

1997-98 SESSION
COMMITTEE HEARING
RECORDS

Committee Name:

*Joint Committee for
Review of
Administrative Rules

(JCR-AR)*

Sample:

- Record of Comm. Proceedings
- 97hr_AC-EdR_RCP_pt01a
- 97hr_AC-EdR_RCP_pt01b
- 97hr_AC-EdR_RCP_pt02

- Appointments ... Appt
-
- Clearinghouse Rules ... CRule
-
- Committee Hearings ... CH
-
- Committee Reports ... CR
-
- Executive Sessions ... ES
-
- Hearing Records ... HR
-
- Miscellaneous ... Misc
- 97hr_JCR-AR_Misc_pt05
- Record of Comm. Proceedings ... RCP
-

COMM 118 - U.S. PROMISE
CHALLENGE GRANT

**DEPARTMENT OF COMMERCE EMERGENCY RULE RELATING TO THE
WISCONSIN PROMISE CHALLENGE GRANT PROGRAM**

Pursuant to Section 227.24, Stats., the Department of Commerce (Commerce) hereby adopts an emergency rule to create Chapter Comm.118, Wisconsin Administrative Code, relating to the Wisconsin Promise Challenge Grant Program.

Explanation for Emergency Rule

On July 16, 1998, 1997 Wisconsin Act 237, took effect. The act created Section 1901(1z) which appropriated \$424,000 for fiscal year 1998-99 that may be awarded in the form of grants by the National and Community Service Board attached to the Department of Commerce to any countywide consortium. Countywide consortiums who agree to provide five fundamental resources intended to mentor, nurture, protect, teach and serve persons under the age of 26 years are eligible to receive Wisconsin Promise Challenge Grants. The amount of the grant ranges from \$3,000 to \$15,000, depending on the number of underserved youth who are to receive the five fundamental resources. In order to be eligible, the grant recipient is required to match the grant, in cash, in an amount that is not less than twice the amount of the grant money received. In addition the law, specifies conditions on the use of the grant monies and requires documentation on the number of underserved youths who received the five fundamental resources and the positive outcomes and result of those efforts. Since funds are only available for this fiscal year and the law sunsets on January 1, 2000, the Department is promulgating an emergency rule in order to make these funds and the grant program available as quickly as possible so counties may provide the five fundamental resources to underserved youth.

This emergency rule was developed in consultation with the National and Community Service Board, the Department of Health and Family Services and the Department of Administration.

Analysis of Rules

Statutory Authority: Section 1901 (1z), 1997 Wisconsin Act 237.

Statutes Interpreted: Section 1901 (1z), 1997 Wisconsin Act 237.

Pursuant to Section 1901 (1z), 1997 Wisconsin Act 237, the National Community Service Board (Board) attached to Commerce has authority to award grants for the Wisconsin Promise Challenge Grant Program. Chapter Comm 118, titled "Wisconsin Promise Challenge Grant", Wisconsin Administrative Code is being created to establish the criteria the Board and Department will use to issue the grants until permanent rules can be adopted under the procedures outlined in Chapter 227, Stats., This chapter includes the same definitions contained in the Statutes necessary to implement the law. In addition, these rules delineates the amount of grants available based on the number of underserved youth targeted and the amount of money the countywide consortium must have available in order to be eligible for a grant; setting forth the information required on the grant application; and reporting requirements.

Contact Person

Thomas Devine, Executive Director, Department of Commerce – 608/261-6716.

DRAFT
COPY

ORDER

Pursuant to the authority vested in the Department of Commerce by Section 9101 (1Z), 1997 Wisconsin Act 237, the Department of Commerce hereby creates Chapter Comm 118, Wisconsin Administrative Code, relating to the Wisconsin Promise Challenge Grant Program.

SECTION 1. Chapter Comm 118 Wisconsin Administrative Code is created to read:

Chapter COMM 118

WISCONSIN PROMISE CHALLENGE GRANT PROGRAM

Comm 118.01 PURPOSE. Pursuant to s. 9101 (1z), 1997 Wisconsin Act 237, the purpose of this chapter is to set forth the criteria for applying and awarding promise challenge grants to countywide consortiums

to assist countywide consortiums in coordinating and documenting progress toward mentoring, nurturing, protecting, teaching and serving underserved youth; identifying the amounts of grant amounts that may be awarded as appropriated by the statutes; establishing information required on the grant application; specifying how the grant moneys and matching funds may be used; establishing the identification of a fiscal agent and reporting requirements.

