

**2005 DRAFTING REQUEST**

**Bill**

Received: **09/27/2004**

Received By: **gmalaise**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 6-2288**

By/Representing: **Rhodes**

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

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Public Assistance - comm. aids**

Extra Copies:

Submit via email: **NO**

---

**Pre Topic:**

DOA:.....Rhodes, BB0048 -

---

**Topic:**

Substance abuse prevention and treatment block grant funding

---

**Instructions:**

See Attached--consolidate federal substance abuse prevention and treatment block grant funding into one appropriation.

---

**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>
/?	gmalaise 09/27/2004	kfollett 09/30/2004		_____			
/1			rschluet 10/01/2004	_____	lnorthro 10/01/2004		
/2	gmalaise 01/26/2005	jdyer 01/26/2005	jfrantze 01/27/2005	_____	lemery 01/27/2005		

FE Sent For:

<END>

2005 DRAFTING REQUEST

Bill

Received: 09/27/2004

Received By: gmalaise

Wanted: Soon

Identical to LRB:

For: Administration-Budget 6-2288

By/Representing: Rhodes

This file may be shown to any legislator: NO

Drafter: gmalaise

May Contact:

Addl. Drafters:

Subject: Public Assistance - comm. aids

Extra Copies: DAK

Submit via email: NO

---

Pre Topic:

DOA:.....Rhodes, BB0048 -

---

Topic:

Substance abuse prevention and treatment block grant funding

---

Instructions:

See Attached--consolidate federal substance abuse prevention and treatment block grant funding into one appropriation.

---

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>
/?	gmalaise 09/27/2004	kfollett 09/30/2004		_____			
/1		1/2 kfollett	rschluet 10/01/2004	_____	lnorthro 10/01/2004		

FE Sent For:

*gmalaise* *J/Ch*  
<END>  
1/26

**2005 DRAFTING REQUEST**

**Bill**

Received: **09/27/2004**

Received By: **gmalaise**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 6-2288**

By/Representing: **Rhodes**

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

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Public Assistance - comm. aids**

Extra Copies:

Submit via email: **NO**

---

**Pre Topic:**

DOA:.....Rhodes, BB0048 -

---

**Topic:**

Substance abuse prevention and treatment block grant funding

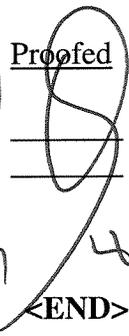
---

**Instructions:**

See Attached--consolidate federal substance abuse prevention and treatment block grant funding into one appropriation.

---

**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>
/?	gmalaise	1/14 9/30		 CH			
FE Sent For:			16	1	4		

<END>

BB0048

<sup>57</sup>  
~~2003-05~~ Budget Bill Statutory Language Drafting Request

- Topic: Federal SAPT Block Grant Community Aids Funding
- Tracking Code:
- SBO team: Health & Insurance
- SBO analyst: Rhodes
  - Phone: 6-2288
  - Email: dennis.rhodes@doa.state.wi.us
- Agency acronym: DHFS
- Agency number: 6-8156

## Federal SAPT Block Grant Community Aids Funding

### Current Language

s. 46.40(1)(a) directs the department to distribute federal block grant community aids funding from s. 20.435(3)(o) and s. 20.435(7)(o). The Department distributes \$2,710,100 from (3)(o) and \$7,025,600 from (7)(o) of federal Substance Abuse Prevention and Treatment (SAPT) block grant as a categorical allocation under Community Aids.

### Proposed Change

Consolidate all SAPT Community Aids funding in one appropriation, (7)(o). Amend s. 46.40(1)(a) to remove the reference to s. 20.435(3)(o) as follows:

s. 46.40 Community Aids Funding.

(1) Distribution Limits.

(a) Within the limits of available federal funds and of the appropriations under s. 20.435 ~~(3)(o) and~~ (7) (b) and (o), the department shall distribute funds for community, social, mental health, developmental disabilities, and alcohol and other drug abuse services and for services under ss. 46.51, 46.87, 46.985 and 51.421 to county departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437 and to county aging units, as provided subs. (2), (2m), and (7) to (9).

