

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: **09/27/1999**

Received By: **yacketa**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau 6-3847**

By/Representing: **Morgan**

This file may be shown to any legislator: **NO**

Drafter: **yacketa**

May Contact:

Alt. Drafters:

Subject: **Health - miscellaneous**

Extra Copies: **DAK, RPN**

Pre Topic:

LFB:.....Morgan -

Topic:

Tobacco control board

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>
/?	yacketa 09/27/1999	jgeller 09/27/1999		_____			
/1			martykr 09/27/1999	_____	lrb_docadmin 09/27/1999		
/2	yacketa 09/29/1999			_____	lrb_docadmin 09/29/1999		
/3	yacketa 10/01/1999	jgeller 10/01/1999	ismith 10/02/1999	_____	lrb_docadmin 10/02/1999		

FE Sent For:

<END>

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/1		13 10/1 jg	martykr 09/27/1999	_____	lrb_docadmin 09/27/1999		
/2	yacketa 09/29/1999		ES 10/2	ES/AY 14/2	lrb_docadmin 09/29/1999		

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/?	yacketa 09/27/1999	jgeller 09/27/1999		_____			
/1		<i>1/2 9/29 jg</i> martykr 09/27/1999		_____	lrb_docadmin 09/27/1999		
FE Sent For:			<i>9/28</i>	<i>9/28</i>			

<END>

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1?	yacketa	11/27 jlg	Kms/24	27 9 Kms/27			

FE Sent For:

<END>

Pray Conf.

1999 - 2000 LEGISLATURE

WFO - Fix request sheet

5178011
LRB 104102
TAY:wlj&jlg:jf
← stays
R NOT Run

Morgan

SDC:.....Walter - #2601, Tobacco settlement funds

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 1. Page 24, line 9: after that line insert:
- 3 "SECTION 28m. 15.195 (1) of the statutes is created to read:
- 4 15.195 (1) TOBACCO CONTROL BOARD. (a) There is created a tobacco control
- 5 board, except that the secretary of health and human services shall submit to the
- 6 department of administration the proposed budget of the board exactly as prepared
- 7 by the board to the extent that it comports with the requirements of the department
- 8 of administration. The tobacco control board shall consist of the following members:
- 9 1. The attorney general or his or her designee.

1 2. One majority party senator, one minority party senator, one majority party
2 representative to the assembly and one minority party representative to the
3 assembly, appointed as are the members of standing committees in their respective
4 houses.

5 3. The secretary of health and family services or his or her designee.

6 4. The superintendent of public instruction.

7 5. One physician with expertise in oncology, cardiovascular disease, smoking
8 cessation or public health.

9 6. One student from the University of Wisconsin System.

10 7. Two high school students, including at least one minority student, as defined
11 in s. 39.40 (1).

12 8. Five representatives of organizations that have as their primary
13 organizational mission reducing the health or economic consequences of tobacco use
14 or ameliorating the effects of tobacco use and reducing the incidence of particular
15 diseases or health conditions associated with tobacco use.

16 9. One local health officer.

17 10. One person who is a minority group member, as defined in s. 560.036 (1)
18 (f).

19 11. One retailer who sells tobacco products.

20 12. One representative of a hospital.

21 (b) The members specified in par. (a) 5. to 12. shall be appointed for 3-year
22 terms, except that if a student member appointed under par. (a) 6. or 7. loses the
23 status upon which the appointment was based, he or she shall cease to be a member
24 of the tobacco control board.

1 (c) The board shall meet at least 4 times per year. Ten members constitute a
2 quorum. For the purpose of conducting business and exercising its powers, a
3 majority vote of the board is required.”.

4 **2.** Page 25, line 12: delete the material beginning with that line and ending
5 with page 26, line 21.

6 **3.** Page 193, line 16: delete lines 16 and 17.

7 **4.** Page 202, line 14: delete that line.

8 **5.** Page 208, line 1: before that line insert:

9 **“20.436 Tobacco control board.**

10 (1) SMOKING CESSATION AND EDUCATION

11	(g) Gifts and grants	PR	C	-0-	-0-
12	(tb) General program operations	SEG	B	400,000	400,000
13	(tc) Grants	SEG	C	2,092,000	^{23,500,000} 28,200,000

14 ”.

