

**2013 DRAFTING REQUEST**

**Bill**

Received: **1/16/2013** Received By: **tdodge**  
 Wanted: **As time permits** Same as LRB:  
 For: **Legislative Council - JLC 266-9791** By/Representing: **Laura Rose**  
 May Contact: Drafter: **tdodge**  
 Subject: **Mental Health - miscellaneous** Addl. Drafters:  
 Extra Copies:  
 Submit via email: **YES**  
 Requester's email: **laura.rose@legis.wisconsin.gov**  
 Carbon copy (CC) to: **tamara.dodge@legis.wisconsin.gov**

**Pre Topic:**

No specific pre topic given

**Topic:**

Requiring county community programs board appointees to include consumers, law enforcement personnel and hospital employees or representatives and increasing the size of county community programs boards

**Instructions:**

WLC: 0112/3

**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>
/?	tdodge 2/27/2013			_____			
/P1	tdodge 3/28/2013	jdyer 3/13/2013	jmurphy 3/13/2013	_____	lparisi 3/13/2013		
/1		jdyer	jfrantze	_____	sbasford	srose	

<u>Vers. Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	4/1/2013	4/1/2013	_____	4/1/2013	4/2/2013	

FE Sent For:

<END>

Not  
needed

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/1		jdyer	jfrantze	_____	sbasford		

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/?	tdodge 2/27/2013	1 4 jld	8 4/1				
/P1		jdyer 3/13/2013	jmurphy 3/13/2013		lparisi 3/13/2013		

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/?	tdodge	PI 3/13 jld	1/30 LC conversion PI 3/13 dm				

Handwritten notes: 3/13 dm, 3/13

FE Sent For:

<END>

1     **AN ACT** to amend 51.42 (4) (b) of the statutes; **relating to:** requiring county  
2     community programs board appointees to include consumers, law enforcement  
3     personnel and hospital employees or representatives and increasing the size of  
4     county community programs boards.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**JOINT LEGISLATIVE COUNCIL PREFATORY NOTE:** This draft was prepared for the Joint Legislative Council's Special Committee on Review of Emergency Detention and Admission of Minors Under Chapter 51.

Under current law, county departments of community programs are governed by boards comprised of members of the county board of supervisors and citizen members. The county community programs board is a governing and policy-making board. In a single-county department, the board must be composed of 9 to 15 persons. Members must have a recognized ability and demonstrated interest in the problems of the mentally ill, developmentally disabled, alcoholic, or drug dependent persons and shall have representation from the interest group of the mentally ill, the interest group of the developmentally disabled, the interest group of the alcoholic, and the interest group of the drug dependent. At least one member must be a consumer of services or a family member of the consumer. No more than 5 members may be county board of supervisors members.

In a multicounty department, the board is composed of 11 members, with 3 additional members for each county in a multicounty department of community programs in excess of 2. As with the single-county department board, a multicounty department board shall have representation from the interest group of the mentally ill, the interest group of the developmentally disabled, the interest group of the alcoholic, and the interest group of the drug dependent. At least one member must be a consumer of services or a family member of the consumer. Each of the counties in the multicounty department of community programs may appoint to the county community programs board not more than 3 members from its county board of supervisors.

This draft requires at least one of the members appointed to a single- or multicounty community programs board to be each of the following:

- A person who has received services for mental illness, intellectual disability, alcoholism, or drug dependence.
- A law enforcement officer.
- A hospital employee or representative.

The maximum number of members for a single-county department is accordingly increased to 17. The number of members for a multicounty department is increased to 13, with 3 additional members for each county in the multicounty department in excess of 2.