Repeal all statutory language relating to the distribution of funding from s. 20.435(3)(o).

### Effect of the Change

This technical change will have no programmatic effect. The Department will continue to distribute \$9,735,700 in federal SAPT block grant Community Aids funding.

### Rationale for the Change

One of the federal funding source used in Community Aids is the federal Substance Abuse Prevention and Treatment (SAPT) block grant. Currently, SAPT funding for Community Aids is budgeted in two separate appropriations in the Department, s. 20.435(3)(o) and (7)(o). The funding is used for the same purpose—the AODA categorical allocation within Community Aids. Consolidating the funding in one appropriation, (7)(o), will streamline budget and

accounting workload. Eliminating unnecessary administrative work is consistent with past and prospective steps to streamline state government.

**Desired Effective Date:** Upon Passage  
**Agency:** DHFS  
**Agency Contact:** Donna Dunkel  
**Phone:** 266-8156



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-02957  
GMM. kjf  
*[Handwritten signature]*

*[Handwritten circle containing "500"]*

DOA:.....Rhodes, BB0048 – Substance abuse prevention and treatment block grant funding

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

*[Handwritten circle containing "Do Not Gen"]*

1 AN ACT ...; relating to: the budget.

---

*Analysis by the Legislative Reference Bureau*  
**HEALTH AND HUMAN SERVICES**

MENTAL ILLNESS AND DEVELOPMENTAL DISABILITIES

Under current law, federal Substance Abuse Prevention and Treatment Block Grant moneys are appropriated to DHFS for distribution to counties, as community aids, for the prevention and treatment of substance abuse. Currently, those moneys are appropriated to DHFS under two separate appropriations. This bill consolidates those moneys into one appropriation.

X

---

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

2 SECTION 1. 20.435 (3) (o) of the statutes is repealed.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 SECTION 2. 46.034 (3) of the statutes is amended to read:

4 46.034 (3) With the agreement of the affected county board of supervisors in  
5 a county with a single-county department or boards of supervisors in counties with

1 a multicounty department, effective for the contract period beginning January 1,  
2 1980, the department may approve a county with a single-county department or  
3 counties participating in a multicounty department to administer a single  
4 consolidated aid consisting of the state and federal financial aid available to that  
5 county or those counties from appropriations under s. 20.435 ~~(3)(e)~~ and (7) (b) and  
6 (o) for services provided and purchased by county departments under ss. 46.215,  
7 46.22, 46.23, 51.42, and 51.437. Under such an agreement, in the interest of  
8 improved service coordination and effectiveness, the county board of supervisors in  
9 a county with a single-county department or county boards of supervisors in  
10 counties with a multicounty department may reallocate among county departments  
11 under ss. 46.215, 46.22, 46.23, 51.42, and 51.437 funds that otherwise would be  
12 specified for use by a single county department. The budget under s. 46.031 (1) shall  
13 be the vehicle for expressing the proposed use of the single consolidated fund by the  
14 county board of supervisors in a county with a single-county department or county  
15 boards of supervisors in counties with a multicounty department. Approval by the  
16 department of this use of the fund shall be in the contract under s. 46.031 (2g).  
17 Counties that were selected by the department to pilot test consolidated aids for  
18 contract periods beginning January 1, 1978, may continue or terminate  
19 consolidation with the agreement of the affected county board of supervisors in a  
20 county with a single-county department or county boards of supervisors in counties  
21 with a multicounty department.

History: 1975 c. 39; 1977 c. 29, 418; 1979 c. 34; 1981 c. 20, 390; 1983 a. 27 s. 2202 (20); 1985 a. 120, 176, 332; 1987 a. 27 s. 724e; Stats. 1987 s. 46.034; 1989 a. 31; 1993 a. 27; 1997 a. 27; 2001 a. 16.