15 **6.** Page 300, line 18: delete “department of health and family services” and
16 substitute “tobacco control board”.

17 **7.** Page 309, line 18: delete “department of health and family services” and
18 substitute “tobacco control board”.

19 **8.** Page 340, line 5: delete lines 5 to 9.

20 **9.** Page 352, line 14: delete lines 14 to 17.

21 **10.** Page 359, line 14: after that line insert:

22 **“SECTION 457m. 20.436 of the statutes is created to read:**

1 **20.436 Tobacco control board.** There is appropriated from the tobacco
2 control fund to the tobacco control board for the following programs:

3 (1) **SMOKING CESSATION AND EDUCATION.** (g) *Gifts and grants.* All moneys
4 received from gifts, grants and donations for the purposes specified under s. 255.15
5 to be used for those purposes.

6 (tb) *General program operations.* Biennially, the amounts in the schedule for
7 general program operations of the tobacco control board.

8 (tc) *Grants.* As a continuing appropriation, the amounts in the schedule for the
9 purposes specified under s. 255.15 (3)."

10 **11.** Page 470, line 10: delete "\$26,600,000" and substitute "^{23,500,000}~~26,600,000~~".

11 **12.** Page 470, line 13: delete "only".

12 **13.** Page 1198, line 23: after that line insert:

13 "SECTION 2364me. 230.08 (2) (wy) of the statutes is created to read:

14 230.08 (2) (wy) The executive director and staff of the tobacco control board."

15 **14.** Page 1233, line 22: delete that line and substitute "section, "board" means
16 the tobacco control board."

17 **15.** Page 1233, line 23: delete the material beginning with that line and
18 ending with page 1234, line 19 and substitute:

19 "(1m) **DUTIES.** The board shall do all of the following:

20 (a) Appoint an executive director within the classified service who shall employ
21 staff within the classified service with appropriate programmatic and technical
22 expertise.

23 (b) Administer the grant program under sub. (3).

1 (c) Promulgate rules establishing criteria for recipients of grants awarded
2 under sub. (3), including performance-based standards for grant recipients that
3 propose to use the grant for media efforts. The board shall ensure that programs or
4 projects conducted under the grants are culturally sensitive.

5 (d) Provide a forum for the discussion, development, and recommendation of
6 public policy alternatives in the field of smoking cessation and prevention.

7 (e) Provide a clearinghouse of information on matters relating to tobacco issues
8 and how they are being met in different places throughout the nation such that both
9 lay and professional groups in the field of government, health care and education
10 may have additional avenues for sharing experiences and interchanging ideas in the
11 formulation of public policy on tobacco.

12 (f) Develop and prepare an annual plan regarding the allocation of funding for
13 a statewide tobacco control program based on successful tobacco control programs in
14 other states and based on recommendations of the U.S. Centers for Disease Control
15 regarding the allocation of funding for comprehensive tobacco control programs.”.

16 **16.** Page 1234, line 20: delete “20.435 (5) (tc)” and substitute “20.436 (1) (tc)”.

17 **17.** Page 1234, line 21: delete “department” and substitute “board”.

18 **18.** Page 1235, line 11: delete lines 11 to 19 and substitute:

19 “(b) From the appropriation under s. 20.436 (1) (tc), the board may distribute
20 grants for any of the following:”.

21 **19.** Page 1236, line 8: after that line insert:

22 “10. Development of policies that restrict access to tobacco products and reduce
23 exposure to environmental tobacco smoke.”.

24 **20.** Page 1236, line 11: delete lines 11 to 21 and substitute:

1 “(d) From the appropriation under s. 20.436 (1) (tb), beginning in fiscal year
2 2000–01 and annually thereafter, the board may expend for administration of the
3 program under this section not more than 5% of the total amount deposited in that
4 fiscal year into the tobacco control fund under s. 25.66.

5 (4) REPORTS. Not later than July 1, 2001, and annually thereafter, the board
6 shall submit to the governor and to the chief clerk of each house of the legislature for
7 distribution under s. 13.172 (2) a report that evaluates the success of the grant
8 program under sub. (3). The report shall specify the number of grants awarded
9 during the immediately preceding fiscal year and the purpose for which each grant
10 was made. The report shall also specify donations and grants accepted by the board
11 under sub. (5).

