

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-AB133)**

Received: **05/25/99**

Received By: **yacketa**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau 6-7044**

By/Representing: **Goldman**

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

Drafter: **yacketa**

May Contact:

Alt. Drafters: **kenneda  
mlief**

Subject: **Health - miscellaneous**

Extra Copies:

**Pre Topic:**

LFB:.....Goldman -

**Topic:**

Tobacco control program

**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>
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Drafter: yacketa

May Contact: Sarah Lewis w/ Primary Health care Assn  
277-7477

Alt. Drafters: kenneda mlief

Subject: Health - miscellaneous

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1?	yacketa						

*KJF rough draft 5/26*      *KH 5/26*

FE Sent For:

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TOBACCO SETTLEMENT FUND

Tobacco Control Program

Motion:

Move to incorporate the following provisions into the bill:

**Tobacco Control Program**

*Not Done.*  
✓ *Tobacco Control Advisory Council.* Create a 20-member tobacco control (advisory) council (the "Council"), which would consist of: (a) the Attorney General or his or her designee; (b) one majority party senator, one minority party senator, one majority party representative to the Assembly and one minority party representative to the Assembly, appointed as are the members of standing committees in their respective houses; (c) the DHFS Secretary or his or her designee; (d) the Superintendent of Public Instruction or his or her designee; (e) one physician with expertise in oncology, smoking cessation or public health; (f) one student from the University of Wisconsin System; (g) two high school students, including at least one minority student; (h) five representatives of organizations that have as their primary organizational mission reducing the health or economic consequences of tobacco use or ameliorating the effects of tobacco use and reducing the incidence of particular diseases or health conditions associated with tobacco use; (i) one local health officer; (j) a member of the state's grocers association; (k) one person who is a minority group member; and (l) a member of the Wisconsin Health and Hospital Association.

✓ Specify that the 13 nonpublic Council members would be appointed for three-year terms by the Governor, except that if a student member loses the status upon which the appointment was based, he or she would cease to be a Council member. Specify that the Governor would appoint one member of the Council to serve as the chairperson. Specify that the Council would meet at least four times per year, eleven members would constitute a quorum and that for the purpose of conducting business and exercising its power, a majority vote of the Council is required. Authorize the Council to create subcommittees to assist in its work, and if the Council creates subcommittees, specify that one subcommittee would address the issue of populations most adversely affected by tobacco.

✓ *Segregated Fund.* Establish a segregated, nonlapsible fund called the "Tobacco Control Fund" to support activities related to a statewide comprehensive tobacco control program. Create a segregated aids appropriation and a program operations appropriation in the Department of Health and Family Services (DHFS), Division of Public of Public Health (DPH) to support grants under and the administration of a statewide tobacco control program.

*Not Done*  
*20.435(D)(a) ?*

*Statewide Tobacco Control Program.* Require DHFS to develop a statewide tobacco control program in consultation with the Council. Require the Council to develop program and budget recommendations for a statewide tobacco control program and submit these recommendations to the DHFS Secretary by February 1, annually, beginning on February 1, 2000. Require DHFS to review these recommendations and to prepare the detailed annual budget for a statewide tobacco control program. Require DHFS to submit a detailed budget to the Joint Committee on Finance by March 1, annually, beginning on March 1, 2000, under a 14-day passive review process. Specify that \$30.9 million SEG in 2000-01 would be placed in the Committee's SEG appropriation for release once the Joint Committee on Finance has reviewed and approved the annual budget for the program.

Specify that the distribution of funding between the various components of the statewide tobacco control program budget would be based on the U.S. Centers for Disease Control's funding allocation recommendations for comprehensive tobacco control programs. In addition, specify that monies deposited in the tobacco control fund could only be used to support the following activities: (a) community programs to reduce tobacco use; (b) community programs to reduce the burden of tobacco-related diseases; (c) school programs; (d) enforcement of policies restricting access to tobacco products and reducing exposure to second hand smoke; (e) partnership grants with statewide organizations and businesses; (f) counter-marketing; (g) cessation programs; (h) surveillance and evaluation; (i) administration and management; and (j) projects designed to reduce tobacco use among minorities and pregnant women.

Require DHFS and the Council to consider successful tobacco control programs in other states when developing their recommendations. In addition, require DHFS to solicit input from the Council regarding the selection of specific programs or activities to be funded under the statewide tobacco control program.

Specify that, notwithstanding these provisions, tobacco control funds could be used to support the minority health program and FOHC grants created under this motion.

*Reporting Requirements.* Require DHFS to submit to the Governor and Legislature, no later than July 1, 2002, and annually thereafter, a report that evaluates the success of the program. Require the report to include the number of grants awarded during the preceding fiscal year, the purpose for which each grant was made and the donations and grants accepted by the Board. *Council?*

*Funding Allocations.* Specify that \$1.0 million annually of the amounts in the tobacco control aids appropriation would be provided to the UW Center for Tobacco Research and Intervention (CTRI) and that \$1.0 million in 1999-00 and no less than \$1.0 million thereafter would be provided to increase support for the Thomas T. Melvin program, notwithstanding the requirement to obtain approval from the Joint Finance Committee. Specify that \$92,000 of the amounts in the tobacco control aids appropriation would be provided to DPH to support a youth smokeless tobacco campaign in 1999-00, notwithstanding the requirement to obtain approval from the Committee. This funding allocation requirement would cease on June 30, 2000. Specify that \$500,000 annually of the amounts in the tobacco control aids appropriation, beginning in 2000-01,

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would be provided to the Medical College of Wisconsin to support tobacco prevention and cessation activities, notwithstanding the requirement to obtain approval from the Committee. Specify that these funds could only be used for activities directly related to preventing individuals from smoking and assisting smokers to quit smoking.

Specify that in 2000-01 up to \$150,000 would be allocated for grants to schools offering instruction in grades six, seven or eight that purchase or have purchased in 1998-99 the smoking/tobacco component of the *Body Awareness Resource Network* (BARN) software. Require schools to submit a grant application to DHFS in order to be eligible for a grant in an amount not to exceed the costs of the smoking/tobacco component of the BARN software. Further, direct the Department of Public Instruction (DPI) to coordinate with the software manufacturer and CESA staff training sessions for the use of the software in the classroom at no additional cost. Provide that this funding allocation requirement would cease on June 30, 2001.

115.28  
Approp. staff  
cooperative  
educational  
svcs  
agencies

*Funding.* Deposit the first \$~~2,292,000~~<sup>2,492,000</sup> of tobacco settlement revenues received in 1999-00 to the newly created tobacco control fund and provide \$400,000 SEG in 1999-00 in the DPH segregated program operations appropriation and \$5,892,000 SEG in 1999-00 in the tobacco control fund aids appropriation and authorize 2.0 SEG positions, beginning in 1999-00, to support tobacco control and administrative activities. These positions would include an epidemiologist to coordinate surveillance activities and a program manager to coordinate program activities and staff the Council. Of the total \$5,892,000, \$1.0 million would be provided to CTRL, \$1.0 million would be provided to increase support for the Thomas T. Melvin program, ~~\$300,000 would be provided to support a minority health program~~, \$92,000 would be provided to support a youth smokeless tobacco campaign, and \$3.5 million to support federally qualified health centers (FQHCs) in 1999-00.

Annually, deposit the first \$~~200~~<sup>261,600,000</sup> million of tobacco settlement revenues received in that fiscal year to the tobacco control fund, beginning in 2000-01.

DHFS could include a request for additional position authority and administrative expenses as part of the annual tobacco control program budget submitted to the Joint Committee on Finance and the Committee could, if necessary, transfer funds to support these activities from the tobacco control fund to the new tobacco control program operations appropriation.

*Tobacco-Related Provisions Contained in Budget Bill.* Delete the following provisions from the bill: (a) \$500,000 GPR annually provided to the Medical College of Wisconsin; (b) \$500,000 GPR annually provided to the DPI for K-8 smoking prevention programs; (c) \$500,000 GPR annually provided to DHFS to establish a smoking prevention program for women and children; (d) \$1 million GPR annually provided to the UW Center for Tobacco Research and Intervention; and (e) \$200,000 GPR in 1999-00 provided to the Office of the Commissioner of Insurance to fund a one-time grant to an organization that would help establish health insurance purchasing pools for private small employes. In addition, provide \$166,700 GPR annually from general school aids to adjust two-thirds funding of partial school revenues to reflect the deletion of DPI funding under the motion.

LFB - Statutory

MJL  
MSL/PG  
MJC  
PJE

LFB

## Minority Health Program

Specify that \$300,000 annually of the amounts in the tobacco control aids appropriation would be provided to support a minority health program, notwithstanding the requirement to obtain approval from the Committee. Create a minority health program that would provide \$300,000 ~~SAG~~ <sup>GPR</sup> annually to support the following activities: (a) a grant of up to \$100,000 annually for a private nonprofit corporation to conduct a public information campaign on minority health; and (b) \$200,000 annually for grants of amounts up to \$50,000 to conduct activities relating to the improvement of the health status of economically disadvantaged minority group members. Establish a 50% match requirement for the minority health status grants. Specify that the required contribution for the grant could be funding or in-kind contributions. Require DHFS to establish the application procedures for both the public information and health status grants.

In addition, require DHFS to do all of the following: (a) identify barriers to health care that prevent economically disadvantaged minority group members in this state from participating fully and equally in all aspects of life; (b) conduct statewide hearings on issues of concern to the health interests of economically disadvantaged minority group members; (c) review, monitor and advise all state agencies with respect to the impact on the health of economically disadvantaged minority group members of current and emerging state policies, procedures, practices, statutes and rules; (d) work closely with all state agencies, including the University of Wisconsin System and the technical college system, with the private sector and with groups concerned about the health of economically disadvantaged minority group members to develop long-term solutions to health problems of minority group members; (e) disseminate information on the status of the health of economically disadvantaged minority group members in the state; (f) encourage economically disadvantaged minority group members who are students to enter into career health professions, by developing materials that are culturally sensitive and appropriate and that promote health care professions as careers for the University of Wisconsin system, the technical college system and the Medical College of Wisconsin to use in recruiting the students; and (g) submit a biennial report that would include recommendations on program policies, procedures and practices and services affecting the health status of economically disadvantaged minority group members to the appropriate standing committees of the Legislature and the Governor.

Create the following definitions that relate to these provisions: (a) "African American" as a person whose ancestors originated in any of the black racial groups of Africa; (b) "American Indian" as a person who is enrolled as a member of a federally recognized American Indian tribe or band or who possesses documentation of at least one-fourth American Indian ancestry or documentation of tribal recognition as an American Indian; (c) "Asian" as a person whose ancestors originated in Asia south and southeast of the Himalayas and west of Wallace's Line in Malay Archipelago; (d) "economically disadvantaged" as having an income that is at or below 125% of the poverty line; (e) "Hispanic" as a person of any race whose ancestors originated in Mexico, Puerto Rico, Cuba, Central America or South America whose culture or origin is Spanish; (f) "minority group member" as an African American, American Indian, Hispanic or Asian; (g) "nonprofit corporation" as a non-stock corporation organized under Chapter 181 of the statutes; (h) "poverty line" as the non-farm federal poverty line for the United States as defined by the U.S. Department of



Labor; and (i) "state agency" as an association, authority, board, department, commission, independent agency, institution, office, society or other body in state government created or authorized to be created by the constitution or any law, including the legislature, the office of the governor and the courts, but excluding the University of Wisconsin Hospitals and Clinics Authority.

