



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2013 Wisconsin Act 189
[2013 Assembly Bill 734]

**Administrative Rules Related to
Veterans Programs**

2013 Wisconsin Act 189 modifies chs. VA 1-2, 4-9, 12-15, and 17 of the administrative rules, originally promulgated by the Department of Veterans Affairs (DVA). The Act makes changes generally related to veterans programs, as follows:

- Modifies certain references to the Board of Veterans Affairs (Board) in accordance with changes provided under 2011 Wisconsin Act 36. That Act transferred certain powers and duties of the Board to the Secretary of DVA.
- Creates rules implementing the veteran's tribal college tuition reimbursement program created under 2013 Wisconsin Act 20.
- Increases the eligibility level for subsistence payments to needy veterans to 180% of the federal poverty level (FPL) from 130% FPL, along with other changes.
- Changes the process for applying to live in a veterans home, and specifies that DVA is the payer of last resort for the costs of providing medical and nursing care and other types of care to persons residing in veterans homes.
- Modifies eligibility standards for certain loan programs administered by DVA, including, in the case of the veterans home loan program, a change in the time period for the residency eligibility requirement. The Act reduces the residency requirement for the loan program to 12 months, as opposed to 60 months under prior rules.
- Modifies procedures for certain DVA-administered loan and grant programs, including, in the cases of the county veterans service and American Indian grant programs administered by DVA, changes to the date on which applications are due. Under the Act, both grant programs application deadlines are changed to May 15 of the calendar year for which the grant is claimed.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.

- Removes DVA's authorization for certain assessments related to burial of an individual in a veterans cemetery.
- Authorizes DVA to assess a fee to disinter an individual who is currently interred in a veterans cemetery, but limits the fee to the average cost to DVA of disinterring an individual.
- Removes certain provisions in the rules related to veterans educational programs, in order to reflect current provisions in subch. II, ch. 45, Stats., relating to the veterans tuition reimbursement program and other education-related provisions.
- Deletes the preference that military funeral honors be performed by a military funeral honors team.

The Act also modifies chs. 13, 35, and 227, Stats., relating generally to the promulgation procedure for administrative rules, to formally recognize modification of administrative rules by legislative initiative. Under the Act, administrative rules repealed or modified by legislative initiative must be published in the Administrative Code and Administrative Register and the repeal or modification must take effect on the first day of the month commencing after publication in the Administrative Register.

Effective date: April 6, 2014.

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