates, upon entering the Home, sign an agreement that all personal property left at their death will, if left without heirs or next-of-kin, vest in Home, subject to reclamation by heirs or legatees, within 5 years. Laws (1935), Ch. 422.

2. Wisconsin Stat. (1933), Sec. 45.08(4).

3. Ibid, Sec. 45.08(1).

4. Ibid, Sec. 45.215.

5. Before making the appointments the Governor may ask for a list of recommendations from the Wisconsin Department of the G.A.R., which recommendations must be considered, but which are not confining. Wisconsin Stat. (1933), Sec. 45.07.

III. Reports

(a) The Adjutant-General must cause to be kept an accurate account of disbursements of all monies derived from all sources for the Home and annually make a report of same in writing to the Governor, giving itemized accounts of expenditures, names and number of members in the Home, dates of their admission, time of occupancy, age and residence of each, and also the names, number, and salaries of the officers, employes and laborers employed and the fund from which they are paid. This report must cover the period of the fiscal year ending June 30th, and must be submitted on or before August 1st. 6/

(b) The Departmental Commander of the G.A.R. and the members of the Board of Managers who visit the Home must make a full report thereon to the Governor and to the Adjutant-General, with their recommendations upon any matters which they are empowered to investigate. 7/

IV. Executive

The Adjutant-General, with the approval of the Board of Managers in matters of general policy, operates and conducts the Home. 8/

V. Staff

The Adjutant-General may employ such officers, nurses, attendants, and other employes as may be necessary for the proper conduct of the Home, and may fix their compensation, subject to approval by the Governor. 8/

VI. Financial Provisions

The Home is financed by appropriation from the State general fund. 9/

Amount of Appropriation:

The sum of \$160,000 is appropriated for the year beginning July 1, 1936. 10/

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6. Wisconsin Stat. (1933), Sec. 45.08(3).
 7. Ibid, Sec. 45.08(4).
 8. Ibid, Sec. 45.08(1).
 9. Laws (1935), Ch. 535, Sec. 20.03(7).
 10. In addition to this appropriation, there is appropriated out of the State general fund, all monies received for or on account of the Home except monies received from the Federal government or in the operation of a canteen. Of this amount, not to exceed \$40 may be used for the burial of each deceased member who is buried in cemetery of the Home. Laws (1935), Ch. 535, Sec. 20.03(7).

VI. Financial Provisions (Cont'd)

Limitation of Funds:

Property repairs and maintenance\$20,000
Permanent property and improvements,
except purchase lands\$10,000
Provisions re records of veterans' graves....\$ 3,500

There is allowed annually a sum sufficient to cover cost of insurance and coal and other solid fuel, including freight and hauling charges thereon. 11/

11. Wisconsin Stat. (1933), Sec. 20.03(7) and Laws (1935), Ch. 535, Sec. 20.03(9).

JUVENILE COURT

(Statutory Body) 1/

I. General Powers and Duties

(1) All courts of record in Wisconsin have original jurisdiction of all cases of neglected, dependent, or delinquent children. 2/

(2) Whenever any person gives to the Juvenile Court information tending to show that a child is neglected, dependent, or delinquent, the Court must make preliminary inquiry to determine whether the public interest or the best interests of the child require that formal jurisdiction be acquired, and may authorize a petition to be filed. After a petition is filed the court must summon persons who have custody of the child to appear personally and bring the child before the Court at a time and place stated. The child may be left in the custody of the parent or guardian upon written promise of such parent or guardian to be responsible for the presence of the child in court at a hearing, or the child may be taken to a place of detention designated by the Court. 3/

1. The courts of record are created by constitution (Wisconsin Constitution, Art. VII, Sec. 8-16) but juvenile jurisdiction is conferred by statute. Wisconsin Stat. (1933), Sec. 48.01 (2).

