

2013 DRAFTING REQUEST

Bill

Received: 10/15/2013 Received By: mgallagh
Wanted: As time permits Same as LRB:
For: Jerry Petrowski (608) 266-2502 By/Representing: Derek
May Contact: Drafter: mgallagh
Subject: Veterans - miscellaneous Addl. Drafters:
Veterans - veterans benefits Extra Copies: MGG

Submit via email: YES
Requester's email: Sen.Petrowski@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>
/?	mgallagh 11/4/2013	jdyer 11/6/2013		_____			
/P1	mgallagh 11/22/2013	jdyer 11/25/2013	rschluet 11/6/2013	_____	mbarman 11/6/2013		
/1	mgallagh 12/3/2013	jdyer 12/3/2013	jmurphy 11/25/2013	_____	mbarman 11/25/2013		State S&L

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	mgallagh 1/9/2014	jdyer 1/10/2014	jmurphy 12/3/2013	_____	sbasford 12/3/2013		State S&L
/3	mgallagh 1/28/2014	jdyer 1/29/2014	jfrantze 1/10/2014	_____	srose 1/10/2014		State S&L
/4			rschluet 1/30/2014	_____	lparisi 1/30/2014	sbasford 2/17/2014	State S&L

FE Sent For:
→ 02-17-2014 ("14")
↑ see attached

<END>

2013 DRAFTING REQUEST

Bill

Received: **10/15/2013** Received By: **mgallagh**
Wanted: **As time permits** Same as LRB:
For: **Jerry Petrowski (608) 266-2502** By/Representing: **Derek**
May Contact: Drafter: **mgallagh**
Subject: **Veterans - miscellaneous** Addl. Drafters:
Veterans - veterans benefits Extra Copies: **MGG**

Submit via email: **YES**
Requester's email: **Sen.Petrowski@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>
/?	mgallagh 11/4/2013	jdyer 11/6/2013		_____			
/P1	mgallagh 11/22/2013	jdyer 11/25/2013	rschluet 11/6/2013	_____	mbarman 11/6/2013		
/1	mgallagh 12/3/2013	jdyer 12/3/2013	jmurphy 11/25/2013	_____	mbarman 11/25/2013		State S&L

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	mgallagh 1/9/2014	jdye 1/10/2014	jmurphy 12/3/2013	_____	sbasford 12/3/2013		State S&L
/3	mgallagh 1/28/2014	jdye 1/29/2014	jfrantze 1/10/2014	_____	srose 1/10/2014		State S&L
/4			rschluet 1/30/2014	_____	lparisi 1/30/2014		State S&L

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: **10/15/2013** Received By: **mgallagh**
Wanted: **As time permits** Same as LRB:
For: **Jerry Petrowski (608) 266-2502** By/Representing: **Derek**
May Contact: Drafter: **mgallagh**
Subject: **Veterans - miscellaneous** Addl. Drafters:
Veterans - veterans benefits Extra Copies: **MGG**

Submit via email: **YES**
Requester's email: **Sen.Petrowski@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>
/?	mgallagh 11/4/2013	jdyer 11/6/2013		_____			
/P1	mgallagh 11/22/2013	jdyer 11/25/2013	rschluet 11/6/2013	_____	mbarman 11/6/2013		
/1	mgallagh 12/3/2013	jdyer 12/3/2013	jmurphy 11/25/2013	_____	mbarman 11/25/2013		State S&L

4 1/29 jld Jd Jm
1301

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	mgallagh 1/9/2014	jdye 1/10/2014	jmurphy 12/3/2013	_____	sbasford 12/3/2013		State S&L
/3			jfrantze 1/10/2014	_____	srose 1/10/2014		State S&L

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: **10/15/2013** Received By: **mgallagh**
Wanted: **As time permits** Same as LRB:
For: **Jerry Petrowski (608) 266-2502** By/Representing: **Derek**
May Contact: Drafter: **mgallagh**
Subject: **Veterans - miscellaneous** Addl. Drafters:
Veterans - veterans benefits Extra Copies: **MGG**

Submit via email: **YES**
Requester's email: **Sen.Petrowski@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>
/?	mgallagh 11/4/2013	jdyer 11/6/2013		_____			
/P1	mgallagh 11/22/2013	jdyer 11/25/2013	rschluet 11/6/2013	_____	mbarman 11/6/2013		
/1	mgallagh 12/3/2013	jdyer 12/3/2013	jmurphy 11/25/2013	_____	mbarman 11/25/2013		State S&L

3/10 jld

[Handwritten signature]
10

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2			jmurphy 12/3/2013	_____	sbasford 12/3/2013		State S&L