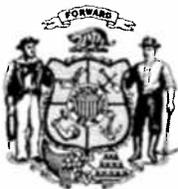
1 SECTION 1. 51.42 (4) (b) of the statutes is amended to read:

2 51.42 (4) (b) *Composition*. 1. In a single-county department of community programs  
 3 the county community programs board shall be composed of not less than 9 nor more than 15  
 4 17 persons of recognized ability and demonstrated interest in the problems of the mentally ill,  
 5 ~~developmentally disabled, alcoholic or drug dependent persons~~ who have mental illness,  
 6 intellectual disability, alcoholism, or drug dependence, and shall have representation from the  
 7 ~~interest group of the mentally ill, the interest group of the developmentally disabled, the~~  
 8 ~~interest group of the alcoholic and the interest group of the drug dependent~~ groups of persons  
 9 with mental illness, intellectual disability, alcoholism, and drug dependence. At least one  
 10 ~~member~~ Of the members appointed to a county community programs board, at least one  
 11 member shall be an individual who receives or has received services for mental illness,  
 12 ~~developmental~~ intellectual disability, alcoholism or drug dependency ~~or~~, at least one member  
 13 shall be a family member of such an individual, at least one member shall be a law enforcement  
 14 officer, and at least one member shall be a hospital employee or representative. No more than  
 15 5 members may be appointed from the county board of supervisors.

16 2. In a multicounty department of community programs, the county community  
 17 programs board shall be composed of ~~44~~ 13 members with 3 additional members for each

1 county in a multicounty department of community programs in excess of 2. Appointments  
2 shall be made by the county boards of supervisors of the counties in a multicounty department  
3 of community programs in a manner acceptable to the counties in the multicounty department  
4 of community programs and shall have representation from the interest group of the mentally  
5 ill, ~~the interest group of the developmentally disabled, the interest group of the alcoholic and~~  
6 ~~the interest group of the drug dependent~~ groups of persons with mental illness, intellectual  
7 disability, alcoholism, and drug dependence. ~~At least one member~~ Of the members appointed  
8 to a county community programs board, at least one member shall be an individual who  
9 receives or has received services for mental illness, ~~developmental~~ intellectual disability,  
10 alcoholism or drug dependency or at least one member shall be a family member of such an  
11 individual, at least one member shall be a law enforcement officer, and at least one member  
12 shall be a hospital employee or representative. Each of the counties in the multicounty  
13 department of community programs may appoint to the county community programs board  
14 not more than 3 members from its county board of supervisors.

15 (END)



In 2/27

Jld

PWF  
anal: jlcnote

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

D-note

4

Regen

1

AN ACT to amend 51.42 (4) (b) of the statutes; relating to: requiring county community programs ~~board~~ <sup>stet</sup> appointees to include consumers, law enforcement personnel and hospital employees or representatives and increasing the size of county community programs boards.



3

4

*Analysis by the Legislative Reference Bureau*

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

**The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:**

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This ~~draft~~ <sup>bill</sup> was prepared for the Joint Legislative Council's Special Committee on Review of Emergency Detention and Admission of Minors Under Chapter 51.

Under current law, county departments of community programs are governed by boards comprised of members of the county board of supervisors and citizen members. The county community programs board is a governing and policy-making board. In a single-county department, the board must be composed of 9 to 15 persons. Members must have a recognized ability and demonstrated interest in the problems of the mentally ill, developmentally disabled, alcoholic, or drug dependent persons and shall have representation from the interest group of the mentally ill, the interest group of the developmentally disabled, the interest group of the alcoholic, and the interest group of

the drug dependent. At least one member must be a consumer of services or a family member of the consumer. No more than 5 members may be county board of supervisors members.

In a multicounty department, the board is composed of 11 members, with 3 additional members for each county in a multicounty department of community programs in excess of 2. As with the single-county department board, a multicounty department board shall have representation from the interest group of the mentally ill, the interest group of the developmentally disabled, the interest group of the alcoholic, and the interest group of the drug dependent. At least one member must be a consumer of services or a family member of the consumer. Each of the counties in the multicounty department of community programs may appoint to the county community programs board not more than 3 members from its county board of supervisors.

\* This draft requires at least one of the members appointed to a single- or multicounty community programs board to be each of the following:

- A person who has received services for mental illness, intellectual disability, alcoholism, or drug dependence.
- A law enforcement officer.
- A hospital employee or representative.