2. Definitions: "Neglected child" means any child under 18 years of age who is abandoned by his parent, guardian, or custodian; or who lacks proper parental care by reason of the faults or habits of the parent, guardian, or custodian; or whose parent, guardian, or custodian neglects or refuses to provide proper or necessary subsistence, education, or other care necessary to the health, morals, or well-being of such child; or whose parent, guardian, or custodian neglects or refuses to provide the special care made necessary by the mental condition of the child; or who engages in an occupation or is in a situation dangerous to life or limb or injurious to his health or morals. Wisconsin Stat. (1933), Sec. 48.01. "Dependent child" means any child under 16 years of age who is homeless or destitute or without proper support, but who is not a neglected child as defined above; or who lacks proper care by reason of the mental or physical condition of his parent, guardian, or custodian. Wisconsin Stat. (1933), Sec. 48.01. "Delinquent child" means any child under 18 years of age who has violated any law of the State or any county, city, town, or village ordinance; or who by reason of being wayward or habitually disobedient is uncontrolled by his parent, guardian, or custodian; or who is habitually truant from school or home; or who habitually so deports himself as to injure or endanger the morals or health of himself or others. Wisconsin Stat. (1933), Sec. 48.01.

In all cases of delinquent children over 16 years, the Criminal Courts have concurrent jurisdiction with the Juvenile Court. Wisconsin Stat. (1933), Sec. 48.01 (5).

3. Wisconsin Stat. (1933), Sec. 48.06.

I. General Powers and Duties (Cont'd)

(3) If the Court finds that the child is delinquent, dependent, or neglected, it may:

(a) Place the child on probation or under supervision in his own home or in the custody of a relative or other fit person, upon such terms as the Court may determine; or

(b) Commit the child to a suitable public institution or to a suitable child welfare agency licensed by the State Board of Control. The terms and duration of such commitments other than to the Industrial School for Boys, or the Industrial School for Girls, are fixed by the Court, provided that in case of commitment to a county home for dependent children, the terms of such commitment shall not exceed 3 months, subject to extension; or

(c) Make such other and further disposition as the Court may deem best for the child. 4/

(4) Every order of the Juvenile Court must be based on a finding of fact, entered of record. 5/

(5) Upon discovery of additional evidence, the parent, guardian, or next friend of a child may petition the court for a rehearing, and if the Court deems advisable it may conduct a rehearing. 5/ The disposition of a child or evidence introduced before the Juvenile Court is not admissible as evidence against the child in proceedings other than those in that court. 6/

(6) The parent, guardian, or next friend of any child temporarily committed may file a verified petition for the release or transfer of such child and a modification of the order of commitment, and the Court may thereupon order that such child be restored to the custody of its parents or guardian or be retained in the custody of the institution, agency, or person, and may direct such institution, agency, or person to make other arrangements for the child's care and welfare. 7/

(7) In any case where a child is adjudged by the Juvenile Court to be dependent, neglected, or delinquent, or in case of the transfer of the permanent control, care, and custody of a child or a termination of the rights of a parent with reference to such child, appeal may be taken to the Circuit Court of the same county, or, if the Circuit Court Judge is the Judge of the Juvenile Court, directly to the Supreme Court. In case of an appeal to the Circuit Court the appellant may have a new trial which must be held without a jury unless a jury be demanded. 8/

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4. Wisconsin Stat. (1933), Sec. 48.07 (1).
 5. Ibid, Sec. 48.07 (2).
 6. Ibid, Sec. 48.07 (3).
 7. Ibid, Sec. 48.07 (5).
 8. Ibid, Sec. 48.07 (8).

I. General Powers and Duties (Cont'd)

(8) Whenever in the opinion of the Board of Control it is for the best interest of a child committed to the Industrial School for Girls or the Industrial School for Boys that such child become an inmate of the State Public School, the Board may make the necessary order transferring such child to the State Public School. Whenever in the opinion of the Board it is for the best interest of any child committed to the State Public School that such child become an inmate of the Industrial School for Girls, or the Industrial School for Boys, the Board may cause such child to be transferred to such industrial school. Any child so transferred to an industrial school or the parent, guardian, or next friend of such child may have the action of the Board of Control in ordering such transfer reviewed by the Court making original commitment of the child, upon filing petition in said Court and after notice to the Board in such manner as the Court may direct. 9/