22 **SECTION 3.** 46.215 (2) (c) 1. of the statutes is amended to read:

23 46.215 (2) (c) 1. A county department of social services shall develop, under the  
24 requirements of s. 46.036, plans and contracts for care and services to be purchased,

1 except for care and services under subch. III of ch. 49 or s. 301.08 (2). The department  
2 of health and family services may review the contracts and approve them if they are  
3 consistent with s. 46.036 and if state or federal funds are available for such purposes.  
4 The joint committee on finance may require the department of health and family  
5 services to submit the contracts to the committee for review and approval. The  
6 department of health and family services may not make any payments to a county  
7 for programs included in a contract under review by the committee. The department  
8 of health and family services shall reimburse each county for the contracts from the  
9 appropriations under s. 20.435 ~~(3) (e)~~ and (7) (b) and (o), as appropriate, under s.  
10 46.495.

History: 1971 c. 218; 1973 c. 90, 147, 333, 336; 1975 c. 39, 307, 421; 1977 c. 29, 271, 418; 1979 c. 34; 1981 c. 20 ss. 867m to 870, 2202 (20) (j); 1981 c. 81, 329; 1983 a. 27 ss. 1080, 2202 (20); 1983 a. 190 s. 7; 1983 a. 193; 1985 a. 29, 120; 1985 a. 176 ss. 322 to 332; Stats. 1985 s. 46.215; 1987 a. 27; 1987 a. 403 s. 256; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2063 to 2076, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 225, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9; 2001 a. 16; 2003 a. 33.

11 **SECTION 4.** 46.22 (1) (e) 3. a. of the statutes is amended to read:

12 46.22 (1) (e) 3. a. A county department of social services shall develop, under  
13 the requirements of s. 46.036, plans and contracts for care and services, except under  
14 subch. III of ch. 49 and s. 301.08 (2), to be purchased. The department of health and  
15 family services may review the contracts and approve them if they are consistent  
16 with s. 46.036 and to the extent that state or federal funds are available for such  
17 purposes. The joint committee on finance may require the department of health and  
18 family services to submit the contracts to the committee for review and approval.  
19 The department of health and family services may not make any payments to a  
20 county for programs included in the contract that is under review by the committee.  
21 The department of health and family services shall reimburse each county for the

1 contracts from the appropriations under s. 20.435 ~~(3)(e)~~ and (7) (b) and (o) according  
2 to s. 46.495.

History: 1971 c. 164, 218; 1973 c. 90 ss. 226, 560 (3); 1973 c. 147, 333; 1975 c. 39; 1975 c. 189 s. 99 (1), (2); 1975 c. 224 ss. 52p, 146m; 1975 c. 307, 422; 1975 c. 430 s. 78; 1977 c. 29 ss. 560, 1656 (18); 1977 c. 83 s. 26; 1977 c. 418, 449; 1979 c. 34, 221; 1981 c. 20 ss. 759 to 763m, 2202 (20) (j); 1981 c. 329; 1981 c. 390 s. 252; 1983 a. 27 s. 2202 (20); 1983 a. 190 s. 7; 1983 a. 192, 193, 447; 1985 a. 29, 120; 1985 a. 176 ss. 28, 30, 59 to 105; 1985 a. 332; 1987 a. 5, 27; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2077 to 2111, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9, 83; 2001 a. 16, 103; 2003 a. 33.

3 **SECTION 5.** 46.40 (1) (a) of the statutes is amended to read:

4 46.40 (1) (a) Within the limits of available federal funds and of the  
5 appropriations under s. 20.435 ~~(3)(e)~~ and (7) (b) and (o), the department shall  
6 distribute funds for community social, mental health, developmental disabilities,  
7 and alcohol and other drug abuse services and for services under ss. 46.51, 46.87,  
8 46.985, and 51.421 to county departments under ss. 46.215, 46.22, 46.23, 51.42, and  
9 51.437 and to county aging units, as provided in subs. (2), (2m), and (7) to (9).