The maximum number of members for a single-county department is accordingly increased to 17. The number of members for a multicounty department is increased to 13, with 3 additional members for each county in the multicounty department in excess of 2.

1  
2

SECTION 1. 51.42 (4) (b) of the statutes is amended to read:

51.42 (4) (b) Composition. 1. In a single-county department of community programs the county community programs board shall be composed of not less than 9 nor more than 15 17 persons of recognized ability and demonstrated interest in the problems of the mentally ill, developmentally disabled, alcoholic or drug dependent persons who have mental illness, intellectual disability, alcoholism, or drug dependence, and shall have representation from the interest group of the mentally ill, the interest group of the developmentally disabled, the interest group of the alcoholic and the interest group of the drug dependent groups of persons with mental illness, intellectual disability, alcoholism, and drug dependence. At least one member of the members appointed to a county community programs board, at least one member shall be an individual who receives or has received services for mental illness, developmental intellectual disability, alcoholism or drug dependency or, at

Stricken period



✓

9  
10  
11

groups of persons with mental illness, intellectual disability, alcoholism, and drug dependence!

move

score

1 least one member shall be a family member of such an individual, <sup>✓</sup> at least one  
2 member shall be a law enforcement officer, and at least one member shall be a  
3 hospital employee or representative. <sup>✓</sup> No more than 5 members may be appointed  
4 from the county board of supervisors.

5 2. In a multicounty department of community programs, the county  
6 community programs board shall be composed of ~~11~~ <sup>✓</sup> 13 members with 3 additional  
7 members for each county in a multicounty department of community programs in  
8 excess of 2. Appointments shall be made by the county boards of supervisors of the  
9 counties in a multicounty department of community programs in a manner  
10 acceptable to the counties in the multicounty department of community programs  
11 and shall have representation from the interest group of the mentally ill, the interest  
12 group of the developmentally disabled, the interest group of the alcoholic and the  
13 interest group of the drug dependent, groups of persons with mental illness,  
14 intellectual disability, alcoholism, and drug dependence. <sup>score</sup> <sup>note</sup> (At least one member <sup>note</sup> Of the  
15 members appointed to a county community programs board, at least one member  
16 shall be an individual who receives or has received services for mental illness,  
17 ~~developmental~~ intellectual disability, alcoholism or drug dependency ~~or,~~ at least one  
18 member shall be a family member of such an individual, at least one member shall  
19 be a law enforcement officer, and at least one member shall be a hospital employee  
20 or representative. <sup>✓</sup> Each of the counties in the multicounty department of community  
21 programs may appoint to the county community programs board not more than 3  
22 members from its county board of supervisors.

23 (END)

note

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1214/P1dn

TJD: ^:...

JLD

Date

✓ in the notes and  
the relating clause

To Laura Rose:

Under current law, there is only one mandatory member of a county community programs board, and that is a recipient of mental health services or a family member of that individual. The bill, as I read it, creates four mandatory members: 1) a recipient of services; 2) a family member of a recipient of services; 3) a law enforcement officer; and 4) a hospital employee or representative. I assume the reason the number of members is increased only by two and not three is to keep an odd number. ✓ However, the notes describing the bill do not mention the family member as a mandatory member, and I believe the family member ~~should be mentioned~~ position.

As we discussed, the term "intellectual disability" is a substitute for the term "mental retardation" and not "developmental disability." ✓ Therefore, the language in the bill restricts the members of the board representing those with a developmental disability to only those diagnosed with mental retardation, now known as intellectual disability. Is this the intent of the committee?

Should you have any questions or wish to address the issues raised in this note, please contact me.