12 (5) FUNDS. The board may accept for any of its purposes any donations and
13 grants of money, equipment, supplies, materials and services from any person. The
14 board shall include in the report under sub. (4) any donation or grant accepted by the
15 board under this subsection, including the nature, amount and conditions, if any, of
16 the donation or grant and the identity of the donor.

17 (6) SUBCOMMITTEES. The board may create subcommittees to assist in its work.
18 If the board creates subcommittees, one of the subcommittees shall address the issue
19 of populations most adversely affected by tobacco.”

20 **21.** Page 1520, line 8: delete lines 8 to 16.

21 **22.** Page 1542, line 9: delete lines 9 to 13.

22 **23.** Page 1570, line 16: after that line insert:

23 “(11mg) TOBACCO CONTROL BOARD. Notwithstanding section 15.77 (2) of the
24 statutes, as created by this act, 4 of the initial members of the tobacco control board

1 appointed under section 15.195 (1) (a) 5. to 12. of the statutes, as created by this act,
2 shall serve for terms expiring on May 1, 2003; 4 of the initial members of the tobacco
3 control board appointed under section 15.195 (1) (a) 5. to 12. of the statutes, as
4 created by this act, shall serve for terms expiring on May 1, 2002; and 4 of the initial
5 members of the health trust board appointed under section 15.195 (1) (a) 5. to 12. of
6 the statutes, as created by this act, shall serve for a term expiring on May 1, 2001.”.

7 **24.** Page 1570, line 16: after that line insert:

8 “(9c) TOBACCO CONTROL BOARD; POSITION AUTHORIZATION. There is authorized for
9 the tobacco control board 1.0 FTE SEG executive director position and 1.0 FTE SEG
10 other position to be funded from the appropriation under section 20.436 (1) (tb) of the
11 statutes, as created by this act.”.

12 (END)

TODAY

RMR

LFB:.....Morgan – Tobacco control board

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 24, line 9: after that line insert:

3 "SECTION 28m. 15.195 (1) of the statutes is created to read:

4 15.195 (1) TOBACCO CONTROL BOARD. (a) There is created a tobacco control
5 board, except that the secretary of health and human services shall submit to the
6 department of administration the proposed budget of the board exactly as prepared
7 by the board to the extent that it comports with the requirements of the department
8 of administration. The tobacco control board shall consist of the following members:

9 1. The attorney general or his or her designee.

1 2. One majority party senator, one minority party senator, one majority party
2 representative to the assembly and one minority party representative to the
3 assembly, appointed as are the members of standing committees in their respective
4 houses.

5 3. The secretary of health and family services or his or her designee.

6 4. The superintendent of public instruction.

7 5. One physician with expertise in oncology, cardiovascular disease, smoking
8 cessation or public health.

9 6. One student from the University of Wisconsin System.

10 7. Two high school students, including at least one minority student, as defined
11 in s. 39.40 (1).

12 8. Five representatives of organizations that have as their primary
13 organizational mission reducing the health or economic consequences of tobacco use
14 or ameliorating the effects of tobacco use and reducing the incidence of particular
15 diseases or health conditions associated with tobacco use.

16 9. One local health officer.

17 10. One person who is a minority group member, as defined in s. 560.036 (1)
18 (f).

19 11. One retailer who sells tobacco products.

20 12. One representative of a hospital.

21 (b) The members specified in par. (a) 5. to 12. shall be appointed for 3-year
22 terms, except that if a student member appointed under par. (a) 6. or 7. loses the
23 status upon which the appointment was based, he or she shall cease to be a member
24 of the tobacco control board.

1 (c) The board shall meet at least 4 times per year. Ten members constitute a
2 quorum. For the purpose of conducting business and exercising its powers, a
3 majority vote of the board is required.”.

4 **2.** Page 25, line 12: delete the material beginning with that line and ending
5 with page 26, line 21.

6 **3.** Page 193, line 16: delete lines 16 and 17.

7 **4.** Page 202, line 14: delete that line.

8 **5.** Page 208, line 1: before that line insert:

9 **“20.436 Tobacco control board.”**

10 (1) SMOKING CESSATION AND EDUCATION

11	(g) Gifts and grants	PR	C	-0-	-0-
12	(tb) General program operations	SEG	B	400,000	400,000
13	(tc) Grants	SEG	C	2,092,000	2,310,000 2,500,000

14 ”.