Comm 118.02 DEFINITIONS. Definitions in this chapter:

- (1) "Cash" means ready money or the equivalent which is acceptable to the department.
 - *Checks (personal, certified, cashier's)*
 - *Money order*
 - *Negotiable securities and instruments*
 - *Certificates of deposit, treasury bills, stocks, bonds*

- (2) "Countywide consortium" means a combination of individuals, public agencies, nonprofit organizations and other persons who have agreed to participate in a joint effort to coordinate and document progress within the county in which those individuals, public agencies, nonprofit organizations and other persons operate toward providing 5 fundamental resources to underserved youth in that county.

- (3) "Department" means the department of commerce.

- (4) "Five fundamental resources" means resources intended to mentor, nurturer, protect, teach and serve.

- (5) "In-kind" means donated facilities, labor or materials that can be assigned a reasonable value.

(6) "Nonprofit organization" means a nonprofit corporation that is organized under chapter 181, Stats., or an organization described in s. 501 (c) (3) of the Internal Revenue Code that is exempt from federal income tax under s. (a) of the Internal Revenue Code.

(7) "Public agency" means a county, city, village, town, school district or technical college district.

(8) "Underserved youth" means a person under 26 years of age who could benefit from, but who is not receiving, a majority of the 5 fundamental resources.

Comm 118.03 PURPOSE OF GRANTS. From the appropriation under s. 20.505 (4) (fm), Stats., the national and community service board shall award grants, in the amounts specified in s. Comm 118.04 to countywide consortiums to assist those countywide consortiums in coordinating and documenting progress within their counties toward reaching the goal of providing 5 fundamental resources to youth.

Comm 118.04 AMOUNT OF GRANTS. (a) The national and community service board shall determine the amount of a grant awarded based on the number of underserved youth as established in Table 118.04 who are to receive the 5 fundamental resources as a result of the countywide consortium's efforts under s. Comm 118.06 and award those amounts.

TABLE 118.04

Amount of Award	Number of Underserved Youth Targeted by Countywide Consortium
\$3000	Is 100 or less
\$4000	Is greater than 100, but less than 251
\$5000	Is greater than 250, but less than 501
\$6000	Is greater than 500, but less than 1,001
\$8000	Is greater than 1000, but less than 2,001
\$10000	Is greater than 2,000, but less than 4,001
\$12000	Is greater than 4,000, but less than 8,001
\$15000	Is greater than 8,000

(b) The maximum amount of the award distributed to each county shall be determined based on the total number of children in school in the county divided by the total number of children in school in the state.

(c) The national and community consortium may award a grant only to a county consortium that agrees to match the grant, in cash (not in-kind), in an amount that is not less than 200% of the grant received.

Comm 118.05 GRANT APPLICATION. Each countywide consortium that applies for a grant under this chapter, shall include in its grant application the number of underserved youth who are to receive the 5 fundamental resources a result of the countywide consortium's efforts under Comm 118.06. In addition, a grant application shall also include:

- (1) The identity of each individual;
- (2) Public agency;
- (3) Nonprofit organization and other person who is a participant in the countywide consortium;
- (4) A plan to accomplish the all of the tasks specified in Comm 118.06;
- (5) The identity of the fiscal agent specified under Comm 118.07; and
- (6) Proof of the ability of the countywide consortium to comply with the matching fund requirements.

Comm 118.06 USE OF GRANT MONEYS AND MATCHING FUNDS. A countywide consortium that is awarded a grant under this chapter shall use the grant moneys awarded and the matching funds committed to accomplish all of the following:

(1) Identify, to the best of the countywide consortium's ability, all individuals, public agencies, nonprofit organizations and other persons who are providing at least one of the 5 fundamental resources in the county of the countywide consortium on the date on which the grant money is received.

(2) Identify, to the best of the countywide consortium's ability, all individuals, public agencies, nonprofit organizations and other persons who are providing at least one of the 5 fundamental resources in the county of the countywide consortium between the date on which the grant money is received and January 1, 2000.

(3) Decide upon a coordinated plan to provide, by January 1, 2000, the 5 fundamental resources to not less than the number of underserved youth targeted by the countywide consortium in its grant application.

(4) Identify, to the best of the countywide consortium's ability, all individuals, public agencies, nonprofit organizations and other persons in the county of the countywide consortium who want to receive training or technical assistance in any of the following areas:

(a) Involving underserved youth in meaningful ways in the countywide consortium's efforts to provide the 5 fundamental resources to those underserved youth.

(b) Recruiting and coordinating volunteers.

(c) Developing ideas on how to provide the 5 fundamental resources to underserved youth.