**Community Health Centers**

*gr. approp. (created in other health ctr. draft) GPF*

Specify that \$3,500,000 in 1999-00 and \$4,000,000 in 2000-01 and annually thereafter of ~~the amounts in the tobacco control aids appropriation~~ would be provided to support FQHCs.

Create an FQHC grant program and authorize DHFS to award grants to support community, migrant and homeless health centers. Specify that DHFS would award each of the following health centers the following percentages of the total available for these grants.

*See [Signature]*  
 ✓

- Beloit Area Health Community Center
- Bridge Community Health Clinic - *Wausau*
- Family Health Medical and Dental Center - *Wautoma*
- Milwaukee Health Services -
- Kenosha Community Health Center
- Family Health Center of Marshfield
- North Woods Community Health Centers - *Minong*
- Northern Health Center - *Lakewood*
- Scenic Bluffs Community Health Center - *Cashton*
- Sixteenth Street Community Health Center - *Milw*
- Health Care for the Homeless, Milwaukee - § 330 (h)
- N.E.W. Community Clinic *Green Bay*
- The Successor Rainbow Clinic *Milw*

- 7% § 330 (e), (g) or
- 4 (h) of
- 6 ~~the consolidated~~
- 13 health center
- 3 Consolidation
- 16 act of 1996
- 4 PL 104-299
- 9 = 42 USC 254b(e)
- 2 (g) (h)
- 10

**Note:**

Under the motion, \$30.9 million SEG in 2000-01 would be provided in the Committee's supplemental appropriation. These funds would be available to DHFS to support specified tobacco control activities once DHFS has submitted to the Committee and the Committee has approved a detailed budget for the use of these funds.

In 1999-00, \$400,000 SEG would be provided in the DPH tobacco control program operations appropriation to support 2.0 positions and tobacco-related surveillance activities and \$5,892,000 SEG would be provided in the DPH tobacco control aids appropriation to support the following: (a) \$1 million for the CTRI; (b) \$1 million for the Thomas T. Melvin program; (c) \$92,000 for a smokeless tobacco campaign; (d) \$300,000 for a minority health program; and (e)

\$3.5 million to support FQHCs.

Beginning in 2000-01, the following activities would be supported with funds provided in the tobacco control aids appropriation: (a) \$500,000 for the Medical College of Wisconsin to support smoking prevention and cessation activities; (b) \$4.0 million to support FQHCs; (c) \$1.0 million for the CTRI; (d) \$1.0 million for the Thomas T. Melvin program; and (e) \$300,000 for a minority health program. Finally, the motion would require that the first \$6,292,000 in 1999-00 and \$30.9 million in 2000-01 of tobacco settlement revenues received by the state would be deposited to a new tobacco control fund.

[Change to Bill: -\$4,866,600 GPR, \$37,192,000 SEG and -\$37,192,000 GPR-REV]

---

Senator Burke  
Representative Gard

TOBACCO SETTLEMENT FUND

Amendment to Motion #753

Motion:

Move to amend the motion to specify that \$300,000 annual funding for the minority health program and \$3.5 million in 1999-00 and \$4.0 million in 2000-01 for FQHCs would be funded with GPR rather than segregated tobacco revenues. Deposit \$2,492,000 in 1999-00 and \$26,600,000 in 2000-01 and annually thereafter, of tobacco settlement funds, to the segregated fund.

Motion #360

✓  
TOBACCO SETTLEMENT FUNDS

Administration Funding Limitations

Motion:

Move to require that no more than 5% of the total amount of tobacco settlement revenues deposited in a fund to support tobacco control activities in each fiscal year could be expended to support state administration and management costs. In addition, specify that no more than 10% of each grant supported with tobacco settlement revenues deposited in a fund to support tobacco control activities could be expended to support administration and management costs.

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Note:

Under this motion, if tobacco settlement revenues were deposited in fund to support a tobacco control program, the state could not expend more than 5% of these amounts on state administration and management costs and could not award grants with administration costs that exceeded 10% of the total grant.

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60411/P1

1999 - 2000 LEGISLATURE

LRB-2413/3

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1999 BILL

AB 133

1 AN ACT to create 15.77, 20.436, 25.17 (1) (tt), 25.66, 230.08 (2) (wy) and 255.15  
 2 of the statutes; relating to: creating a health trust fund and health trust board,  
 3 granting rule-making authority and making an appropriation.

**Analysis by the Legislative Reference Bureau**

In November 1998, Wisconsin and 45 other states entered into the Attorneys General Master Tobacco Settlement (settlement) with the tobacco industry, which requires tobacco companies to make payments to the states in perpetuity. Under the settlement, it is estimated that Wisconsin will receive a total of \$5.9 billion through 2025.

This bill directs that the first \$50 million received annually under the settlement be deposited into a segregated fund. Under the bill, moneys deposited into the fund may only be used for the costs associated with providing grants to organizations for activities related to smoking cessation and tobacco use reduction.

The bill also creates an independent board composed of the attorney general, two senators and two representatives of the assembly (one from each party in each house); the secretary of health and family services; the superintendent of public instruction; one physician with expertise in oncology, smoking cessation or public health; one student from the University of Wisconsin System; two high school students; five representatives of organizations that have as their primary organizational mission reducing the health or economic consequences of tobacco use or ameliorating the effects of tobacco use and reducing incidence of particular diseases or health conditions associated with tobacco use; one local health officer; and one person who is a minority group member.

**BILL**

The bill requires the board to develop a competitive grant program and to administer the grant program. Under the bill, the board must promulgate rules specifying criteria for receiving a grant, including performance standards for media-based projects for which grants are awarded.

For further information see the *state and local* 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:*

1 **SECTION 1.** <sup>15.197 (26)</sup> ~~15.77~~ of the statutes is created to read:

2 <sup>15.197 (26)</sup> ~~15.77~~ ~~Health trust board~~. (1) There is created a health trust board. The  
3 health trust board shall consist of the following members:

4 (a) The attorney general or his or her designee.

5 (b) One majority party senator, one minority party senator, one majority party  
6 representative to the assembly and one minority party representative to the  
7 assembly, appointed as are the members of standing committees in their respective  
8 houses.

9 (c) The secretary of health and family services or his or her designee.

10 (d) The superintendent of public instruction, <sup>or his or her designee</sup>

11 (e) One physician with expertise in oncology, smoking cessation or public  
12 health.

13 (f) One student from the University of Wisconsin System.

14 (g) Two high school students, including at least one minority student, as  
15 defined in s. 39.40 (1).

16 (h) Five representatives of organizations that have as their primary  
17 organizational mission reducing the health or economic consequences of tobacco use  
18 or ameliorating the effects of tobacco use and reducing the incidence of particular  
19 diseases or health conditions associated with tobacco use.

**BILL**

*(K) One member of the Wisconsin Grocer's Association.  
(L) One member of the Wisconsin Health and Hospital Association.*

1 (i) One local health officer.

2 (j) One person who is a minority group member, as defined in s. 560.036 (1) (f).

3 (2) The members specified in sub. (1) (e) to ~~(j)~~ <sup>(L)</sup> shall be appointed for 3-year

4 terms, except that if a student member appointed under sub. (1) (f) or (g) loses the

5 status upon which the appointment was based, he or she shall cease to be a member

6 of the ~~health trust board~~ <sup>Tobacco control Council</sup>. *The Governor shall designate one of the members appointed under sub. (1) (e) to*

7 (3) The ~~board~~ <sup>Council</sup> shall meet at least 4 times per year. ~~Ten~~ <sup>(L) as chairperson of the board</sup> members constitute a

8 quorum. For the purpose of conducting business and exercising its powers, a

9 majority vote of the ~~board~~ <sup>Council</sup> is required.

INSERT  
3-9

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

				1999-00	2000-01
12					
13	<b>20.436 Tobacco health care board.</b>				
14	(1) SMOKING CESSATION AND EDUCATION				
15	(a) General program operations	SEG	A	-0-	-0-
16	(b) Grants	SEG	B	-0-	-0-
17	(g) Gifts and grants	PR	C	-0-	-0-

18 **SECTION 3.** 20.436 <sup>(1) (f)</sup> of the statutes is created to read:

19 ~~20.436 Health trust board.~~ <sup>20.435 (1) (f)</sup> There is appropriated from the health trust fund  
20 to the health trust board for the following programs:

21 (1) ~~SMOKING CESSATION AND EDUCATION.~~ <sup>(f)</sup> (a) ~~General program operations.~~ <sup>Statewide tobacco control program</sup> The  
22 amounts in the schedule for ~~general program operations of the health trust board,~~

23 ~~(b) Grants. Biennially, the amounts in the schedule for the purposes specified~~  
24 under s. 255.15 (3) <sup>(a) and (b)</sup>

*Subject to s. 255.15(3)(c),*

*Statewide tobacco control program*

*From the tobacco control fund*

→ Section #. CR; 20.435(1)(ts)  
20.435(1)(ts) program operations; statewide tobacco control program, From the tobacco control fund, the amounts in the schedule for the general program operations of the statewide tobacco control program under s. 255.15.

**BILL**

1 (g) ~~Gifts and grants.~~ All moneys received from gifts, grants and donations for  
2 the purposes specified under s. 255.15.

3 SECTION 4. 25.17 (1) <sup>tc</sup> ~~(tt)~~ of the statutes is created to read:

4 25.17 (1) <sup>tc</sup> ~~(tt) Health trust fund~~ (s. 25.66); <sup>Tobacco control fund</sup>

5 SECTION 5. 25.66 of the statutes is created to read: <sup>(b)</sup>

6 25.66 ~~Health trust fund.~~ <sup>Tobacco control fund</sup> (1) DEFINITION. In this section, <sup>council</sup> "board" means the  
7 health trust board.

8 <sup>(b) (1)</sup> (2) ~~Creation.~~ There is created a separate nonlapsible trust fund, known as the  
9 health trust fund, to consist of the lesser of the following:

10 (a) The first ~~\$50,000,000~~ <sup>\$2,492,000</sup> of the moneys received <sup>annually</sup> under the Attorneys  
11 General Master Tobacco Settlement Agreement of November 23, 1998.

12 (b) The <sup>first \$26,600,000 of the</sup> moneys received annually under the Attorneys General Master Tobacco  
13 Settlement Agreement of November 23, 1998. <sup>beginning in fiscal year 2000-01</sup>

14 <sup>(b) (2)</sup> (3) ~~DISTRIBUTION.~~ Amounts in the fund may be distributed only for the purposes  
15 specified in s. ~~20.436.~~ <sup>255.15</sup>

16 SECTION 6. 230.08 (2) (wy) of the statutes is created to read:

17 230.08 (2) (wy) The executive director and staff of the health trust board.

18 SECTION 7. 255.15 of the statutes is created to read:

19 255.15 ~~Health trust board.~~ (1) DEFINITIONS. In this section:

20 <sup>not</sup> (a) <sup>"council"</sup> "Board" means the health trust board under s. ~~15.77.~~ <sup>the tobacco control council under S. 15.197 (26)</sup>

21 (b) "Tobacco settlement" means the Attorneys General Master Tobacco  
22 Settlement Agreement of November 23, 1998.