Tamara J. Dodge  
Legislative Attorney  
Phone: (608) 267-7380  
E-mail: tamara.dodge@legis.wisconsin.gov

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1214/P1dn  
TJD:jld:jm

March 13, 2013

To Laura Rose:

Under current law, there is only one mandatory member of a county community programs board, and that is a recipient of mental health services or a family member of that individual. The bill, as I read it, creates four mandatory members: 1) a recipient of services; 2) a family member of a recipient of services; 3) a law enforcement officer; and 4) a hospital employee or representative. I assume the reason the number of members is increased only by two and not three is to keep an odd number. However, the notes describing the bill do not mention the family member as a mandatory member, and I believe the family member position should be mentioned in the notes and the relating clause.

As we discussed, the term "intellectual disability" is a substitute for the term "mental retardation" and not "developmental disability." Therefore, the language in the bill restricts the members of the board representing those with a developmental disability to only those diagnosed with mental retardation, now known as intellectual disability. Is this the intent of the committee?

Should you have any questions or wish to address the issues raised in this note, please contact me.

Tamara J. Dodge  
Legislative Attorney  
Phone: (608) 267-7380  
E-mail: [tamara.dodge@legis.wisconsin.gov](mailto:tamara.dodge@legis.wisconsin.gov)

## Dodge, Tamara

---

**From:** Rose, Laura  
**Sent:** Monday, March 18, 2013 2:08 PM  
**To:** LRB.Legal; Dodge, Tamara  
**Subject:** RE: Draft review: LRB -1214/P1 Topic: Requiring county community programs board appointees to include consumers, law enforcement personnel and hospital employees or representatives and increasing the size of county community programs boards

Hi, Tami

In response to your drafter's note:

1. Please keep the increase in number of members of the community programs boards to two.
2. Please change the term "intellectual disability" to "developmental disability" (as it is in current law). I believe this reflects the intent of the Committee.

Thank you!

Laura

Laura

*Laura D. Rose*

Deputy Director

Wisconsin Legislative Council

One East Main Street, Suite 401

PO Box 2536

Madison, WI 53701-2536

tel. 608.266.9791

fax: 608.266.3830

[laura.rose@legis.wisconsin.gov](mailto:laura.rose@legis.wisconsin.gov)

**From:** LRB.Legal

**Sent:** Wednesday, March 13, 2013 3:46 PM

**To:** Rose, Laura

**Subject:** Draft review: LRB -1214/P1 Topic: Requiring county community programs board appointees to include consumers, law enforcement personnel and hospital employees or representatives and increasing the size of county community programs boards

**Following is the PDF version of draft LRB -1214/P1 and drafter's note.**

## Dodge, Tamara

---

**From:** Rose, Laura  
**Sent:** Tuesday, March 26, 2013 3:53 PM  
**To:** Dodge, Tamara  
**Subject:** RE: Draft review: LRB -1214/P1 Topic: Requiring county community programs board appointees to include consumers, law enforcement personnel and hospital employees or representatives and increasing the size of county community programs boards

Hi Tami,

After looking at this more closely, I believe you are right. Also, could you amend the prefatory note to insert, into the list of required board members, the following:

- A family member of a person who has received services for mental illness, developmental disability, alcoholism, or drug dependence.

Also, I'm wondering if you could change the term "intellectual disability" to "developmental disability" in the prefatory note, to reflect the change made in the draft.

Thank you!

Laura  
*Laura D. Rose*  
Deputy Director  
Wisconsin Legislative Council  
One East Main Street, Suite 401  
PO Box 2536  
Madison, WI 53701-2536  
tel: 608.266.9791  
fax: 608.266.3830  
[laura.rose@legis.wisconsin.gov](mailto:laura.rose@legis.wisconsin.gov)

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**From:** Dodge, Tamara  
**Sent:** Friday, March 22, 2013 4:10 PM  
**To:** Rose, Laura  
**Subject:** RE: Draft review: LRB -1214/P1 Topic: Requiring county community programs board appointees to include consumers, law enforcement personnel and hospital employees or representatives and increasing the size of county community programs boards

Laura,

You did not address my concern in the drafter's note that the notes did not mention the additional position for the family member. I believe the relating clause, since it lists all of the other committee members, should also include the family member. Please advise how I should handle this.