15 **6.** Page 300, line 18: delete “department of health and family services” and
16 substitute “tobacco control board”.

17 **7.** Page 309, line 18: delete “department of health and family services” and
18 substitute “tobacco control board”.

19 **8.** Page 340, line 5: delete lines 5 to 9.

20 **9.** Page 352, line 14: delete lines 14 to 17.

21 **10.** Page 359, line 14: after that line insert:

22 **“SECTION 457m. 20.436 of the statutes is created to read:**

1 **20.436 Tobacco control board.** There is appropriated from the tobacco
2 control fund to the tobacco control board for the following programs:

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4 received from gifts, grants and donations for the purposes specified under s. 255.15
5 to be used for those purposes.

6 (tb) *General program operations.* Biennially, the amounts in the schedule for
7 general program operations of the tobacco control board.

8 (tc) *Grants.* As a continuing appropriation, the amounts in the schedule for the
9 purposes specified under s. 255.15 (3)."

10 **11.** Page 470, line 10: delete "\$26,600,000" and substitute "\$23,500,000".

11 **12.** Page 470, line 13: delete "only".

12 **13.** Page 1198, line 23: after that line insert:

13 "SECTION 2364me. 230.08 (2) (wy) of the statutes is created to read:
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15 **14.** Page 1233, line 22: delete that line and substitute "section, "board" means
16 the tobacco control board."

17 **15.** Page 1233, line 23: delete the material beginning with that line and
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19 "(1m) DUTIES. The board shall do all of the following:

20 (a) Appoint an executive director within the classified service who shall employ
21 staff within the classified service with appropriate programmatic and technical
22 expertise.

23 (b) Administer the grant program under sub. (3).

1 (c) Promulgate rules establishing criteria for recipients of grants awarded
2 under sub. (3), including performance-based standards for grant recipients that
3 propose to use the grant for media efforts. The board shall ensure that programs or
4 projects conducted under the grants are culturally sensitive.

5 (d) Provide a forum for the discussion, development, and recommendation of
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8 and how they are being met in different places throughout the nation such that both
9 lay and professional groups in the field of government, health care and education
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15 regarding the allocation of funding for comprehensive tobacco control programs.”.

16 **16.** Page 1234, line 20: delete “20.435 (5) (tc)” and substitute “20.436 (1) (tc)”.

17 **17.** Page 1234, line 21: delete “department” and substitute “board”.

18 **18.** Page 1235, line 11: delete lines 11 to 19 and substitute:

19 “(b) From the appropriation under s. 20.436 (1) (tc), the board may distribute
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21 **19.** Page 1236, line 8: after that line insert:

22 “10. Development of policies that restrict access to tobacco products and reduce
23 exposure to environmental tobacco smoke.”.

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3 program under this section not more than 5% of the total amount deposited in that
4 fiscal year into the tobacco control fund under s. 25.66.

5 **(4) REPORTS.** Not later than July 1, 2001, and annually thereafter, the board
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7 distribution under s. 13.172 (2) a report that evaluates the success of the grant
8 program under sub. (3). The report shall specify the number of grants awarded
9 during the immediately preceding fiscal year and the purpose for which each grant
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11 under sub. (5).

12 **(5) FUNDS.** The board may accept for any of its purposes any donations and
13 grants of money, equipment, supplies, materials and services from any person. The
14 board shall include in the report under sub. (4) any donation or grant accepted by the
15 board under this subsection, including the nature, amount and conditions, if any, of
16 the donation or grant and the identity of the donor.

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4 created by this act, shall serve for terms expiring on May 1, 2002; and 4 of the initial
5 members of the health trust board appointed under section 15.195 (1) (a) 5. to 12. of
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7 **24.** Page 1570, line 16: after that line insert:

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11 statutes, as created by this act.”.

12

(END)

R MR

LFB:.....Morgan - Tobacco control board

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

attached to the department of health and family services under 5.15.03 ✓

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 24, line 9: after that line insert:

3 "SECTION 28m. 15.195 (1) of the statutes is created to read:

4 15.195 (1) TOBACCO CONTROL BOARD. (a) There is created a tobacco control

5 board, except that the secretary of health and ~~human~~ ^{family} services shall submit to the

6 department of administration the proposed budget of the board exactly as prepared

7 by the board to the extent that it comports with the requirements of the department

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6 4. The superintendent of public instruction.

