

2013 DRAFTING REQUEST

Bill

Received: 2/17/2014 Received By: mgallagh
 Wanted: As time permits Same as LRB: -3436
 For: Warren Petryk (608) 266-0660 By/Representing: Marcie
 May Contact: Drafter: mgallagh
 Subject: Veterans - miscellaneous Addl. Drafters:
 Veterans - veterans benefits Extra Copies:

Submit via email: YES
 Requester's email: Rep.Petryk@legis.wisconsin.gov
 Carbon copy (CC) to: michael.gallagher@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Nonprofit grant program in DVA and record-keeping and audit requirements for grant recipients

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	mgallagh 2/17/2014	jdyer 2/17/2014			srose 2/17/2014	srose 2/17/2014	State S&L

FE Sent For:

<END>

02-17-2014
("/1")

see attached

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/1	mgallagh	1 2/17 jld	jd	==			State S&L

FE Sent For:

<END>

Gallagher, Michael

From: Punches, Derek
Sent: Monday, February 17, 2014 9:00 AM
To: Gallagher, Michael
Cc: Rainbolt, Marcie
Subject: LRB-3436/4

Michael,

I received the Senate jacket for LRB-3436/4 this morning. Could you have the companion bill drafted and jacketed for Rep. Petryk in the Assembly as well? His staff, Marcie Rainbolt, is Cc'd to this message should you have any questions.

Best regards,
Derek

Derek Punches
Clerk, Senate Committee on Transportation,
Public Safety, and Veterans and Military Affairs
Office of Senator Jerry Petrowski
29th Senate District
(608) 266-2502



2/17

Today
State of Wisconsin
2013 - 2014 LEGISLATURE



LRB 3436/4

MPG:jld:rs

Keep

2013 BILL

Please Jacket

-4283/1

Companion RMR
No changes.

X

Regen

1 AN ACT *to repeal* 45.41 (2) (e), 45.41 (4) (b) and 45.45 (4) (e); *to renumber* 45.41

2 (4) (a); *to amend* 20.485 (2) (tf) and 45.45 (4) (title); and *to create* 45.46 and

3 45.47 of the statutes; **relating to:** nonprofit organization grant program

4 administered by the Department of Veterans Affairs; grant reduction,

5 suspension, or termination and record-keeping and audit requirements for

6 various grant programs administered by the Department of Veterans Affairs;

7 providing an exemption from emergency rule procedures; and making an

8 appropriation.

Analysis by the Legislative Reference Bureau

This bill creates a grant program administered by the Department of Veterans Affairs (DVA). Under the bill, DVA may make up to a total of \$250,000 in grants to nonprofit organizations that provide financial assistance or other services to veterans and their families.

The bill also creates certain record-keeping and audit requirements concerning grants awarded by DVA, including the grants to nonprofit organizations described above. Under current law, DVA provides grants to counties, American Indian tribes or bands, and other entities and organizations that provide various kinds of assistance to veterans and their families. Current law requires some, but not all, of

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those entities and organizations to maintain certain records concerning the expenditure of grant moneys and authorizes DVA to audit those records. This bill extends those record-keeping and audit requirements to any recipient of a DVA grant that is not an individual. Under the bill, such a grant recipient must maintain records concerning the recipient's expenditure of grant moneys and must give DVA access to those records upon request. DVA may audit those records to ensure compliance with applicable grant requirements. Under the bill, if a grant recipient fails to comply with the record-keeping and audit requirements created in the bill, DVA may, in addition to any other available legal remedy, reduce, suspend, or terminate the grant.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.485 (2) (tf) of the statutes is amended to read:

2 20.485 (2) (tf) *Veterans tuition reimbursement program; grants to nonprofit*
3 *organizations that serve veterans and their families.* Biennially, the amounts in the
4 schedule for the veterans tuition reimbursement program under s. 45.20 (2) and for
5 grants to nonprofit organizations under s. 45.46. Notwithstanding s. 20.001 (3) (a),
6 the department may encumber moneys under this appropriation for the biennium
7 up to 60 days after the end of that biennium if an estimate is first submitted to the
8 department of administration showing the amounts that will be encumbered during
9 that 60-day period.

