

1999 DRAFTING REQUEST

Bill

Received: **05/14/1999**

Received By: **malaigm**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Council - JLC 7-9485**

By/Representing: **Anne Sappenfield**

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

Drafter: **malaigm**

May Contact:

Alt. Drafters:

Subject: **Children - abuse and neglect**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Prevention coordination council

Instructions:

See Attached--convert to LRB format WLCS 0044/3

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>
/P1	malaigm 05/17/1999	jgeller 05/20/1999	kfollet 05/27/1999 kfollet 05/30/1999	_____	lrb_docadmin 06/01/1999		State
/1	malaigm 06/03/1999	jgeller 06/03/1999	jfrantze 06/04/1999	_____	lrb_docadmin 06/04/1999	lrb_docadminState 09/23/1999	

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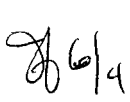

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		1/6/3 jg	kfollet 05/30/99	_____			

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/?	malaigm	/P1 5/24 JLG	KJF 5/27	KJF/KM 5/27			

FE Sent For:

<END>

5-12-99

Hi Deb:

Here's the WLCS draft that the Leg Council Special Committee on Programs for Prevention Services will be voting on by mail ballot (which was sent out today). Please turn this into an LRB draft to be used at the Joint Leg Council meeting (date not yet set). When Rep. Scott Gunderson, who chaired the Special Committee, decides on language for a budget amendment on the same subject, and whether he wants it drafted to the Governor's bill or the Joint Finance sub, we'll be back in touch. Thanks for your assistance.

Pam Shannon and Anne Sappenfield
6-2680 7-9485

1 **AN ACT** to create 15.197 (3), 20.435 (3) (fr) and 46.505 of the statutes; **relating to:**
2 creating a prevention coordination council and prevention planning grants and
3 making an appropriation.

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 programs for prevention services. The draft creates a prevention coordination council in the department of health and family services (DHFS). The draft also creates a pilot prevention planning grant program for counties, other political subdivisions and nonprofit agencies, to be administered by DHFS with assistance from the department of public instruction.

More detailed descriptions of the provisions of the bill draft are contained in the notes following each SECTION.

- 4 **SECTION 1.** 15.197 (3) of the statutes is created to read:
- 5 **15.197 (3) PREVENTION COORDINATION COUNCIL.** (a) There is created in the department
6 of health and family services a prevention coordination council to perform the functions
7 specified in s. 46.505. The council shall consist of the following members:
- 8 1. The secretary of health and family services or his or her designee.
 - 9 2. The state superintendent of public instruction or his or her designee.
 - 10 3. The secretary of workforce development or his or her designee.
 - 11 4. The secretary of corrections or his or her designee.
 - 12 5. The attorney general or his or her designee.
 - 13 6. One representative of the assembly appointed by the speaker of the assembly.
 - 14 7. One representative of the assembly appointed by the minority leader of the assembly.
 - 15 8. One senator appointed by the president of the senate.

1 9. One senator appointed by the minority leader of the senate.

2 10. One employe of the University of Wisconsin System or the University of
3 Wisconsin-Extension with expertise in the area of prevention services for children, youth and
4 families appointed by the president of the University of Wisconsin System.

5 11. One employe of the office of justice assistance appointed by the secretary of
6 administration.

7 12. One member appointed by the child abuse and neglect prevention board.

8 13. One member appointed by the adolescent pregnancy prevention and pregnancy
9 services board.

10 14. Four public members representing diverse geographical areas of the state, at least
11 one of whom is a provider of medical services, and one of whom is a member of a taxpayers'
12 association, appointed by the governor.

13 (b) Appointed members shall serve staggered 3-year terms.

NOTE: Creates a prevention coordination council in the DHFS and specifies the membership and terms of certain members of the council.

14 SECTION 2. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the
15 following amounts for the purposes indicated:

		1999-00	2000-01
16			
17	20.435 Health and family services, department of		
18	(3) CHILDREN AND FAMILY SERVICES		
19	(fr) Prevention planning grants	GPR A	\$-0- \$800,000

20 SECTION 3. 20.435 (3) (fr) of the statutes is created to read:

21 20.435 (3) (fr) *Prevention planning grants*. The amounts in the schedule for prevention
22 planning grants under s. 46.505.

NOTE: Creates an appropriation in DHFS for prevention planning grants.

1 SECTION 4. 46.505 of the statutes is created to read:

2 **46.505 Prevention coordination council and prevention planning grants. (1)**

3 DEFINITIONS. In this section:

4 (a) "Prevention services" means services or programs whose primary purpose is to
5 provide children, youth and families with the knowledge, skills and other resources necessary
6 to address stressful conditions and avoid harmful behaviors in order to prevent the onset or
7 worsening of social, behavioral or health problems.

8 (b) "Rural area" means an area that is not an urban area.

9 (c) "Urban area" means an area that includes a federal metropolitan statistical area or
10 a primary metropolitan statistical area, as designated by the federal office of management and
11 budget.

12 (2) DUTIES OF PREVENTION COORDINATION COUNCIL. The prevention coordination council
13 shall do all of the following:

14 (a) Promote the coordination and evaluation of prevention services that achieve the
15 following:

- 16 1. Children who are healthy.
- 17 2. Children who are ready for and who succeed in school.
- 18 3. Youth who engage in positive behaviors and avoid risky behaviors.
- 19 4. Families that are economically self-sufficient and in which children are safe.
- 20 5. Communities that promote healthy and safe children and families.

21 (b) Develop statewide goals for prevention services and identify measures of progress
22 of prevention services toward meeting those goals.

1 (c) Identify duplication in prevention services, develop recommendations, budget
2 proposals and legislation for consolidation of funding and coordination of prevention services
3 and develop strategies to eliminate duplication in prevention services.

4 (d) Develop requests for waivers of federal funding and other restrictions under federal
5 laws and regulations.

6 (e) Identify sources of data and methods for collection of data relating to prevention
7 services and make recommendations to the department and the department of public
8 instruction for a uniform statewide system of data collection.

9 (f) Review the evaluation of the planning grant program under sub. (3) and advise the
10 department and the department of public instruction on the eventual statewide implementation
11 of the program.