History: 1987 a. 27, 399, 405; 1989 a. 31, 122, 336; 1991 a. 6, 39, 189, 269, 275, 315; 1993 a. 16, 437, 446; 1995 a. 27, 275, 303, 404; 1997 a. 27, 35, 237, 292; 1999 a. 9, 185; 2001 a. 16; 2003 a. 33, 318.

10 **SECTION 6.** 46.495 (1) (am) of the statutes is amended to read:

11 46.495 (1) (am) The department shall reimburse each county from the  
12 appropriations under s. 20.435 ~~(3)(e)~~ and (7) (b) and (o) for social services as  
13 approved by the department under ss. 46.215 (1), (2) (c) 1., and (3) and 46.22 (1) (b)  
14 1. d. and (e) 3. a. except that no reimbursement may be made for the administration  
15 of or aid granted under s. 49.02.

History: 1995 a. 27 ss. 3129, 3132, 3135 to 3139; 1995 a. 289, 404; 1997 a. 3, 27, 252; 1999 a. 9; 2001 a. 16; 2003 a. 318.

16 **SECTION 7.** 46.495 (1) (d) of the statutes is amended to read:

17 46.495 (1) (d) From the appropriations under s. 20.435 ~~(3)(e)~~ and (7) (b) and  
18 (o), the department shall distribute the funding for social services, including funding  
19 for foster care or treatment foster care of a child on whose behalf aid is received under  
20 s. 46.261, to county departments under ss. 46.215, 46.22, and 46.23 as provided  
21 under s. 46.40. County matching funds are required for the distributions under s.  
22 46.40 (2), (8), and (9) (b). Each county's required match for the distribution under  
23 s. 46.40 (2) shall be specified in a schedule established annually by the department

9.89 percent

1 of health and family services. Each county's required match for the distribution  
 2 under s. 46.40 (8) for a year equals ~~9.89%~~ of the total of the county's distributions  
 3 under s. 46.40 (8) for that year for which matching funds are required plus the  
 4 amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for juvenile  
 5 delinquency-related services from its distribution for 1987. Each county's required  
 6 match for the distribution under s. 46.40 (9) (b) for a year equals ~~9.89%~~ of that  
 7 county's amounts described in s. 46.40 (9) (a) (intro.) for that year. Matching funds  
 8 may be from county tax levies, federal and state revenue sharing funds, or private  
 9 donations to the county that meet the requirements specified in s. 51.423 (5). Private  
 10 donations may not exceed ~~25%~~ of the total county match. If the county match is less  
 11 than the amount required to generate the full amount of state and federal funds  
 12 distributed for this period, the decrease in the amount of state and federal funds  
 13 equals the difference between the required and the actual amount of county  
 14 matching funds.

25 percent

2003 Wisconsin Act 318 and

NOTE: NOTE: Par. (d) is amended eff. 1-1-06 by 2003 Wis. Act 318 to read: NOTE:

15 SECTION 8. 46.495 (1) (d) of the statutes, as affected by 2005 Wisconsin Act . .  
 16 . . (this act), is repealed and recreated to read:

17 46.495 (1) (d) From the appropriations under s. 20.435 (7) (b) and (o), the  
 18 department shall distribute the funding for social services, including funding for  
 19 foster care or treatment foster care of a child on whose behalf aid is received under  
 20 s. 46.261, to county departments under ss. 46.215, 46.22, and 46.23 as provided  
 21 under s. 46.40. County matching funds are required for the distributions under s.  
 22 46.40 (2), (8), and (9) (b). Each county's required match for the distributions under  
 23 s. 46.40 (2) and (8) for a year equals ~~9.89%~~ of the total of the county's distributions  
 24 under s. 46.40 (2) and (8) for that year for which matching funds are required plus

9.89 percent

X

9.89 percent

1 the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for  
 2 juvenile delinquency-related services from its distribution for 1987. Each county's  
 3 required match for the distribution under s. 46.40 (9) (b) for a year equals ~~9.89%~~ of  
 4 that county's amounts described in s. 46.40 (9) (a) (intro.) for that year. Matching  
 5 funds may be from county tax levies, federal and state revenue sharing funds, or  
 6 private donations to the county that meet the requirements specified in s. 51.423 (5).  
 7 Private donations may not exceed ~~25%~~ <sup>25 percent</sup> of the total county match. If the county match  
 8 is less than the amount required to generate the full amount of state and federal  
 9 funds distributed for this period, the decrease in the amount of state and federal  
 10 funds equals the difference between the required and the actual amount of county  
 11 matching funds.

