

05hr_SC-VHSMASBGR_CRule_05-091_pt01



(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Veterans, Homeland Security, Military Affairs, Small Business and Government Reform (SC-VHSMASBGR)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Senate

Record of Committee Proceedings

**Committee on Veterans, Homeland Security, Military Affairs,
Small Business and Government Reform**

Clearinghouse Rule 05-091

Relating to the veterans retraining grant program.
Submitted by Department of Veterans Affairs.

October 26, 2005 Referred to Committee on Veterans, Homeland Security, Military
Affairs, Small Business and Government Reform.

November 26, 2005 No action taken.



Daniel Lindstedt
Committee Clerk





**WISCONSIN LEGISLATIVE COUNCIL
RULES CLEARINGHOUSE**

Ronald Sklansky
Clearinghouse Director

Terry C. Anderson
Legislative Council Director

Richard Sweet
Clearinghouse Assistant Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 05-091

AN ORDER to amend VA 2.03 (2) (g); and to create VA 2.03 (i), (j), and (k), relating to the veterans retraining grant program.

Submitted by **DEPARTMENT OF VETERANS AFFAIRS**

09-07-2005 RECEIVED BY LEGISLATIVE COUNCIL.

10-04-2005 REPORT SENT TO AGENCY.

RS:PS

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]
Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]
Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]
Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS
[s. 227.15 (2) (e)]
Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]
Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL
REGULATIONS [s. 227.15 (2) (g)]
Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]
Comment Attached YES NO



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 05-091

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated January 2005.]

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. In s. VA 2.03 (2) (g), the hyphen following the word “structured” on line 3 should be deleted. Also, the word “structures” on line 8 should read “structured” and a comma should be inserted after the word “program” on line 9.

b. In s. VA 2.03 (2) (i), it may not be clear what an “economic event” is. Perhaps the term should be defined.



REPORT AND ANALYSIS OF CLEARINGHOUSE RULE 05-091

1. Statement explaining the basis and purpose for the proposed rules.

The basis and purpose of the proposed rules are to limit the amount per grant period, establish a lifetime limit, impose a course completion verification requirement, and require the use of available alternative funding sources for payment of expenses related to the retraining program.

2. Summary of public comments made as a result of testimony presented at the public hearing and the agency's response to those comments.

The public hearing was conducted on October 21, 2005. No one testified or provided comments.

3. Changes to the rule analysis or fiscal estimate.

None.

4. Public hearing appearances and registration.

None.

5. Response to Legislative Council Clearinghouse Report.

The recommendations of the Legislative Council Clearinghouse were implemented in the final order approved by the Board.

STATE OF WISCONSIN
DEPARTMENT OF VETERANS AFFAIRS



JOHN A. SCOCOS, SECRETARY

FISCAL ESTIMATE
DOA-2048 N(R10/94)

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
VA 2.03(2)(g), 2.03(l)(j)(k)
Amendment No. if Applicable

Subject

Amending and creating administrative rules, relating to the veterans retraining grant program.

Fiscal Effect

State: No State Fiscal Effect

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

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

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

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 Ch. 20 Appropriations

\$20.485 2(tj)

Assumptions Used in Arriving at Fiscal Estimate

The proposed administrative rule would amend VA 2.03 (2)(g) and create VA 2.03 (I), (j), and (k) relating to the veterans retraining grant program.

The proposed administrative rule establishes the following provisions governing the grant program:

- Limit eligibility to \$3,000 per occurrence
- Establish a lifetime benefit limit of \$6,000
- Specify that grants would be provided only for completed training programs
- Specify that WDVA would be the payer of last resort

The program's FY05 base level funding was \$378,000 annually. Funding for this grant program was provided under the provisions of 2005 Wisconsin Act 25 at \$192,000 for both FY06 and in FY07. Based on the proposed administrative provisions the annual funding for the program was reduced by \$186,000 (\$378,000 - \$192,000) in each fiscal year. However, actual expenditures for retraining grants in FY05 were about \$217,000. Thus the projected savings based on FY05 expenditures would be \$25,000 per fiscal year (\$217,000 - \$192,000).

Long-Range Fiscal Implications

Agency/Prepared by: (Name & Phone No.)
Zolonda Eubanks 264-7072
Dept. of Veterans Affairs

Authorized Signature/Telephone No.
William Kloster 266-2456

Date
8/31/05

**PROPOSED ORDER OF THE
DEPARTMENT OF VETERANS AFFAIRS
ADOPTING RULES**

The Wisconsin Department of Veterans Affairs hereby proposes an order amend VA 2.03 (2) (g) and to create VA 2.03 (i), (j), and (k), relating to the veterans retraining grant program program.

