

Notice of Hearing

Department of Veterans Affairs

NOTICE IS HEREBY GIVEN that pursuant to authority vested in the Department of Veterans Affairs in section 45.437 of the Wisconsin Statutes, the Department will hold a public hearing at the time and place shown below to consider an order to create section VA 2.08, relating to Employment and Entrepreneurship Grant Program.

Hearing Information

Date: January 27, 2017
Time: Commencing at 9:30 a.m.
Location: 201 W Washington Avenue
Madison, WI 53703

Hearing impaired persons may request an interpreter for this hearing. Please make reservations for a hearing interpreter by January 13, 2016 by writing to Kelly N. Brady, Wisconsin Department of Veterans Affairs, 201 W. Washington Ave., P.O. Box 7843, Madison, WI 53703; or by emailing Kelly.Brady@dva.wisconsin.gov; or by telephone at (608) 266-7916. This hearing facility is handicap accessible.

Copies of Proposed Rule, Fiscal Estimate, and Economic Impact Analysis

You may obtain a free copy of this hearing draft rule and related documents including the economic impact analysis by contacting the Wisconsin Department of Veterans Affairs, 201 W. Washington Ave., P.O. Box 7843, Madison, WI 53703. You may also obtain a copy by calling (608) 266-7916 or by emailing Kelly.Brady@dva.wisconsin.gov. Copies will be available at the hearing. To view the hearing draft rule online, go to: <http://adminrules.wisconsin.gov>.

Place Where Comments are to be Submitted and Deadline for Submission

Following the public hearing, the hearing record will remain open until 4:00 p.m. on January 27, 2017 for additional written comments. Comments may be sent to Kelly N. Brady, Wisconsin Department of Veterans Affairs, 201 W. Washington Ave., P.O. Box 7843, Madison, WI 53703; or by emailing Kelly.Brady@dva.wisconsin.gov.

Analysis Prepared by the Department of Veterans Affairs

Statute interpreted: Section 45.437 Stats.

Statutory authority: Sections 45.437(4), 45.03 (2) and 227.10 (2m)

Explanation of agency authority

Act 385 creates s. 45.437, Stats., which provides the Department of Veterans Affairs authority to award grants to veterans, employers, and nonprofit organizations to assist veteran

entrepreneurs, to give employers in this state incentives to hire veterans, especially disabled veterans, to help fund employment training for veterans, especially disabled veterans, and for other programs or purposes as determined by the department by rule.

Section 45.437(4) explicitly directs the Department of Veterans Affairs to promulgate rules necessary to carry out the purposes of Chapter 45 and the powers and duties conferred upon it.

Section 45.03 (1), Stats., authorizes the Secretary of the Department of Veterans Affairs to promulgate rules necessary to carry out the purposes of Chapter 45 and the powers and duties conferred upon it.

Section 227.10 (1), Stats., directs each agency to promulgate as a rule each statement of policy to govern its enforcement and interpretation of a statute.

Section 227.10 (2m), Stats., directs each agency to promulgate rules for the implementation or enforcement of any standard, requirement, or threshold.

Related statute or rule

Section 45.47 provides the definition of a grant recipient, details a grant recipient's record-keeping duties, and provides for reduction, suspension, or termination of funds to grant recipients, in addition to other legal remedies, should a grant recipient fail in those duties.

Plain language analysis

The department proposes to promulgate the required rules detailing the goals grant recipients must meet and requiring that those goals be met before any grant moneys are disbursed, as well as regarding the reporting requirements regarding the expenditures of grant moneys, and audits of those records to ensure compliance.

The proposed new policies will establish the general criteria, procedures, requirements and conditions for employers and non-profit organizations to apply for grant funds not to exceed \$500,000 in aggregate per fiscal year.

Summary of and comparison with, existing or proposed federal regulations

The Veterans Employment and Entrepreneurship Grant Program is administered under the authority of state law. There are no existing or proposed federal regulations that address the activities to be regulated by the rule.

Comparison with rules in adjacent states

In reviewing the statutes, rules and websites of veterans departments of adjacent states revealed no similar grant program

Summary of factual data and analytical methodologies

The Department analyzed the grant processes of state agencies experienced in the administration of grants and used those processes as a foundation for the rule and application procedures.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact report

There is no anticipated impact on small businesses.

Fiscal Estimate

This rule will have no fiscal impact on small businesses. The program described by this rule may provide funds to some small businesses. It requires the completion of an application if the business wishes to receive grant funds, but imposes no duty on businesses not wishing to apply for the grant funds.

Effect on small business

There is no anticipated impact on small businesses.

Comments and opinions prepared by the Board of Veterans Affairs under s. 45.03(2m), Stats.:

The Board members unanimously voted to approve adopting the proposed language to Chapter VA 2.08, the Employment and Entrepreneurship Program, and offered no comments.

Agency contact person

Kelly N. Brady, Kelly.Brady@dva.wisconsin.gov; (608) 266-7916