12 (g) Submit to the governor, the secretary, the superintendent of public instruction and
13 the chief clerk of each house, for distribution to the appropriate standing committees under
14 s. 13.172 (3), the initial statewide goals and identified measures of progress towards meeting
15 those goals under par. (b) and initial recommendations for budget proposals and legislation
16 under par. (c) no later than July 1, 2000. Upon establishing benchmarks under par. (h),
17 adopting any change to the statewide goals or benchmarks or developing additional
18 recommendations for budget proposals or legislation, the council shall prepare a report
19 summarizing the changes or recommendations for submission to the governor, the secretary,
20 the superintendent of public instruction and the chief clerk of each house, for distribution to
21 the appropriate standing committees under s. 13.172 (3).

22 (h) Establish benchmarks which set forth the expected level of progress of prevention
23 services toward meeting statewide goals, when sufficient data is available on the
24 appropriateness of measures identified under par. (b).

1 (3) PREVENTION PLANNING. (a) *Duties of departments.* The department, with the
2 assistance of the department of public instruction, shall do all of the following:

3 1. Notify counties by April 1, 2000 of the opportunity to apply for a prevention planning
4 grant under this subsection.

5 2. Develop and distribute by July 1, 2000 a request for proposals from counties, other
6 political subdivisions and nonprofit agencies to apply for a prevention planning grant. The
7 request for proposals shall require the applicant to specify the county or multi-county area,
8 or another area approved by the department and the department of public instruction, to which
9 a prevention plan developed under sub. (4) (b) will apply. Applications for prevention
10 planning grants shall be submitted to the department by November 1, 2000. In the 1999-01
11 state fiscal biennium, no more than 4 applicants from rural areas and 4 applicants from urban
12 areas may be selected to receive prevention planning grants.

13 3. Annually, evaluate and report to the council created in s. 15.197 (3) on the progress
14 of recipients of prevention planning grants under par. (b) in developing and implementing a
15 prevention plan, developing systems for uniform data collection and evaluating prevention
16 services in the area specified by the applicant under subd. 2.

17 4. Serve as or identify another entity to serve as a state clearinghouse to make available
18 information about prevention programs and approaches that have been proven to be effective
19 and information about methods for evaluating prevention programs.

20 5. Seek necessary waivers of federal funding and other restrictions under federal laws
21 and regulations.

22 (b) *Administration of grants.* From the appropriation under s. 20.435 (3) (fr), the
23 department, beginning on January 1, 2001, shall provide 2-year prevention planning grants
24 under sub. (4), with assistance from the department of public instruction.

1 (c) *Staff*. The secretary and the superintendent of public instruction each shall designate
2 a staff person to carry out the duties under this subsection.

3 (4) PURPOSE AND USE OF GRANT FUNDS. The purpose of the grants awarded under sub.
4 (3) is to develop and implement a plan for the area specified by the applicant under sub. (3)
5 (a) 2. to coordinate local prevention services and funding, develop a uniform system of data
6 collection among prevention providers and establish a system of evaluating prevention
7 services. The grants awarded under this section shall be used for all of the following purposes:

8 (a) To establish and maintain the local prevention consortium under sub. (5) (a),
9 including the cost of the designated staff person under sub. (5) (b).

10 (b) To pay expenses incurred in the development and implementation of a prevention
11 plan for the area specified by the applicant under sub. (3) (a) 2. to provide comprehensive
12 prevention services in the area using the available prevention resources in the area.

13 (c) To pay expenses incurred in developing a system for uniform data collection by the
14 county or counties, other appropriate political subdivisions and prevention service providers
15 in the area specified by the applicant under sub. (3) (a) 2.

16 (d) To pay expenses incurred in developing a system for evaluating prevention services
17 in the area specified by the applicant under sub. (3) (a) 2., to be utilized in improving the
18 delivery of those services.

19 (5) CRITERIA FOR AWARDING GRANTS. In addition to any other criteria developed by the
20 department and the department of public instruction, an applicant shall meet all of the
21 following criteria in order to receive a planning grant under sub. (3):

22 (a) The applicant demonstrates in the grant application that it has established or has
23 plans to establish a local prevention consortium consisting of members who reside in or
24 provide services in the area specified by the applicant under sub. (3) (a) 2. To the extent

1 possible, the consortium shall consolidate existing prevention councils or committees in the
2 area specified by the applicant under sub. (3) (a) 2. To the extent possible, the consortium shall
3 consist of the following members:

4 1. A representative of one or more county departments under s. 46.215, 46.22 or 46.23.

5 2. A representative of a county department under s. 51.42 (3).

6 3. A representative of one or more public school districts.

7 4. A representative of one or more local health departments, as defined in s. 250.01 (4).

8 5. A member of one or more county boards of supervisors.

9 6. A representative of a health care provider.

10 7. A representative of a law enforcement agency.

11 8. A representative of the United Way.

12 9. Any other members the applicant identifies as having a demonstrated interest in
13 prevention services, including private citizens and representatives of city, town or village
14 government, private prevention service agencies, local businesses, agencies that provide
15 funding for prevention services and religious organizations.

16 (b) The applicant demonstrates in the grant application that it has designated or has
17 plans to designate a staff person to facilitate the activities of the local prevention consortium.

18 (c) The applicant provides an explanation of its plan for the expenditure of grant funds
19 received as required under sub. (4).

20 **(6) DUTIES OF LOCAL PREVENTION CONSORTIUM.** Recipients of planning grants shall
21 ensure that the local prevention consortium established under sub. (5) (a) does all of the
22 following:

23 (a) Designates the leadership for the local consortium.

24 (b) Convenes at least quarterly.

1 (c) Develops goals specific to the area specified by the applicant under sub. (3) (a) 2.
2 that are consistent with the statewide goals developed under sub. (2) (b) and, to the extent
3 possible, utilizes measures developed under sub. (2) (b) to measure progress of prevention
4 services toward meeting those goals.

5 (d) Identifies prevention services available in the area specified by the applicant under
6 sub. (3) (a) 2. and sources of funding available for prevention services.

7 (e) Develops a plan for the coordination of identified prevention services and sources
8 of funding with the goal of providing comprehensive prevention services in the area.