23 (2) ~~DUTIES.~~ The board shall do all of the following:

Statewide tobacco control program.



**BILL**

1 (a) Appoint an executive director within the classified service who shall employ  
 2 staff within the classified service with appropriate programmatic and technical  
 3 expertise.

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

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

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

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

16 (3) GRANTS. From the appropriation under s. 20.436<sup>435</sup> (1) ~~(b)~~<sup>tc</sup>, the ~~board~~<sup>department shall</sup> may  
 17 award grants to public and private organizations for any of the following:

18 (a) Tobacco use cessation and education programs.

19 (b) School-based tobacco use prevention programs.

20 (c) Marketing activities that promote tobacco use cessation and that decrease  
 21 the likelihood of initial tobacco use.

22 (d) Projects designed to reduce tobacco use among minorities and pregnant  
 23 women.

24 (e) Surveillance and evaluation of the prevalence of tobacco use and exposure  
 25 to environmental tobacco smoke among youth and adults.

**BILL**

**SECTION 7**

1 (f) Development of public and private policies that restrict access to tobacco  
2 products and reduce exposure to environmental tobacco smoke.

3 (g) Development of partnerships among businesses or other organizations and  
4 communities to address the needs of and to educate specific populations that are  
5 targeted by the tobacco industry.

6 (h) Scientific research on tobacco-related cancer prevention.

7 (i) Other activities that address tobacco-related issues.

SECRET  
6-7

8 (4) REPORTS. Not later than July 1, ~~2001~~<sup>2002</sup>, and annually thereafter, the ~~board~~ *board department*  
9 shall submit to the governor and to the chief clerk of each house of the legislature for  
10 distribution under s. 13.172 (2) a report that evaluates the success of the ~~grant~~  
11 program under ~~sub. (3)~~ *this section*. The report shall specify the number of grants awarded  
12 during the immediately preceding fiscal year and the purpose for which each grant  
13 was made. The report shall also specify donations and grants accepted by the board  
14 under sub. (5).

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

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

23 <sup>23</sup> SECTION 9158. Nonstatutory provisions; ~~other~~ *health and family services*

24 (1) HEALTH TRUST BOARD. Notwithstanding section 15.77 (2) of the statutes, as  
25 created by this act, 4 of the initial members of the health trust board appointed under

**BILL**

1 section 15.77 (1) (e) to (j) of the statutes, as created by this act, shall serve for terms  
2 expiring on May 1, 2003; 3 of the initial members of the health trust board appointed  
3 under section 15.77 (1) (e) to (j) of the statutes, as created by this act, shall serve for  
4 terms expiring on May 1, 2002; and 4 of the initial members of the health trust board  
5 appointed under section 15.77 (1) (e) to (j) of the statutes, as created by this act, shall  
6 serve for a term expiring on May 1, 2001.

insert  
7-6

7 **SECTION 9458. Effective dates; <sup>23</sup> ~~other~~.** *health and family service*  
8 (1) HEALTH TRUST FUND. This act takes effect on the day after publication of the  
9 1999-2001 biennial budget act.

10 (END)

**1999-2000 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0411/P1insty  
TAY.....

1           **insert 3-9**

2           (4) If the council creates subcommittees, one subcommittee shall study the  
3 issue of those populations most adversely affected by tobacco.

\*\*\*NOTE: Under the motion, the council is not required to form subcommittees. Only if the council does so, must it study the issue of populations most adversely affected by tobacco. Therefore, if the council does not create subcommittees, it need not study that issue. Do you think that was the committee's intent? Or should I just require the council to study that issue and let the council decide if it will do that through a subcommittee or as a whole body?

4           **insert 6-7**

5           (2) PROGRAM DEVELOPMENT. (a) The council shall develop program and budget  
6 recommendations for a statewide tobacco control program and shall submit its  
7 recommendations to the secretary of the department annually, beginning February  
8 1, 2000. The department shall review the recommendations and shall develop, and  
9 prepare an annual detailed plan for, a statewide tobacco control program based on  
10 the recommendations. In developing the program, the department shall consider  
11 successful tobacco control programs in other states. The annual plan shall specify  
12 how the funds under sub. (3) (b) will be distributed and the projected cost of  
13 administering the statewide tobacco control program, including any additional  
14 positions necessary to administer the program. The department shall base its plan  
15 on recommendations of the U.S. Centers for Disease Control regarding the allocation  
16 of funding for comprehensive tobacco control programs.

17           (b) Beginning March 1, 2000, and annually thereafter, the department shall  
18 submit the plan under par. (a) to the joint committee on finance. If, within 14 days  
19 after the submission of the plan the cochairpersons of the committee do not notify the

1 secretary that a meeting has been scheduled for the purpose of reviewing the plan,  
2 the department may expend the funds under sub. (3) (b) and (c) in the manner  
3 proposed in the plan. If, within 14 days after the submission of the plan, the  
4 cochairpersons notify the secretary that the committee has scheduled a meeting for  
5 the purpose of reviewing the plan, the department may expend the funds under sub.  
6 (3) (b) and (c) in the manner proposed in the plan only to the extent approved by the  
7 committee.

8 (3) USE OF FUNDS. (a) From the appropriation under s. 20.435 (1) (tc), the  
9 department shall distribute the following amounts to or for all of the following:

10 1. To the University of Wisconsin Center for Tobacco Research and  
11 Intervention, \$1,000,000 in each fiscal year.

12 2. For the Thomas T. Melvin youth tobacco prevention and education program  
13 under s. 255.10, \$1,000,000 in fiscal year 1999–2000 and not less than \$1,000,000 in  
14 fiscal year 2000–01 and in each fiscal year thereafter.

15 3. For a youth smokeless tobacco cessation and prevention campaign developed  
16 by the division of the department with primary responsibility for administering  
17 public health programs, \$92,000 in fiscal year 1999–2000.

18 4. To the Medical College of Wisconsin for tobacco prevention and cessation  
19 activities, \$500,000 in fiscal year 2000–01 and in each fiscal year thereafter.

20 5. For grants to any applying school in which grade 6, 7 or 8 is taught that  
21 purchases in calendar year 1998 or after the smoking module of the Body Awareness  
22 Resource Network software produced by Pyramid Media, \$150,000 in fiscal year  
23 2000–01. The amount of the grant to each school may not exceed the actual cost to  
24 that school of the software.

1 (b) After consulting with the council regarding the selection of specific  
2 programs or activities to be funded under this paragraph and subject to sub. (2) (b),  
3 from the appropriation under s. 20 435 (1) (tc), the department may expend moneys  
4 for all of the following :

- 5 1. Community-based programs to reduce tobacco use.
- 6 2. Community-based programs to reduce the burden of tobacco-related  
7 diseases.
- 8 3. School programs relating to tobacco use cessation and prevention.

\*\*\*\*NOTE: The motion specified only "school programs." I assumed that the intent was to fund school tobacco programs related to tobacco use. Is that correct?

9 4. Enforcement of local laws aimed at reducing exposure to 2nd-hand smoke  
10 and restricting under-age access to tobacco.

11 5. Partnership grants with statewide organizations and businesses.

\*\*\*\*NOTE: What are partnership grants? Who's partnering with whom and for what purpose exactly? Is there a way to describe what the committee was after here?

12 6. Marketing activities that promote tobacco use cessation and prevention.

\*\*\*\*NOTE: Is this what is meant by "counter-marketing"?

13 7. Other tobacco use cessation programs.

14 8. Surveillance and evaluation.

\*\*\*\*NOTE: Surveillance and evaluation of what?

15 9. Projects designed to reduce tobacco use among minorities and pregnant  
16 women.

17 (c) From the appropriation under s. 20.435 (1) (ts), subject to sub. (2) (b), in each  
18 fiscal year the department may expend for administration of the program under this  
19 section not more than 5% of the total amount deposited in that fiscal year into the  
20 tobacco control fund under s. 25.66 .

1 (d) No recipient of moneys distributed under par. (b) may expend more than  
2 10% of those moneys for administrative costs.

3 **insert 6-7**

4 (?) POSITION AUTHORIZATION. There is authorized for the department of health  
5 and family services 2 FTE SEG positions to be funded from the appropriation under  
6 section 20.435 (1) (ts) of the statutes, as created by this act, for the purpose of  
7 assisting in the administration of the statewide tobacco control program.

8

Medical College of Wisconsin to support tobacco prevention and understanding the requirement to obtain approval from the Committee. This funding should only be used for activities directly related to preventing individuals from becoming smokers to quit smoking.

specify that in 2000-01 up to \$150,000 would be allocated for grants to schools offering instruction in grades six, seven or eight that purchase or have purchased in 1998-99 the smoking/tobacco component of the *Body Awareness Resource Network* (BARN) software. Require schools to submit a grant application to DHFS in order to be eligible for a grant in an amount not to exceed the costs of the smoking...

115.28  
Approp. staff  
cooperative  
educational  
svs  
agencies

Department of staff training see that this funding

Pam - Can you tell me what, if anything, needs to be done to effect this change?

Funding to the newly created segregated program control fund aid support tobacco epidemiologist to program activities provided to CTRI program, \$300,000 provided to support qualified health centers (FQHCs) in 1999-00.



STATE OF WISCONSIN LEGISLATIVE REFERENCE BUREAU  
Legal - Phone: 608/266-3561 Fax: 608/264-8522  
Research - Phone: 608/266-0341 Fax: 608/266-5648  
Website - www.legis.state.wi.us/lrb/

P.S. This is part of a larger bud. amend. I'm working on.

received in 1999-00 1999-00 in the DPH 9-00 in the tobacco program in 1999-00, to include an additional \$1 million would be provided to Thomas T. Melvin \$92,000 would be

26,600,000  
\$300 million to support federally

Annually, deposit the first \$300 million of tobacco settlement revenues received in that fiscal year to the tobacco control fund, beginning in 2000-01.

DHFS could include a request for additional position authority and administrative expenses as part of the annual tobacco control program budget submitted to the Joint Committee on Finance and the Committee could, if necessary, transfer funds to support these activities from the tobacco control fund to the new tobacco control program operations appropriation.

<sup>MJL</sup> Tobacco-Related Provisions Contained in Budget Bill. Delete the following provisions from the bill: (a) \$500,000 GPR annually provided to the Medical College of Wisconsin; (b) \$500,000 GPR annually provided to the DPI for K-8 smoking prevention programs; (c) \$500,000 GPR annually provided to DHFS to establish a smoking prevention program for women and children; (d) \$1 million GPR annually provided to the UW Center for Tobacco Research and Intervention; and (e) \$200,000 GPR in 1999-00 provided to the Office of the Commissioner of Insurance to fund a one-time grant to an organization that would help establish health insurance purchasing pools for private small employees. In addition, provide \$166,700 GPR annually from general school aids to adjust two-thirds funding of partial school revenues to reflect the deletion of DPI funding under the motion.

FB - statutory

MJL/PS  
T.A./  
MJL  
PJC



just  
get  
rid of  
whole thing

#. Page 384, line 4: delete lines 4 to 9.

#. Page 1409, line 4: delete lines 4 to 25.

#. Page 1473, line 21: delete lines 21 and 22.

