

2015 DRAFTING REQUEST

Bill

Received: **1/13/2015** Received By: **gmalaise**
Wanted: **As time permits** Same as LRB:
For: **Administration-Budget 6-8593** By/Representing: **McElgunn**
May Contact: Drafter: **gmalaise**
Subject: **Employ Priv - job training** Addl. Drafters: **zwyatt**
Veterans - veterans benefits
Extra Copies: **ZDW**

Submit via email: **YES**
Requester's email:
Carbon copy (CC) to: **sbostatlanguage@webapps.wi.gov**
michael.gallagher@legis.wisconsin.gov
zachary.wyatt@legis.wisconsin.gov

Pre Topic:

DOA:.....McElgunn, BB0442 -

Topic:

Transfer of Disabled Veterans' Outreach and Local Veterans' Employment Representative programs from DWD to DVA

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>
/?	zwyatt 1/20/2015	wjackson 1/16/2015		_____			
/P1		kfollett	jmurphy	_____	lparisi		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
		1/21/2015	1/21/2015	_____	1/21/2015		

FE Sent For:

<END>

Malaise, Gordon

From: Gallagher, Michael
Sent: Tuesday, January 13, 2015 2:26 PM
To: Malaise, Gordon
Subject: FW: Statutory Language Drafting Request - BB0442
Attachments: DVOP LVER stat language.docx

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

From: Hanaman, Cathlene
Sent: Tuesday, January 13, 2015 2:06 PM
To: Gallagher, Michael; Wyatt, Zachary
Subject: FW: Statutory Language Drafting Request - BB0442

From: christopher.mcelgunn@wisconsin.gov [<mailto:christopher.mcelgunn@wisconsin.gov>]
Sent: Tuesday, January 13, 2015 1:46 PM
To: Hanaman, Cathlene
Cc: Steinmetz, Jana D - DOA; McElgunn, Christopher J - DOA; Connor, Christopher B - DOA
Subject: Statutory Language Drafting Request - BB0442

Biennial Budget: 2015-17

Topic: Transfer DVOP/LVER Programs from DWD to DVA

Tracking Code: BB0442

SBO Team: HSI

SBO Analyst: McElgunn, Christopher
Phone: 608-266-8593
E-mail: christopher.mcelgunn@wisconsin.gov

Agency Acronym: DVA

Agency Number: 485

Priority: Medium

Intent:

Modify statutes to authorize the Governor to approve plan to transfer DVOP/LVER programs from DWD to DVA. Please see attachment for proposed statutory language.

Attachments: True

Please send completed drafts to SBOStatlanguage@webapps.wi.gov

The request will require minor modification to the language in the nonstatutory provision that is s. 9151 of 2013 Wisconsin Act 20. The following revisions are recommended under the definition of "approval" in s. 9151(2)(a)1:

"Approval" means approval by the governor ~~secretary of the federal department of labor~~ of a plan submitted jointly by the department of workforce development and the department of veterans affairs for transfer of the administration of the disabled veterans' outreach ...

Similar changes should be made to s. 9151(2)(b):

(b) Declaration and approval by governor ~~Approval secretary of federal department of labor~~. The governor shall declare the department of veterans affairs is the primary service delivery system for veterans' employment. The department of workforce development and the department of veterans affairs, jointly, shall prepare a plan for transfer of the administration of the disabled veterans' outreach program and the local veterans' employment representative program from the department of workforce development to the department of veterans affairs and shall submit that plan to the governor ~~secretary of the federal department of labor~~ for approval. ~~If the~~ Upon approval of the plan by the governor ~~secretary of the federal department of labor~~, administration of those programs shall be transferred from the department of workforce development to the department of veterans affairs as provided in paragraphs (c) to (i).

Amend s. 45.03, Stats., Department of veterans affairs.

(1) Policy. It is the policy of the state to ~~give~~ provide health, educational, and economic assistance to veterans and their dependents who are residents of this state to the extent and under the conditions determined by the ~~board~~ department within the limitations set forth in this section.

Amend (10) Training and employment of veterans. The department shall operate programs in this state to enhance the employment opportunities of veterans of the armed forces of the United States, including the employment program funded under 38 U.S.C. Chapters 41 and 42. The programs must exclusively enhance the employment opportunities of eligible individuals, and the services provided under those programs must be provided by state employees. A state employee providing services under a program may only provide services to individuals eligible under the programs. The ~~in~~ cooperation with the department of workforce development and state selective service administration and any other federal, state, or local agency, shall cooperate with the department to formulate and carry out plans for the training and employment of veterans.