NOTE: The newly created s. 46.505 does the following:

1. Defines "prevention services", "rural area" and "urban area".
2. Sets forth the duties of the prevention coordination council.
3. Requires DHFS, with the assistance of the department of public instruction, to do the following:
 - a. Develop a request-for-proposals for prevention planning grants and notify counties of the opportunity to apply.
 - b. Serve as or identify another entity to serve as a state prevention clearinghouse.
 - c. Seek necessary waivers of federal funding and other restrictions under federal laws and regulation.
 - d. Administer and evaluate the prevention planning grant program.
 - e. Each designate a staff person to carry out the duties under items a. to d., above.
4. Sets forth the purpose of the prevention planning grants and the activities for which the grants may be used.
5. Sets forth the criteria an applicant must meet in order to receive a prevention planning grant.
6. Sets forth the duties of the local prevention consortium which must be established in order to receive a prevention planning grant.



Draft

jlg

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

This bill is explained in the NOTES provided by the joint legislative council in the bill.
PFE-5

Regen

1 AN ACT to create 15.197 (3), 20.435 (3) (fr) and 46.505 of the statutes; relating
2 to: creating a prevention coordination council and prevention planning grants
3 and making an appropriation.

a

program

Analysis by the Legislative Reference Bureau

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

PREFATORY NOTE: This draft was prepared for the joint legislative council's special committee on programs for prevention services. The draft creates a prevention coordination council in the department of health and family services (DHFS). The draft also creates a pilot prevention planning grant program for counties, other political subdivisions and nonprofit agencies, to be administered by DHFS with assistance from the department of public instruction. (DPI)

More detailed descriptions of the provisions of the bill are contained in the notes following each SECTION of the bill.

4 SECTION 1. 15.197 (3) of the statutes is created to read:
5 15.197 (3) PREVENTION COORDINATION COUNCIL. (a) There is created in the
6 department of health and family services a prevention coordination council to

① ~~perform the functions specified in s. 46.505.~~ The council shall consist of the following
2 members:

- 3 1. The secretary of health and family services or his or her designee.
- 4 2. The state superintendent of public instruction or his or her designee.
- 5 3. The secretary of workforce development or his or her designee.
- 6 4. The secretary of corrections or his or her designee.
- 7 5. The attorney general or his or her designee.

⑧ 6. One ^{majority party} representative of the assembly appointed by ~~the speaker of the~~
⑨ ~~assembly~~ ^{as are the members of assembly standing committees} ✓

⑩ 7. One ^{minority party} representative of the assembly appointed by ~~the minority leader of the~~
⑪ ~~assembly~~ ^{as are the members of assembly standing committees} ✓

⑫ 8. One ^{majority party} senator appointed by ~~the president of the senate~~ ^{as are the members of senate standing committees} ✓

⑬ 9. One ^{minority party} senator appointed by ~~the minority leader of the senate~~ ^{as are the members of senate standing committees} ✓

14 10. One employe of the University of Wisconsin System or the University of
15 Wisconsin-Extension ✓ with expertise in the area of prevention services for children,
16 youth and families appointed by the ✓ president of the University of Wisconsin System.

17 11. One employe of the office of justice assistance appointed by the secretary
18 of administration.

19 12. One member appointed by the child abuse and neglect prevention board.

20 13. One member appointed by the adolescent pregnancy prevention and
21 pregnancy services board.

⑭ 14. Four ^{other} public members representing diverse geographical areas of the state,
23 at least one of whom is a provider of medical services, and one of whom is a member
24 of a taxpayers' association, appointed by the governor. ^{to be appointed for}

⑮ (b) Appointed members shall serve staggered 3-year terms.

The members appointed under par. (a) 10. to 14. ✓

NOTE: Creates a prevention coordination council in ~~the~~ DHFS and specifies the membership and terms of certain members of the council.

1 SECTION 2. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
2 the following amounts for the purposes indicated:

3 1999-00 2000-01

4 20.435 Health and family services, department

5 of

6 (3) ✓ CHILDREN AND FAMILY SERVICES

7 (fr) Prevention planning grants GPR(A) \$0- \$800,000

WFO -
check
Component

\$sched

8 SECTION 3. 20.435 (3) (fr) ✓ of the statutes is created to read:

9 20.435 (3) (fr) ✓ Prevention planning grants. The amounts in the schedule for
10 prevention planning grants under s. 46.505.

NOTE: ~~Creates~~ ^{Makes} an appropriation ^{to} DHFS for prevention planning grants.

11 SECTION 4. 46.505 ✓ of the statutes is created to read:

12 46.505 Prevention coordination council and prevention planning
13 grants. (1) ✓ DEFINITIONS. In this section:

14 (a) "Prevention services" means services or programs whose primary purpose
15 is to provide children, youth and families with the knowledge, skills and other
16 resources necessary to address stressful conditions and avoid harmful behaviors in
17 order to prevent the onset or worsening of social, behavioral or health problems.

18 (b) "Rural area" means an area that is not an urban area. ^{located in}

19 (c) "Urban area" means an area that ^{state} includes a federal metropolitan statistical
20 area or a primary metropolitan statistical area, as designated by the federal office
21 of management and budget.

1 (2) DUTIES OF PREVENTION COORDINATION COUNCIL. The prevention coordination
2 council shall do all of the following:

3 (a) Promote the coordination and evaluation of prevention services that achieve
4 the following: *report* *to coordinate the provision* *stet* *sources* *call it*

- 5 1. Children who are healthy.
- 6 2. Children who are ready for and who succeed in school.
- 7 3. Youth who engage in positive behaviors and avoid risky behaviors.
- 8 4. Families that are economically self-sufficient and in which children are safe.
- 9 5. Communities that promote healthy and safe children and families.

10 (b) Develop statewide goals for prevention services and identify measures of
11 progress of prevention services toward meeting those goals. *recommendations for* *for prevention services*

12 (c) Identify duplication in prevention services, develop *the provision of* *proposed* *to consolidate* *recommendations*
13 budget proposals and legislation for consolidation of funding and coordination of
14 prevention services and develop strategies to eliminate duplication in prevention
15 services. *Determine whether any federal funding restrictions or other restrictions*
under federal law or regulation impede the effectiveness or coordination
of any prevention services and, if so, develop

16 (d) Develop requests for waivers of ~~federal funding and other restrictions under~~
17 federal laws and regulations. *those restriction* *of health and family services*

18 (e) Identify sources of data and methods for collection of data relating to
19 prevention services and make recommendations to the department and the
20 department of public instruction for a uniform statewide system of data collection.

