

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: 05/24/99

Received By: kenneda

Wanted: As time permits

Identical to LRB:

For: Legislative Fiscal Bureau 6-3847

By/Representing: Goldman

This file may be shown to any legislator: NO

Drafter: kenneda

May Contact:

Alt. Drafters:

Subject: Health - AIDS

Extra Copies: TAY

Pre Topic:

LFB:.....Goldman -

Topic:

AIDS and HIV life care and prevention grants funding increase

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>
/1	kenneda 05/25/99	gilfokm 05/25/99	martykr 05/26/99	_____	gretskl 05/26/99		

FE Sent For:

<END>

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1/?	kenneda	1-5-25-99 kmg	5/26	mac 5/26			

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<END>

HEALTH AND FAMILY SERVICES -- PUBLIC HEALTH

HIV/AIDS Program Funding
(Paper #501)

Motion:

Move to provide \$100,000 GPR annually to AIDS service organizations (ASOs) to support HIV life care.

252.12
(2) (a)
8.

In addition, provide \$100,000 GPR annually for HIV prevention activities. Of this total, \$25,000 annually would be provided to the African American AIDS Task Force. The remaining \$75,000 annually would be available to DHFS to increase support for HIV prevention activities to be distributed as follows: (a) 60% to ASOs; and (b) 40% to minority community based organizations.

?
what approp.?
20.435 (5)(am)
Same criteria as 252.12 (2)(c)
1.?
Yes

Note:

Entities receiving funding under 252.12 (2) (a) 8. of the Black Health Coalition of Wisconsin, Inc.

Currently, the AIDS Resource Center of Wisconsin (ARCW) is the ASO for the Northern, Northeastern, Western and Southeastern regions of the state. AIDS Network is the ASO for the Southern region.

The 1998 budget for HIV prevention education and risk reduction activities is approximately \$3.2 million. The majority of these funds (\$2.9 million) are federal dollars the state receives from the U.S. Centers for Disease Control and Prevention. State funding for prevention activities is \$180,000. HIV prevention activities supported by these funds are prevention services provided by state and local agencies, community planning, evaluation and research and public information.

[Change to Bill: \$400,000 GPR]

5/25 Information about Black Health Coal. from Randal of that office
(414) 374-1880

Other information: Amie Goldman



(SOON) - In edit 5/25
State of Wisconsin
1999 - 2000 LEGISLATURE
D-NOTE

LRBb0400/1
 DAK.....
 King

LFB:.....Goldman – AIDS and HIV life care and prevention grants funding increase

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 427, line 15: after that line insert:

3 No ①
 3 ✓ SECTION 418g. 20.435 (5) (am) of the statutes is amended to read:

4 20.435 (5) (am) *Services, reimbursement and payment related to acquired*
 5 *immunodeficiency syndrome.* The amounts in the schedule for the purchase of
 6 services under s. 252.12 (2) (a) for individuals with respect to acquired
 7 immunodeficiency syndrome and related infections, to subsidize premium payments
 8 under ss. 252.16 and 252.17, for HIV prevention grants under s. 252.12 (2) (c) 2. and ✓
 9 3. ✓ and to reimburse or supplement the reimbursement of the cost of AZT,
 10 pentamidine and certain other drugs under s. 49.686.”

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977

c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293.

1 **2.** Page 1127, line 4: after that line insert:

2 ^{No ①}**SECTION 2432g.** 252.12 (2) (a) 8. of the statutes is amended to read:

3 252.12 (2) (a) 8. 'Life care and early intervention services.' The department
4 shall award not more than ~~\$1,894,900~~ \$1,994,900 in each year in grants to applying
5 organizations for the provision of needs assessments; assistance in procuring
6 financial, medical, legal, social and pastoral services; counseling and therapy;
7 homecare services and supplies; advocacy; and case management services. These
8 services shall include early intervention services. The department shall also award
9 not more than \$74,000 in each year from the appropriation under s. 20.435 (7) (md)
10 for the services under this subdivision. The state share of payment for case
11 management services that are provided under s. 49.45 (25) (be) to recipients of
12 medical assistance shall be paid from the appropriation under s. 20.435 (5) (am).

History: 1987 a. 27, 70, 399; 1989 a. 31, 201, 336; 1991 a. 39, 80; 1993 a. 16; 1993 a. 27 ss. 318, 319, 321, 323; Stats. 1993 s. 252.12; 1995 a. 27; 1997 a. 27, 79.

13 **SECTION 2432h.** 252.12 (2) (c) of the statutes is renumbered 252.12 (2) (c) 1.

14 **SECTION 2432i.** 252.12 (2) (c) 2. of the statutes is created to read:

15 252.12 (2) (c) 2. From the appropriation under s. 20.435 (5) (am)[✓], the
16 department shall award \$75,000 in each fiscal year as grants for services to prevent
17 HIV. Criteria for award of the grants shall include the criteria specified under subd.
18 1. The department shall award 60% of the funding to applying organizations that
19 receive funding under par. (a) 8. and 40% of the funding to applying
20 community-based organizations that are operated by minority group members, as
21 defined in s. 560.036 (1) (f)[✓].

22 **SECTION 2432j.** 252.12 (2) (c) 3. of the statutes is created to read:

1 252.12 (2) (c) 3. From the appropriation under s. 20.435 (5) (am), the
2 department shall award to the African American AIDS task force of the Black Health
3 Coalition of Wisconsin, Inc. \$25,000 in each fiscal year as grants for services to
4 prevent HIV.”

5

②

(END)

D-NOTE

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

LRBb0400/1dn

DAK...:king

To Amie Goldman:

It is possible that a Wisconsin court would find that this amendment is a "private or local law" which, under art. IV, sec. 18 of the Wisconsin Constitution, must be enacted as single-subject legislation. If so, this amendment cannot validly be enacted as part of the budget bill, which clearly encompasses more than one subject. Under *Milwaukee Brewers Baseball Club v. Wisconsin Dept. of Health and Social Services*, 130 Wis. 2d 79, 115 (1986), "a legislative provision which is specific to any person, place or thing is a private or local law within the meaning of art. 4, sec. 18, unless: 1) the general subject matter of the provision relates to a state responsibility of statewide dimension; and 2) its enactment will have direct and immediate effect on a specific statewide concern or interest". As it is difficult to predict the potential for and outcome of any court action on this amendment, you may wish to consider introducing this proposal as a separate bill.

Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137

**DRAFTER'S NOTE
FROM THE
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LRBb0400/1dn
DAK:kmg:km

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State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0400/1
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