

WISCONSIN STATE
LEGISLATURE
COMMITTEE HEARING
RECORDS

1999-00

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on
Veterans and
Military Affairs
(AC-VMA)

Sample:

Record of Comm. Proceedings ... RCP

- 05hr_AC-Ed_RCP_pt01a
- 05hr_AC-Ed_RCP_pt01b
- 05hr_AC-Ed_RCP_pt02

➤ Appointments ... Appt

➤ **

➤ Clearinghouse Rules ... CRule

➤ **99hr_CRule_00-041_AC-VMA_pt01**

➤ Committee Hearings ... CH

➤ **

➤ Committee Reports ... CR

➤ **

➤ Executive Sessions ... ES

➤ **

➤ Hearing Records ... HR

➤ **

➤ Miscellaneous ... Misc

➤ **

➤ Record of Comm. Proceedings ... RCP

➤ **

PROPOSED ORDER OF THE
DEPARTMENT OF VETERANS AFFAIRS
AMENDING AND CREATING RULES

The Wisconsin Department of Veterans Affairs proposes an order to amend section VA 2.01(2)(b)15 of the Wisconsin administrative Code, relating to the health care aid grant program, to amend section VA 12.02(7) and create section VA 12.02(16) of the Wisconsin Administrative Code relating to the personal loan program, and to create Chapter VA 15 of the Wisconsin Administrative Code relating to grants to federally recognized American Indian tribes and bands.

ANALYSIS PREPARED BY THE
DEPARTMENT OF VETERANS AFFAIRS

Statutory authority: ss.45.35(3) and (14)(h) and 45.356(7), Stats.

Statute interpreted: ss.45.35(14)(h), 45.351(1j), and 45.356, Stats.

In relation to the health care aid grant program, the proposed rule would raise the income eligibility limit for low income applicants on January 1 rather than on July 1 of each year. The increase in the eligibility limit would then coincide with cost of living adjustments for federal benefit programs and assure continued eligibility for low income veterans.

In relation to the personal loan program, the proposed rule would permit each spouse in a married couple, in which both spouses are veterans, the opportunity to receive a personal loan in the amount of \$10,000, or an aggregate amount of \$20,000. Under current rules, such a couple would be limited to an aggregate amount of \$10,000 in personal loan program proceeds. It would recognize the service of each veteran under these circumstances.

In relation to tribal grant agreements, the proposed rule would identify the eligibility criteria for federally recognized American Indian tribes and bands who seek to receive a service officer grant. The legislature created the program through the enactment of 1999 Wis. Act 9 and directed the department to promulgate rules to implement the program.

TEXT OF RULE

SECTION 1: VA 2.01(2)(b)15. is amended to read:

VA 2.01(2)(b)15. Low income applicants. Health care aid may be granted to single applicants whose income is less than \$900 per month or to married applicants whose income, when added to the income of the applicant's spouse, is less than \$1,300 per month. These monthly amounts shall be increased by \$125 per month for each dependent of the applicant residing in the applicant's household. No applicant may be required to contribute to the cost of the health care as a condition of receiving health care aid. The monthly limits shall be

adjusted on ~~July~~ January 1 of each year by the percentage of the increase in the consumer price index for all urban consumers during the preceding calendar year rounded to the nearest dollar.

SECTION 2. VA 12.02(7) is amended to read:

VA 12.02(7) MAXIMUM AMOUNT AND USE OF LOAN. A person may have more than one personal loan program loan at the same time. ~~The~~ Except as provided under s. VA 12.02(16), a person's indebtedness to the department may not exceed \$10,000 under the personal loan program. ~~In no case may~~ Except as provided under s. VA 12.02(16), a person's total indebtedness to the department may not exceed \$15,000 under the personal loan program, the economic assistance loan program under s.45.351(2), 1995 Stats., and the veterans trust fund stabilization loan program under s.45.356, 1995 Stats. A personal loan program loan may not be used to refinance any portion of an existing personal loan program loan or a veterans trust fund stabilization loan under s.45.356, 1995 Stats.