21 (f) Review the evaluation of the planning grant program under sub. (3) and
22 advise the department and the department of public instruction on the eventual
23 statewide implementation of the program. *(a) 3.*

24 (g) Submit to the governor, the secretary, the superintendent of public
25 instruction and the chief clerk of each house, for distribution to the appropriate
of the legislature

developed and identified

of the legislature

1 standing committees under s. 13.172 (3), the initial statewide goals and ~~identified~~ ^{the} ~~measures~~ ^{of} ~~towards~~ ^{meeting} ~~those~~ ^{state} goals under par. (b) and initial ~~measures~~ ^{for} ~~meeting~~ ^{those} ~~goals~~ ^{under} ~~par. (b)~~ ^{and} ~~initial~~ ^{recommendations} ~~for~~ ~~budget~~ ~~proposals~~ ~~and~~ ~~legislation~~ ~~under~~ ~~par. (c)~~ ~~no~~ ~~later~~ ~~than~~

2

3

4 July 1, 2000. Upon establishing benchmarks under par. (h), adopting any change to

5 the statewide goals or benchmarks or developing ^{any} additional recommendations for ~~prevention coordination~~ ^{prevention coordination}

6 [↑] budget proposals or legislation, the council shall prepare a report summarizing the ~~measures~~ ^{benchmarks,}

7 [↑] changes or recommendations for submission to the governor, the secretary, the

8 superintendent of public instruction and the chief clerk of each house, for

9 distribution to the appropriate standing committees under s. 13.172 (3).

10 (h) Establish benchmarks ^{that} which set forth the expected level of progress of ^{are} ~~prevention~~ ^{services} toward meeting ^{the} ~~statewide~~ ^{developed under par. (b)} goals, when sufficient data ~~is~~ ^{of} ~~available~~ ^{the} ~~on~~ ^{the} ~~the~~ ^{of} ~~the~~ ^{progress} ~~appropriateness~~ ^{toward} ~~of~~ ~~measures~~ ~~identified~~ ~~under~~ ~~par. (b)~~ ^{of health and family services}

11

12

for measuring the progress of prevention services toward meeting those goals

13 (3) PREVENTION PLANNING. (a) Duties of departments. The department, with

14 the assistance of the department of public instruction, shall do all of the following:

15 1. Notify counties by April 1, 2000 of the opportunity to apply for a prevention

16 planning grant under this subsection.

17 2. Develop and distribute by July 1, 2000 a request for proposals from counties,

18 other political subdivisions and nonprofit agencies to apply for a prevention planning

19 grant. The request for proposals shall require the applicant to specify the county or

20 multi-county area, or another area approved by the department and the department

21 of public instruction, to which a prevention plan developed under sub. (4) (b) will

22 apply. Applications for prevention planning grants shall be submitted to the

23 department by November 1, 2000. In the 1999-01 state fiscal biennium, no more than

24 4 applicants from rural areas and 4 applicants from urban areas may be selected to

25 receive prevention planning grants.

of health and family services

SECTION 4

This subsection and subs. (4) to (6)

the waiver of

prevention coordination

under

1 3. Annually, evaluate and report to the council created in s. 15.197 (3) on the
2 progress of recipients of prevention planning grants under par. (b) in developing and
3 implementing a prevention plan, developing uniform systems for uniform data collection and
4 evaluating prevention services in the area specified by the applicant under subd. 2.

and establishing systems for

plans

uniform

of

areas

those recipients

5 4. Serve as or identify another entity to serve as a state clearinghouse to make
6 available information about prevention programs and approaches that have been
7 proven to be effective and information about methods for evaluating prevention
8 programs.

Determine whether any federal funding restrictions or other restrictions under federal law or regulation is necessary for the implementation of the prevention planning grant ~~under the~~ subsection, and, if so, seek a waiver of that restriction

9 5. Seek necessary waivers of federal funding and other restrictions under
10 federal laws and regulations of health and family services

11 (b) Administration of grants. From the appropriation under s. 20.435 (3) (fr),
12 the department, beginning on January 1, 2001, shall provide 2-year prevention
13 planning grants under sub. (4), with assistance from the department of public
14 instruction

for the purposes specified in

Keep comma

15 (c) Staff. The secretary and the superintendent of public instruction each shall
16 designate a staff person to carry out the duties under this subsection.

In the area specified by the applicant under sub. (3)(a) 2.

17 (4) PURPOSE AND USE OF GRANT FUNDS. The purpose of the grants awarded under
18 sub. (3) is to develop and implement a plan for the area specified by the applicant
19 under sub. (3) (a) 2. to coordinate local prevention services and funding, develop a
20 uniform system of data collection among prevention providers and establish a
21 system of evaluating prevention services. The grants awarded under this section
22 shall be used for all of the following purposes:

23 (a) To establish and maintain the local prevention consortium under sub. (5)

24 (a), including the cost of the designated staff person under sub. (5) (b).

(b)

a grant

The coordination of

of prevention services in that area

In that area

for

under which

1 (b) To pay expenses incurred in the development and implementation of a
2 prevention plan for the area specified by the applicant under sub. (3) (a) 2. to provide
3 comprehensive prevention services in the area using the available prevention
4 resources in the area.

are provided

5 (c) To pay expenses incurred in developing a system for uniform data collection
6 by the county or counties, other appropriate political subdivisions and prevention
7 service providers in the area specified by the applicant under sub. (3) (a) 2.

uniform

of

8 (d) To pay expenses incurred in developing a system for evaluating prevention
9 services in the area specified by the applicant under sub. (3) (a) 2., to be utilized in
10 improving the delivery of those services.

which shall be used to improve

prevention

of health and family services

11 (5) CRITERIA FOR AWARDING GRANTS. In addition to any other criteria developed

12 by the department and the department of public instruction, an applicant shall meet
13 all of the following criteria in order to receive a planning grant under sub. (3):

(b)

14 (a) The applicant shall demonstrate in the grant application that it has established
15 or has plans to establish a local prevention consortium consisting of members who
16 reside in or provide services in the area specified by the applicant under sub. (3) (a)
17 2. To the extent possible, the consortium shall consolidate existing prevention
18 councils or committees in the area specified by the applicant under sub. (3) (a) 2. To
19 the extent possible, the consortium shall consist of the following members:

shall demonstrate

20 1. A representative of one or more county departments under s. 46.215, 46.22
21 or 46.23.