TC w/ Mervyn Larsen 5/27

re: CTR1

- delete nonstat

TAY

- create PR-5(C) - [All 4 from DHS under

20.285 ←  
(1)(k)(f)

S. 255.15(3)(a) 1.

TC w/ Tricia Collins

re: med coll.

(u)

p. 391, 179

20.250(1)(k) ←

- delete approp under 5.20.250(d)

- create - PR-5(C) - from 5.225-15(3)(a) 4

- re: K-8 program

✓ - delete app + program ✓

20.255(2)(c)

115.363

p. 989

- delete number

on 989, 22

ending w

115, 985

392 - 8 - 10

NONSTAT LG

1 time audit of Med colleges + CTR1

Complete by June 30, 2001 UW

June 30, 2002 - Med colleges

UW - begin July 1, 2000  
+ finish June 30, 2001

MC begin July 1, 2001  
finish June 30, 2002

Representative Gard

TOBACCO SETTLEMENT FUNDS

UW Center for Tobacco Research

Do as insert  
to 60411/P1

Motion:

Move to require the Legislative Audit Bureau (LAB) to conduct an audit of the UW Center for Tobacco Research and Intervention (CTRI) if funding is provided to CTRI as part of the 1999-01 biennial budget bill. Require LAB to begin the audit twelve months after the CTRI is provided funding by the state.

- DHFS Secretary notifies
- penennial audit
- 1st or lump sum payment

Funding under 255.15(3)(a)  
CTRI = subd 1.  
Med College = subd. 4.

Note:

Under this motion, the LAB would be required to conduct an audit of the CTRI twelve months after the Center received funding from the state under the biennial budget. If CTRI was not provided funding under the budget bill, LAB would not be required to conduct an audit.

~~MSA~~  
MS L

Senator Panzer

TOBACCO SETTLEMENT FUNDS

Medical College of Wisconsin

Motion:

Move to require the Legislative Audit Bureau (LAB) to conduct an audit of the Medical College of Wisconsin (MCW) if funding is provided to MCW as part of the 1999-01 biennial budget bill for tobacco prevention and cessation activities. Require LAB to begin the audit twelve months after the MCW is provided funding by the state.

---

Note:

Under this motion, the LAB would be required to conduct an audit of the MCW twelve months after the College received funding from the state under the biennial budget. If MCW was not provided funding under the budget bill, LAB would not be required to conduct an audit.

Medical College of Wisconsin to support tobacco prevention and... the requirement to obtain approval from the Committee. ... could only be used for activities directly related to preventing individuals... smokers to quit smoking.

Specify that in 2000-01 up to \$150,000 would be allocated for grants to schools offering instruction in grades six, seven or eight that purchase or have purchased in 1998-99 the smoking/tobacco component of the Body Awareness Resource Network (BARN) software. Require schools to submit a grant application to DHFS in order to be eligible for a grant in an amount not to exceed the costs of the smoking/tobacco component of the BARN software. Further, direct the Department of Public Instruction (DPI) to coordinate with the software manufacturer and CESA staff training sessions for the use of the software in the classroom at no additional cost. Provide that this funding allocation requirement would cease on June 30, 2001.

115.28  
 approp. staff  
 cooperative  
 educational  
 services  
 agencies

**Funding.** Deposit the first \$6,292,000 of tobacco settlement revenues received in 1999-00 to the newly created tobacco control fund and provide \$400,000 SEG in 1999-00 in the DPH segregated program operations appropriation and \$5,892,000 SEG in 1999-00 in the tobacco control fund aids appropriation and authorize 2.0 SEG positions, beginning in 1999-00, to support tobacco control and administrative activities. These positions would include an epidemiologist to coordinate surveillance activities and a program manager to coordinate program activities and staff the Council. Of the total \$5,892,000, \$1.0 million would be provided to CTRI, \$1.0 million would be provided to increase support for the Thomas T. Melvin program, \$300,000 would be provided to support a minority health program, \$92,000 would be provided to support a youth smokeless tobacco campaign and \$3.5 million to support federally qualified health centers (FQHCs) in 1999-00.

Annually, deposit the first \$261,600,000 of tobacco settlement revenues received in that fiscal year to the tobacco control fund, beginning in 2000-01.

DHFS could include a request for additional position authority and administrative expenses as part of the annual tobacco control program budget submitted to the Joint Committee on Finance and the Committee could, if necessary, transfer funds to support these activities from the tobacco control fund to the new tobacco control program operations appropriation.

**Tobacco-Related Provisions Contained in Budget Bill.** Delete the following provisions from the bill: (a) \$500,000 GPR annually provided to the Medical College of Wisconsin; (b) \$500,000 GPR annually provided to the DPI for K-8 smoking prevention programs; (c) \$500,000 GPR annually provided to DHFS to establish a smoking prevention program for women and children; (d) \$1 million GPR annually provided to the UW Center for Tobacco Research and Intervention; and (e) \$200,000 GPR in 1999-00 provided to the Office of the Commissioner of Insurance to fund a one-time grant to an organization that would help establish health insurance purchasing pools for private small employees. In addition, provide \$166,700 GPR annually from general school aids to adjust two-thirds funding of partial school revenues to reflect the deletion of DPI funding under the motion.

FB -  
 statutory

MJL/PG

7/1

MJL

PRC

PR-SC

TC w/ Mary 5/27

CR PRS(C) in UW  
 - all monies received from  
 DHFS for CTRI  
 Motion #753 - delete nonstat lg

same for MCOU  
 500 PR  
 17 2nd year of K-8 - 20.255(2)(c)  
 biennium  
 Page 3  
 - delete GPR

MCOU Tobacco related illness - 20.250(d)  
 115.363 - draft  
 2079/1

All \$ received from DHFS under S. 2.255.15(2)(a) 1.

→ 115.255.15(3)(a) 4.



*Soon*

State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB0411/P1  
TY, ML, DK .....

CMW

LFB:.....Goldman - Tobacco control program

FOR 1999-01 BUDGET — NOT READY FOR  
LFB AMENDMENT  
TO 1999 ASSEMBLY BILL 133 AND 1999

Editor 4 WPO:  
WARNING -  
LOTS of INSERTS taken  
From other drafts;  
Therefore, the inserts  
are not necessarily  
in order. If you have  
problems, just call me  
NCSL  
Your Legislative Support System

*Am. page 130, line 7: after that line insert:*

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

2 "SECTION <sup>(34 d)</sup> ~~(16)~~ 15.197 (26) of the statutes is created to read:

3 15.197 (26) Tobacco control council. <sup>(a)</sup> There is created a health trust <sup>tobacco control council</sup>

4 board. The ~~health trust board~~ <sup>council</sup> shall consist of the following members:

5 1. ~~(a)~~ The attorney general or his or her designee.

6 2. ~~(a)~~ One majority party senator, one minority party senator, one majority party

7 representative to the assembly and one minority party representative to the

8 assembly, appointed as are the members of standing committees in their respective

9 houses.

10 3. ~~(a)~~ The secretary of health and family services or his or her designee.

11 4. ~~(a)~~ The superintendent of public instruction or his or her designee.

1 5. ~~(a)~~ One physician with expertise in oncology, smoking cessation or public  
2 health.

3 6. ~~(a)~~ One student from the University of Wisconsin System.

4 7. ~~(a)~~ Two high school students, including at least one minority student, as  
5 defined in s. 39.40 (1).

6 8. ~~(a)~~ Five representatives of organizations that have as their primary  
7 organizational mission reducing the health or economic consequences of tobacco use  
8 or ameliorating the effects of tobacco use and reducing the incidence of particular  
9 diseases or health conditions associated with tobacco use.

10 9. ~~(a)~~ One local health officer.

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

12 11. ~~(a)~~ One member of the Wisconsin Grocer's Associations.

13 12. ~~(a)~~ One member of the Wisconsin Health and Hospital Association.

14 ~~(b)~~ <sup>(b)</sup> The members specified in ~~subchapter (a) to (d)~~ <sup>par. (a) s. to 12.</sup> shall be appointed for 3-year  
15 terms, except that if a student member appointed under ~~subchapter (a) to (d)~~ <sup>par. (a) 6. or 7.</sup> loses the  
16 status upon which the appointment was based, he or she shall cease to be a member  
17 of the tobacco control council. The Governor shall designate one of the members  
18 appointed under ~~subchapter (a) to (d)~~ <sup>par. (a) s. to 12.</sup> as chairperson of the ~~Health~~ <sup>Health</sup> Council.

19 ~~(c)~~ <sup>(c)</sup> The council shall meet at least 4 times per year. Eleven members constitute  
20 a quorum. For the purpose of conducting business and exercising its powers, a  
21 majority vote of the council is required.

22 ~~(d)~~ <sup>(d)</sup> If the council creates subcommittees, one subcommittee shall study the  
23 issue of those populations most adversely affected by tobacco. ')

\*\*\*\*NOTE: Under the motion, the council is not required to form subcommittees. Only if the council does so, must it study the issue of populations most adversely affected by tobacco. Therefore, if the council does not create subcommittees, it need not study that

Item # page 384, line 4: delete lines 4 to 9.

INSERT 3-1

issue. Do you think that was the committee's intent? Or should I just require the council to study that issue and let the council decide if it will do that through a subcommittee or as a whole body?

Item # page 420, line 19: after that line insert:

1 "SECTION 20.435 (1) (tc) of the statutes is created to read:

2 20.435 (1) (tc) *Statewide tobacco control program*. From the tobacco control  
3 fund the amounts in the schedule for the purposes specified under s. 255.15 (3) (a)  
4 and (b).

5 SECTION 20.435 (1) (ts) of the statutes is created to read:

6 20.435 (1) (ts) *Program operations; statewide tobacco control program*. From  
7 the tobacco control fund, subject to s. 255.15 (3), the amounts in the schedule for  
8 the general program operations of the statewide tobacco control program under s.

9 255.15." *Item, page 497, line 19: after that line insert:*

10 "SECTION 25.17 (1) (tc) of the statutes is created to read:

11 25.17 (1) (tc) Tobacco control fund (s. 25.66);

*Item, page 501, line 16: after that line insert:*

12 "SECTION 25.66 of the statutes is created to read:

13 25.66 Tobacco control fund. (1) There is created a separate nonlapsible  
14 trust fund, known as the ~~health trust~~ *Tobacco control trust* fund, to consist of the following:

15 (a) The first \$2,492,000 of the moneys received in fiscal year 1999-2000 under  
16 the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998.

17 (b) *Beginning in fiscal year 2000-01,* The first \$26,600,000 of the moneys received, ~~annually beginning in fiscal~~  
18 ~~year 2000-01~~ *each year* under the Attorneys General Master Tobacco Settlement Agreement  
19 of November 23, 1998.

20 (2) Amounts in the fund may be distributed only for the purposes specified in  
21 s. 255.15.".

22 SECTION 5. 230.08 (2) (wy) of the statutes is created to read:

23 230.08 (2) (wy) The executive director and staff of the health trust board.



*Mem. page 1150, line 5: after that line insert:*

*4-1a  
4-1b  
4-1c*

SECTION 255.15 of the statutes is created to read:

**255.15 Statewide tobacco control program.** (1) DEFINITIONS. In this section, "council" means the tobacco control council under s. 15.197 (26).

