

05hr\_SC-VHSMASBGR\_CRule\_05-090\_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**

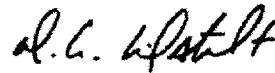
**Committee on Veterans, Homeland Security, Military Affairs,  
Small Business and Government Reform**

**Clearinghouse Rule 05-090**

Relating to the military funeral honors program.  
Submitted by Department of Veterans Affairs.

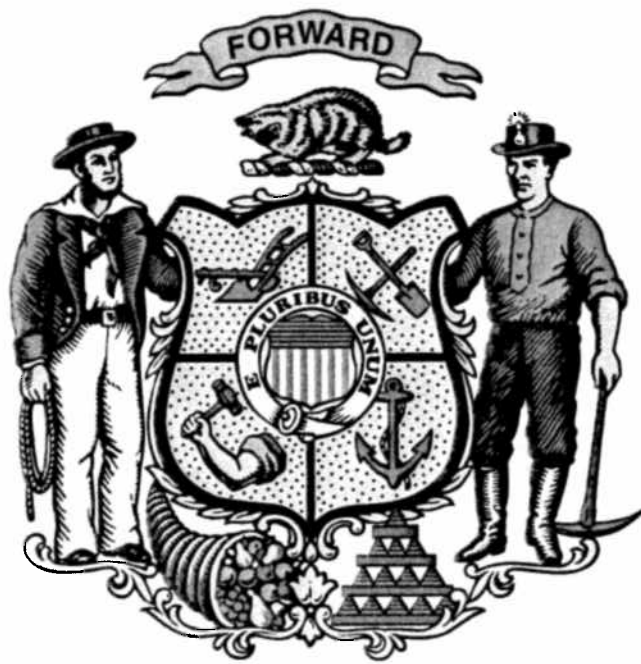
October 26, 2005      Referred to Committee on Veterans, Homeland Security, Military  
Affairs, Small Business and Government Reform.

November 26, 2005    No action taken.



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Daniel Lindstedt  
Committee Clerk





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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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**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 **05-090**

AN ORDER to amend VA 17.05 (2) (a) 2. and 3., and to create VA 17.05 (2) (d), relating to the military funeral honors program.

Submitted by **DEPARTMENT OF VETERANS AFFAIRS**

09-07-2005 RECEIVED BY LEGISLATIVE COUNCIL.

10-03-2005 REPORT SENT TO AGENCY.

RNS: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



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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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*Clearinghouse Director*

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*Legislative Council Deputy Director*

### CLEARINGHOUSE RULE 05-090

#### 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 the treatment clauses to the two SECTIONS, a period should be inserted after the subdivision numbers.



## REPORT AND ANALYSIS OF CLEARINGHOUSE RULE 05-090

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

The basis and purpose of the proposed rules are to reduce the maximum payment for funeral honors stipends from \$50 to \$35.

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



LRB or Bill No./Adm. Rule No.  
VA 17.05(2)(a)2 & 3, 17.05 (2)(d)

Amendment No. if Applicable

- ORIGINAL       UPDATED  
 CORRECTED       SUPPLEMENTAL

FISCAL ESTIMATE  
DOA-2048 N(R10/94)

**Subject**  
Amending and creating administrative rules, relating to the military funeral honors 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**

s20.485(2)(dm)

**Assumptions Used in Arriving at Fiscal Estimate**

This proposed administrative rule would amend and create VA 17.05 (2) the military funeral honors program to change the language to limit the maximum payment for full honors by the Department of Veterans Affairs.

The proposed rule reduces the maximum payment from \$50 to \$35 for a veteran's organization that provides full honors.

Funding for this program was provided under the provisions of 2005 Wisconsin Act 25. The funding is provided at the level of \$175,500 in FY06 and FY07. It is projected that the department will receive about 4,700 request for stipends in each fiscal year. The total amount of funding that would be needed to cover stipend payments at the \$50 maximum rate would be \$235,000 per fiscal year. At the proposed maximum rate of \$35, a total of \$164,500 would be needed. The proposed rule will allow the program to operate for the full biennium with only a \$8,000-10,000 shortfall. The shortfall is due to the rule not taking effect until six months into FY06, resulting in \$30,000-35,000 of savings lost while paying at the \$50 rate.

**Long-Range Fiscal Implications**

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

Authorized Signature Telephone No.  
William Kloster 264-2256

Date  
8/30/05

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

The Wisconsin Department of Veterans Affairs hereby proposes an order to amend VA 17.05 (2) (a) 2 and 3 and to create VA 17.05 (2) (d), relating to the military funeral honors program.

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

Statutory authority: sec. 45.03 (2), Stats.

Statute interpreted: sec. 45.60 (2), Stats.

The implementation of the proposed language would limit the maximum payment for full funeral honors to \$35.00.

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 17.05 (2) (a) 2. is amended to read:

| VA 17.05 (2) (a) 2. If a single veterans organization provides full honors, ~~\$50~~ \$35.

SECTION 2. VA 17.05 (2) (a) 3. is amended to read:

VA 17.05 (2) (a) 3. If 2 or more veterans organizations participate in providing full honors and one of the organizations provides a firing detail, ~~\$50~~ \$35. The organizations may request that the department split the reimbursement.

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

A handwritten signature in black ink, appearing to read "John A. Scocos", written over a horizontal line.

JOHN A. SCOCOS, SECRETARY





*Jim Doyle, Governor*  
*John A. Scocos, Secretary*

**STATE OF WISCONSIN, DEPARTMENT OF VETERANS AFFAIRS**

30 West Mifflin Street, P.O. Box 7843, Madison, WI 53707-7843

PHONE: (608) 266-1311 1-800-947-8387 (WIS VETS)

WEB SITE: <http://dva.state.wi.us>

E-MAIL: [Headquarters@dva.state.wi.us](mailto:Headquarters@dva.state.wi.us)

FAX: (608) 267-0403

**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 05-090

I am submitting three copies of the final draft of Clearinghouse Rule 05-090, as well as the report and analysis as required by sec. 227.19, Stats. Please forward this material to the appropriate committee. Thank you.