22 2. A representative of a county department under s. 51.42 (3).

23 3. A representative of one or more public school districts.

24 4. A representative of one or more local health departments, as defined in s.
25 250.01 (4).

1 5. A member of one or more county boards of supervisors.

2 6. A representative of a health care provider.

3 7. A representative of a law enforcement agency.

4 8. A representative of the United Way.

5 9. Any other members ^{whom} the applicant identifies as having a demonstrated
6 interest in prevention services, including private citizens and representatives of city,
7 town or village government, private prevention service agencies, local businesses,
8 agencies that provide funding for prevention services and religious organizations.

9 (b) The applicant ^{shall demonstrate} ~~demonstrates~~ in the grant application that it has designated
10 or has plans to designate a staff person to facilitate the activities of the local
11 prevention consortium.

12 (c) The applicant ^{shall provide} ~~provides~~ an explanation of its plan ^{for the purposes specified in} ~~for the expenditure of~~
13 grant funds received ^{to use the} ~~as required under~~ sub. (4).

14 (6) DUTIES OF LOCAL PREVENTION CONSORTIUM. ^{A recipient} ~~Recipients~~ of planning grants ^a

15 ^{under sub. (3)(b)} shall ensure that the local prevention consortium established under sub. (5) (a) does
16 all of the following:

17 (a) Designates the leadership for the local ^{prevention} consortium.

18 (b) Convenes at least quarterly.

19 (c) Develops goals specific to the area specified by the applicant under sub. (3)

20 (a) 2. that are consistent with the statewide goals developed under sub. (2) (b) and,

21 to the extent possible, ^{uses} ~~utilizes~~ measures ^{identified} ~~developed~~ under sub. (2) (b) to measure

22 ^{the} progress of prevention services toward meeting those goals.

23 (d) Identifies prevention services available in the area specified by the
24 applicant under sub. (3) (a) 2. and sources of funding available for prevention
25 services.

1 (e) Develops a plan for the coordination of ^{those} identified prevention services and
 2 sources of funding with the goal of providing comprehensive prevention services in
 3 the areas specified by the applicant under sub. (3)(a) 2 ✓

NOTE: The newly created s. 46.505 does the following:

1. Defines "prevention services", "rural area" and "urban area".
2. Sets forth the duties of the prevention coordination council.
3. Requires DHFS, with the assistance of ^{DPT} ~~the department of public instruction~~, to do the following:
 - a. Develop a request-for-proposals for prevention planning grants and notify counties of the opportunity to apply.
 - b. Serve as or identify another entity to serve as a state prevention clearinghouse.
 - c. Seek ~~necessary~~ ^{restrictions} waivers of federal funding and other restrictions under federal laws and ~~regulations~~ ^{as necessary to implement the prevention planning grant program}
 - d. Administer and evaluate the prevention planning grant program.
 - e. Each designate a staff person to carry out the duties under items a. to d., above.
4. Sets forth the purpose of the prevention planning grants and the activities for which the grants may be used.
5. Sets forth the criteria an applicant must meet in order to receive a prevention planning grant.
6. Sets forth the duties of the local prevention consortium ^{that} ~~which~~ must be established in order to receive a prevention planning grant.

(END)

Insert ✓
9-4 4/

1999

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Nonstat File Sequence: **AAA**

LRB _____/____

_____:____:____

NONSTAT SESSLAW

1. In the component bar:

For the action phrase, execute: create → action: → *NS: → nonstat

For the budget action phrase, execute: create → action: → *NS: → 91XX

For a subsection, execute: create → text: → *NS: → sub

For a paragraph, execute: create → text: → *NS: → par

For a subdivision, execute: create → text: → *NS: → subd

For a subdivision paragraph, execute: create → text: → *NS: → subpar

2. Nonstatutory subunits are numbered automatically if "(#1)", "(#a)", etc., is filled in. Below, for the budget, fill in the 9100 department code; and fill in "___" or "()" only if a "frozen" number is needed.

SECTION # 91 2 3 7. Nonstatutory provisions; ...

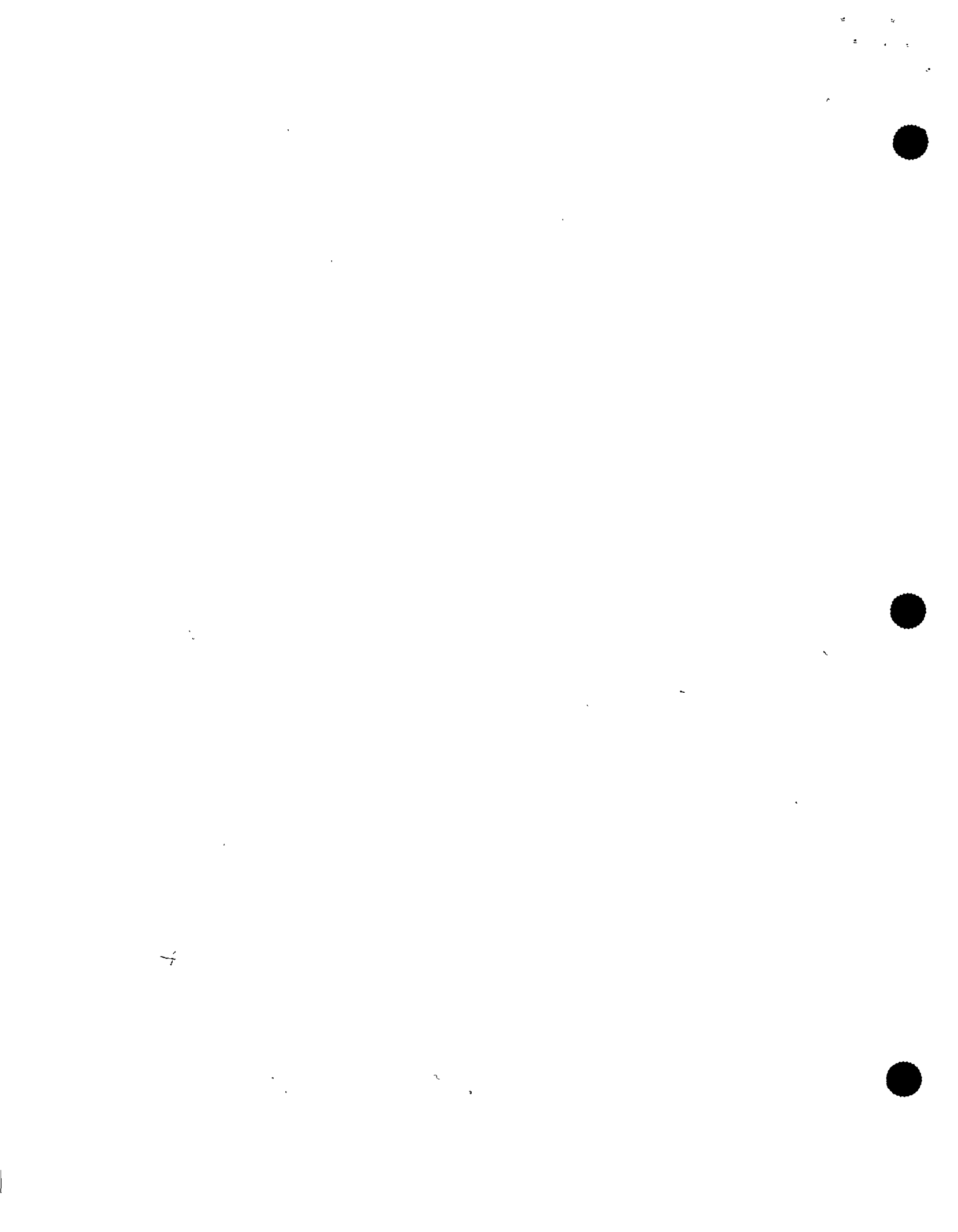
health and family services..... (CS)