(9) The Court may cause any person coming under its jurisdiction to be examined by a physician, psychiatrist, or clinical psychologist appointed by it, in order that the condition of the person may be given due consideration in the disposition of the case. 10/

(10) When any child under 16 is taken into custody with or without a warrant, charged with the violation of any law of the State, or the violation of any county, town, city or village ordinance, such child must, instead of being taken before a justice of the peace or a police magistrate, be taken directly before the Juvenile Court; and in any such case, the Court may proceed to hear and dispose of the case in the same manner as had the child been brought before the Court upon petition; but in any case, a petition must be filed and the Court must require notice to be given and investigation to be made and may adjourn the hearing from time to time for this purpose. 11/

(11) No child under 18 years may be committed by the Juvenile Court to any prison, jail, lockup, police station, or in any other place where such child can come into communication with any adult convicted of crime or under arrest and charged with the commission of a crime: provided, that a child 16 years of age or older, whose habits or conduct are such as to constitute a menace to other children may, by order of the Juvenile Court, be detained in a jail or other place of detention for adults, but in a room or ward entirely separate and apart from adults confined therein. 12/

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9. Wisconsin Stat. (1933), Sec. 48.09.
10. Ibid, Sec. 48.10.
11. Ibid, Sec. 48.11.
12. Ibid, Sec. 48.12.

I. General Powers and Duties (Cont'd)

(12) Provision must be made by the County Board for the temporary detention of children in a detention home which must be conducted as an agency of the Court; by the Court's arranging for the boarding of such children temporarily in a private home in the custody of some fit person, subject to supervision of the Court; or by the Court's arranging with any incorporated institution or agency, maintaining a suitable place of detention for children, that such institution or agency receive for temporary care, children within jurisdiction of the Court. 13/

(13) A detention home, established as an agency of the Court, must be furnished and conducted so far as possible, as a family home in charge of a Superintendent. The judge may appoint a Superintendent and other necessary personnel for the personal care and education of the children in such homes. In counties having a population of 500,000 or over, the office of the Superintendent of the Detention Home is combined with that of the Chief Probation Officer of the Juvenile Court. 13/

(14) Any child under 18 convicted of a criminal offense may, in the discretion of the judge or magistrate before whom the case is tried, be committed to one of the industrial schools of the State instead of to the State Prison, County Jail, State Reformatory, Industrial Home for Women, House of Correction, or Police Station, as the case may be. All commitments of such children and of delinquent children to any industrial school shall be to the age of 21 years or until paroled. 14/

(15) The Board of Control is vested with sole authority to discharge any child from either of the industrial schools who shall have been legally committed thereto, and it may return any such child to the Court, Justice, or other authority which ordered its commitment, and in such case, the Justice or other authority must proceed as he would have proceeded had the commitment not been ordered to such school. 15/

II. Composition and Appointment of Governing Body

The judges of the several courts of record in each county, at intervals of not less than one year, designate one or more of their number whose duty it is to hear at such places and times as he or they set apart for such purposes, all such cases. In case of the absence, sickness, or other disability of the judge, he must designate a judge of any court of record whose duty it is to act temporarily

13. Wisconsin Stat. (1933), Sec. 48.12.

14. Ibid, Sec. 48.15.

15. Ibid, Sec. 48.16.

II. Composition and Appointment of Governing Body (Cont'd)

in his place. In counties having a population of 500,000 or more and containing an entire judicial circuit for which more than one judge is provided by law, a Circuit Judge thereof must be designated and must act as judge of the Juvenile Court in such county. 16/

Whenever in any county containing one or more cities of the second or third class, any court is designated as the Juvenile Court, and there is no clerk of such court other than the register in probate, the judge may appoint, by an instrument in writing filed with the County Clerk, a clerk of the Juvenile Court, who performs the duties of clerk and reporter in such court. Such clerk must take and file the official oath and receives such salary as is fixed by the County Board. 17/

III. Reports

Each Juvenile Court Judge must record in a book all the information as to commitments made by himself and his predecessors in office. 18/

The Board of Visitation must report to the court from time to time the condition of children in charge of institutions and must make an annual report to the State Board of Control. 19/

IV. Executive

See "Judges", under "Composition and Appointment of Governing Body".