SECTION 3. VA 12.02(16) is created to read:

VA 12.02(16) INDEBTEDNESS OF MARRIED VETERANS. Notwithstanding the limitations of s. VA 12.02(7), eligible veterans who are married to each other may have indebtedness to the department in an amount up to \$20,000 under the personal loan program and total indebtedness to the department up to \$30,000 under the personal loan program, the economic assistance loan program under s.45.351(2), 1995 Stats., and the veterans trust fund stabilization loan program under s.45.356, 1995 Stats., subject to the indebtedness limitations for an individual veteran delineated at ss.45.356(2) and 45.356(8), Stats.

SECTION 4. Chapter VA 15 is created to read:

AMERICAN INDIAN VETERANS' SERVICE GRANTS

VA 15.01 Recognized tribes. Wisconsin American Indian tribes and bands are defined as the eleven following federally recognized tribes and bands in Wisconsin: the Bad River Band; Forest County Potawatomi Tribe; Ho-Chunk Nation; Lac Courte Oreilles Band; Lac du Flambeau Band; Menominee Tribe; Oneida Tribe; Red Cliff Band; Sokaogon (Mole Lake) Band; St. Croix Band; Stockbridge-Munsee Tribe.

VA 15.02 Application, report and eligibility. (1) APPLICATION. Application for American Indian grants shall be made by the governing body of a Wisconsin American Indian tribe or band not later than June 30 of each year for which the grant is claimed, on forms prepared by the department. An application shall be accompanied by a copy of the budget proposed for the tribal veterans' service office for the fiscal year for which the grant is claimed. Application shall be made annually. The tribe or band must agree to meet minimum budget and operating standards established by the department for the tribal veterans' service office in order to qualify for the initial grant and for each succeeding grant.

(2) **REPORT.** A copy of the last report, if any, to the governing body of the tribe or band covering operation of the tribal veterans' service office shall be submitted with the initial grant application. Any report for the fiscal year for which the initial grant is claimed shall also be submitted to the department upon its completion. For subsequent applications, a report on tribal veterans' service office operations shall be submitted on uniform forms established by the department as soon as completed. The department shall establish a standard system for evaluating the various types of tribal veterans' service work performed by the tribal veterans' service office, including tribal members or other federally recognized American Indians referred to county veterans' service offices for applications submitted for state and federal benefits, travel in tribal veterans' service work, inter-tribal veterans' service activities, etc.

(3) **ELIGIBILITY.** Only a governing body of a tribe or band that meets minimum budget and operating standards established by the department and that chooses any new tribal veterans' service officer after the effective date of this chapter (revisor inserts date) who is a veteran as defined in s. 45.35(5), Stats., is eligible for a grant. No grant shall be disbursed until the report required and a certified copy of the budget adopted by the governing body of the tribe or band for the tribal veterans' service office operation for the fiscal year for which the grant is claimed have been received by the department. In those cases where a federally recognized tribe or band also has status as a county, the governing body of the tribe or band may apply for a grant under this chapter or for a county veterans' service grant under chapter VA 8 but is not eligible for a grant under both chapters.

VA 15.03 Budget and operating standards. In order to qualify for an American Indian veterans' service grant, the governing body of the tribe or band:

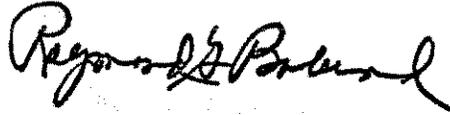
- (1) Shall employ a full time veterans' service officer who is a veteran and shall give the officer duties described in s. 45.43 (5) Stats., except that the officer shall report to the governing body of the tribe or band.
- (2) Shall provide sufficient staff to permit adequate service to tribal veterans. If it is not required that full or part time staff be hired in addition to the tribal veterans' service officer, the governing body of the tribe or band shall keep the tribal veterans' service office open and staffed during normal tribal or band working hours by providing staff from full time tribal or band offices who will receive telephone and personal inquiries in the absence of the tribal veterans' service officer during such hours.
- (3) Shall authorize sufficient supplies, office space, and services to permit adequate service to the tribal veterans, including telephone expenses.
- (4) Shall authorize sufficient travel by the tribal veterans' service office staff to permit adequate service to the tribal veterans, including travel to offices of veterans' agencies, veterans' service conferences, institutes and workshops and shall provide equitable allowance or reimbursement for such travel at the same rate other tribal employees are paid.

VA 15.04 Use of grants for salary supplements. An American Indian tribe or band may use all or part of its veterans' service grant to supplement its salary payments to its tribal veterans' service officer or service office staff or for other budgeted expenses of the tribal veterans' service office.