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: 10/15/2013 Received By: mgallagh
Wanted: As time permits Same as LRB:
For: Jerry Petrowski (608) 266-2502 By/Representing: Derek
May Contact: Drafter: mgallagh
Subject: Veterans - miscellaneous Addl. Drafters:
Veterans - veterans benefits Extra Copies: MGG

Submit via email: YES
Requester's email: Sen.Petrowski@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>
/?	mgallagh 11/4/2013	jdyer 11/6/2013	jd	_____			
/P1	mgallagh 11/22/2013	jdyer 11/25/2013	rschluet 11/6/2013	_____	mbarman 11/6/2013		
/1		2/3 jcd	jmurphy 11/25/2013	_____	mbarman 11/25/2013		State S&L

jm
12/3

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: **10/15/2013** Received By: **mgallagh**
Wanted: **As time permits** Same as LRB:
For: **Jerry Petrowski (608) 266-2502** By/Representing: **Derek**
May Contact: Drafter: **mgallagh**
Subject: **Veterans - miscellaneous** Addl. Drafters:
Veterans - veterans benefits Extra Copies: **MGG**

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

Pre Topic:

No specific pre topic given

Topic:

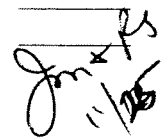
Nonprofit grant program in DVA and record-keeping and audit requirements for grant recipients

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>
/?	mgallagh 11/4/2013	jd 11/6/2013	jd	_____			
/P1	1/25 jld	rschluet 11/6/2013		_____	mbarman 11/6/2013		

FE Sent For: 

<END>

2013 DRAFTING REQUEST

Bill

Received: 10/15/2013 Received By: mgallagh
Wanted: As time permits Same as LRB:
For: Jerry Petrowski (608) 266-2502 By/Representing: Derek
May Contact: Drafter: mgallagh
Subject: Veterans - miscellaneous Addl. Drafters:
Veterans - veterans benefits Extra Copies: MGG

Submit via email: YES
Requester's email: Sen.Petrowski@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:

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

/? mgallagh PI 11/6 jld jld jm

FE Sent For:

<END>

Gallagher, Michael

From: Punches, Derek
Sent: Tuesday, October 22, 2013 11:47 AM
To: Gallagher, Michael
Subject: RE: Draft Request: WDVA Nonprofit Grant Authority

Michael,

After taking a look at the outline you provided below, the following are just a few comments I'd like to make:

2d. No other additions. These are the grants agreed to by my boss and the Secretary of WDVA. In my own cursory research, I believe this covers the programs in which we have an interest. Are there others you think I may be missing?

3d. When s. 45.45 of the statutes was created in 2013 Act 20, it was my understanding the grant to VETransfer was a one-time appropriation of \$500,000. At that time, statutory authority was built into the language to ensure the department could audit the records of the company, which is similar to what we'd like to recreate for other grants offered by the department. Could you confirm this is a one-time payment? If it is not subject to an ongoing appropriation, I would be comfortable exempting it from the "reduce/suspend" authority that is called for in the bill.

3e. See 2d. above. I believe that points 3a-c. cover all the programs we are focused on changing, however I'd be interested to know if there are other grants from the department that I may be missing.

Thank you for your assistance. Please let me know if you have any questions.

D-Note

Best regards,
Derek

*-45.21
-45.83*

Derek Punches
Office of Senator Jerry Petrowski
29th Senate District
(608) 266-2502

From: Gallagher, Michael
Sent: Friday, October 18, 2013 8:51 AM
To: Punches, Derek
Subject: RE: Draft Request: WDVA Nonprofit Grant Authority

Derek: Can you confirm the parameters of this draft for me?

Specifically, based on your e-mail, it looks to me like the scope of the draft is as follows:

1. Create nonprofit grant program administered by DVA.
2. Create DVA audit authority, similar to that created in the budget under ss. 45.41 (4) (b) and 45.45, for all of the following: ✓
 - a. Nonprofit grant program created in the draft.
 - b. County veterans service office grants under s. 45.82 (2).
 - c. Grants to tribes for veterans services under s. 45.82 (4).
 - d. Any others?
3. Create general authority for the secretary of DVA to reduce or suspend a grant award to an organization that fails to comply with audit requirements or meet program criteria with respect to all of the following:
 - a. Grants made to nonprofits under the draft.

- b. Grants made to county or tribal veterans services offices under s. 45.82.
- c. Grants made under s. 45.41.
- d. Grants made under s. 45.45.
- e. Are there any other grants administered by DVA that you want to include under this authority? All grants? Do you want a "catch-all" that gives such authority for any grant whatsoever awarded by DVA?