(2) PROGRAM DEVELOPMENT. (a) The council shall develop program and budget recommendations *annually, beginning February 1, 2000,* for a statewide tobacco control program and shall submit its recommendations to the secretary of the department ~~annually beginning February 1, 2000~~. The department shall review the recommendations and shall develop, and prepare an annual detailed plan for, a statewide tobacco control program based on the recommendations. In developing the program, the department shall consider successful tobacco control programs in other states. The annual plan shall specify how the funds under sub. (3) (b) will be distributed and the projected cost of administering the statewide tobacco control program, including any additional positions necessary to administer the program. The department shall base its plan on recommendations of the U.S. Centers for Disease Control *and prevention* regarding the allocation of funding for comprehensive tobacco control programs.

(b) Beginning March 1, 2000, and annually thereafter, the department shall submit the plan under par. (a) to the joint committee on finance. If, within 14 days after the submission of the plan, the cochairpersons of the committee do not notify the secretary that a meeting has been scheduled for the purpose of reviewing the plan, the department may expend the funds under sub. (3) (b) and ~~in~~ <sup>(d)</sup> in the manner proposed in the plan. If, within 14 days after the submission of the plan, the cochairpersons notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the plan, the department may expend the funds under sub. (3) (b) and ~~in~~ <sup>(d)</sup> in the manner proposed in the plan only to the extent approved by the committee.

1 (3) USE OF FUNDS. (a) From the appropriation under s. 20.435 (1) (tc), the  
2 department shall distribute the following amounts to or for all of the following:

3 1. ~~For~~ the University of Wisconsin Center for Tobacco Research and  
4 Intervention, \$1,000,000 in each fiscal year.

5 2. ~~For~~ the Thomas T. Melvin youth tobacco prevention and education program  
6 under s. 255.10, \$1,000,000 in fiscal year 1999–2000 and not less than \$1,000,000 in  
7 fiscal year 2000–01 and in each fiscal year thereafter.

8 3. ~~For~~ a youth smokeless tobacco cessation and prevention campaign developed  
9 by the division ~~of~~ <sup>within</sup> the department ~~with~~ <sup>that has</sup> primary responsibility for administering  
10 public health programs, \$92,000 in fiscal year 1999–2000.

11 4. ~~For~~ the Medical College of Wisconsin for tobacco <sup>use</sup> prevention and cessation  
12 activities, \$500,000 in fiscal year 2000–01 and in each fiscal year thereafter.

13 5. ~~For~~ grants to any applying school in which grade 6, 7 or 8 is taught that  
14 purchases in calendar year 1998 or after the ~~software~~ module of the Body Awareness  
15 Resource Network software produced by Pyramid Media, <sup>that concerns smoking and tobacco</sup> \$150,000 in fiscal year <sup>use</sup>  
16 2000–01. The amount of the grant to each school may not exceed the actual cost to  
17 that school of the software.

18 (b) After consulting with the council regarding the selection of specific  
19 programs or activities to be funded under this paragraph and subject to sub. (2) (b),  
20 from the appropriation under s. 20 435 (1) (tc), the department may expend moneys  
21 for all of the following :

22 1. Community–based programs to reduce tobacco use.

23 2. Community–based programs to reduce the burden of tobacco–related  
24 diseases.

25 3. School <sup>research</sup> programs relating to tobacco use cessation and prevention.

\*\*\*\*NOTE: The motion specified only "school programs." I assumed that the intent was to fund school tobacco programs related to tobacco use. Is that correct?

1 4. Enforcement of local laws aimed at reducing exposure to ~~2nd-hand~~ <sup>secondhand</sup> smoke  
2 and restricting under-age access to tobacco.

3 5. Partnership grants with statewide organizations and businesses.

\*\*\*\*NOTE: What are partnership grants? Who's partnering with whom and for what purpose exactly? Is there a way to describe what the committee was after here?

4 6. Marketing activities that promote tobacco use cessation and prevention.

\*\*\*\*NOTE: Is this what is meant by "counter-marketing"?

5 ~~7.6.~~ Other tobacco use cessation programs.

6 ~~7.7.~~ Surveillance and evaluation.

\*\*\*\*NOTE: Surveillance and evaluation of what?

7 ~~7.8.~~ Projects designed to reduce tobacco use among minorities and pregnant  
8 women.

9 (d) ~~(b)~~ From the appropriation under s. 20.435 (1) (ts), subject to sub. (2) (b), in each  
10 fiscal year the department may expend for administration of the program under this  
11 section not more than 5% of the total amount deposited in that fiscal year into the  
12 tobacco control fund under s. 25.66.

13 ~~(d)~~ <sup>(c)</sup> No recipient of moneys distributed under par. (b) may expend more than  
14 10% of those moneys for administrative costs.

15 (4) REPORTS. Not later than July 1, 2002, and annually thereafter, the  
16 department shall submit to the governor and to the chief clerk of each house of the  
17 legislature for distribution under s. 13.172 (2) a report that evaluates the success of  
18 the ~~program~~ program under this section. The report shall specify the number of ~~grants~~ <sup>programs</sup>  
19 ~~awarded~~ <sup>awarded</sup> during the immediately preceding fiscal year and the purpose ~~of each~~ <sup>of each</sup> program.  
20 ~~each grant was made~~ <sup>of each program.</sup> The report shall also specify <sup>any</sup> ~~and~~ <sup>or</sup> grants <sup>or requests</sup> ~~accepted~~  
21 <sup>by the board</sup> ~~accepted~~ to the department for the tobacco control program under this section.".

Supported under Sub. (3)(b)

1 (5) FUNDS. The ~~board~~ <sup>department</sup> may accept for any of its purposes any donations and  
 2 grants of money, equipment, supplies, materials and services from any person. The  
 3 ~~board~~ shall include in the report under sub. (4) any donation or grant accepted by the  
 4 board under this subsection, including the nature, amount and conditions, if any, of  
 5 the donation or grant and the identity of the donor, if known.

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

9 **(a) SECTION 9123. Nonstatutory provisions, health and family services**  
 10 ~~health trust board~~ <sup>TOBACCO CONTROL COUNCIL</sup> Notwithstanding section ~~15.197(26)(b)~~ <sup>15.197(26)(b)</sup> of the statutes, as  
 11 created by this act, 4 of the initial members of the ~~health trust board~~ <sup>tobacco control council</sup> appointed under  
 12 section ~~15.197(26)(b)~~ <sup>15.197(26)(b)</sup> of the statutes, as created by this act, shall serve for terms  
 13 expiring on May 1, 2003; <sup>(a)</sup> 4 of the initial members of the ~~health trust board~~ <sup>tobacco control council</sup> appointed  
 14 under section ~~15.197(26)(b)~~ <sup>15.197(26)(b)</sup> of the statutes, as created by this act, shall serve for  
 15 terms expiring on May 1, 2002; and 4 of the initial members of the ~~health trust board~~ <sup>tobacco control council</sup>  
 16 appointed under section ~~15.197(26)(b)~~ <sup>15.197(26)(b)</sup> of the statutes, as created by this act, shall  
 17 serve for a term expiring on May 1, 2001.

18 **(a) POSITION AUTHORIZATION.** There is authorized for the department of health  
 19 and family services 2 FTE SEG positions to be funded from the appropriation under  
 20 section 20.435 (1) (ts) of the statutes, as created by this act, for the purpose of  
 21 assisting in the administration of the statewide tobacco control program.

22 *Item. Page 1409, line 4: delete lines 4 to 25.*

**INSERT 7-22 (END)**

*Item. Page 1473, line 21: delete lines 21 and 22.*

*Item. page 1408, line 15: after that line insert:*

*Under section 255.15 of Re statutes, as created by this act.*

*nonstat.*

*nonstat*

*a)*

*(a)*

*(a)*

*(a)*

*(a)*

1999-2000 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBb0411/P1ins  
MJL:.....

1 1. Page 391, line 7: delete lines 7 to 9 and substitute: ✓

2 "SECTION 250m. 20.250 (1) (k) of the statutes is created to read:

3 20.250 (1) (k) *Tobacco-related illnesses*. All moneys received from the  
4 department of health and human services under s. <sup>255</sup>~~205~~.15 (3) (a) 4. for <sup>tobacco use prevention</sup> ~~the study and~~  
5 ~~prevention of tobacco-related illnesses.~~ and cessation activities.

6 2. Page 392, line 8: delete lines 8 to 10.

7 3. Page 400, line 5: after that line insert:

8 "SECTION 294m. 20.285 (1) (kr) of the statutes is created to read:

9 20.285 (1) (kr) *Tobacco-related illnesses*. All moneys received from the  
10 department of health and human services under s. <sup>255</sup>~~205~~.15 (3) (a) 1. to advance the  
11 work of the University of Wisconsin Center for Tobacco Research and Intervention  
12 in developing new educational programs to discourage tobacco use, determining the  
13 most effective strategies for preventing tobacco use and expanding smoking  
14 cessation programs throughout the state."  
(END OF INSERT)

15 4. Page 984, line 22: delete the material beginning with that line and ending  
16 with page 985, line 4.

17 5. Page 1410, line 12: after that line insert:

18 "(3) <sup>29</sup> FINANCIAL AUDITS OF THE MEDICAL COLLEGE OF WISCONSIN AND THE  
19 UNIVERSITY OF WISCONSIN CENTER FOR TOBACCO RESEARCH AND INTERVENTION. (a)  
20 Beginning on July 1, 2001, the legislative audit bureau shall conduct a financial  
21 audit of the Medical College of Wisconsin that examines the use of funds  
22 appropriated under section 20.250 (1) (k) of the statutes, as created by this act, and

INSERT  
3-1

non-sten  
INSERT  
7-22



*insert  
7-22  
conf.*

1 ~~shall~~ shall file its report as described under section 13.94 (1) (b) of the statutes by  
2 June 30, 2002.

3 (b) Beginning on July 1, 2000, the legislative audit bureau shall conduct a  
4 financial audit of the University of Wisconsin Center for Tobacco Research and  
5 Intervention that examines the use of funds appropriated under section 20.285 (1)

6 (kr) of the statutes, as created by this act, and shall ~~shall~~ file its report as described  
7 under section 13.94 (1) (b) of the statutes by June 30, 2001.”

8 **6.** Page 1424, line 23: delete the material beginning with that line and ending  
9 with page 1425, line 5.

*end of insert 7-22*

1999-2000 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBb0411/ins4-1a  
TAY.....

1

✓  
insert 4-1a

2

1. Page 983, line 3: after that line insert: ✓

3

✓  
"SECTION 2041s. 115.28. <sup>38</sup>(~~37~~) of the statutes is created to read:

4

<sup>38</sup>115.28 (~~37~~) SOFTWARE TRAINING. In coordination with Pyramid Media and with

(5)

the appropriate staff of the cooperative educational services agencies, offer free

(6)

training on the classroom use of the module of the Body Awareness Resource Network

7

software that concerns smoking and tobacco use." ✓

→ #. page 984, line 22: delete the material  
beginning with that line and ending with  
page 985, line 4.

(END OF INSERT 4-1a)

1           **4.** Page 292, line 8: increase the dollar amount for fiscal year 1999–00 by  
 2           \$100,000 and increase the dollar amount for fiscal year 2000–01 by \$100,000 to  
 3           increase funding for a grant to conduct a public information campaign on minority  
 4           health under section 146.185 (4) of the statutes.