(5) Coordinating the training and technical assistance specified in par. (4) and to ensure that the training and technical assistance is provided by competent volunteers or professionals.

(6) Document the number of underserved youth who receive any of the 5 fundamental resources as a result of the countywide consortium's efforts, which of the 5 fundamental resources are being provided to those underserved youth as a result of those efforts and, to the best of the

countywide consortium's ability, the positive outcomes for those underserved youth that are the result of those efforts.

Comm 118.07 FISCAL AGENT; REPORTING. Each countywide consortium that applies for a grant under this chapter shall identify a fiscal agent who shall receive, manage and account for the grants awarded and the matching funds committed and who shall provide to the national and community service board the following reports detailing the progress of the countywide consortium in accomplishing the tasks specified in s. Comm 118.06:

- (1) A semiannual report that is due by the first day of the 6th month beginning after the date on which the grant money is received.
- (2) An annual report that is due by the first day after the 12th month beginning after the date on which the grant money is received.
- (3) A final report that is due by January 1, 2000.

Comm 118.08 CAPACITY BUILDING. The national and community service board may expend any moneys in the appropriation account under s. 20.505, (4) (fm), Stats., that are not awarded as grants under s. Comm 118.04 to build the capacity of individuals, public agencies, nonprofit organizations and other persons to provide the 5 fundamental resources to underserved youth by contracting for the provision of the training and technical assistance specified in s. Comm 118.06 (4).

(END)

Effective Date

Pursuant to Section 227.24, Stats., the emergency rule as ordered shall take effect upon publication in the Official State Newspaper and filing with the Secretary of State and Revisor of Statutes.

Adopted at Madison, Wisconsin this
3rd Day of September, 1998 by
the Department of Commerce.

By: _____
William J. McCoshen, Secretary

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Contact Person

Thomas Devine, Executive Director, Department of Commerce – 608/261-6716.

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- (1) "Cash" means ready money or the equivalent which is acceptable to the department.
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- (3) "Department" means the department of commerce.
- (4) "Five fundamental resources" means resources intended to mentor, nurturer, protect, teach and serve.
- (5) "In-kind" means donated facilities, labor or materials that can be assigned a reasonable value.
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- (1) The identity of each individual;
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- (3) Nonprofit organization and other person who is a participant in the countywide consortium;
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(3) Decide upon a coordinated plan to provide, by January 1, 2000, the 5 fundamental resources to not less than the number of underserved youth targeted by the countywide consortium in its grant application.

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(5) Coordinating the training and technical assistance specified in par. (4) and to ensure that the training and technical assistance is provided by competent volunteers or professionals.

(6) Document the number of underserved youth who receive any of the 5 fundamental resources as a result of the countywide consortium's efforts, which of the 5 fundamental resources are being provided to those underserved youth as a result of those efforts and, to the best of the countywide consortium's ability, the positive outcomes for those underserved youth that are the result of those efforts.

Comm 118.07 FISCAL AGENT; REPORTING. Each countywide consortium that applies for a grant under this chapter shall identify a fiscal agent who shall receive, manage and account for the grants awarded and the matching funds committed and who shall provide to the national and community service board the following reports detailing the progress of the countywide consortium in accomplishing the tasks specified in s. Comm 118.06:

(1) A semiannual report that is due by the first day of the 6th month beginning after the date on which the grant money is received.

(2) An annual report that is due by the first day after the 12th month beginning after the date on which the grant money is received.

(3) A final report that is due by January 1, 2000.

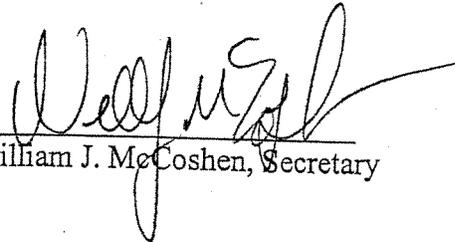
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(END)

Effective Date

Pursuant to Section 227.24, Stats., the emergency rule as ordered shall take effect upon publication in the Official State Newspaper and filing with the Secretary of State and Revisor of Statutes.

Adopted at Madison, Wisconsin this
4th Day of September, 1998 by
the Department of Commerce.