Please let me know if you have any questions.

Thanks.

Mike

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

From: Gallagher, Michael
Sent: Tuesday, October 15, 2013 10:19 AM
To: PUNCHES, Derek
Subject: FW: Draft Request: WDVA Nonprofit Grant Authority

Derek: I draft in veterans affairs along with Mary, and I will be handling this draft for you. I will let you know if I have any questions.

Thanks.

Mike

Michael P. Gallagher
Legislative Attorney
Wisconsin Legislative Reference Bureau
1 East Main Street, Suite 200
P.O. Box 2037
Madison, WI 53701-2037
(608) 267-7511
michael.gallagher@legis.wisconsin.gov

From: PUNCHES, Derek
Sent: Monday, October 14, 2013 10:53 AM
To: Gibson-Glass, Mary
Subject: Draft Request: WDVA Nonprofit Grant Authority

Good morning Mary:

I would like to request a bill draft to create a nonprofit grant program within the Department of Veterans Affairs (DVA). The bill would also permit the department to audit all grants awarded by the department, and give the Secretary discretion over the awarding of such grants.

Specifically, the grant will be funded by \$250,000 from the appropriation maintained for the VetEd program under s. 45.20(2). The grant may only be awarded to nonprofit organizations (s.108.02(19) or a more suitable definition) that have as a primary purpose the provision of service, aid, or assistance to veterans, veterans'

spouses or dependent children. Require DVA to develop rules to handle the administration of the grant to nonprofit organizations.

The Secretary will have the authority to audit grant programs administered by the department. Similar to the change made in 2013 Act 20, this authority will extend beyond that of the nonprofit grant program created by this bill to explicitly include grants to County Veteran Service Officers and Tribal Veteran Service Officers. The bill would require any such organization receiving a grant from DVA to maintain records, as required by DVA, concerning the organizations' expenditures of the payments, and give DVA access to those records upon request of DVA to permit DVA to audit those records.

The Secretary will have the authority to reduce or suspend – temporarily or indefinitely – grant awards to organizations that fail to comply with the audit requirements, or fail to meet the program criteria based upon the findings of any departmental audit of that grant program. To do so, existing language would need to be modified to state that any grant “may” be awarded, rather than “shall.”

I know this is a complicated request, but I tried to put it together in the most logical way possible. Please do not hesitate to contact me with any questions regarding this draft.

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

Gallagher, Michael

From: Gallagher, Michael
Sent: Friday, October 18, 2013 8:51 AM
To: Punches, Derek
Subject: RE: Draft Request: WDVA Nonprofit Grant Authority

Derek: Can you confirm the parameters of this draft for me?

Specifically, based on your e-mail, it looks to me like the scope of the draft is as follows:

1. Create nonprofit grant program administered by DVA.
2. Create DVA audit authority, similar to that created in the budget under ss. 45.41 (4) (b) and 45.45, for all of the following:
 - a. Nonprofit grant program created in the draft.
 - b. County veterans service office grants under s. 45.82 (2).
 - c. Grants to tribes for veterans services under s. 45.82 (4).
 - d. Any others?
3. Create general authority for the secretary of DVA to reduce or suspend a grant award to an organization that fails to comply with audit requirements or meet program criteria with respect to all of the following:
 - a. Grants made to nonprofits under the draft.
 - b. Grants made to county or tribal veterans services offices under s. 45.82.
 - c. Grants made under s. 45.41.
 - d. Grants made under s. 45.45.
 - e. Are there any other grants administered by DVA that you want to include under this authority? All grants? Do you want a "catch-all" that gives such authority for any grant whatsoever awarded by DVA?

Please let me know if you have any questions.

Thanks.

Mike

Mike Gallagher

Attorney

Wisconsin Legislative Reference Bureau

(608) 267-7511

From: Gallagher, Michael
Sent: Tuesday, October 15, 2013 10:19 AM
To: Punches, Derek
Subject: FW: Draft Request: WDVA Nonprofit Grant Authority

Derek: I draft in veterans affairs along with Mary, and I will be handling this draft for you. I will let you know if I have any questions.

Thanks.

Mike

Michael P. Gallagher

Legislative Attorney

Wisconsin Legislative Reference Bureau

1 East Main Street, Suite 200

P.O. Box 2037

Madison, WI 53701-2037

(608) 267-7511

michael.gallagher@legis.wisconsin.gov

From: Punches, Derek

Sent: Monday, October 14, 2013 10:53 AM

To: Gibson-Glass, Mary

Subject: Draft Request: WDVA Nonprofit Grant Authority

Good morning Mary:

I would like to request a bill draft to create a nonprofit grant program within the Department of Veterans Affairs (DVA). The bill would also permit the department to audit all grants awarded by the department, and give the Secretary discretion over the awarding of such grants.