7 5. One physician with expertise in oncology, cardiovascular disease, smoking
8 cessation or public health.

9 6. One student from the University of Wisconsin System.

10 7. Two high school students, including at least one minority student, as defined
11 in s. 39.40 (1).

12 8. Five representatives of organizations that have as their primary
13 organizational mission reducing the health or economic consequences of tobacco use
14 or ameliorating the effects of tobacco use and reducing the incidence of particular
15 diseases or health conditions associated with tobacco use.

16 9. One local health officer.

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19 11. One retailer who sells tobacco products.

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21 (b) The members specified in par. (a) 5. to 12. shall be appointed for 3-year
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24 of the tobacco control board.

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5 with page 26, line 21.

6 **3.** Page 193, line 16: delete lines 16 and 17.

7 **4.** Page 202, line 14: delete that line.

8 **5.** Page 208, line 1: before that line insert:

9 **“20.436 Tobacco control board**

10 (1) SMOKING CESSATION AND EDUCATION

11 (g) Gifts and grants	PR	C	-0-	-0-
12 (tb) General program operations	SEG	B	400,000	400,000
13 (tc) Grants	SEG	C	2,092,000	23,100,000

14 ”.

15 **6.** Page 300, line 18: delete “department of health and family services” and
16 substitute “tobacco control board”.

17 **7.** Page 309, line 18: delete “department of health and family services” and
18 substitute “tobacco control board”.

19 **8.** Page 340, line 5: delete lines 5 to 9.

20 **9.** Page 352, line 14: delete lines 14 to 17.

21 **10.** Page 359, line 14: after that line insert:

22 **“SECTION 457m. 20.436 of the statutes is created to read:**

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5 to be used for those purposes.

6 (tb) *General program operations.* Biennially, the amounts in the schedule for
7 general program operations of the tobacco control board.

8 (tc) *Grants.* As a continuing appropriation, the amounts in the schedule for the
9 purposes specified under s. 255.15 (3).”.

10 **11.** Page 470, line 10: delete “\$26,600,000” and substitute “\$23,500,000”.

11 **12.** Page 470, line 13: delete “only”.

12 **13.** Page 1233, line 22: delete that line and substitute “section, “board” means
13 the tobacco control board.”.

14 **14.** Page 1233, line 23: delete the material beginning with that line and
15 ending with page 1234, line 19, and substitute:

16 “(1m) **DUTIES.** The board shall do all of the following:

17 (a) Appoint an executive director within the classified service who shall employ
18 staff within the classified service with appropriate programmatic and technical
19 expertise.

20 (b) Administer the grant program under sub. (3).

21 (c) Promulgate rules establishing criteria for recipients of grants awarded
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5 lay and professional groups in the field of government, health care and education
6 may have additional avenues for sharing experiences and interchanging ideas in the
7 formulation of public policy on tobacco.

8 (f) Develop and prepare an annual plan regarding the allocation of funding for
9 a statewide tobacco control program based on successful tobacco control programs in
10 other states and based on recommendations of the U.S. Centers for Disease Control
11 regarding the allocation of funding for comprehensive tobacco control programs.”.

12 **15.** Page 1234, line 20: delete “20.435 (5) (tc)” and substitute “20.436 (1) (tc)”.

13 **16.** Page 1234, line 21: delete “department” and substitute “board”.

14 **17.** Page 1235, line 11: delete lines 11 to 19 and substitute:

15 “(b) From the appropriation under s. 20.436 (1) (tc), the board may distribute
16 grants for any of the following.”.

17 **18.** Page 1236, line 8: after that line insert:

18 “10. Development of policies that restrict access to tobacco products and reduce
19 exposure to environmental tobacco smoke.”.

KEEP

20 **19.** Page 1236, line 11: delete lines 11 to 21 and substitute:

21 “(d) From the appropriation under s. 20.436 (1) (tb), beginning in fiscal year
22 2000–01 and annually thereafter, the board may expend for administration of the
23 program under this section not more than 5% of the total amount deposited in that
24 fiscal year into the tobacco control fund under s. 25.66.