(CS) (#1) PREVENTION COORDINATION COUNCIL; INITIAL

APPOINTMENTS. Notwithstanding the length of term specified in section 15.197 (3) (b) of the statutes, as created by this act, the initial terms of the member appointed under section 15.197(3) (a) 12. of the statutes, as created by this act, the member appointed under section 15.197(3)(a) 13. of the statutes, as created by this act, and one of the members appointed under section 15.197 (3) (a) 14. of the statutes, as created by this act, expire on July 1, 2001; and the initial terms of 2 of the members appointed under section 15.197 (3) (a) 14. of the statutes, as created by this act, expire on July 1, 2000.

[rev: 6/2/98 1999nonstat(fm)]

(end of insert)



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

LRB-3076/P1dn

GMM.....

JG

Anne and Pam:

In addition to numerous minor changes made for sake of clarity and consistency, this draft makes the following larger changes to WLCS-0044/3:

1. In s. 15.197 (3) (a) (intro.), it is the practice of the LRB not to cross-reference the duties of a body created in ch. 15.

2. In s. 15.197 (3) (a) 6. to 9., the preferred method of appointing legislative members of a council is to say that they are appointed "as are members of . . . standing committees". That way those members are appointed as near to the commencement of the session as possible (see SR 20 and AR 9) and hold their appointment until the 1st Monday in January of the next odd-numbered year (see s. 13.45(1) (a)).

3. In s. 15.197 (3) (a) 14., although the term "public member" is often found in ch. 15, that term is not defined in the statutes, so its use is discouraged. Instead the attributes of the member should be described, which s. 15.197 (3) (a) 14. does.

4. In s. 15.197 (3) (b), the preferred method of providing for staggered terms is to stagger the expiration of the members' initial appointments in a nonstatutory provision. To provide for staggered terms in the statutes might be construed to imply ongoing authority to stagger terms. Accordingly, this draft staggers the initial terms of the appointed members, other than the legislative members, in a nonstatutory provision. The draft also specifies more precisely which appointed members shall be appointed for 3-year terms. In addition, the draft says that the members "shall be appointed" rather than "shall serve" because "shall serve" can be construed to mean that they cannot die or resign during their term.

5. In s. 46.505 (2) (d) and (3) (a) 5., this draft specified more precisely the federal restrictions that the prevention coordination council and DHFS may seek to have waived. For a statutory example of this type of language, see. s. 106.115 (2) (d).

If you have any questions about this draft, please do not hesitate to contact me directly.

Gordon M. Malaise
Senior Legislative Attorney
Phone: (608) 266-9738
E-mail: Gordon.Malaise@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3076/P1dn
GMM:jlg:kjf

May 27, 1999

Anne and Pam:

In addition to numerous minor changes made for sake of clarity and consistency, this draft makes the following larger changes to WLCS-0044/3:

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2. In s. 15.197 (3) (a) 6. to 9., the preferred method of appointing legislative members of a council is to say that they are appointed "as are members of . . . standing committees". That way those members are appointed as near to the commencement of the session as possible (see SR 20 and AR 9) and hold their appointment until the 1st Monday in January of the next odd-numbered year (see s. 13.45 (1) (a)).

3. In s. 15.197 (3) (a) 14., although the term "public member" is often found in ch. 15, that term is not defined in the statutes, so its use is discouraged. Instead the attributes of the member should be described, which s. 15.197 (3) (a) 14. does.

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If you have any questions about this draft, please do not hesitate to contact me directly.

Gordon M. Malaise
Senior Legislative Attorney
Phone: (608) 266-9738
E-mail: Gordon.Malaise@legis.state.wi.us



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Regen

1 AN ACT to create 15.197 (3), 20.435 (3) (fr) and 46.505 of the statutes; relating
2 to: creating a prevention coordination council and a prevention planning grant
3 program and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the joint legislative council in the bill.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

PREFATORY NOTE: This bill was prepared for the joint legislative council's special committee on programs for prevention services. The bill creates a prevention coordination council in the department of health and family services (DHFS). The bill also creates a pilot prevention planning grant program for counties, other political subdivisions and nonprofit agencies, to be administered by DHFS with assistance from the department of public instruction (DPI).

More detailed descriptions of the provisions of the bill are contained in the NOTES following each SECTION of the bill.