V. Staff

(a) Probation Officers:

(1) In counties whose population is 500,000 or over, the judge of the Juvenile Court must appoint a Chief Probation Officer and as many more probation officers of the Juvenile Court as may be fixed by the County Board. All such probation officers must be appointed according to the rules of the County Civil Service Commission. Whenever the County Board of such county so determines, the office of Chief Probation Officer may be combined with the office of Superintendent of the Detention Home. 20/

16. Wisconsin Stat. (1933), Sec. 48.01(2).

17. Ibid, Sec. 48.01(4).

18. Ibid, Sec. 48.18.

19. Ibid, Sec. 48.13.

20. Ibid, Sec. 48.02.

V. Staff (Cont'd)(a) Probation Officers: (Cont'd)

(2) In counties of less than 150,000 population the Board may, in its discretion, provide for the appointment, by the judge of the Juvenile Court, of one or more probation officers. These probation officers, or temporary substitutes, receive such annual salary as is fixed by the judge of the Juvenile Court, with approval of the County Board, which salaries are payable monthly by the county in which such Juvenile Court is situated. 21/

(3) The probation officers appointed as above provided constitute the Probation Department of the Court. The Chief Probation Officer may perform all the duties of the Court except those reserved to the judge or to the Court after filing of petition. Any probation officer or his substitute may be removed by the judge of the Juvenile Court for incompetence or neglect to perform the duties of his office. 21/

(b) Special Probation Officers:

(1) If deemed advisable, the Juvenile Court of any county may appoint one or more persons to serve without compensation as special probation officers during the pleasure of the Court. Such officers perform, under the direction of the Court, the same duties as salaried probation officers in any case assigned to them but are not vested with police powers. 22/

(c) Referee:

(1) The Court may appoint a suitable person to act as referee of the Juvenile Court. In any case in which a jury is demanded the hearing must be before the Court. The referee holds office during the pleasure of the Court and the hearing of any case may be referred to the referee by a suitable order of the Court; but no child may be committed to an institution without review of the evidence by the Court. A hearing by the Court must be accorded in all other cases in which any person files a request for a further hearing. The referee receives such compensation as may be fixed by the County Board. 22/

21. Wisconsin Stat. (1933), Sec. 48.02.

22. Ibid, Sec. 48.04.

V. Staff (Cont'd)(d) Clerk and Stenographic Reporter:

The clerk and stenographic reporter of the court so designated are respectively the clerk and reporter of the Juvenile Court except that, in any county containing one or more cities of the first class, the clerks and assistants are appointed by the judge of the Juvenile Court according to the rules of the County Civil Service Commission. The clerk must take and file the official oath and receives such salary as is fixed by the County Board. The reporter attends all sessions of the Court, takes down in shorthand the testimony taken and proceedings had at such sessions, and promptly transcribes same or parts of same as directed by the judge, and must file a copy with the Clerk of the Court and furnish such other copies as the judge may order. 23/

(e) Board of Visitation:

The judge of the Juvenile Court may appoint a Board of 6 reputable inhabitants, who serve without compensation, to constitute a Board of Visitation, whose duty it is to visit as often as once a year all the institutions, societies, and associations receiving children committed thereto by the Court. These visits must be made by not less than 2 members of the Board who must go together or make a joint report. The Board must report to the Court from time to time the condition of the children in the charge of the institutions and must make an annual report to the State Board of Control in such form as the Board may direct. The County Board may, at its discretion, make appropriations for the payment of the actual necessary expenses incurred by the Board of Visitation in discharge of its duties. 24/

VI. Financial Provisions 25/

The annual salaries of the County Judge and other county officers are payable out of the County Treasury and are fixed by the County Board at the meeting preceding the ensuing year in which they are to be elected. 26/

There are appropriated from the State general fund, annually, such sums as may be necessary for salaries and expenses of the judges and reporters of the Circuit Courts. The amounts of such salaries are fixed by statute. 27/

23. Wisconsin Stat. (1933), Sec. 48.01 (3).

24. Ibid, Sec. 48.13.

25. In some cases the Juvenile Court judge is a county judge, and in such case the first provision will apply; in other cases he is a Circuit Judge, and then the second provision applies. See "Circuit Judge", under "Composition and Appointment of Governing Body".