5           **5.** Page 428, line 16: delete "and infants" and substitute ", infants and  
 6           minorities".

*INSERT  
9/10*

7           **6.** Page 428, line 22: delete "and".

8           **7.** Page 428, line 23: after "253.07" insert "; and for grants for activities to  
 9           improve the health status of minority group members and to conduct a public  
 10           information campaign on minority health under s. 146.185".

11           **8.** Page 1048, line 25: after that line insert:

12           "SECTION **2240r.** 146.185 of the statutes is created to read:

13           **146.185 Minority health.** (1) In this section:

14           (a) "African American" means a person whose ancestors originated in any of the  
 15           black racial groups of Africa.

16           (b) "American Indian" means a person who is enrolled as a member of a  
 17           federally recognized American Indian tribe or band or who possesses documentation  
 18           of at least one-fourth American Indian ancestry or documentation of tribal  
 19           recognition as an American Indian.

20           (c) "Asian" means a person whose ancestors originated in Asia south and  
 21           southeast of the Himalayas and west of Wallace's Line in the Malay Archipelago.

22           (d) "Economically disadvantaged" means having an income that is at or below  
 23           125% of the poverty line.

*↓*





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB00313/1  
TAY:cmh:jf

LFB:.....Goldman - Grant to 16th St. Comm. Health Ctr. & Rainbow Comm. Health Ctr.

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

the minority health program  
under s. 146.185 and  
for

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

2 1. Page 430, line 4: after that line insert:

3 "SECTION 432g. 20.435 (5) (fh) of the statutes is created to read:

4 20.435 (5) (fh) Community health services. The amount<sup>amounts</sup> in the schedule for

5 grants under s. 250.15 to community health centers that provide primary health

6 care, health education and social services to low-income individuals ~~in the~~ ~~state~~

7 ~~of the~~ (END OF INSERT)

8 2. Page 1118, line 13: after that line insert:

9 "SECTION 2400m. 250.15 of the statutes is created to read:

INSERT  
379

INSERT  
41C



1999-2000 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBb0411/ins0313  
TAY.....

1 **insert 0313**

2 (b) From the appropriation under s. 20.435 (5) (fh), the department shall award  
3 ~~a total of \$3,500,000 in~~ grants <sup>totaling \$3,500,000</sup> in fiscal year 1999-2000 and <sup>totaling</sup> \$4,000,000 in fiscal year  
4 2000-2001, and in each fiscal year thereafter, to community health centers that  
5 receive federal grants under 42 USC 254b (e), (g) or (h). Each grant shall equal the  
6 amount that results from multiplying the total amount available for grants under  
7 this paragraph by the quotient obtained by dividing the amount that the community  
8 health center received under 42 USC 254b (e), (g) or (h) in the most recently  
9 concluded federal fiscal year in which those grants were made by the total amount  
10 of federal grants under 42 USC 254b (e), (g) and (h) made in that year to community  
11 health centers in this state. <sup>11</sup>,

12  
(end of insert 0313  
and 4-1c)

✓

**ASSEMBLY AMENDMENT  
TO 1999 ASSEMBLY BILL 133**

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

2 **1.** Page 284, line 8: increase the dollar amount for fiscal year 1999-00 by  
3 \$41,600 and increase the dollar amount for fiscal year 2000-01 by \$55,400 to  
4 increase the authorized FTE positions for the department of health and family  
5 services by 1.0 GPR position on July 1, 1999, for the performance of minority health  
6 program services.

7 **2.** Page 284, line 8: increase the dollar amount for fiscal year 1999-00 by  
8 \$3,500 to increase funding for a one-time expenditure for permanent property.

9 **3.** Page 292, line 8: increase the dollar amount for fiscal year 1999-00 by  
10 \$200,000 and increase the dollar amount for fiscal year 2000-01 by \$200,000 to  
11 increase funding for grants for activities to improve the health status of minority  
12 group members under section 146.185 (3) of the statutes.

1 (e) "Hispanic" means a person of any race whose ancestors originated in  
2 Mexico, Puerto Rico, Cuba, Central America or South America or whose culture or  
3 origin is Spanish.

4 (f) "Minority group member" means any of the following:

- 5 1. An African American.
- 6 2. An American Indian.
- 7 3. A Hispanic.
- 8 4. An Asian.

9 (g) "Nonprofit corporation" means a nonstock corporation organized under ch.  
10 181 that is a nonprofit corporation, as defined in s. 181.0103 (17).

11 (h) "Poverty line" means the nonfarm federal poverty line for the continental  
12 United States, as defined by the federal department of labor under 42 USC 9902 (2).

13 (i) "State agency" has the meaning given in s. 16.004 (12) (a).

14 (2) The department shall do all of the following:

15 (a) Identify the barriers to health care that prevent economically  
16 disadvantaged minority group members in this state from participating fully and  
17 equally in all aspects of life.

18 (b) Conduct statewide hearings on issues of concern to the health interests of  
19 economically disadvantaged minority group members.

20 (c) Review, monitor and advise all state agencies with respect to the impact on  
21 the health of economically disadvantaged minority group members of current and  
22 emerging state policies, procedures, practices, statutes and rules.

23 (d) Work closely with all state agencies, including the University of Wisconsin  
24 System and the technical college system, with the private sector and with groups  
25 concerned with issues of the health of economically disadvantaged minority group



1 members to develop long-term solutions to health problems of minority group  
2 members.

3 (e) Disseminate information on the status of the health of economically  
4 disadvantaged minority group members in this state.

5 (f) Encourage economically disadvantaged minority group members who are  
6 students to enter career health care professions, by developing materials that are  
7 culturally sensitive and appropriate and that promote health care professions as  
8 careers, for use by the University of Wisconsin System, the technical college system  
9 and the Medical College of Wisconsin in recruiting the students.

10 (g) Submit a biennial report on the activities of the department under this  
11 section that includes recommendations on program policies, procedures, practices  
12 and services affecting the health status of economically disadvantaged minority  
13 group members, to the appropriate standing committees under s. 13.172 (3) and to  
14 the governor.

15 (3) From the appropriation under s. 20.435 ~~(5)(f)~~ <sup>(5)(fh)</sup>, the department shall award  
16 grants for activities to improve the health status of economically disadvantaged  
17 minority group members. A person may apply, in the manner specified by the  
18 department, for a grant of up to \$50,000 to conduct these activities. A grant awarded  
19 under this subsection may not exceed 50% of the cost of the activities. An applicant's  
20 required contribution for a grant may consist of funding or an in-kind contribution.

21 (4) From the appropriation under s. 20.435 ~~(5)(f)~~ <sup>(5)(fh)</sup>, the department shall award  
22 a grant of up to \$100,000 in each fiscal year to a private nonprofit corporation that  
23 applies, in the manner specified by the department, to conduct a public information  
24 campaign on minority health."

(END)  
of INSERT  
4-1 B

INSERT  
4-1c  
cont.

1           **250.15 Grants for community health centers.** (1) DEFINITION. In this  
2 section, "community health center" means a health care entity that provides primary  
3 health care, health education and social services to low-income individuals.

4           (2) GRANTS. (a) From the appropriation under s. 20.435 (5) (fh), the department  
5 shall award \$50,000 annually as a grant to a community health center in a 1st class  
6 city. INSERT 0313 <sup>CS</sup> GRANT TO COMMUNITY HEALTH CENTER (a) <sup>(a)</sup> paragraph (b)

7 (a) (b)  
8 INSERT  
9 4-21

7           Subject to ~~provisions~~ <sup>of health and family services</sup> from the appropriation under s. 20.435 (5) (fh), the  
8 department shall award a grant not to exceed \$85,000 <sup>in each fiscal year</sup> to a community health center  
9 that is located in a 1st class city and that emphasizes the health care needs of  
10 minorities, high-risk pregnant women, infants, children, the elderly and urban  
11 Native Americans.

12           (b) The department <sup>of health and family services</sup> may not award ~~any~~ <sup>the first</sup> grant under ~~subparagraph (a)~~ <sup>paragraph (a)</sup> unless the  
13 department submits to the cochairpersons of the joint committee on finance a report  
14 that details the amount of the proposed grant and the services to be provided under  
15 the grant by the community health center. If the cochairpersons of the committee  
16 do not notify the secretary <sup>of health and family services</sup> within 14 working days after receiving the report that the  
17 committee has scheduled a meeting for the purpose of reviewing the report, the  
18 department <sup>of health and family services</sup> shall award the grant under ~~subparagraph (a)~~ <sup>paragraph (a)</sup>. If, within 14 working days after  
19 receiving the report, the cochairpersons notify the secretary <sup>of health and family services</sup> that the committee has  
20 scheduled a meeting for the purpose of reviewing the report, the department <sup>of health and family services</sup> may  
21 award the grant under ~~subparagraph (a)~~ <sup>paragraph (a)</sup> only if, and to the extent that, it is approved by the  
22 committee."

(END) of INSERT

6/3

Per. Amie Goldman

60411

✓ p. 2 NOTE: OK as is

✓ p. 3 l. 17 (RN (1)(tc) to (5)(tc)  
should be prog (5)

✓ p. 9, line 2  
department and council

✓ p. 9, lines 3-4 delete "including . . . administer the program"

✓ p. 10, lines 4-5 - ~~only~~  
→ "directly related to prev."  
(see motion p. 3)

✓ p. 10 NOTE - OK  
cessation of prevention

✓ p. 10 l. 21: "to support tobacco use d

✓ p. 11 - NOTE: OK

NOTE<sub>2</sub> - surveillance of ~~measures~~ indicators of  
tobacco use & evaluation of programs  
funded under §

✓ Change council's # to 15,197 (28)

✓ give Rainbow Clinic \$1M more  
(motion #463)

HEALTH AND FAMILY SERVICES -- MEDICAL ASSISTANCE

Payment to Successor of Rainbow Clinic

Motion:

Move to provide \$1,000,000 GPR in 1999-00 on a one-time basis in the Committee's supplemental GPR appropriation to support a payment to the successor of Rainbow Clinic in Milwaukee. Require DHFS to submit a request for release of these funds under 14-day passive review once the Department has identified a successor to the Rainbow Clinic.

---

Note:

Under this motion, if an entity establishes a clinic at the facilities that had previously operated under the name Rainbow Clinic in Milwaukee, that entity would be eligible to receive \$1,000,000 GPR on a one-time basis to support clinic start-up costs.

[Change to Bill: \$1,000,000 GPR]  
[Change to Base: \$1,000,000 GPR]





2007 D-NOTE  
State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0411/11 /  
TY/ML/DK:cmh:kjf

LFB:.....Goldman - Tobacco control program

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 130, line 7: after that line insert:

3 "SECTION 34d. 15.197<sup>28</sup> (~~26~~) of the statutes is created to read:

4 15.197<sup>28</sup> (~~26~~) TOBACCO CONTROL COUNCIL. (a) There is created a tobacco control

5 council. The council shall consist of the following members:

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

7 2. One majority party senator, one minority party senator, one majority party

8 representative to the assembly and one minority party representative to the

9 assembly, appointed as are the members of standing committees in their respective

10 houses.

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

12 4. The superintendent of public instruction or his or her designee.