NOTE

DOA:.....McElgunn, BB0442 – Transfer of Disabled Veterans’ Outreach and Local Veterans’ Employment Representative programs from DWD to DVA

FOR 2015-2017 BUDGET — NOT READY FOR INTRODUCTION

Due
1/23

Don't Get

1 AN ACT ...; relating to: the budget.

oral: title: head
→ VETERANS

Analysis by the Legislative Reference Bureau

The 2013-15 biennial budget act (2013 Wisconsin Act 20) requires DWD and DVA, jointly, to prepare a plan for transfer of the administration of the federal Disabled Veterans’ Outreach Program, under which DWD employs specialists to carry out intensive services to meet the employment needs of eligible veterans, and the federal Local Veterans’ Employment Representative Program, under which DWD employs representatives to conduct outreach to employers to assist veterans in gaining employment and to facilitate employment, training, and placement services for veterans, from DWD to DVA and to submit that plan to the secretary of the federal department of labor (secretary) for approval. If the secretary approves the plan, responsibility for administration of those programs shall be transferred from DWD to DVA.

X X X

This bill eliminates the requirement that DWD and DVA submit that plan to the secretary for approval and instead requires DWD and DVA to submit the plan to the governor for approval. If the governor approves the plan, the governor must declare DVA to be the primary coordinator of the employment service delivery system

for veterans in this state, and responsibility for administration of those programs shall be transferred from DWD to DVA.

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

1 **SECTION 1.** 45.03 (1) of the statutes is amended to read:

2 **45.03 Department of veterans affairs. (1) POLICY.** It is the policy of the
3 state to ~~give~~ provide health, educational, and economic assistance to veterans and
4 their dependents who are residents of this state to the extent and under the
5 conditions determined by the ~~board~~ department within the limitations set forth in
6 this section.

7 **SECTION 2.** 45.03 (10) of the statutes is amended to read:

8 **45.03 (10) TRAINING AND EMPLOYMENT OF VETERANS.** The department, ~~in~~
9 ~~cooperation with the~~ shall operate programs in this state to enhance the employment
10 opportunities of veterans of the U.S. armed forces, including the employment
11 program funded under 38 U.S.C. 41 and 42. Such programs shall be administered
12 by state employees and shall provide services only to eligible individuals. The
13 department of workforce development and state selective service administration and
14 any other federal, state, or local agency, shall cooperate with the department to
15 formulate and carry out plans for the training and employment of veterans.

History: 2005 a. 22, 25, 468; 2007 a. 20 ss. 782m, 783, 9121 (6) (a); 2007 a. 46, 200; 2009 a. 28; 2011 a. 32, 36; 2013 a. 17, 20.

16 **SECTION 3.** 2013 Wisconsin Act 20, section 9151 (2) (a) 1. is amended to read:

17 [2013 Wisconsin Act 20] Section 9151 (2) (a) 1. “Approval” means approval by
18 the secretary of the federal department of labor governor of a plan submitted jointly
19 by the department of workforce development and the department of veterans affairs
20 for transfer of the administration of the disabled veterans’ outreach program and the

1 local veterans' employment representative program from the department of
2 workforce development to the department of veterans affairs.

3 **SECTION 4.** 2013 Wisconsin Act 20, section 9151 (3) (b) is amended to read:

4 [2013 Wisconsin Act 20] Section 9151 (3) (b) *Approval by secretary of federal*
5 *department of labor governor.* The department of workforce development and the
6 department of veterans affairs, jointly, shall prepare a plan for transfer of the
7 administration of the disabled veterans' outreach program and the local veterans'
8 employment representative program from the department of workforce development
9 to the department of veterans affairs and shall submit that plan to the secretary of
10 ~~the federal department of labor~~ governor for approval. If the secretary of the federal
11 ~~department of labor~~ governor approves the plan, the governor shall declare the
12 department of veterans affairs to be the primary coordinator of the employment
13 service delivery system, as defined in 38 USC 4101 (7), for veterans in this state, and
14 administration of those programs shall be transferred from the department of
15 workforce development to the department of veterans affairs as provided in
16 paragraphs (c) to (i).

17 (END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1254/P1dn
GMM&ZDW:.....

GF

Date

1

2 Christopher:

3 Logically, a department cannot *be* a system, but a department can coordinate,
4 administer, or manage a system. Accordingly, this draft provides that DVA shall be the
5 primary coordinator of the employment service delivery system for veterans, as that
6 term is defined in 38 USC 4101 (7).

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(608) 266-9738
gordon.malaise@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1254/P1dn
GMM&ZDW:kjf:jm

January 21, 2015

Christopher:

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Gordon M. Malaise
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(608) 266-9738
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State of Wisconsin
2015 - 2016 LEGISLATURE



LRB-1254/P1
GMM&ZDW:kjf:jm

DOA:.....McElgunn, BB0442 – Transfer of Disabled Veterans’ Outreach and
Local Veterans’ Employment Representative programs from
DWD to DVA

FOR 2015-2017 BUDGET — NOT READY FOR INTRODUCTION

1 **AN ACT** ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

VETERANS

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This bill eliminates the requirement that DWD and DVA submit that plan to the secretary for approval and instead requires DWD and DVA to submit the plan to the governor for approval. If the governor approves the plan, the governor must declare DVA to be the primary coordinator of the employment service delivery system

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15 workforce development to the department of veterans affairs as provided in
16 paragraphs (c) to (i).

17 (END)