Specifically, the grant will be funded by \$250,000 from the appropriation maintained for the VetEd program under s. 45.20(2). The grant may only be awarded to nonprofit organizations (s.108.02(19) or a more suitable definition) that have as a primary purpose the provision of service, aid, or assistance to veterans, veterans' spouses or dependent children. Require DVA to develop rules to handle the administration of the grant to nonprofit organizations.

The Secretary will have the authority to audit grant programs administered by the department. Similar to the change made in 2013 Act 20, this authority will extend beyond that of the nonprofit grant program created by this bill to explicitly include grants to County Veteran Service Officers and Tribal Veteran Service Officers. The bill would require any such organization receiving a grant from DVA to maintain records, as required by DVA, concerning the organizations' expenditures of the payments, and give DVA access to those records upon request of DVA to permit DVA to audit those records.

The Secretary will have the authority to reduce or suspend – temporarily or indefinitely – grant awards to organizations that fail to comply with the audit requirements, or fail to meet the program criteria based upon the findings of any departmental audit of that grant program. To do so, existing language would need to be modified to state that any grant “may” be awarded, rather than “shall.”

I know this is a complicated request, but I tried to put it together in the most logical way possible. Please do not hesitate to contact me with any questions regarding this draft.

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

Gallagher, Michael

From: Gallagher, Michael
Sent: Tuesday, October 15, 2013 10:19 AM
To: Punches, Derek
Subject: FW: Draft Request: WDVA Nonprofit Grant Authority

Derek: I draft in veterans affairs along with Mary, and I will be handling this draft for you. I will let you know if I have any questions.

Thanks.

Mike

Michael P. Gallagher

Legislative Attorney
Wisconsin Legislative Reference Bureau
1 East Main Street, Suite 200
P.O. Box 2037
Madison, WI 53701-2037
(608) 267-7511
michael.gallagher@legis.wisconsin.gov

From: Punches, Derek
Sent: Monday, October 14, 2013 10:53 AM
To: Gibson-Glass, Mary
Subject: Draft Request: WDVA Nonprofit Grant Authority

Good morning Mary:

I would like to request a bill draft to create a nonprofit grant program within the Department of Veterans Affairs (DVA). The bill would also permit the department to audit all grants awarded by the department, and give the Secretary discretion over the awarding of such grants.

Specifically, the grant will be funded by \$250,000 from the appropriation maintained for the VetEd program under s. 45.20(2). The grant may only be awarded to nonprofit organizations (s.108.02(19) or a more suitable definition) that have as a primary purpose the provision of service, aid, or assistance to veterans, veterans' spouses or dependent children. Require DVA to develop rules to handle the administration of the grant to nonprofit organizations.

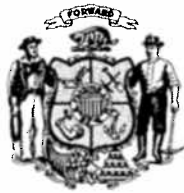
The Secretary will have the authority to audit grant programs administered by the department. Similar to the change made in 2013 Act 20, this authority will extend beyond that of the nonprofit grant program created by this bill to explicitly include grants to County Veteran Service Officers and Tribal Veteran Service Officers. The bill would require any such organization receiving a grant from DVA to maintain records, as required by DVA, concerning the organizations' expenditures of the payments, and give DVA access to those records upon request of DVA to permit DVA to audit those records.

The Secretary will have the authority to reduce or suspend – temporarily or indefinitely – grant awards to organizations that fail to comply with the audit requirements, or fail to meet the program criteria based upon the findings of any departmental audit of that grant program. To do so, existing language would need to be modified to state that any grant “may” be awarded, rather than “shall.”

I know this is a complicated request, but I tried to put it together in the most logical way possible. Please do not hesitate to contact me with any questions regarding this draft.

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



In: 1/4 By: Friday, 11/8
State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-34302
MPG: A.....

Thurs!
S

Handwritten initials

Handwritten circled initials

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Handwritten '4'

Handwritten 'Gen'

1 AN ACT ...; relating to: nonprofit organization grant program administered by
2 the Department of Veterans Affairs; grant reduction, suspension, or
3 termination and record-keeping and audit requirements for various grant
4 programs administered by the Department of Veterans Affairs; and making an
5 appropriation.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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

6 SECTION 1. 20.485 (2) (tf) of the statutes is amended to read:
7 20.485 (2) (tf) Veterans tuition reimbursement program; grants to nonprofit
8 organizations that serve veterans and their families. Biennially, the amounts in the
9 schedule for the veterans tuition reimbursement program under s. 45.20 (2) and for

1 grants to nonprofit organizations under s. 45.46. Notwithstanding s. 20.001 (3) (a),
 2 the department may encumber moneys under this appropriation for the biennium
 3 up to 60 days after the end of that biennium if an estimate is first submitted to the
 4 department of administration showing the amounts that will be encumbered during
 5 that 60-day period.