**ANALYSIS PREPARED BY THE
DEPARTMENT OF VETERANS AFFAIRS**

Statutory authority: ss. 45.03 (2) and 45.21 (3), Stats.

Statute interpreted: sec. 45.21, Stats.

The creation of the proposed language will limit the amount of a grant per grant period, establish a lifetime limit on the amount a veteran may receive under the program, impose a course completion verification requirement, and require that a veteran use alternative available sources for payment of the retraining grant program.

There is no current or pending federal regulation that addresses this initiative. There are no similar rules in adjacent states. This rule has no regulatory aspect to it, has no effect upon small businesses, nor any significant fiscal impact upon the private sector.

TEXT OF RULE

SECTION 1. VA 2.03 (2) (g) is amended to read:

VA 2.03 (2) (g) *Grant payments.* The department may make partial grant payments to assure that the veteran continues to pursue an approved course of instruction or engage in an approved structured on-the-job training program during the grant period. The department may require written verification from the school or the employer that the veteran is making satisfactory progress towards completion of the course of instruction or the structured on-the-job training program. If the veteran is unable to verify satisfactory

progress towards completion or discontinues pursuit of the course of education or engagement in the structured on-the-job-training program, the department may cancel any unpaid portion of the grant.

SECTION 2. VA 2.03 (2) (i) is created to read:

VA 2.03 (2) (i) *Grant limit.* The maximum grant payable under this section for each grant period is \$3,000.

SECTION 3. VA 2.03 (2) (j) is created to read:

VA 2.03 (2) (j) *Lifetime limit.* The total cumulative amount that a veteran may receive under this section is \$6,000.

SECTION 4. VA 2.03 (2) (k) is created to read:

VA 2.03 (2) (k) *Other available assistance.* The department may not provide a grant payment under this section if other assistance is available to meet the veteran's needs.

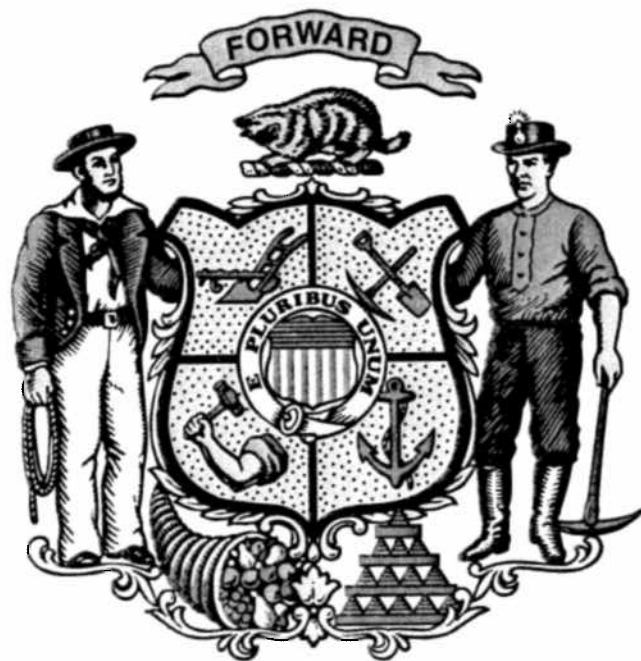
The amendment of the rule contained in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22 (2) (intro.), Stats.

Dated at Madison, Wisconsin, October 21, 2005.

STATE OF WISCONSIN
DEPARTMENT OF VETERANS AFFAIRS



JOHN A. SCOCOS, SECRETARY





Jim Doyle, Governor
John A. Scocos, Secretary

STATE OF WISCONSIN, DEPARTMENT OF VETERANS AFFAIRS

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DATE: October 25, 2005

TO: Representative John Gard, Speaker of the Assembly
Senator Alan Lasee, President of the Senate ✓

FROM: John A. Scocos, Secretary
Wisconsin Department of Veterans Affairs

RE: Clearinghouse Rule 05-091

I am submitting three copies of the final draft of Clearinghouse Rule 05-091, as well as the report and analysis as required by sec. 227.19, Stats. Please forward this material to the appropriate committee. Thank you.