WFO-keep

DO NOT delete

1 ^{cc}(4) REPORTS. Not later than July 1, 2001, and annually thereafter, the board
 2 shall submit to the governor and to the chief clerk of each house of the legislature for
 3 distribution under s. 13.172 (2) a report that evaluates the success of the grant
 4 program under sub. (3). The report shall specify the number of grants awarded
 5 during the immediately preceding fiscal year and the purpose for which each grant
 6 was made. The report shall also specify donations and grants accepted by the board
 7 under sub. (5).

8 (5) FUNDS. The board may accept for any of its purposes any donations and
 9 grants of money, equipment, supplies, materials and services from any person. The
 10 board shall include in the report under sub. (4) any donation or grant accepted by the
 11 board under this subsection, including the nature, amount and conditions, if any, of
 12 the donation or grant and the identity of the donor.

13 (6) SUBCOMMITTEES. The board may create subcommittees to assist in its work.
 14 If the board creates subcommittees, one of the subcommittees shall address the issue
 15 of populations most adversely affected by tobacco.”

insert 6-15

16 **20.** Page 1520, line 8: delete lines 8 to 16.

17 **21.** Page 1542, line 9: delete lines 9 to 13.

18 **22.** Page 1570, line 16: after that line insert:

19 “(11mg) TOBACCO CONTROL BOARD. Notwithstanding section 15.77 (2) of the
 20 statutes, as created by this act, 4 of the initial members of the tobacco control board
 21 appointed under section 15.195 (1) (a) 5. to 12. of the statutes, as created by this act,
 22 shall serve for terms expiring on May 1, 2003; 4 of the initial members of the tobacco
 23 control board appointed under section 15.195 (1) (a) 5. to 12. of the statutes, as
 24 created by this act, shall serve for terms expiring on May 1, 2002; and 4 of the initial

tobacco control

1 members of the ~~health trust~~ board appointed under section 15.195 (1) (a) 5. to 12. of
2 the statutes, as created by this act, shall serve for a term expiring on May 1, 2001.”.

3 **23.** Page 1570, line 16: after that line insert:

4 “(9c) TOBACCO CONTROL BOARD; POSITION AUTHORIZATION. There is authorized for
5 the tobacco control board 1.0 FTE SEG executive director position and 1.0 FTE SEG
6 other position to be funded from the appropriation under section 20.436 (1) (tb) of the
7 statutes, as created by this act.”.

8 (END)

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1780/3ins
TAY.....

1 **insert 6-15**

2 **1.** Page 1480, line 25: after that line insert:

3 ^{20c}
4 ~~(1111)~~ SELLING AND TRANSFERRING RIGHTS TO TOBACCO LITIGATION FUNDS. The
5 department of administration shall study the idea of selling and transferring
6 Wisconsin's rights to the moneys due ~~to~~ Wisconsin under the Attorneys General
7 Master Tobacco Settlement Agreement of November 23, 1998, for the purpose of
8 creating a permanent endowment fund. No later than January 1, 2000, the
9 department shall submit the study to the legislature in the manner provided under
 section 13.172 (2) [✓] of the statutes."



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1780/3
TAY:wlj&jlg:ijs

LFB:.....Morgan - Tobacco control board

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 24, line 9: after that line insert:

3 "SECTION 28m. 15.195 (1) of the statutes is created to read:

4 15.195 (1) TOBACCO CONTROL BOARD. (a) There is created a tobacco control board
5 attached to the department of health and family services under s. 15.03, except that
6 the secretary of health and family services shall submit to the department of
7 administration the proposed budget of the board exactly as prepared by the board to
8 the extent that it comports with the requirements of the department of
9 administration. The tobacco control board shall consist of the following members:

10 1. The attorney general or his or her designee.

1 2. One majority party senator, one minority party senator, one majority party
2 representative to the assembly and one minority party representative to the
3 assembly, appointed as are the members of standing committees in their respective
4 houses.

5 3. The secretary of health and family services or his or her designee.

6 4. The superintendent of public instruction.

7 5. One physician with expertise in oncology, cardiovascular disease, smoking
8 cessation or public health.

9 6. One student from the University of Wisconsin System.

10 7. Two high school students, including at least one minority student, as defined
11 in s. 39.40 (1).