History: 1971 c. 93, 125, 198, 215; 1973 c. 4, 90; 1973 c. 208 ss. 2, 3, 17; 1973 c. 333 s. 201m; 1973 c. 340; 1975 c. 26, 39, 198, 200, 224; 1977 c. 4, 29, 237; 1977 c. 418 s. 929 (55); 1977 c. 447; 1979 c. 4, 34, 155; 1981 c. 20 ss. 377g to 399, 2202 (55) (a); 1981 c. 93, 237; 1983 a. 27; 1983 a. 333 s. 6; 1985 a. 6, 29; 1987 a. 27, 399; 1989 a. 31; 1991 a. 39, 44, 165, 269; 1993 a. 16, 254, 490; 1995 a. 27, 225; 1997 a. 27; 1999 a. 2; 1999 a. 9 ss. 245m, 498t to 504; 1999 a. 63, 136; 2001 a. 16, 74, 103, 106; 2003 a. 33, 42; 2005 a. 22, 25, 254, 468; 2007 a. 20; 2009 a. 28, 177; 2011 a. 32; 2013 a. 20.

****NOTE: The draft does not increase the amounts in the schedule for s. 20.485 (2)

(tf). That means the grants must be expended from the amounts already appropriated to that appropriation under current law. Is that consistent with your intent?

6
7
8
9
10

SECTION 2. 45.41 (2) (e) of the statutes is repealed.

SECTION 3. 45.41 (4) (b) of the statutes is repealed.

SECTION 4. 45.45 (4) (title) of the statutes is amended to read:

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

History: 2013 a. 20.

SECTION 5. 45.45 (4) (e) of the statutes is repealed.

****NOTE: Because s. 45.47, created in the draft below, is drafted as a one-size-fits-all provision, the draft repeals the specific record-keeping and audit language for grants under ss. 45.41 and 45.45. Those grants will be subject to the new s. 45.47. One of the benefits to the one-size-fits-all approach is that it covers future grant programs as well. Please let me know if that is inconsistent with your intent.

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

45.46 Grants to nonprofit organizations that serve veterans and their

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

****NOTE: Is it consistent with your intent to authorize DVA to expend up to \$250,000 under the program on an annual basis?

****NOTE: Please see the definition of "dependent" under s. 45.01 (5). Is that consistent with your intent?

SECTION 7. 45.47 of the statutes is created to read:

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

move

as created by 2013 Wisconsin Act 20,

Gallagher, Michael

From: Punches, Derek
Sent: Wednesday, November 20, 2013 3:46 PM
To: Gallagher, Michael
Subject: RE: Draft Request: WDVA Nonprofit Grant Authority

Michael,

I've had a number of conversations with my boss and the Department of Veterans Affairs from which I'd like to elaborate on a couple of questions / notes you had listed in the draft for LRB-3436/P1. Please assume the notes not addressed in this message are consistent with our intent.

From Page 3:

- A) Is it consistent with your intent to authorize DVA to expend up to \$250,000 under the program on an annual basis?
 - a. No, it was my intent that up to \$250,000 may be expended from the appropriation under s. 20.485(2)(tf) on a one-time, rather than annual, basis.
- B) Please let me know if it is inconsistent with your intent to include grant termination as one possible outcome for failure to satisfy applicable grant requirements. Also, do you want to include any repayment provision?
 - a. Although the original drafting instructions did not include grant termination, I believe this is good policy and should be included.
 - b. We will not include any repayment provision if a grantee fails to meet grant requirements.

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

From: Gallagher, Michael
Sent: Friday, October 18, 2013 8:51 AM
To: Punches, Derek
Subject: RE: Draft Request: WDVA Nonprofit Grant Authority

Derek: Can you confirm the parameters of this draft for me?

Specifically, based on your e-mail, it looks to me like the scope of the draft is as follows:

1. Create nonprofit grant program administered by DVA.
2. Create DVA audit authority, similar to that created in the budget under ss. 45.41 (4) (b) and 45.45, for all of the following:
 - a. Nonprofit grant program created in the draft.
 - b. County veterans service office grants under s. 45.82 (2).
 - c. Grants to tribes for veterans services under s. 45.82 (4).
 - d. Any others?
3. Create general authority for the secretary of DVA to reduce or suspend a grant award to an organization that fails to comply with audit requirements or meet program criteria with respect to all of the following:
 - a. Grants made to nonprofits under the draft.
 - b. Grants made to county or tribal veterans services offices under s. 45.82.
 - c. Grants made under s. 45.41.
 - d. Grants made under s. 45.45.