By: 

William J. McCoshen, Secretary

FISCAL ESTIMATE
DOA-2048 (R02/97)

- ORIGINAL
- CORRECTED
- UPDATED
- SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
Comm 118
Amendment No. if Applicable

Subject
Wisconsin Promise Challenge Grant Program

Fiscal Effect
State: No State Fiscal Effect
 Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation
 Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation
 Increase Costs - May be Possible to Absorb Within Agency's Budget Yes No
 Decrease Costs

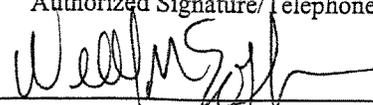
Local: No local government costs

- | | | |
|--|--|---|
| 1. <input checked="" type="checkbox"/> Increase Costs
<input checked="" type="checkbox"/> Permissive <input type="checkbox"/> Mandatory
2. <input type="checkbox"/> Decrease Costs
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 3. <input type="checkbox"/> Increase Revenues
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory
4. <input type="checkbox"/> Decrease Revenues
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 5. Types of Local Governmental Units Affected:
<input type="checkbox"/> Towns <input type="checkbox"/> Villages <input type="checkbox"/> Cities
<input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others _____
<input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts |
|--|--|---|

Fund Sources Affected
 GPR FED PRO PRS SEG SEG-S
 Affected Ch. 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate
 Section 1901 (1z) of 1997 Wisconsin Act 237 appropriated \$424,000 for fiscal year 1998-99 that may be awarded in the form of grants by the National and Community Service Board attached to the Department of Commerce to any countywide consortium. Countywide consortiums that agree to provide five fundamental resources intended to mentor, nurture, protect, teach and serve persons under the age of 26 years are eligible to receive Wisconsin Promise Challenge Grants. The amount of the grant ranges from \$3,000 to \$15,000, depending on the number of underserved youth who are to receive the five fundamental resources. In order to be eligible, the grant recipient is required to match the grant, in cash, in an amount that is not less than twice the amount of the grant money received. In addition the law, specifies conditions on the use of the grant monies and requires documentation on the number of underserved youths who received the five fundamental resources and the positive outcomes and result of those efforts.
 Under the law, countywide consortium is defined to mean a combination of individuals, public agencies, nonprofit organization and other persons who have agreed to participate in a joint effort to coordinate and document progress within the county in which those individuals, public agencies, nonprofit organizations and other persons operate toward providing the five fundamental services. Due to the unlimited number of variations of establishing countywide consortiums, as well as the size of the population of youth served, it is impossible at this time to determine the precise fiscal impact this law will have on a public agency in local government. The law and rules clearly allow local government to participate in choosing and deciding what type of countywide consortiums, including public agencies, they will accept and whether they choose to make public funds available to match the grant.
 No funds were made available to the departments to administer the law, so the agencies must absorb the costs to administer the law.

Long-Range Fiscal Implications
 The funds appropriated under the law are available only for current fiscal year.

Agency/Prepared by: (Name & Phone No.) Thomas Devine 261-6716	Authorized Signature/Telephone No. 	Date 9/3/98
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FISCAL ESTIMATE WORKSHEET
 Detailed Estimate of Annual Fiscal Effect
 DOA-2047(R02/97)

ORIGINAL
 CORRECTED
 UPDATED
 SUPPLEMENTAL

1997 Session

LRB or Bill No./Adm. Rule No. Amendment No.
 Comm 118

Subject
 Wisconsin Promise Challenge Grant Program

I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):
 None

II. Annualized Costs:	Annualized Fiscal impact on State funds from:	
	Increased Costs	Decreased Costs
A. State Costs By Category		
State Operations - Salaries and Fringes	\$ 0	\$ -
(FTE Position Changes)	(0 FTE)	(- FTE)
State Operations - Other Costs		-
Local Assistance		-
Aids to Individuals or Organizations		-
TOTAL State Costs By Category	\$ 0	\$ -
B. State Costs By Source of Funds		
GPR	Increased Costs \$0	Decreased Costs \$ -0
FED		-
PRO/PRS		-
SEG/SEG-S		-
III. State Revenues- Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)		
GPR Taxes	Increased Rev. \$	Decreased Rev. \$ -
GPR Earned		-
FED		-
PRO/PRS		-
SEG/SEG-S		-
TOTAL State Revenues	\$0	\$ -0

NET ANNUALIZED FISCAL IMPACT

	STATE	LOCAL
NET CHANGE IN COSTS	\$ 0	\$
NET CHANGE IN REVENUES	\$ 0	\$

Agency/Prepared by: (Name & Phone No.)

Thomas Devine
 261-6716

Authorized Signature/Telephone No.

Wally M. Gosh

Date

9/3/98

- I) Kuesow - PAL'S - Standards for states re.
PECEA Chemicals.
- II John Sullenwork - Allen - Edmonds
- III Frank Probst 414-284-3461

414-781-6355