12 8. Five representatives of organizations that have as their primary
13 organizational mission reducing the health or economic consequences of tobacco use
14 or ameliorating the effects of tobacco use and reducing the incidence of particular
15 diseases or health conditions associated with tobacco use.

16 9. One local health officer.

17 10. One person who is a minority group member, as defined in s. 560.036 (1)
18 (f).

19 11. One retailer who sells tobacco products.

20 12. One representative of a hospital.

21 (b) The members specified in par. (a) 5. to 12. shall be appointed for 3-year
22 terms, except that if a student member appointed under par. (a) 6. or 7. loses the
23 status upon which the appointment was based, he or she shall cease to be a member
24 of the tobacco control board.

1 (c) The board shall meet at least 4 times per year. Ten members constitute a
2 quorum. For the purpose of conducting business and exercising its powers, a
3 majority vote of the members of the board is required.”.

4 **2.** Page 25, line 12: delete the material beginning with that line and ending
5 with page 26, line 21.

6 **3.** Page 193, line 16: delete lines 16 and 17.

7 **4.** Page 202, line 14: delete that line.

8 **5.** Page 208, line 1: before that line insert:

9 **“20.436 Tobacco control board**

10 (1) SMOKING CESSATION AND EDUCATION

11 (g) Gifts and grants	PR	C	-0-	-0-
12 (tb) General program operations	SEG	B	400,000	400,000
13 (tc) Grants	SEG	C	2,092,000	23,100,000

14 ”.

15 **6.** Page 300, line 18: delete “department of health and family services” and
16 substitute “tobacco control board”.

17 **7.** Page 309, line 18: delete “department of health and family services” and
18 substitute “tobacco control board”.

19 **8.** Page 340, line 5: delete lines 5 to 9.

20 **9.** Page 352, line 14: delete lines 14 to 17.

21 **10.** Page 359, line 14: after that line insert:

22 **“SECTION 457m.** 20.436 of the statutes is created to read:

1 **20.436 Tobacco control board.** There is appropriated from the tobacco
2 control fund to the tobacco control board for the following programs:

3 **(1) SMOKING CESSATION AND EDUCATION.** (g) *Gifts and grants.* All moneys
4 received from gifts, grants and donations for the purposes specified under s. 255.15
5 to be used for those purposes.

6 (b) *General program operations.* Biennially, the amounts in the schedule for
7 general program operations of the tobacco control board.

8 (c) *Grants.* As a continuing appropriation, the amounts in the schedule for the
9 purposes specified under s. 255.15 (3).”.

10 **11.** Page 470, line 10: delete “\$26,600,000” and substitute “\$23,500,000”.

11 **12.** Page 470, line 13: delete “only”.

12 **13.** Page 1233, line 22: delete that line and substitute “section, “board” means
13 the tobacco control board.”.

14 **14.** Page 1233, line 23: delete the material beginning with that line and
15 ending with page 1234, line 19, and substitute:

16 “(1m) DUTIES. The board shall do all of the following:

17 (a) Appoint an executive director within the classified service who shall employ
18 staff within the classified service with appropriate programmatic and technical
19 expertise.

20 (b) Administer the grant program under sub. (3).

21 (c) Promulgate rules establishing criteria for recipients of grants awarded
22 under sub. (3), including performance-based standards for grant recipients that
23 propose to use the grant for media efforts. The board shall ensure that programs or
24 projects conducted under the grants are culturally sensitive.

1 (d) Provide a forum for the discussion, development, and recommendation of
2 public policy alternatives in the field of smoking cessation and prevention.

3 (e) Provide a clearinghouse of information on matters relating to tobacco issues
4 and how they are being met in different places throughout the nation such that both
5 lay and professional groups in the field of government, health care and education
6 may have additional avenues for sharing experiences and interchanging ideas in the
7 formulation of public policy on tobacco.

8 (f) Develop and prepare an annual plan regarding the allocation of funding for
9 a statewide tobacco control program based on successful tobacco control programs in
10 other states and based on recommendations of the U.S. Centers for Disease Control
11 regarding the allocation of funding for comprehensive tobacco control programs.”.

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3 control board appointed under section 15.195 (1) (a) 5. to 12. of the statutes, as
4 created by this act, shall serve for terms expiring on May 1, 2002; and 4 of the initial
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12

(END)