26. Wisconsin Stat. (1933), Sec. 59.15, and Laws (1935), Ch. 468.

27. Wisconsin Stat. (1933), Sec. 20.66.

COUNTY BOARD OF SUPERVISORS

(Statutory Body)

I. General Powers and Duties

(Only the powers and duties of the Board which relate to public welfare are given.)

(1) The Board may establish such agency and employ such personnel as it may deem necessary for the social welfare and protection of mentally deficient, dependent, neglected, delinquent, and illegitimate children in the county, and fix the compensation of personnel and appropriate money for such agency and personnel. 1/

(2) In counties having a population of 500,000 or more, the Board must create a department to handle the investigational work pertaining to applications for poor relief, aid to dependent children, soldiers' and sailors' relief, and blind and deaf pensions. 2/

(3) In counties where a county home is not established, the Board must place all county relief of the poor in charge of a Board of Trustees and Superintendent, or provide for the support and maintenance of the county poor in such other manner as it may direct. 3/

(4) In counties having a population of less than 250,000 having a county home, the trustees and superintendent of such county home have charge of the county poor relief outside the county home, or the County Board may employ some competent person to have charge of all such county outdoor poor relief. 3/

(5) By resolution of a majority, the Board may abolish all distinction between county poor and town, village, and city poor in the county and have the expense of maintaining all the poor who remain county charges 4/, or by a similar vote of a majority, repeal such resolution. 5/

(6) County Department of Public Welfare:

In counties having a population of 500,000 or more, by ordinance, the Board may provide for the establishment of a County Department of Public Welfare to consist of 5 members to be appointed by the County Board, which Department may administer any one or more of the following forms of public assistance: old-age assistance, aid to dependent children, or blind pensions, as the County Board may determine. The County Board of such county may at any time, by ordinance, discontinue the County Department of Public Welfare and provide that administration of all laws relating to such forms of public assistance be turned over to the agencies which administered such laws prior to the date of this law. 6/

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1. Wisconsin Statutes (1933), Sec. 59.08. (9a).
 2. Ibid, Sec. 59.08 (17).
 3. Ibid, Sec. 49.14.
 4. Ibid, Sec. 49.15.
 5. Ibid, Sec. 49.16.
 6. Laws (1935), Ch. 554, Sec. 49.51 (2a).

I. General Powers and Duties (Cont'd)

(7) County Pension Department:

In counties having a population of less than 500,000 the County Board may, by ordinance, provide for a County Pension Department with such personnel, qualifications, duties and compensation as the County Board may determine. This Pension Department must administer within the county all of the laws of this State relating to old-age assistance, dependent children, and blind pensions. The County Board may, at any time, by ordinance, discontinue this Pension Department and provide that the administration of all the laws relating to such forms of public assistance be returned to the agency which administered such laws prior to the date of this law. 7/

(8) The Board must levy annually, in addition to all other taxes, a tax sufficient to provide relief for needy soldiers, sailors, or marines, the indigent wives, widows, minor and dependent children of such soldiers, sailors, or marines who are now deceased. 8/

II. Composition and Appointment of Governing Body

Counties of 250,000 or more:

A Supervisor is elected from each assembly district by the electors of such district for a term of 4 years. Each Supervisor is paid \$2,400 per annum, except the Chairman of the Board, who is paid \$2,700. 9/

Counties of less than 250,000:

The Board is composed of the chairman of the town boards of the several towns in the county, and a Supervisor from each incorporated town and each city ward in the county. 10/ The city members are elected at the general election. Each member is paid \$4 per day during attendance not to exceed 15 days except in the case of members from cities of over 15,000 population, who may be paid for 20 days, and necessary mileage for all members. 11/

7. Laws (1935), Ch. 554, Sec. 49.51 (2a).

8. Ibid, Sec. 45.10.

9. Ibid, Sec. 59.03 (1).

10. Each city with a population of less than 800 may have but one Supervisor, except where located in more than one county, in which case it may have one for each county. Further, any County Board may, at its annual meeting, by resolution, fix the compensation of members to be elected at the next general election at not to exceed \$5 per day. Ibid, Sec. 59.03 (2).