This rule shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s.227.22(2)(intro.), Stats.

Dated at Madison, Wisconsin, February 18, 2000.

STATE OF WISCONSIN
DEPARTMENT OF VETERANS AFFAIRS

A handwritten signature in black ink, appearing to read "Raymond G. Boland", written in a cursive style.

RAYMOND G. BOLAND, SECRETARY

FISCAL ESTIMATE

DOA-2048 N(R06/99)

- ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

LRB Number

Bill Number

Subject

Health Care Aid Grant, Personal Loan Program, Tribal Grant Agreements

Amendment No. if Applicable

Administrative Rule Number
VA 2, 12, 15

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation

Increase Costs - May be possible to Absorb Within Agency's Budget Yes No

Decrease Costs

Local: No local government costs

1. Increase Costs
 Permissive Mandatory
 2. Decrease Costs
 Permissive Mandatory

3. Increase Revenues
 Permissive Mandatory
 4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:
 Towns Villages Cities
 Counties Others _____
 School Districts WTCS Districts

Fund Sources Affected

- GPR FED PRO PRS SEG SEG-S

Affected Chapter 20 Appropriations

20.485 (2) (km), (vg), and (yn)

Assumptions Used in Arriving at Fiscal Estimate

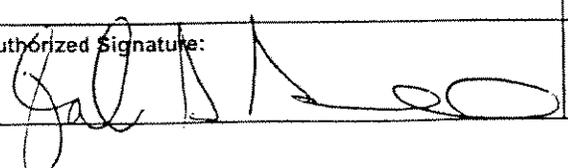
This administrative rule makes changes to two programs and creates rules for a new program in the Department of Veterans Affairs.

The proposed rule will change the date for cost of living adjustments for the Health Care Aid Grant (HCAG) program from July 1 to January 1 of each year. This timing will coincide with the dates the federal government uses for cost of living adjustments. This change will have no fiscal effect.

Under current rules, a married couple in which both spouses are veterans may incur a maximum of \$10,000 of indebtedness under the Personal Loan Program (PLP). This rule provides that each of the spouses may incur an indebtedness of \$10,000, or a total of \$20,000 per couple. This provision is likely to increase expenditures under the PLP. However, it is not possible to estimate the increase because there is no data available on the number of couples in which both parties are veterans and no data available on the number of couples that would utilize the new provision. Program staff estimate the rule changes will result in fewer than ten additional applications. The increased cost will be minimal and it can be covered by the existing spending authority for this program.

The rule creates Ch. VA 15, American Indian Veterans' Service Grants. It provides the eligibility criteria for Indian Tribes to apply for a grant to assist in funding a tribal veterans' service office. Funding for this grant program was provided in 1999 Wisconsin Act 9, the biennial budget bill. Funding is provided at the level of \$15,000 in FY00 and \$10,000 in FY01.

Long-Range Fiscal Implications

Prepared by: Louie Rech	Telephone No. 608/264-6093	Agency Veterans Affairs
Authorized Signature: 	Telephone No. 608/266-3081	Date 02/17/00

FISCAL ESTIMATE WORKSHEET

1999 Session

Detailed Estimate of Annual Fiscal Effect
DOA-2047 (R06/99)

LRB Number	Amendment No. if Applicable
Bill Number	Administrative Rule Number VA 2, 12, 15

- ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

Subject

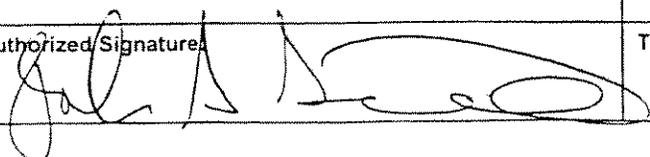
Health Care Aid Grant, Personal Loan Program, Tribal Grant Agreements

I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):

II. Annualized Costs:		Annualized Fiscal impact on State funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations - Salaries and Fringes		\$	\$ -
(FTE Position Changes)		(FTE)	(- FTE)
State Operations - Other Costs			-
Local Assistance			-
Aids to Individuals or Organizations			-
TOTAL State Costs by Category		\$	\$ -
B. State Costs by Source of Funds			
GPR		\$	\$ -
FED			-
PRO/PRS			-
SEG/SEG-S			-
State Revenues	Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)	Increased Rev.	Decreased Rev.
GPR Taxes		\$	\$ -
GPR Eamed			-
FED			-
PRO/PRS			-
SEG/SEG-S			-
TOTAL State Revenues		\$	\$ -