10 **SECTION 2.** 45.41 (2) (e) of the statutes, as created by 2013 Wisconsin Act 20,
11 is repealed.

12 **SECTION 3.** 45.41 (4) (a) of the statutes, as affected by 2013 Wisconsin Act 20,
13 is renumbered 45.41 (4).

14 **SECTION 4.** 45.41 (4) (b) of the statutes, as created by 2013 Wisconsin Act 20,
15 is repealed.

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1 **SECTION 5.** 45.45 (4) (title) of the statutes, as created by 2013 Wisconsin Act 20,
2 is amended to read:

3 45.45 (4) (title) **REPORTING AND AUDIT REQUIREMENTS.**

4 **SECTION 6.** 45.45 (4) (e) of the statutes, as created by 2013 Wisconsin Act 20,
5 is repealed.

6 **SECTION 7.** 45.46 of the statutes is created to read:

7 **45.46 Grants to nonprofit organizations that serve veterans and their**
8 **families.** From the appropriation under s. 20.485 (2) (tf), the department may make
9 grants of up to a total of \$250,000 to nonprofit organizations, as defined in s. 108.02
10 (19), to provide financial assistance or other services to veterans and their
11 dependents.

12 **SECTION 8.** 45.47 of the statutes is created to read:

13 **45.47 Record-keeping and audit requirements for grant programs**
14 **administered by the department.** (1) **DEFINITION.** In this section, “grant
15 recipient” means a county, American Indian tribe or band, nonprofit organization,
16 or other person that is not an individual and that receives a grant from the
17 department under this chapter.

18 (2) **REQUIREMENTS.** Each grant recipient shall maintain records as required by
19 the department concerning the grant recipient’s expenditure of grant moneys. Each
20 grant recipient shall give the department access to those records upon request of the
21 department, and the department may audit those records to ensure compliance with
22 applicable grant requirements.

23 (3) **REDUCTION, SUSPENSION, OR TERMINATION OF GRANT.** If a grant recipient fails
24 to comply with sub. (2), the department may, in addition to any other legal remedy

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1 available to the department, reduce, suspend, or terminate a grant the department
2 made to the grant recipient.

SECTION 9. Nonstatutory provisions.

3
4 (1) EMERGENCY RULES. The department of veterans affairs may promulgate
5 emergency rules under section 227.24 of the statutes implementing section 45.46 of
6 the statutes, as created by this act. Notwithstanding section 227.24 (1) (c) and (2)
7 of the statutes, emergency rules promulgated under this subsection remain in effect
8 until June 30, 2015, or the date on which permanent rules take effect, whichever is
9 sooner. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the
10 department is not required to provide evidence that promulgating a rule under this
11 subsection as an emergency rule is necessary for the preservation of the public peace,
12 health, safety, or welfare and is not required to provide a finding of emergency for a
13 rule promulgated under this subsection.

14 (END)

Barman, Mike

From: Gallagher, Michael
Sent: Monday, February 17, 2014 9:09 AM
To: Barman, Mike
Subject: FW: LRB-3436/4

Mike: Petrowski's office asked to send -3436/4 out for a fiscal estimate prior to introduction. We should do the same for the Assembly companion, -4283, which I just put in editing to be jacketed today.

Let me know if you need anything else from me.

Thanks.

Mike

Mike Gallagher
Attorney
Wisconsin Legislative Reference Bureau
(608) 267-7511

From: Punches, Derek
Sent: Monday, February 17, 2014 9:00 AM
To: Gallagher, Michael
Cc: Rainbolt, Marcie
Subject: LRB-3436/4

Michael,

I received the Senate jacket for LRB-3436/4 this morning. Could you have the companion bill drafted and jacketed for Rep. Petryk in the Assembly as well? His staff, Marcie Rainbolt, is Cc'd to this message should you have any questions.

