

2013 Assembly Bill 805 (LRB -4283)

An Act to repeal 45.41 (2) (e), 45.41 (4) (b) and 45.45 (4) (e); to renumber 45.41 (4) (a); to amend 20.485 (2) (tf) and 45.45 (4) (title); and to create 45.46 and 45.47 of the statutes; relating to: nonprofit organization grant program administered by the Department of Veterans Affairs; grant reduction, suspension, or termination and record-keeping and audit requirements for various grant programs administered by the Department of Veterans Affairs; providing an exemption from emergency rule procedures; and making an appropriation. (FE)

2014

02-20.	A.	Introduced by Representative Petryk ; cosponsored by Senator Petrowski	680
02-20.	A.	Read first time and referred to Committee on Veterans	680
02-24.	A.	Fiscal estimate received	
02-24.	A.	Fiscal estimate received	
02-25.	A.	Assembly Amendment 1 offered by Representative Petryk (LRB a1969)	707
02-25.	A.	Public hearing held	
02-26.	A.	Representatives J. Ott, Tittl and Skowronski added as coauthors	713
02-26.	A.	Assembly Amendment 2 offered by Representative Ringhand (LRB a1972)	712
02-27.	A.	Executive action taken	
03-07.	A.	Report Assembly Amendment 1 adoption recommended by Committee on Veterans, Ayes 13, Noes 0	730
03-07.	A.	Report Assembly Amendment 2 adoption recommended by Committee on Veterans, Ayes 13, Noes 0	730
03-07.	A.	Report passage as amended recommended by Committee on Veterans, Ayes 13, Noes 0	730
03-07.	A.	Referred to Committee on Rules	730
03-12.	A.	Placed on calendar 3-18-2014 by Committee on Rules	
03-18.	A.	Read a second time	759
03-18.	A.	Assembly Amendment 1 adopted	759
03-18.	A.	Assembly Amendment 2 adopted	759
03-18.	A.	Ordered to a third reading	759
03-18.	A.	Rules suspended	759
03-18.	A.	Read a third time and passed , Ayes 96, Noes 0	759
03-18.	A.	Ordered immediately messaged	760
03-19.	S.	Received from Assembly	799
03-19.	S.	Read first time and referred to committee on Senate Organization	800
03-19.	S.	Available for scheduling	
03-31.	S.	Referred to joint committee on Finance by Committee on Senate Organization pursuant to Senate Rule 41 (1)(e), Ayes 5, Noes 0	821
03-31.	S.	Withdrawn from joint committee on Finance and made Available for Scheduling by committee on Senate Organization, pursuant to Senate Rule 41 (1)(e), Ayes 5, Noes 0	821
03-31.	S.	Public hearing requirement waived by committee on Senate Organization, pursuant to Senate Rule 18 (1m), Ayes 5, Noes 0	821
03-31.	S.	Placed on calendar 4-1-2014 pursuant to Senate Rule 18(1)	822
04-01.	S.	Senator Carpenter added as a cosponsor	
04-01.	S.	Read a second time	
04-01.	S.	Ordered to a third reading	
04-01.	S.	Rules suspended	
04-01.	S.	Read a third time and concurred in , Ayes 32, Noes 1	
04-01.	S.	Ordered immediately messaged	

2013
ENROLLED BILL

13en AB-805

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

13-42831 1

Amendments to above (if none, write "NONE"): AA1 a/1969/1 ✓
AA2 a/1972/1 ✓

Corrections - show date (if none, write "NONE"): None

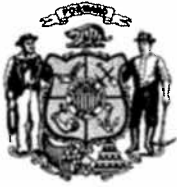
Topic Nonprofit organization grant program administered by the Department of Veterans Affairs; grant reduction, suspension, or termination and record-keeping and audit requirements for various grant programs administered by the Department

9
and

4-2-14
Date

J. R. Miller
Enrolling Drafter

of Veterans Affairs



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-4283/1
MPG:jld:rs

2013 ASSEMBLY BILL 805

February 20, 2014 - Introduced by Representative PETRYK, cosponsored by Senator PETROWSKI. Referred to Committee on Veterans.

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

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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. INS. AA1-1 ✓

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). (AA1-2) ✓

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

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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.

INS AA2 ✓

INS. AA1-3 ✓

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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SECTION 8

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)

INS. AA1-4 ✓



ASSEMBLY AMENDMENT 1,
TO ASSEMBLY BILL 805

February 25, 2014 – Offered by Representative PETRYK.

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 2, line 9: after that line insert:

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

5 20.485 (2) (tf) *Veterans tuition reimbursement program*. Biennially, the
6 amounts in the schedule for the veterans tuition reimbursement program under s.
7 45.20 (2). Notwithstanding s. 20.001 (3) (a), the department may encumber moneys
8 under this appropriation for the biennium up to 60 days after the end of that
9 biennium if an estimate is first submitted to the department of administration
10 showing the amounts that will be encumbered during that 60-day period."

11 ✓ 2. Page 2, line 10: delete lines 10 to 15.

12 ✓ 3. Page 3, line 11: after that line insert:

AA1-1

AA1-3

1
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"SECTION 7g. 45.46 of the statutes, as created by 2013 Wisconsin Act (this act), is repealed."

4. Page 4, line 13: after that line insert:

AA1-4

"SECTION 10g. Effective dates. This act takes effect on the day after publication, except as follows:
(1) The repeal of section 45.46 of the statutes and the repeal and recreation of section 20.485 (2) (tf) of the statutes take effect on July 1, 2015."

(END)



**ASSEMBLY AMENDMENT 2,
TO ASSEMBLY BILL 805**

February 26, 2014 – Offered by Representative RINGHAND.

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 3, line 11: after “dependents.” insert “The maximum amount of a grant
3 that the department may make to any nonprofit organization during any fiscal year
4 is \$25,000.”

5

(END)

AA 2