1 5. One physician with expertise in oncology, smoking cessation or public health.

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

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

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

9 9. One local health officer.

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

12 11. One member of the Wisconsin Grocer's Associations.

13 12. One member of the Wisconsin Health and Hospital Association.

14 (b) The members specified in par. (a) 5. to 12. shall be appointed for 3-year  
15 terms, except that if a student member appointed under par. (a) 6. or 7. loses the  
16 status upon which the appointment was based, he or she shall cease to be a member  
17 of the tobacco control council. The Governor shall designate one of the members  
18 appointed under par. (a) 5. to 12. as chairperson of the council.

19 (c) The council shall meet at least 4 times per year. Eleven members constitute  
20 a quorum. For the purpose of conducting business and exercising its powers, a  
21 majority vote of the council is required.

22 (d) If the council creates subcommittees, one subcommittee shall study the  
23 issue of those populations most adversely affected by tobacco.”

\*\*\*\*NOTE: Under the motion, the council is not required to form subcommittees.  
Only if the council does so, must it study the issue of populations most adversely affected  
by tobacco. Therefore, if the council does not create subcommittees, it need not study that

issue. Do you think that was the committee's intent? Or should I just require the council to study that issue and let the council decide if it will do that through a subcommittee or as a whole body?

1           **2.** Page 384, line 4: delete lines 4 to 9.

2           **3.** Page 391, line 7: delete lines 7 to 9 and substitute:

3           **"SECTION 250m.** 20.250 (1) (k) of the statutes is created to read:

4           20.250 (1) (k) *Tobacco-related illnesses.* All moneys received from the  
5 department of health and human services under s. 255.15 (3) (a) 4. for tobacco use  
6 prevention and cessation activities."

7           **4.** Page 392, line 8: delete lines 8 to 10.

8           **5.** Page 400, line 5: after that line insert:

9           **"SECTION 294m.** 20.285 (1) (kr) of the statutes is created to read:

10           20.285 (1) (kr) *University of Wisconsin Center for Tobacco Research*  
~~Tobacco-related illnesses.~~ All moneys received from the  
11 department of health and human services under s. 255.15 (3) (a) 1. to advance the  
12 work of the University of Wisconsin Center for Tobacco Research and Intervention  
13 in developing new educational programs to discourage tobacco use, determining the  
14 most effective strategies for preventing tobacco use and expanding smoking  
15 cessation programs throughout the state."

16           **6.** Page <sup>430</sup>420, line <sup>23</sup>10: after that line insert:  
17           **"SECTION <sup>439m.</sup>385d.** 20.435 <sup>5</sup>(A) (tc) of the statutes is created to read:  
18           20.435 <sup>5</sup>(A) (tc) *Statewide tobacco control program.* From the tobacco control  
19 fund the amounts in the schedule for the purposes specified under s. 255.15 (3) (a)  
20 and (b)."

Move  
to  
p. 4  
of \*

21           **"SECTION 385e.** 20.435 (1) <sup>(tc)</sup>(B) of the statutes is created to read:

H. page 420, line 19: after that line insert:

1 20.435 (1) <sup>tc</sup> ~~(th)~~ *Program operations; statewide tobacco control program.* From  
 2 the tobacco control fund, subject to s. 255.15 (3) (d), the amounts in the schedule for  
 3 the general program operations of the statewide tobacco control program under s.  
 4 255.15.”

5 **7.** Page 430, line 4: after that line insert:

6 “**SECTION 432g.** 20.435 (5) (fh) of the statutes is created to read:

7 20.435 (5) (fh) *Community health services.* The amounts in the schedule for the  
 8 minority health program under s. 146.185 and for grants under s. 250.15 to  
 9 community health centers that provide primary health care, health education and  
 10 social services to low-income individuals.”

✓  
 INSERT  
 P. 3  
 X →

11 **8.** Page 497, line 19: after that line insert:

12 “**SECTION 698m.** 25.17 (1) (tc) of the statutes is created to read:

13 25.17 (1) (tc) *Tobacco control fund (s. 25.66);*”.

14 **9.** Page 501, line 16: after that line insert:

15 “**SECTION 717m.** 25.66 of the statutes is created to read:

16 **25.66 Tobacco control fund.** (1) There is created a separate nonlapsible  
 17 trust fund, known as the tobacco control fund, to consist of the following:

18 (a) The first \$2,492,000 of the moneys received in fiscal year 1999–2000 under  
 19 the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998.

20 (b) Beginning in fiscal year 2000–01, the first \$26,600,000 of the moneys  
 21 received each year under the Attorneys General Master Tobacco Settlement  
 22 Agreement of November 23, 1998.

23 (2) Amounts in the fund may be distributed only for the purposes specified in  
 24 s. 255.15.”

1           **10.** Page 983, line 3: after that line insert:

2           “**SECTION 2041s.** 115.28 (38) of the statutes is created to read:

3           115.28 (38) SOFTWARE TRAINING. In coordination with Pyramid Media and with  
4           the appropriate staff of the cooperative educational service agencies, offer free  
5           training on the classroom use of the module of the Body Awareness Resource  
6           Network software that concerns smoking and tobacco use.”.

7           **11.** Page 984, line 22: delete the material beginning with that line and ending  
8           with page 985, line 4.

9           **12.** Page 1048, line 25: after that line insert:

10          “**SECTION 2240r.** 146.185 of the statutes is created to read:

11          **146.185 Minority health.** (1) In this section:

12          (a) “African American” means a person whose ancestors originated in any of the  
13          black racial groups of Africa.

14          (b) “American Indian” means a person who is enrolled as a member of a  
15          federally recognized American Indian tribe or band or who possesses documentation  
16          of at least one-fourth American Indian ancestry or documentation of tribal  
17          recognition as an American Indian.

18          (c) “Asian” means a person whose ancestors originated in Asia south and  
19          southeast of the Himalayas and west of Wallace’s Line in the Malay Archipelago.

20          (d) “Economically disadvantaged” means having an income that is at or below  
21          125% of the poverty line.

22          (e) “Hispanic” means a person of any race whose ancestors originated in  
23          Mexico, Puerto Rico, Cuba, Central America or South America or whose culture or  
24          origin is Spanish.

1 (f) “Minority group member” means any of the following:

2 1. An African American.

3 2. An American Indian.

4 3. A Hispanic.

5 4. An Asian.

6 (g) “Nonprofit corporation” means a nonstock corporation organized under ch.  
7 181 that is a nonprofit corporation, as defined in s. 181.0103 (17).

8 (h) “Poverty line” means the nonfarm federal poverty line for the continental  
9 United States, as defined by the federal department of labor under 42 USC 9902 (2).

10 (i) “State agency” has the meaning given in s. 16.004 (12) (a).

11 (2) The department shall do all of the following:

12 (a) Identify the barriers to health care that prevent economically  
13 disadvantaged minority group members in this state from participating fully and  
14 equally in all aspects of life.

15 (b) Conduct statewide hearings on issues of concern to the health interests of  
16 economically disadvantaged minority group members.

17 (c) Review, monitor and advise all state agencies with respect to the impact on  
18 the health of economically disadvantaged minority group members of current and  
19 emerging state policies, procedures, practices, statutes and rules.

20 (d) Work closely with all state agencies, including the University of Wisconsin  
21 System and the technical college system, with the private sector and with groups  
22 concerned with issues of the health of economically disadvantaged minority group  
23 members to develop long-term solutions to health problems of minority group  
24 members.

1 (e) Disseminate information on the status of the health of economically  
2 disadvantaged minority group members in this state.

3 (f) Encourage economically disadvantaged minority group members who are  
4 students to enter career health care professions, by developing materials that are  
5 culturally sensitive and appropriate and that promote health care professions as  
6 careers, for use by the University of Wisconsin System, the technical college system  
7 and the Medical College of Wisconsin in recruiting the students.

8 (g) Submit a biennial report on the activities of the department under this  
9 section that includes recommendations on program policies, procedures, practices  
10 and services affecting the health status of economically disadvantaged minority  
11 group members, to the appropriate standing committees under s. 13.172 (3) and to  
12 the governor.

13 (3) From the appropriation under s. 20.435 (5) (fh), the department shall award  
14 grants for activities to improve the health status of economically disadvantaged  
15 minority group members. A person may apply, in the manner specified by the  
16 department, for a grant of up to \$50,000 to conduct these activities. A grant awarded  
17 under this subsection may not exceed 50% of the cost of the activities. An applicant's  
18 required contribution for a grant may consist of funding or an in-kind contribution.

19 (4) From the appropriation under s. 20.435 (5) (fh), the department shall award  
20 a grant of up to \$100,000 in each fiscal year to a private nonprofit corporation that  
21 applies, in the manner specified by the department, to conduct a public information  
22 campaign on minority health.”.

23 **13.** Page 1118, line 13: after that line insert:

24 “SECTION 2400m. 250.15 of the statutes is created to read:

1           **250.15 Grants for community health centers.** (1) DEFINITION. In this  
2 section, “community health center” means a health care entity that provides primary  
3 health care, health education and social services to low-income individuals.

4           (2) GRANTS. (a) From the appropriation under s. 20.435 (5) (fh), the department  
5 shall award \$50,000 annually as a grant to a community health center in a 1st class  
6 city.

7           (b) From the appropriation under s. 20.435 (5) (fh), the department shall award  
8 grants totaling \$3,500,000 in fiscal year 1999–2000 and totaling \$4,000,000 in fiscal  
9 year 2000–2001, and in each fiscal year thereafter, to community health centers that  
10 receive federal grants under 42 USC 254b (e), (g) or (h). Each grant shall equal the  
11 amount that results from multiplying the total amount available for grants under  
12 this paragraph by the quotient obtained by dividing the amount that the community  
13 health center received under 42 USC 254b (e), (g) or (h) in the most recently  
14 concluded federal fiscal year in which those grants were made by the total amount  
15 of federal grants under 42 USC 254b (e), (g) and (h) made in that year to community  
16 health centers in this state.”

17           **14.** Page 1150, line 5: after that line insert:

18           “**SECTION 2486g.** 255.15 of the statutes is created to read:

19           **255.15 Statewide tobacco control program.** (1) DEFINITIONS. In this  
20 section, “council” means the tobacco control council under s. 15.197 <sup>28</sup>~~(26)~~.

21           (2) PROGRAM DEVELOPMENT. (a) The council shall develop program and budget  
22 recommendations annually, beginning February 1, 2000, for a statewide tobacco  
23 control program and shall submit its recommendations to the secretary of the  
24 department. The department shall review the recommendations and shall develop,



1 and prepare an annual detailed plan for, a statewide tobacco control program based  
2 on the recommendations. In developing the program, the department shall consider  
3 successful tobacco control programs in other states. The annual plan shall specify  
4 how the funds under sub. (3) (b) will be distributed and the projected cost of  
5 administering the statewide tobacco control program, ~~including any additional~~  
6 ~~positions necessary to administer the program.~~ *and the council* The department shall base its plan  
7 on recommendations of the U.S. Centers for Disease Control and Prevention  
8 regarding the allocation of funding for comprehensive tobacco control programs.