Best regards,
Derek

Derek Punches
Clerk, Senate Committee on Transportation,
Public Safety, and Veterans and Military Affairs
Office of Senator Jerry Petrowski
29th Senate District
(608) 266-2502

Memo

To: Representative **Petryk**

(The Draft's Requester)

Per your request ... the attached fiscal estimate was prepared for your un-introduced 2013 session draft.

LRB Number: LRB-4283

Version: " /1 "

Fiscal Estimate Prepared By: (agency abbr.) DVA (original)

If you have questions about the enclosed fiscal estimate, you may contact the state agency representative that prepared the fiscal estimate. If you disagree with the enclosed fiscal estimate, please contact the LRB drafter of your proposal to discuss your options under the fiscal estimate procedure.

*** * * * ***

Entered In Computer And Copy Sent To Requester Via E-Mail: 02 / 19 / 2013

To: LRB - Legal Section PA's

Subject: *Fiscal Estimate Received For An Un-introduced Draft*

- > **If re-drafted** ... please insert this cover sheet and attached early fiscal estimate into the drafting file "guts" ... after the draft's old version (the version that this fiscal estimate was based on), and just before re-draft of the updated version.
- > **If introduced** ... please make sure the attached fiscal estimate is for the **current version** ... write the draft's new introduction number below and give this packet to Mike (or Lori) to re-process the fiscal estimate (w/intro. number included).

THIS DRAFT WAS INTRODUCED AS: 2013 AB 805

Barman, Mike

From: Barman, Mike
Sent: Wednesday, February 19, 2014 11:17 AM
To: Rep.Petryk
Cc: Rainbolt, Marcie
Subject: LRB-4283/1 (un-introduced) (FE by DVA - attached - for your review)



FE-4283_DVA.pdf

Drafter: MPG
Subject: Veterans – miscellaneous
Veterans – veterans benefits

Mike Barman (Lead Program Assistant)

State of Wisconsin - Legislative Reference Bureau - Legal Section - Front Office
1 East Main Street, Suite 200, Madison, WI 53703
(608) 266-3561 / mike.barman@legis.wisconsin.gov

Memo

To: Representative **Petryk**

(The Draft's Requester)

Per your request ... the attached fiscal estimate was prepared for your un-introduced 2013 session draft.

LRB Number: LRB-4283

Version: “/1”

Fiscal Estimate Prepared By: (agency abbr.) DVA (updated)

If you have questions about the enclosed fiscal estimate, you may contact the state agency representative that prepared the fiscal estimate. If you disagree with the enclosed fiscal estimate, please contact the LRB drafter of your proposal to discuss your options under the fiscal estimate procedure.

* * * * *

Entered In Computer And Copy Sent To Requester Via E-Mail: 02 / 20 / 2013

To: LRB – Legal Section PA's

Subject: *Fiscal Estimate Received For An Un-introduced Draft*

> **If re-drafted** ... please insert this cover sheet and attached early fiscal estimate into the drafting file “guts” ... after the draft's old version (the version that this fiscal estimate was based on), and just before re-draft of the updated version.

> **If introduced** ... please make sure the attached fiscal estimate is for the **current version** ... write the draft's new introduction number below and give this packet to Mike (or Lori) to re-process the fiscal estimate (w/intro. number included).

THIS DRAFT WAS INTRODUCED AS: 2013 AB 805

Barman, Mike

From: Barman, Mike
Sent: Thursday, February 20, 2014 12:06 PM
To: Rep.Petryk
Cc: Rainbolt, Marcie
Subject: LRB-4283/1 (un-introduced) ("Updated" FE by DVA - attached - for your review)



FE-4283_DVA2.p...

Mike Barman (Lead Program Assistant)

State of Wisconsin - Legislative Reference Bureau - Legal Section - Front Office
1 East Main Street, Suite 200, Madison, WI 53703
(608) 266-3561 / mike.barman@legis.wisconsin.gov