



2013 ASSEMBLY BILL 805

1 **AN ACT** *to repeal* 45.45 (4) (e) and 45.46; *to amend* 20.485 (2) (tf) and 45.45 (4)
2 (title); *to repeal and recreate* 20.485 (2) (tf); and *to create* 45.46 and 45.47
3 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

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

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

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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.

7 **SECTION 1g.** 20.485 (2) (tf) of the statutes, as affected by 2013 Wisconsin Act
8 (this act), is repealed and recreated to read:

9 20.485 (2) (tf) *Veterans tuition reimbursement program*. Biennially, the
10 amounts in the schedule for the veterans tuition reimbursement program under s.
11 45.20 (2). Notwithstanding s. 20.001 (3) (a), the department may encumber moneys
12 under this appropriation for the biennium up to 60 days after the end of that
13 biennium if an estimate is first submitted to the department of administration
14 showing the amounts that will be encumbered during that 60-day period.

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

17 45.45 (4) (title) REPORTING AND AUDIT REQUIREMENTS.

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19 is repealed.

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

21 **45.46 Grants to nonprofit organizations that serve veterans and their**
22 **families.** From the appropriation under s. 20.485 (2) (tf), the department may make
23 grants of up to a total of \$250,000 to nonprofit organizations, as defined in s. 108.02
24 (19), to provide financial assistance or other services to veterans and their

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1 dependents. The maximum amount of a grant that the department may make to any
2 nonprofit organization during any fiscal year is \$25,000.

3 **SECTION 7g.** 45.46 of the statutes, as created by 2013 Wisconsin Act ... (this
4 act), is repealed.

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

6 **45.47 Record-keeping and audit requirements for grant programs**
7 **administered by the department.** (1) DEFINITION. In this section, “grant
8 recipient” means a county, American Indian tribe or band, nonprofit organization,
9 or other person that is not an individual and that receives a grant from the
10 department under this chapter.

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

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

20 **SECTION 9. Nonstatutory provisions.**

21 (1) EMERGENCY RULES. The department of veterans affairs may promulgate
22 emergency rules under section 227.24 of the statutes implementing section 45.46 of
23 the statutes, as created by this act. Notwithstanding section 227.24 (1) (c) and (2)
24 of the statutes, emergency rules promulgated under this subsection remain in effect
25 until June 30, 2015, or the date on which permanent rules take effect, whichever is

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1 sooner. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the
2 department is not required to provide evidence that promulgating a rule under this
3 subsection as an emergency rule is necessary for the preservation of the public peace,
4 health, safety, or welfare and is not required to provide a finding of emergency for a
5 rule promulgated under this subsection.

6 **SECTION 10g. Effective dates.** This act takes effect on the day after
7 publication, except as follows:

8 (1) The repeal of section 45.46 of the statutes and the repeal and recreation of
9 section 20.485 (2) (tf) of the statutes take effect on July 1, 2015.

10 (END)