11. No county officer or his deputy or under-sheriff is eligible for the office of Supervisor, but a County Supervisor may also be a member of the council of the city, or of the Board of Trustees of the village, where he was elected or appointed. Ibid, Sec. 59.03 (3).

III. Reports

No provision.

IV. Executive

The Board elects one of its own members chairman, said chairman presiding at all meetings when present, and counter-signing all county orders. The Chairman may also select one of the remainder of the members as a Vice-Chairman. 12/

V. Staff

No provision.

VI. Financial Provisions

The salary of each Supervisor is paid out of the County Treasury. 13/

12. Wisconsin Stat. (1933), Sec. 59.05.

13. Ibid, Sec. 59.08(9a), 59.08(17).

COUNTY SOLDIERS' RELIEF COMMISSION

(Statutory Body)

I. General Powers and Duties

(1) The Commission must furnish relief to veterans recommended for relief by the towns, villages, and cities, and to such other veterans who, in its discretion, are entitled to relief. It may furnish supplies in place of cash relief when it deems best. The Commission meets annually in the office of the clerk of court. 1/

(2) The Secretary of the Commission must file with the clerk of the county court, a list containing the name, place of residence, and amount paid to each veteran. 1/

II. Composition and Appointment of Governing Body

The Commission consists of 3 members, residents of the county who have been honorably discharged from military or naval service of the United States, appointed annually by the county judge. Members serve 3-year rotating terms. The Commission elects one of its members as chairman and another as secretary. 2/ Each Commissioner receives \$4 per diem as compensation, plus actual expenses. 3/

III. Reports

The Commission must make a detailed report to the County Board at each annual session thereof, showing the amount expended and the name of each person who has received relief. 1/

IV. Executive

No provision. See "Composition and Appointment of Governing Body".

V. Staff

The County Board may employ an assistant secretary who must be an honorably discharged soldier, sailor, or marine of some war of the United States, whose salary must not exceed \$1200 per annum. 4/