NET ANNUALIZED FISCAL IMPACT

	STATE	LOCAL
NET CHANGE IN COSTS	\$ See text of estimate	\$
NET CHANGE IN REVENUES	\$	\$

Prepared by: Louie Rech	Telephone No. 608/264-6093	Agency Veterans Affairs
Authorized Signature 	Telephone No. 608/266-3081	Date 02/17/00

REPORT AND ANALYSIS OF CLEARINGHOUSE RULE 00-041

1. Statement explaining the need for the proposed rules.

The department's rationale for adopting the proposed rules is explained in the analysis portion of the attached proposed order.

2. Modifications made as a result of testimony presented at the public hearing.

The public hearing was held on April 14, 2000 at 9:10 a.m. at the board of veterans affairs board meeting in Madison, Wisconsin. No modifications were made on the basis of testimony presented at the hearing.

3. Public hearing appearances and registrations.

No one testified at the hearing or submitted written comments on the proposed rules.

4. Response to Legislative Council Clearinghouse Report.

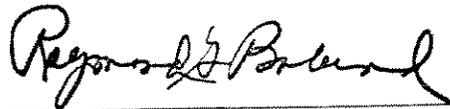
The department has fully complied with the recommendations contained in the Clearinghouse report.

5. Fiscal Estimate.

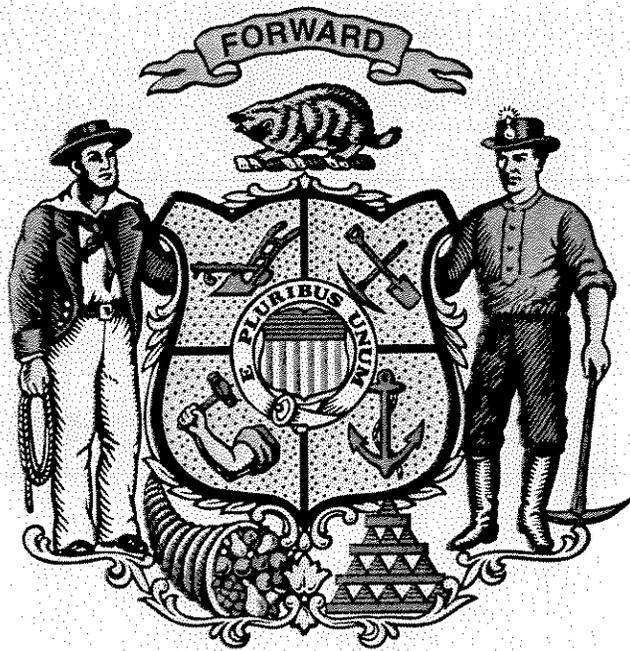
The proposed rules will have the fiscal impact identified in the attached fiscal note.

STATE OF WISCONSIN
DEPARTMENT OF VETERANS AFFAIRS

BY:



RAYMOND G. BOLAND, SECRETARY



State Representative

TERRY MUSSER

92nd Assembly District



Chair, Assembly Committee on Veterans and Military Affairs

TO: Members, Assembly Veterans and Military Affairs Committee
FROM: Terry Musser, Committee Chair
DATE: April 26, 2000
RE: Clearinghouse Rule 00-041

The enclosed administrative rule, prepared by the Department of Veterans Affairs, was referred to the Assembly Veterans and Military Affairs Committee on Tuesday, April 25, 2000.

The rule relates to the health care aid grant program, the personal loan program and to American Indian tribes and bands as follows:

The income eligibility limit will be increased for the health care aid grant with the cost of living adjustments given on January 1 rather than on July 1, to coincide with federal benefit programs.

A married couple, who are both veterans, will each be permitted to receive a personal loan in the amount of \$10,000 increasing the aggregate amount from \$10,000 to \$20,000.

Recognized American Indian tribes and bands, who employ a full time veterans service officer, will be eligible for a service officers grant.

Our Committee has 30 days, or until Friday, May 26, 2000, to review the rule.

Madison Office: PO Box 8953, Madison, WI 53708 608-266-7461 Toll Free: 1-888-534-0092
Fax: 608-282-3692 E-Mail: rep.musser@legis.state.wi.us

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