Tami

**Tamara J. Dodge**  
Attorney

Wisconsin Legislative Reference Bureau  
P.O. Box 2037  
Madison, WI 53701-2037  
(608) 267 - 7380  
[tamara.dodge@legis.wisconsin.gov](mailto:tamara.dodge@legis.wisconsin.gov)

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Thank you!

Laura

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Wisconsin Legislative Council

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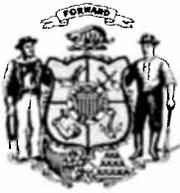
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**Following is the PDF version of draft LRB -1214/P1 and drafter's note.**



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-1214/P1  
TJD:jld:jm

In 3/28 /13

RMR

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

2013 BILL

family members of consumers;

X

Regen

- 1 AN ACT *to amend* 51.42 (4) (b) 1. and 2. of the statutes; **relating to:** requiring
- 2 county community programs board appointees to include consumers, law
- 3 enforcement personnel, and hospital employees or representatives and
- 4 increasing the size of county community programs boards.

**Analysis by the Legislative Reference Bureau**

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

**The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:**

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9. <sup>10</sup> A family member of a person who has received services for mental illness, developmental disability, alcoholism, or drug dependence. member of the consumer. No more than 5 members may be county board of supervisors members.

In a multicounty department, the board is composed of 11 members, with 3 additional members for each county in a multicounty department of community programs in excess of 2. As with the single-county department board, a multicounty department board shall have representation from the interest group of the mentally ill, the interest group of the developmentally disabled, the interest group of the alcoholic, and the interest group of the drug dependent. At least one member must be a consumer of services or a family member of the consumer. Each of the counties in the multicounty department of community programs may appoint to the county community programs board not more than 3 members from its county board of supervisors.

This bill requires at least one of the members appointed to a single-county or multicounty community programs board to be each of the following:

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- A law enforcement officer.
- A hospital employee or representative.

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1 SECTION 1. 51.42 (4) (b) 1. and 2. of the statutes are amended to read:

2 51.42 (4) (b) 1. In a single-county department of community programs the  
3 county community programs board shall be composed of not less than 9 nor more  
4 than ~~15~~ 17 persons of recognized ability and demonstrated interest in the problems  
5 of the mentally ill, developmentally disabled, alcoholic or drug dependent persons

6 who have mental illness, intellectual disability, alcoholism, or drug dependence, and  
7 shall have representation from the interest group of the mentally ill, the interest  
8 group of the developmentally disabled, the interest group of the alcoholic and the  
9 interest group of the drug dependent. At least one member groups of persons with

10 mental illness, intellectual disability, alcoholism, and drug dependence. Of the  
11 members appointed to a county community programs board, at least one member

12 shall be an individual who receives or has received services for mental illness,

13 developmental intellectual disability, alcoholism or drug dependency or, at least one

14 member shall be a family member of such an individual, at least one member shall

15 be a law enforcement officer, and at least one member shall be a hospital employee

Developmental

Developmental

Plain

1 or representative. No more than 5 members may be appointed from the county board  
2 of supervisors.

3 2. In a multicounty department of community programs, the county  
4 community programs board shall be composed of ~~11~~ 13 members with 3 additional  
5 members for each county in a multicounty department of community programs in  
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15 <sup>Plain</sup>developmental <sup>✓</sup>(intellectual) disability, alcoholism or drug dependency or, at least one  
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17 be a law enforcement officer, and at least one member shall be a hospital employee  
18 or representative. Each of the counties in the multicounty department of community  
19 programs may appoint to the county community programs board not more than 3  
20 members from its county board of supervisors.

21

(END)

Developmental

**Rose, Stefanie**

---

**From:** Rose, Laura  
**Sent:** Tuesday, April 02, 2013 9:21 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -1214/1 Topic: Requiring county community programs board appointees to include consumers, law enforcement personnel and hospital employees or representatives and increasing the size of county community programs boards

Please Jacket LRB -1214/1 for the SENATE.