

**STATE OF WISCONSIN
Department of Veterans Affairs**

Clearinghouse Rule 19-104

**PETITION OF THE DEPARTMENT OF VETERANS AFFAIRS
TO REPEAL AN UNAUTHORIZED RULE**

ORDER

An order of the Department of Veterans Affairs adopting rules to repeal ch. VA 10 relating to grants for the Korean conflict veterans memorial.

ANALYSIS

Analysis prepared by the Department of Veterans Affairs.

Statutes interpreted:

Section 45.04, 2003 Stats.

Statutory authority:

Section 45.04, 2003 Stats., and 2005 Wisconsin Act 22

Explanation of agency authority:

Section s. 45.04, 2003 Stats., required the Department to award grants and promulgate rules relating to the veterans memorial grant program.

2005 Wisconsin Act 22 repealed s. 45.04, 2003 Stats., thereby removing the Department's rulemaking authority.

Related statute or rule:

None.

Plain language analysis:

The proposed rule repeals chapter VA 10, relating to the grant for the Korean conflict veterans memorial.

Section s. 45.04, 2003 Stats., required the Department to award grants and promulgate rules relating to the veterans memorial grant program. This grant program was initially created under the 1988 budget bill as affected by 1987 Wisconsin Act 399.

A recodification of statutes chapter 45 was enacted as 2005 Wisconsin Act 22 and repealed the language in s. 45.04, 2003 Stats., relating to the construction of veterans memorials that had already been constructed, also eliminating the Department's administrative requirements and statutory authority relating to the grant program. The appropriation for the grants was removed by the biennial budget of 2005 Wisconsin Act 25.

The provisions of chapter VA 10 are no longer authorized by statute. Therefore, the Department is repealing this chapter pursuant to s. 227.26 (4), Stats.

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TEXT OF RULE

SECTION 1. Chapter VA 10 is repealed.

SECTION 2. EFFECTIVE DATE. The rule takes effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF RULE TEXT)