9 (b) Beginning March 1, 2000, and annually thereafter, the department shall  
10 submit the plan under par. (a) to the joint committee on finance. If, within 14 days  
11 after the submission of the plan, the cochairpersons of the committee do not notify  
12 the secretary that a meeting has been scheduled for the purpose of reviewing the  
13 plan, the department may expend the funds under sub. (3) (b) and (d) in the manner  
14 proposed in the plan. If, within 14 days after the submission of the plan, the  
15 cochairpersons notify the secretary that the committee has scheduled a meeting for  
16 the purpose of reviewing the plan, the department may expend the funds under sub.  
17 (3) (b) and (d) in the manner proposed in the plan only to the extent approved by the  
18 committee.

19 (3) USE OF FUNDS. (a) From the appropriation under s. 20.435 <sup>5</sup>(m) (tc), the  
20 department shall distribute the following amounts to or for all of the following:

21 1. The University of Wisconsin Center for Tobacco Research and Intervention,  
22 \$1,000,000 in each fiscal year.

23 2. The Thomas T. Melvin youth tobacco prevention and education program  
24 under s. 255.10, \$1,000,000 in fiscal year 1999–2000 and not less than \$1,000,000 in  
25 fiscal year 2000–01 and in each fiscal year thereafter.

*Funds distributed under this subdivision may only be used for activities directly related to preventing individuals from smoking and assisting smokers to quit smoking.*

1           3. A youth smokeless tobacco cessation and prevention campaign developed by  
2 the division within the department that has primary responsibility for  
3 administering public health programs, \$92,000 in fiscal year 1999-2000.

4           4. The Medical College of Wisconsin for tobacco use prevention and cessation  
5 activities, \$500,000 in fiscal year 2000-01 and in each fiscal year thereafter.

6           5. Grants to any applying school in which grade 6, 7 or 8 is taught that  
7 purchases in calendar year 1998 or after the module of the Body Awareness Resource  
8 Network software produced by Pyramid Media that concerns smoking and tobacco  
9 use, \$150,000 in fiscal year 2000-01. The amount of the grant to each school may  
10 not exceed the actual cost to that school of the software.

11           (b) After consulting with the council regarding the selection of specific  
12 programs or activities to be funded under this paragraph and subject to sub. (2) (b),  
13 from the appropriation under s. 20,435 (1) (tc), the department may expend moneys  
14 for all of the following :

- 15           1. Community-based programs to reduce tobacco use.
- 16           2. Community-based programs to reduce the burden of tobacco-related  
17 diseases.
- 18           3. School-based programs relating to tobacco use cessation and prevention.

~~\*\*\*\*NOTE: The motion specified only "school programs." I assumed that the intent was to fund school tobacco programs related to tobacco use. Is that correct?~~

19           4. Enforcement of local laws aimed at reducing exposure to secondhand smoke  
20 and restricting underage access to tobacco.

21           5. Partnership grants <sup>for partnerships among</sup> statewide organizations and businesses. *That support activities related to tobacco use cessation and prevention*

\*\*\*\*NOTE: What are partnership grants? Who's partnering with whom and for what purpose exactly? Is there a way to describe what the committee was after here?

22           6. Marketing activities that promote tobacco use cessation and prevention.

~~\*\*\*NOTE: Is this what is meant by "counter-marketing"?~~

1           7. Projects designed to reduce tobacco use among minorities and pregnant  
2 women.

3           8. Other tobacco use cessation programs.

4           9. Surveillance <sup>of indicators of tobacco use</sup> and evaluation. of the activities funded under  
this section

~~\*\*\*NOTE: Surveillance and evaluation of what?~~

5           (c) No recipient of moneys distributed under par. (b) may expend more than  
6 10% of those moneys for administrative costs.

7           (d) From the appropriation under s. 20.435 (1) <sup>tc</sup> ~~(1A)~~, subject to sub. (2) (b), in each  
8 fiscal year the department may expend for administration of the program under this  
9 section not more than 5% of the total amount deposited in that fiscal year into the  
10 tobacco control fund under s. 25.66.

11           (4) REPORTS. Not later than July 1, 2002, and annually thereafter, the  
12 department shall submit to the governor and to the chief clerk of each house of the  
13 legislature for distribution under s. 13.172 (2) a report that evaluates the success of  
14 the program under this section. The report shall specify the number of programs  
15 supported under sub. (3) (b) during the immediately preceding fiscal year and the  
16 purpose of each program. The report shall also specify any donations, grants or  
17 bequests to the department for the tobacco control program under this section."

18           **15.** Page 1408, line 15: after that line insert:

19           “(9i) TOBACCO CONTROL COUNCIL. Notwithstanding section 15.197 <sup>28</sup> ~~(2)~~ (b) of the  
20 statutes, as created by this act, 4 of the initial members of the tobacco control council  
21 appointed under section 15.197 <sup>28</sup> ~~(2)~~ (a) 5. to 12. of the statutes, as created by this act,  
22 shall serve for terms expiring on May 1, 2003; 5 of the initial members of the tobacco  
23 control council appointed under section 15.197 <sup>28</sup> ~~(2)~~ (a) 5. to 12. of the statutes, as

1 created by this act, shall serve for terms expiring on May 1, 2002; and 4 of the initial  
2 members of the tobacco control council appointed under section 15.197 (20) (a) 5. to  
3 12. of the statutes, as created by this act, shall serve for a term expiring on May 1,  
4 2001.

5 (9j) POSITION AUTHORIZATION. There is authorized for the department of health  
6 and family services 2 FTE SEG positions to be funded from the appropriation under  
7 section 20.435 (1) (18) of the statutes, as created by this act, for the purpose of  
8 assisting in the administration of the statewide tobacco control program under  
9 section 255.15 of the statutes, as created by this act.

10 (9k) GRANT TO COMMUNITY HEALTH CENTER.

11 (a) Subject to paragraph (b), the department of health and family services shall  
12 award <sup>at least \$1,000,000 and not more than \$1,085,000</sup> in fiscal year 1999-2000 and <sup>not more than \$45,000</sup> in fiscal year 2000-2001 <sup>a grant not to exceed</sup>  
13 ~~\$85,000 in each fiscal year~~ to a community health center that is located in a 1st class  
14 city and that emphasizes the health care needs of minorities, high-risk pregnant  
15 women, infants, children, the elderly and urban Native Americans.

16 (b) The department of health and family services may not award the first grant  
17 under paragraph (a) unless the department submits to the cochairpersons of the joint  
18 committee on finance a report that details the amount of the proposed grant and the  
19 services to be provided under the grant by the community health center. If the  
20 cochairpersons of the committee do not notify the secretary of health and family  
21 services within 14 working days after receiving the report that the committee has  
22 scheduled a meeting for the purpose of reviewing the report, the department of  
23 health and family services shall award the grant under paragraph (a). If, within 14  
24 working days after receiving the report, the cochairpersons notify the secretary of  
25 health and family services that the committee has scheduled a meeting for the

1 purpose of reviewing the report, the department of health and family services may  
2 award the grant under paragraph (a) only if, and to the extent that, it is approved  
3 by the committee.”.

4 **16.** Page 1409, line 4: delete lines 4 to 25.

5 **17.** Page 1410, line 12: after that line insert:

6 “(2g) FINANCIAL AUDITS OF THE MEDICAL COLLEGE OF WISCONSIN AND THE  
7 UNIVERSITY OF WISCONSIN CENTER FOR TOBACCO RESEARCH AND INTERVENTION.

8 (a) Beginning on July 1, 2001, the legislative audit bureau shall conduct a  
9 financial audit of the Medical College of Wisconsin that examines the use of funds  
10 appropriated under section 20.250 (1) (k) of the statutes, as created by this act, and  
11 shall file its report as described under section 13.94 (1) (b) of the statutes by June 30,  
12 2002.

13 (b) Beginning on July 1, 2000, the legislative audit bureau shall conduct a  
14 financial audit of the University of Wisconsin Center for Tobacco Research and  
15 Intervention that examines the use of funds appropriated under section 20.285 (1)  
16 (kr) of the statutes, as created by this act, and shall file its report as described under  
17 section 13.94 (1) (b) of the statutes by June 30, 2001.”.

18 **18.** Page 1424, line 23: delete the material beginning with that line and  
19 ending with page 1425, line 5.

20 **19.** Page 1473, line 21: delete lines 21 and 22.

21 (END)

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

LRBb0411/1dn  
TAY:cmh:kjf

Amie Goldman: ✓

Since I renumbered s. 20.435 (1) (tc) to program (5), I renumbered s. 20.435 (1) (ts) to (1) (tc) just to have a little tie-in between the two appropriations. So, the program operations appropriation is s. 20.435 (1) (tc) and the aids appropriation is s. 20.435 (5) (tc). If this is a problem, let me know.

Tina A. Yacker  
Legislative Attorney  
Phone: (608) 261-6927  
E-mail: Tina.Yacker@legis.state.wi.us

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

LRBb0411/1dn  
TAY:cmh:km

June 4, 1999

Amie Goldman:

Since I renumbered s. 20.435 (1) (tc) to program (5), I renumbered s. 20.435 (1) (ts) to (1) (tc) just to have a little tie-in between the two appropriations. So, the program operations appropriation is s. 20.435 (1) (tc) and the aids appropriation is s. 20.435 (5) (tc). If this is a problem, let me know.

Tina A. Yacker  
Legislative Attorney  
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MO# *More/Bills*  
 Burke  N  
 Decker  N  
 Jauch  N  
 Moore  N  
 Shibilski  N  
 Plache  N  
 Cowles  N  
 Panzer  N  
 Gard  N  
 Porter  N  
 Kaufert  N  
 Albers  N  
 Duff  N  
 Ward  N  
 Huber  N  
 Riley  N

*13-2 Passes*  
 MISCELLANEOUS

Senator Moore

Mary Mahoney Health Services, Inc.

*No vote*

*SPK*

Motion:

Move to provide \$100,000 GPR annually to Mary Mahoney Health Services, Inc. to support nurse-managed health centers in the City of Milwaukee. In addition, delete \$85,000, which was earmarked for Rainbow Community Health Center, from the Committee's supplemental appropriation.

*(FH)*

Note:

Mary Mahoney Health Services Inc. operates three nurse-managed health centers in the City of Milwaukee. The Metcalfe Park Health Centers is located in the Metcalfe Park neighborhood and has been operating since 1991. The Hillside Family Health Center provides services to the residents of the Hillside Housing Development and the immediate surrounding neighborhood. Andrew Douglas Community Health Center is located in a Milwaukee public middle school and provides services to individuals in the area four community development block grant strategic planning area.

*These health centers are managed by City*

In 1998, these clinics provided approximately 5,200 clinic visits to 2,900 individuals. In that year, 74% of clients had income below the federal poverty level and 38% of clients were uninsured. The most common diagnoses of the population served by these clinics is asthma, hypertension and diabetes.

This motion would provide funding to support salaries of nurses who conduct home visits, provide health education and individual health counseling at the three clinics. Funding would also be used to purchase medication and support laboratory costs on behalf of uninsured clients at all three clinics.

In addition, this motion would delete \$85,000 GPR annually that the Committee had previously budgeted in its supplemental appropriation. However, the \$1 million GPR funding to support start-up costs for a successor to Rainbow Center and the funding provided for FQHCs including Rainbow, would be maintained.

[Change to Bill: \$30,000 GPR]

Motion #1222