History: 1995 a. 27 ss. 3129, 3132, 3135 to 3139; 1995 a. 289, 404; 1997 a. 3, 27, 252; 1999 a. 9; 2001 a. 16; 2003 a. 318.

**SECTION 9.** 51.423 (1) of the statutes is amended to read:

13 51.423 (1) The department shall fund, within the limits of the department's  
 14 allocation for mental health services under s. 20.435 (3) (e) and (7) (b) and (o) and  
 15 subject to this section, services for mental illness, developmental disability,  
 16 alcoholism, and drug abuse to meet standards of service quality and accessibility.  
 17 The department's primary responsibility is to guarantee that county departments  
 18 established under either s. 51.42 or 51.437 receive a reasonably uniform minimum  
 19 level of funding and its secondary responsibility is to fund programs which meet  
 20 exceptional community needs or provide specialized or innovative services. Moneys  
 21 appropriated under s. 20.435 (7) (b) and earmarked by the department for mental  
 22 health services under s. 20.435 (7) (o) shall be allocated by the department to county  
 23 departments under s. 51.42 or 51.437 in the manner set forth in this section.

History: 1985 a. 176 ss. 452 to 454, 456 to 461, 463, 466; 1987 a. 27, 186; 1989 a. 31, 56, 122; 1991 a. 39, 269; 1993 a. 16, 445; 1995 a. 27; 1997 a. 27; 1999 a. 9; 2001 a. 16.

**SECTION 10.** 51.423 (2) of the statutes is amended to read:

24





State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-0295/1-2  
GMM:kjf:rs  
RMR

NOTE

DOA:.....Rhodes, BB0048 - Substance abuse prevention and treatment block grant funding

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

Don't gen

1 AN ACT ...; relating to: the budget.

---

*Analysis by the Legislative Reference Bureau*  
**HEALTH AND HUMAN SERVICES**

**MENTAL ILLNESS AND DEVELOPMENTAL DISABILITIES**

Under current law, federal Substance Abuse Prevention and Treatment Block Grant moneys are appropriated to DHFS for distribution to counties, as community aids, for the prevention and treatment of substance abuse. Currently, those moneys are appropriated to DHFS under two separate appropriations. This bill consolidates those moneys into one appropriation.

---

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

2 SECTION 1. 20.435 (3) (o) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 SECTION 2. 46.034 (3) of the statutes is amended to read:

4 46.034 (3) With the agreement of the affected county board of supervisors in  
5 a county with a single-county department or boards of supervisors in counties with

1 a multicounty department, effective for the contract period beginning January 1,  
2 1980, the department may approve a county with a single-county department or  
3 counties participating in a multicounty department to administer a single  
4 consolidated aid consisting of the state and federal financial aid available to that  
5 county or those counties from appropriations under s. 20.435 (3) ~~(e)~~ and (7) (b) and  
6 (o) for services provided and purchased by county departments under ss. 46.215,  
7 46.22, 46.23, 51.42, and 51.437. Under such an agreement, in the interest of  
8 improved service coordination and effectiveness, the county board of supervisors in  
9 a county with a single-county department or county boards of supervisors in  
10 counties with a multicounty department may reallocate among county departments  
11 under ss. 46.215, 46.22, 46.23, 51.42, and 51.437 funds that otherwise would be  
12 specified for use by a single county department. The budget under s. 46.031 (1) shall  
13 be the vehicle for expressing the proposed use of the single consolidated fund by the  
14 county board of supervisors in a county with a single-county department or county  
15 boards of supervisors in counties with a multicounty department. Approval by the  
16 department of this use of the fund shall be in the contract under s. 46.031 (2g).  
17 Counties that were selected by the department to pilot test consolidated aids for  
18 contract periods beginning January 1, 1978, may continue or terminate  
19 consolidation with the agreement of the affected county board of supervisors in a  
20 county with a single-county department or county boards of supervisors in counties  
21 with a multicounty department.