- e. Are there any other grants administered by DVA that you want to include under this authority? All grants? Do you want a "catch-all" that gives such authority for any grant whatsoever awarded by DVA?

Please let me know if you have any questions.

Thanks.

Mike

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

From: Gallagher, Michael
Sent: Tuesday, October 15, 2013 10:19 AM
To: PUNCHES, Derek
Subject: FW: Draft Request: WDVA Nonprofit Grant Authority

Derek: I draft in veterans affairs along with Mary, and I will be handling this draft for you. I will let you know if I have any questions.

Thanks.

Mike

Michael P. Gallagher
Legislative Attorney
Wisconsin Legislative Reference Bureau
1 East Main Street, Suite 200
P.O. Box 2037
Madison, WI 53701-2037
(608) 267-7511
michael.gallagher@legis.wisconsin.gov

From: PUNCHES, Derek
Sent: Monday, October 14, 2013 10:53 AM
To: Gibson-Glass, Mary
Subject: Draft Request: WDVA Nonprofit Grant Authority

Good morning Mary:

I would like to request a bill draft to create a nonprofit grant program within the Department of Veterans Affairs (DVA). The bill would also permit the department to audit all grants awarded by the department, and give the Secretary discretion over the awarding of such grants.

Specifically, the grant will be funded by \$250,000 from the appropriation maintained for the VetEd program under s. 45.20(2). The grant may only be awarded to nonprofit organizations (s.108.02(19) or a more suitable definition) that have as a primary purpose the provision of service, aid, or assistance to veterans, veterans' spouses or dependent children. Require DVA to develop rules to handle the administration of the grant to nonprofit organizations.

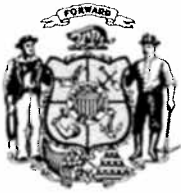
The Secretary will have the authority to audit grant programs administered by the department. Similar to the change made in 2013 Act 20, this authority will extend beyond that of the nonprofit grant program created by this bill to explicitly include grants to County Veteran Service Officers and Tribal Veteran Service Officers. The bill would require any such organization receiving a grant from DVA to maintain records, as required by DVA, concerning the organizations' expenditures of the payments, and give DVA access to those records upon request of DVA to permit DVA to audit those records.

The Secretary will have the authority to reduce or suspend – temporarily or indefinitely – grant awards to organizations that fail to comply with the audit requirements, or fail to meet the program criteria based upon the findings of any departmental audit of that grant program. To do so, existing language would need to be modified to state that any grant “may” be awarded, rather than “shall.”

I know this is a complicated request, but I tried to put it together in the most logical way possible. Please do not hesitate to contact me with any questions regarding this draft.

Best regards,
Derek

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



State of Wisconsin
2013 - 2014 LEGISLATURE

2013 BILL



LRB-3436/P1
MPG:jld:rs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Insert

1

X

Reger

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 and making an appropriation.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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

8 SECTION 1. 20.485 (2) (tf) of the statutes is amended to read:
9 20.485 (2) (tf) Veterans tuition reimbursement program; grants to nonprofit
10 organizations that serve veterans and their families. Biennially, the amounts in the

Insert A ✓

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

****NOTE: The draft does not increase the amounts in the schedule for s. 20.485 (2) (tf). That means the grants must be expended from the amounts already appropriated to that appropriation under current law. Is that consistent with your intent?

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

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

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

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

15 45.45 (4) (title) ~~REPORTING AND AUDIT REQUIREMENTS.~~

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

****NOTE: Because s. 45.47, created in the draft below, is drafted as a one-size-fits-all provision, the draft repeals the specific record-keeping and audit language for grants under ss. 45.41 and 45.45. Those grants will be subject to the new s. 45.47. One of the benefits to the one-size-fits-all approach is that it covers future grant programs as well. Please let me know if that is inconsistent with your intent.

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

19 **45.46 Grants to nonprofit organizations that serve veterans and their**
20 **families.** From the appropriation under s. 20.485 (2) (tf), the department may make

Person that not by individual and

1 grants of up to a total of \$250,000 annually to nonprofit organizations, as defined in
2 s. 108.02 (19), that provide financial assistance or other services to veterans and
3 their dependents.

***NOTE: Is it consistent with your intent to authorize DVA to expend up to \$250,000 under the program on an annual basis?

