

**PROPOSED ORDER OF THE
DEPARTMENT OF VETERANS AFFAIRS
ADOPTING RULES**

The Wisconsin Department of Veterans Affairs hereby proposes an order to create VA 13.04 (4) and to amend VA 13.05 (2), relating to the veterans assistance program.

**ANALYSIS PREPARED BY THE
DEPARTMENT OF VETERANS AFFAIRS**

Statutory authority: ss. 45.03 (2) and 45.43 (2) Stats.

Statute interpreted: sec. 45.43, Stats.

Explanation of agency authority: The department is authorized by the legislature to designate services available under the veterans assistance program and to charge fees for those services, through the promulgation of administrative rules.

Related statute or rule: None.

Plain language analysis: The proposed language will allow the program to use operational funds to assist with providing vocational assistance to residents who are members of the Veterans Assistance Program. The amendment will authorize the Department to assess a monthly program fee of 30% of gross monthly income or \$350.00, whichever is less, to a resident of single room occupancy housing under the program. The current fee is 25% of gross monthly income or \$250.00, whichever is less.

Summary of, and comparison with, existing or proposed federal regulations: There is no current or pending federal regulation that addresses the use of the funds. As to the fee, the federal regulations relative to the fee assessment for providers that receive a federal per diem homeless grant permit an assessment up to 30% of gross monthly income.

Comparison with rules in adjacent states: There are no similar rules in adjacent states.

Summary of factual data and analytical methodologies: As to the use of funds for vocational assistance, several program participants have not been able to participate in vocational training due to a lack of funds. The proposed language will alleviate this concern. As to the program fee assessment, the department determined that increasing the assessment to the maximum permissible under federal per diem criteria would not impose a hardship on participants while providing additional revenue to the veterans trust fund.

Analysis and supporting documents used to determine effect on small business or in preparation of an economic impact statement: The department has prepared a fiscal estimate relative to the proposed order. It was determined that there is no fiscal effect upon small businesses or the private sector and that there is no regulatory aspect to this rule.

Effect on small business: None.

Agency contact person: John Rosinski, at (608) 266-7916 or john.rosinski@dva.state.wi.us.

Place where comments are to be submitted and deadline for submission: To the agency contact person at Wisconsin Department of Veterans Affairs, 30 West Mifflin Street, P.O. Box 7843, Madison, WI 53707-7843 prior to the public hearing date of February 22, 2006.

TEXT OF RULE

SECTION 1. VA 13.04 (4) is created to read:

VA 13.04 (4) Vocational assistance to enable a veteran at a regional transitional housing site to receive, as determined by the department, financial assistance to pursue vocational opportunities.

SECTION 2. VA 13.05 (2) is amended to read:

VA 13.05 (2) RESIDENTS OF SINGLE ROOM OCCUPANCY HOUSING, A resident of single room occupancy housing who has full-time, part-time or seasonal employment or who is receiving supplemental security income, social security disability insurance payments or any other disability or pension benefits, shall be assessed a monthly program fee of ~~25%~~ 30% of monthly gross income or ~~\$250.00~~ \$350.00, whichever is less. The assessment may begin upon the resident's receipt of a pay or benefit check.

The amendment of the rule contained in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22 (2) (intro.), Stats.

Dated at Madison, Wisconsin, February 22, 2006.



JOHN A. SCOCOS, SECRETARY
WISCONSIN DEPARTMENT OF VETERANS AFFAIRS