22 **SECTION 3.** 46.215 (2) (c) 1. of the statutes is amended to read:

23 46.215 (2) (c) 1. A county department of social services shall develop, under the  
24 requirements of s. 46.036, plans and contracts for care and services to be purchased,  
25 except for care and services under subch. III of ch. 49 or s. 301.08 (2). The department

1 of health and family services may review the contracts and approve them if they are  
2 consistent with s. 46.036 and if state or federal funds are available for such purposes.  
3 The joint committee on finance may require the department of health and family  
4 services to submit the contracts to the committee for review and approval. The  
5 department of health and family services may not make any payments to a county  
6 for programs included in a contract under review by the committee. The department  
7 of health and family services shall reimburse each county for the contracts from the  
8 appropriations under s. 20.435 ~~(3) (e)~~ and (7) (b) and (o), as appropriate, under s.  
9 46.495.

10 **SECTION 4.** 46.22 (1) (e) 3. a. of the statutes is amended to read:

11 46.22 (1) (e) 3. a. A county department of social services shall develop, under  
12 the requirements of s. 46.036, plans and contracts for care and services, except under  
13 subch. III of ch. 49 and s. 301.08 (2), to be purchased. The department of health and  
14 family services may review the contracts and approve them if they are consistent  
15 with s. 46.036 and to the extent that state or federal funds are available for such  
16 purposes. The joint committee on finance may require the department of health and  
17 family services to submit the contracts to the committee for review and approval.  
18 The department of health and family services may not make any payments to a  
19 county for programs included in the contract that is under review by the committee.  
20 The department of health and family services shall reimburse each county for the  
21 contracts from the appropriations under s. 20.435 ~~(3) (e)~~ and (7) (b) and (o) according  
22 to s. 46.495.

23 **SECTION 5.** 46.40 (1) (a) of the statutes is amended to read:

24 46.40 (1) (a) Within the limits of available federal funds and of the  
25 appropriations under s. 20.435 ~~(3) (e)~~ and (7) (b) and (o), the department shall

1 distribute funds for community social, mental health, developmental disabilities,  
2 and alcohol and other drug abuse services and for services under ss. 46.51, 46.87,  
3 46.985, and 51.421 to county departments under ss. 46.215, 46.22, 46.23, 51.42, and  
4 51.437 and to county aging units, as provided in subs. (2), (2m), and (7) to (9).

5 **SECTION 6.** 46.495 (1) (am) of the statutes is amended to read:

6 46.495 (1) (am) The department shall reimburse each county from the  
7 appropriations under s. 20.435 (3) (o) and (7) (b) and (o) for social services as  
8 approved by the department under ss. 46.215 (1), (2) (c) 1., and (3) and 46.22 (1) (b)  
9 1. d. and (e) 3. a. except that no reimbursement may be made for the administration  
10 of or aid granted under s. 49.02.