4 SECTION 1. 15.197 (3) of the statutes is created to read:

1 15.197 (3) PREVENTION COORDINATION COUNCIL. (a) There is created in the
2 department of health and family services a prevention coordination council. The
3 council shall consist of the following members:

4 1. The secretary of health and family services or his or her designee.

5 2. The state superintendent of public instruction or his or her designee.

6 3. The secretary of workforce development or his or her designee.

7 4. The secretary of corrections or his or her designee.

8 5. The attorney general or his or her designee.

9 6. One majority party representative of the assembly appointed as are the
10 members of assembly standing committees.

11 7. One minority party representative of the assembly appointed as are the
12 members of assembly standing committees.

13 8. One majority party senator appointed as are the members of senate standing
14 committees.

15 9. One minority party senator appointed as are the members of senate standing
16 committees.

17 10. One employe of the University of Wisconsin System or the University of
18 Wisconsin–Extension with expertise in the area of prevention services for children,
19 youth and families appointed by the president of the University of Wisconsin System.

20 11. One employe of the office of justice assistance appointed by the secretary
21 of administration.

22 12. One member appointed by the child abuse and neglect prevention board.

23 13. One member appointed by the adolescent pregnancy prevention and
24 pregnancy services board.

1 (b) “Rural area” means an area that is not an urban area.

2 (c) “Urban area” means an area that includes a federal metropolitan statistical
3 area or a primary metropolitan statistical area, as designated by the federal office
4 of management and budget.

5 (2) DUTIES OF PREVENTION COORDINATION COUNCIL. The prevention coordination
6 council shall do all of the following:

7 (a) Promote the coordination and evaluation of prevention services that achieve
8 the following:

- 9 1. Children who are healthy.
- 10 2. Children who are ready for and who succeed in school.
- 11 3. Youth who engage in positive behaviors and avoid risky behaviors.
- 12 4. Families that are economically self-sufficient and in which children are safe.
- 13 5. Communities that promote healthy and safe children and families.

14 (b) Develop statewide goals for prevention services and identify measures of
15 progress of prevention services toward meeting those goals.

16 (c) Identify duplication in the provision of prevention services; develop
17 ✓ recommendations for state budget proposals and proposed legislation to consolidate
18 funding for prevention services and to coordinate the provision of prevention
19 services; and develop strategies to eliminate duplication in the provision of
20 prevention services.

21 (d) Determine whether any federal funding restrictions or other restrictions
22 under federal law or regulation impede the effectiveness or coordination of any
23 prevention services and, if so, develop requests for waivers of those restrictions.

24 (e) Identify sources of data and methods for collection of data relating to
25 prevention services and make recommendations to the department of health and

1 family services and the department of public instruction for a uniform statewide
2 system of data collection.

3 (f) Review the evaluation of the planning grant program under sub. (3) (a) 3.
4 and advise the department of health and family services and the department of
5 public instruction on the eventual statewide implementation of the program.

6 (g) Submit to the governor, the secretary, the superintendent of public
7 instruction and the chief clerk of each house of the legislature, for distribution to the
8 appropriate standing committees under s. 13.172 (3), the initial statewide goals and
9 measures of progress towards meeting those goals developed and identified under
10 par. (b) and the initial recommendations ²for state budget proposals and proposed
11 legislation developed under par. (c) by no later than July 1, 2000. Upon establishing
12 benchmarks under par. (h), adopting any change to the statewide goals or
13 benchmarks or developing any additional recommendations ²for state budget
14 proposals or proposed legislation, the prevention coordination council shall prepare
15 a report summarizing the benchmarks, changes ¹or recommendations ²for submission
16 to the governor, the secretary, the superintendent of public instruction and the chief
17 clerk of each house of the legislature, for distribution to the appropriate standing
18 committees under s. 13.172 (3).

19 (h) Establish benchmarks that set forth the expected level of progress of
20 prevention services toward meeting the statewide goals developed under par. (b),
21 when sufficient data are available on the appropriateness of the measures identified
22 under par. (b) for measuring the progress of prevention services toward meeting
23 those goals.

, state budget proposals or
proposed legislation

1 **(3) PREVENTION PLANNING.** (a) *Duties of departments.* The department of health
2 and family services, with the assistance of the department of public instruction, shall
3 do all of the following:

4 1. Notify counties by April 1, 2000, of the opportunity to apply for a prevention
5 planning grant under this subsection.

6 2. Develop and distribute by July 1, 2000, a request for proposals from counties,
7 other political subdivisions and nonprofit agencies to apply for a prevention planning
8 grant. The request for proposals shall require the applicant to specify the county or
9 multicounty area, or another area approved by the department of health and family
10 services and the department of public instruction, to which a prevention plan
11 developed under sub. (4) (b) will apply. Applications for prevention planning grants
12 shall be submitted to the department of health and family services by November 1,
13 2000. In the 1999-2001 state fiscal biennium, no more than 4 applicants from rural
14 areas and 4 applicants from urban areas may be selected to receive prevention
15 planning grants.

16 3. Annually, evaluate and report to the prevention coordination council on the
17 progress of recipients of prevention planning grants under par. (b) in developing and
18 implementing prevention plans, developing uniform systems of data collection and
19 establishing systems for evaluating prevention services in the areas specified by
20 those recipients under subd. 2.

21 4. Serve as or identify another entity to serve as a state clearinghouse to make
22 available information about prevention programs and approaches that have been
23 proven to be effective and information about methods for evaluating prevention
24 programs.

1 5. Determine whether the waiver of any federal funding restriction or other
2 restriction under federal law or regulation is necessary for the implementation of the
3 prevention planning grant under this subsection and subs. (4) to (6) and, if so, seek
4 a waiver of that restriction.

5 (b) *Administration of grants.* From the appropriation under s. 20.435 (3) (fr),
6 the department of health and family services, beginning on January 1, 2001, shall,
7 with assistance from the department of public instruction, provide 2-year
8 prevention planning grants for the purposes specified in sub. (4).

9 (c) *Staff.* The secretary and the superintendent of public instruction each shall
10 designate a staff person to carry out the duties under this subsection.