***NOTE: Please see the definition of "dependent" under s. 45.01 (5). Is that consistent with your intent?

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

5 **45.47 Record-keeping and audit requirements for grant programs**

6 **administered by the department.** (1) DEFINITION. In this section, "grant
7 recipient" means a county, American Indian tribe or band, nonprofit organization,
8 or other entity that receives a grant from the department under this chapter.

***NOTE: The record-keeping and audit requirements only apply to grants made to entities, not individuals. Please let me know if that is inconsistent with your intent.

9 (2) REQUIREMENTS. Each grant recipient shall maintain records as required by
10 the department concerning the grant recipient's expenditure of grant moneys. Each
11 grant recipient shall give the department access to those records upon request of the
12 department, and the department may audit those records to ensure compliance with
13 applicable grant requirements.

14 (3) REDUCTION, SUSPENSION, OR TERMINATION OF GRANT. If a grant recipient fails
15 to comply with sub. (2), the department may, in addition to any other legal remedy
16 available to the department, reduce, suspend, or terminate a grant the department
17 made to the grant recipient.

***NOTE: Please let me know if it is inconsistent with your intent to include grant termination as one possible outcome for failure to satisfy applicable grant requirements. Also, do you want to include any repayment provision?

18

(END)

Insert 3-17 ✓

1 INSERT A

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 nonprofits^{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.

2 END INSERT A

3 INSERT 3-17

4 **SECTION 1. Nonstatutory provisions.**

5 (1) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes
6 effect in fiscal year 2014-15, in submitting information under section 16.42 of the
7 statutes for purposes of the 2015-17 biennial budget bill, the department of veterans
8 affairs shall submit information concerning the appropriation under section 20.485

9 (2) (tf) of the statutes as though the total amount appropriated under section 20.485

10 (2) (tf) of the statutes for the 2014-15 fiscal year was \$250,000 less than the total
11 amount that was actually appropriated under section 20.485 (2) (tf) of the statutes

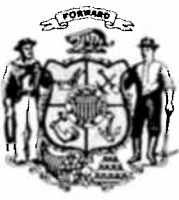
12 for the 2014-15 fiscal year.



1 **SECTION 2. Fiscal changes.**

2 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
3 to the department of veterans affairs under section 20.485 (2) (tf) of the statutes, as
4 affected by the acts of 2013, the dollar amount is increased by \$250,000 for the fiscal
5 year in which this subsection takes effect to fund grants to nonprofit organizations
6 that provide financial assistance or other services to veterans and their dependents.

7 END INSERT 3-17



Scan



LRB-34361
MPG:jld:jm

Thais
1/2

2013 BILL

✓ 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 and making an 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

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.

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

BILL

1 45.45 (4) (title) ~~REPORTING AND AUDIT~~ REQUIREMENTS.

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

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

5 **45.46 Grants to nonprofit organizations that serve veterans and their**
6 **families.** From the appropriation under s. 20.485 (2) (tf), the department may make
7 grants of up to a total of \$250,000 to nonprofit organizations, as defined in s. 108.02
8 (19), that provide financial assistance or other services to veterans and their
9 dependents.

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

11 **45.47 Record-keeping and audit requirements for grant programs**
12 **administered by the department.** (1) **DEFINITION.** In this section, "grant
13 recipient" means a county, American Indian tribe or band, nonprofit organization,
14 or other person that is not an individual and that receives a grant from the
15 department under this chapter.

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

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

25 **SECTION 9. Nonstatutory provisions.**

BILL

1 (1) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes
 2 effect in fiscal year 2014-15, in submitting information under section 16.42 of the
 3 statutes for purposes of the 2015-17 biennial budget bill, the department of veterans
 4 affairs shall submit information concerning the appropriation under section 20.485
 5 (2) (tf) of the statutes as though the total amount appropriated under section 20.485
 6 (2) (tf) of the statutes for the fiscal year 2014-15 was \$250,000 less than the total
 7 amount that was actually appropriated under section 20.485 (2) (tf) of the statutes
 8 for the fiscal year 2014-15.

SECTION 10. Fiscal changes.

9
 10 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
 11 to the department of veterans affairs under section 20.485 (2) (tf) of the statutes, as
 12 affected by the acts of 2013, the dollar amount is increased by \$250,000 for the fiscal
 13 year in which this subsection takes effect to fund grants to nonprofit organizations
 14 that provide financial assistance or other services to veterans and their dependents.

