2013 SENATE BILL 613

February 18, 2014 – Introduced by Senator PETROWSKI, cosponsored by Representative PETRYK. Referred to Committee on Transportation, Public Safety, and Veterans and Military Affairs.

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

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.

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.

3   **SECTION 9. Nonstatutory provisions.**

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)**