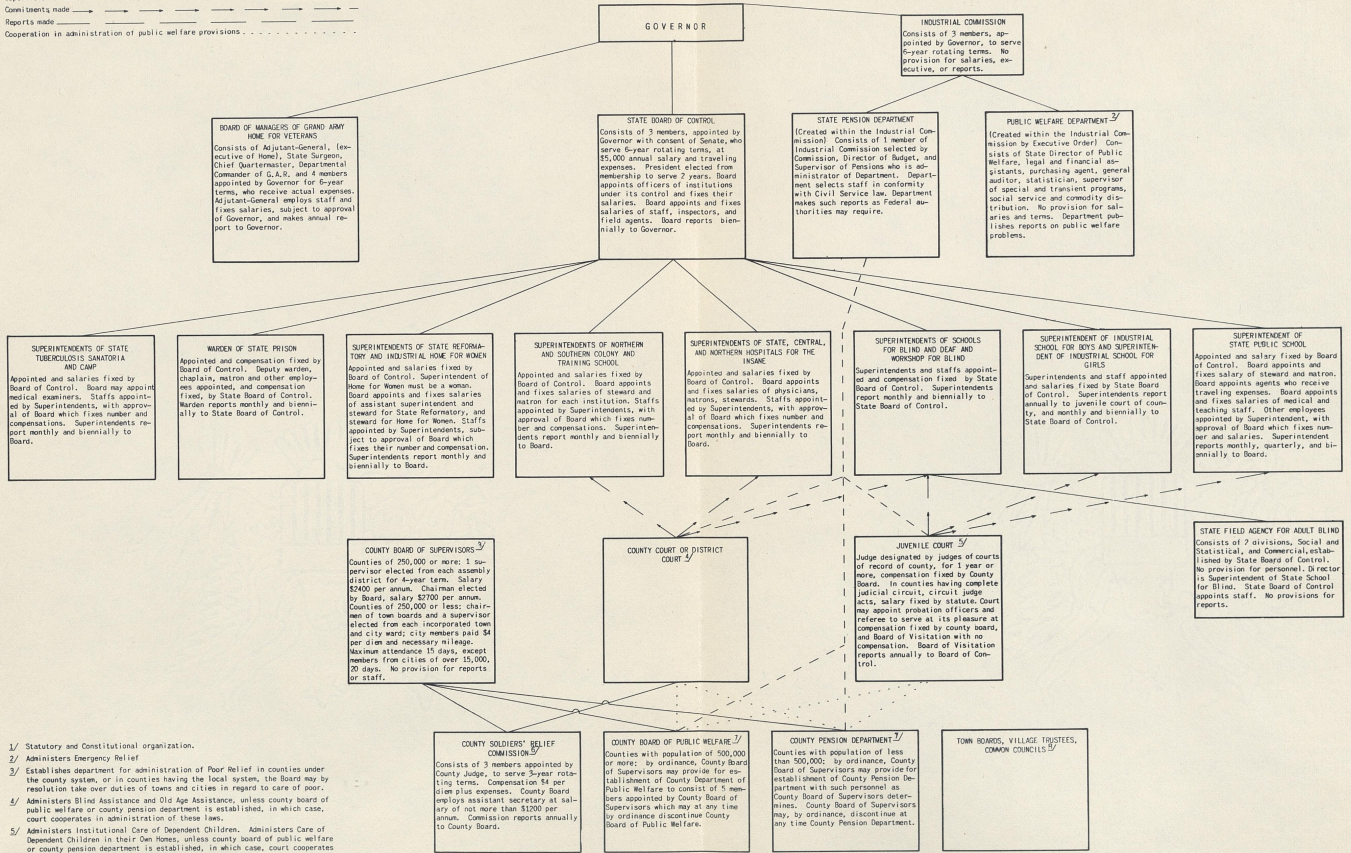
VI. Financial Provisions

No provision.

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1. Wisconsin Statutes (1933), Sec. 45.14.
 2. The judge must require the members of the Commission to execute to the county a joint and several bond in sum equal to the tax levied in the current year for expenditures by the Commission. Wisconsin Statutes (1933), Sec. 45.12.
 3. Any County Board may allow the secretary of the Commission a sum of \$500 annually in lieu of all other compensation and in counties of 100,000 or more the Board may allow the Commissioners not to exceed \$600 per annum in lieu of all other compensation. Wisconsin Statutes (1933), Sec. 45.15.
 4. Wisconsin Statutes (1933), Sec. 45.15.

WISCONSIN PUBLIC WELFARE AGENCIES / MARCH 15, 1936

Actual Control ———
 Supervision of administration of public welfare provisions ———
 Committees made ———
 Reports made ———
 Cooperation in administration of public welfare provisions ———



- 1/ Statutory and Constitutional organization.
- 2/ Administers Emergency Relief
- 3/ Establishes department for administration of Poor Relief in counties under the county system, or in counties having the local system, the Board may by resolution take over duties of towns and cities in regard to care of poor.
- 4/ Administers Blind Assistance and Old Age Assistance, unless county board of public welfare or county pension department is established, in which case, court cooperates in administration of these laws.
- 5/ Administers Institutional Care of Dependent Children. Administers Care of Dependent Children in their Own Homes, unless county board of public welfare or county pension department is established, in which case, court cooperates in administration of this law.
- 6/ Administers Veterans' Relief.
- 7/ Administers Old Age Assistance, Aid to Dependent Children in their Own Homes, Blind Assistance, or any one of these laws.
- 8/ Administer Poor Relief in counties having the local system.