11 (4) **PURPOSE AND USE OF GRANT FUNDS.** The purpose of a grant awarded under
12 sub. (3) (b) is to develop and implement a plan for the coordination of local prevention
13 services and funding in the area specified by the applicant under sub. (3) (a) 2.,
14 develop a uniform system of data collection among providers of prevention services
15 in that area and establish a system for evaluating prevention services in that area.
16 The grants awarded under this section shall be used for all of the following purposes:

17 (a) To establish and maintain the local prevention consortium under sub. (5)
18 (a), including the cost of the designated staff person under sub. (5) (b).

19 (b) To pay expenses incurred in the development and implementation of a
20 prevention plan for the area specified by the applicant under sub. (3) (a) 2. under
21 which comprehensive prevention services are provided in the area using the
22 available prevention resources in the area.

23 (c) To pay expenses incurred in developing a uniform system of data collection
24 by the county or counties, other appropriate political subdivisions and prevention
25 service providers in the area specified by the applicant under sub. (3) (a) 2.

1 (d) To pay expenses incurred in developing a system for evaluating prevention
2 services in the area specified by the applicant under sub. (3) (a) 2., which shall be
3 used to improve the delivery of those prevention services.

4 (5) CRITERIA FOR AWARDING GRANTS. In addition to any other criteria developed
5 by the department of health and family services and the department of public
6 instruction, an applicant shall meet all of the following criteria in order to receive a
7 planning grant under sub. (3) (b):

8 (a) The applicant shall demonstrate in the grant application that it has
9 established or has plans to establish a local prevention consortium consisting of
10 members who reside or provide services in the area specified by the applicant under
11 sub. (3) (a) 2. To the extent possible, the consortium shall consolidate existing
12 prevention councils or committees in the area specified by the applicant under sub.
13 (3) (a) 2. To the extent possible, the consortium shall consist of the following
14 members:

15 1. A representative of one or more county departments under s. 46.215, 46.22
16 or 46.23.

17 2. A representative of a county department under s. 51.42 (3).

18 3. A representative of one or more public school districts.

19 4. A representative of one or more local health departments, as defined in s.
20 250.01 (4).

21 5. A member of one or more county boards of supervisors.

22 6. A representative of a health care provider.

23 7. A representative of a law enforcement agency.

24 8. A representative of the United Way.

1 9. Any other members whom the applicant identifies as having a demonstrated
2 interest in prevention services, including private citizens and representatives of city,
3 town or village government, private prevention service agencies, local businesses,
4 agencies that provide funding for prevention services and religious organizations.

5 (b) The applicant shall demonstrate in the grant application that it has
6 designated or has plans to designate a staff person to facilitate the activities of the
7 local prevention consortium.

8 (c) The applicant shall provide an explanation of its plan to use the grant funds
9 received for the purposes specified in sub. (4).

10 **(6) DUTIES OF LOCAL PREVENTION CONSORTIUM.** A recipient of a planning grant
11 under sub. (3) (b) shall ensure that the local prevention consortium established
12 under sub. (5) (a) does all of the following:

13 (a) Designates the leadership for the local prevention consortium.

14 (b) Convenes at least quarterly.

15 (c) Develops goals specific to the area specified by the applicant under sub. (3)
16 (a) 2. that are consistent with the statewide goals developed under sub. (2) (b) and,
17 to the extent possible, uses measures identified under sub. (2) (b) to measure the
18 progress of prevention services toward meeting those goals.

19 (d) Identifies prevention services available in the area specified by the
20 applicant under sub. (3) (a) 2. and sources of funding available for prevention
21 services.

22 (e) Develops a plan for the coordination of those identified prevention services
23 and sources of funding with the goal of providing comprehensive prevention services
24 in the area specified by the applicant under sub. (3) (a) 2.

NOTE: The newly created s. 46.505 does the following:

and regulations

1. Defines "prevention services", "rural area" and "urban area".
2. Sets forth the duties of the prevention coordination council.
3. Requires DHFS, with the assistance of DPI, to do the following:
 - a. Develop a request-for-proposals for prevention planning grants and notify counties of the opportunity to apply.
 - b. Serve as or identify another entity to serve as a state prevention clearinghouse.
 - c. Seek waivers of federal funding restrictions and other restrictions under federal laws ~~and~~ as necessary to implement the prevention planning grant program.
 - d. Administer and evaluate the prevention planning grant program.
 - e. Each designate a staff person to carry out the duties under items a. to d., above.
4. Sets forth the purpose of the prevention planning grants and the activities for which the grants may be used.
5. Sets forth the criteria an applicant must meet in order to receive a prevention planning grant.
6. Sets forth the duties of the local prevention consortium that must be established in order to receive a prevention planning grant.

*

1 **SECTION 9123. Nonstatutory provisions; health and family services.**

2 (1) PREVENTION COORDINATION COUNCIL; INITIAL APPOINTMENTS. Notwithstanding

3 the length of term specified in section 15.197 (3) (b) of the statutes, as created by this

4 act, the initial terms of the member appointed under section 15.197 (3) (a) 12. of the

5 statutes, as created by this act, the member appointed under section 15.197 (3) (a)

6 13. of the statutes, as created by this act, and one of the members appointed under

7 section 15.197 (3) (a) 14. of the statutes, as created by this act, expire on July 1, 2001;

8 and the initial terms of 2 of the members appointed under section 15.197 (3) (a) 14.

9 of the statutes, as created by this act, expire on July 1, 2000.

10

(END)

(b) NOTE: Provides for staggered initial terms of certain appointed members of the prevention coordination council so as to provide continuity in the membership of the council.

D-Note

Dom:

Note that this draft also supplies a (b) NOTE following the ~~nonstatutory~~ nonstatutory provision.

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

LRB-3076/1dn
GMM:jlj:jf

June 4, 1999

Pam:

Note that this draft also supplies a NOTE following the nonstatutory provision.

Gordon M. Malaise
Senior Legislative Attorney
Phone: (608) 266-9738
E-mail: Gordon.Malaise@legis.state.wi.us

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 6/4/99

To: Legislative Council - JLC

Relating to LRB drafting number: LRB-3076

Topic

Prevention coordination council

Subject(s)

Children - abuse and neglect

Ann Sheen

1. **JACKET** the draft for introduction by The Joint Legislative Council
in the **Senate** ____ or the **Assembly** X (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.
A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.
If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Gordon M. Malaise, Senior Legislative Attorney
Telephone: (608) 266-9738