(END)

~~~~~~~~~



LPS-  
Leave in "(END)"

## Gallagher, Michael

---

**From:** Punches, Derek  
**Sent:** Tuesday, January 07, 2014 11:01 AM  
**To:** Gallagher, Michael  
**Subject:** RE: LRB-3436

Michael,

I discussed the issue of program language you referenced below with my boss and he agreed the language should be included, however, he wants to be sure the department is not overly hampered with restrictions. I think the language you provided below (highlighted) is clear and consistent with that intent.

In addition, you have the green light from our office on including the changes discussed with Kathy Marschman.

Please let me know if you have any questions. I am available by phone or email today.

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

---

**From:** Gallagher, Michael  
**Sent:** Monday, December 16, 2013 8:01 AM  
**To:** Punches, Derek  
**Subject:** LRB-3436

Derek: On this draft, I received a voicemail from Kathy Marshman giving the go-ahead on 1) authorizing rulemaking, with an exception from the requirement of consultation with the board under s. 45.03, and 2) granting emergency rule-making authority.

Do you want me to include program language for the grants in the redraft? It could be general: "to provide financial assistance and other services to veterans." Or, it could be more specific if the Senator has something more specific in mind in terms of the use of the grants for the benefit of veterans. Either way, the draft should in some way more explicitly express the intent for use of the grants, i.e. to benefit veterans.

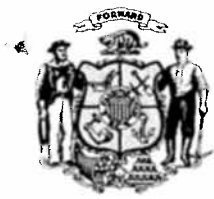
Let me know.

Thanks.

Mike

**Michael P. Gallagher**  
Legislative Attorney  
Wisconsin Legislative Reference Bureau  
1 East Main Street, Suite 200  
P.O. Box 2037

Madison, WI 53701-2037  
(608) 267-7511  
[michael.gallagher@legis.wisconsin.gov](mailto:michael.gallagher@legis.wisconsin.gov)



# 2013 BILL

RP

13

Insect

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 and making an 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

providing an exemption from emergency rule-making procedures;

**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.

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

**BILL**

1 45.45 (4) (title) REPORTING AND AUDIT REQUIREMENTS.

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

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

5 **45.46 Grants to nonprofit organizations that serve veterans and their**

6 **families.** From the appropriation under s. 20.485 (2) (tf), the department may make  
7 grants of up to a total of \$250,000 to nonprofit organizations, as defined in s. 108.02

8 (19), ~~that~~ provide financial assistance or other services to veterans and their  
9 dependents.

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

11 **45.47 Record-keeping and audit requirements for grant programs**  
12 **administered by the department.** (1) DEFINITION. In this section, "grant  
13 recipient" means a county, American Indian tribe or band, nonprofit organization,  
14 or other person that is not an individual and that receives a grant from the  
15 department under this chapter.

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

21 (3) REDUCTION, SUSPENSION, OR TERMINATION OF GRANT. If a grant recipient fails  
22 to comply with sub. (2), the department may, in addition to any other legal remedy  
23 available to the department, reduce, suspend, or terminate a grant the department  
24 made to the grant recipient.

25

(END)

Insert 3-9  
Insert 3-24

**2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-3436/3ins  
MPG:jld:rs

1           INSERT 3-9

2           (2) Notwithstanding s. 45.03 (2), the department may promulgate rules  
3 implementing this section without consulting the board.

4           ( END INSERT 3-9 )

5           INSERT 3-24

6           **SECTION 1. Nonstatutory provisions.**

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

17           ( END INSERT 3-24 )



**Gallagher, Michael**

---

**To:** Punches, Derek  
**Subject:** RE: Change to LRB -3436/3 Topic: Nonprofit grant program in DVA

Will do.

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

---

**From:** Punches, Derek  
**Sent:** Friday, January 24, 2014 10:09 AM  
**To:** Gallagher, Michael  
**Subject:** Change to LRB -3436/3 Topic: Nonprofit grant program in DVA

Good morning, Mike:

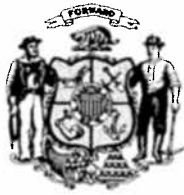
I just received a call from DVA requesting an additional change to LRB-3436/3.

Please remove lines 12 and 13 from page 3.

Do not hesitate to contact me with any questions or concerns.

---

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



In: 1/28 soon  
State of Wisconsin  
2013 - 2014 LEGISLATURE  
THANKS



LRB-3436(3)  
MPG:jld:jf

# 2013 BILL

14

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

**BILL**

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.<sup>✓</sup> 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.

**BILL**

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

12           (2) Notwithstanding s. 45.03 (2), the department may promulgate rules  
13 implementing this section without consulting the board.

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

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

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



**Barman, Mike**

---

**From:** Punches, Derek  
**Sent:** Friday, February 14, 2014 4:19 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -3436/4 Topic: Nonprofit grant program in DVA and record-keeping and audit requirements for grant recipients

Please Jacket LRB -3436/4 for the SENATE.

**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