11 ~~**SECTION 7.** 46.495 (1) (d) of the statutes is amended to read:~~

12 ~~46.495 (1) (d) From the appropriations under s. 20.435 (3) (o) and (7) (b) and  
13 (o), the department shall distribute the funding for social services, including funding  
14 for foster care or treatment foster care of a child on whose behalf aid is received under  
15 s. 46.261, to county departments under ss. 46.215, 46.22, and 46.23 as provided  
16 under s. 46.40. County matching funds are required for the distributions under s.  
17 46.40 (2), (8), and (9) (b). Each county's required match for the distribution under  
18 s. 46.40 (2) shall be specified in a schedule established annually by the department  
19 of health and family services. Each county's required match for the distribution  
20 under s. 46.40 (8) for a year equals ~~9.89%~~ 9.89 percent of the total of the county's  
21 distributions under s. 46.40 (8) for that year for which matching funds are required  
22 plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for  
23 juvenile delinquency-related services from its distribution for 1987. Each county's  
24 required match for the distribution under s. 46.40 (9) (b) for a year equals ~~9.89%~~ 9.89  
25 percent of that county's amounts described in s. 46.40 (9) (a) (intro.) for that year.~~

1 Matching funds may be from county tax levies, federal and state revenue sharing  
2 funds, or private donations to the county that meet the requirements specified in s.  
3 51.423 (5). Private donations may not exceed ~~25%~~ 25 percent of the total county  
4 match. If the county match is less than the amount required to generate the full  
5 amount of state and federal funds distributed for this period, the decrease in the  
6 amount of state and federal funds equals the difference between the required and the  
7 actual amount of county matching funds.

8 **SECTION 8.** 46.495 (1) (d) of the statutes, as affected by 2003 Wisconsin Act 318  
9 and 2005 Wisconsin Act ... (this act), is repealed and recreated to read:

10 46.495 (1) (d) From the appropriations under s. 20.435 (7) (b) and (o), the  
11 department shall distribute the funding for social services, including funding for  
12 foster care or treatment foster care of a child on whose behalf aid is received under  
13 s. 46.261, to county departments under ss. 46.215, 46.22, and 46.23 as provided  
14 under s. 46.40. County matching funds are required for the distributions under s.  
15 46.40 (2), (8), and (9) (b). Each county's required match for the distributions under  
16 s. 46.40 (2) and (8) for a year equals 9.89 percent of the total of the county's  
17 distributions under s. 46.40 (2) and (8) for that year for which matching funds are  
18 required plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to  
19 spend for juvenile delinquency-related services from its distribution for 1987. Each  
20 county's required match for the distribution under s. 46.40 (9) (b) for a year equals  
21 9.89 percent of that county's amounts described in s. 46.40 (9) (a) (intro.) for that  
22 year. Matching funds may be from county tax levies, federal and state revenue  
23 sharing funds, or private donations to the county that meet the requirements  
24 specified in s. 51.423 (5). Private donations may not exceed 25 percent of the total  
25 county match. If the county match is less than the amount required to generate the

1 full amount of state and federal funds distributed for this period, the decrease in the  
2 amount of state and federal funds equals the difference between the required and the  
3 actual amount of county matching funds.

4 **SECTION 9.** 51.423 (1) of the statutes is amended to read:

5 51.423 (1) The department shall fund, within the limits of the department's  
6 allocation for mental health services under s. 20.435 (3) (e) and (7) (b) and (o) and  
7 subject to this section, services for mental illness, developmental disability,  
8 alcoholism, and drug abuse to meet standards of service quality and accessibility.  
9 The department's primary responsibility is to guarantee that county departments  
10 established under either s. 51.42 or 51.437 receive a reasonably uniform minimum  
11 level of funding and its secondary responsibility is to fund programs which meet  
12 exceptional community needs or provide specialized or innovative services. Moneys  
13 appropriated under s. 20.435 (7) (b) and earmarked by the department for mental  
14 health services under s. 20.435 (7) (o) shall be allocated by the department to county  
15 departments under s. 51.42 or 51.437 in the manner set forth in this section.

16 **SECTION 10.** 51.423 (2) of the statutes is amended to read:

17 51.423 (2) From the appropriations under s. 20.435 (3) (e) and (7) (b) and (o),  
18 the department shall distribute the funding for services provided or purchased by  
19 county departments under s. 46.23, 51.42, or 51.437 to such county departments as  
20 provided under s. 46.40. County matching funds are required for the distributions  
21 under s. 46.40 (2) and (9) (b). Each county's required match for the distributions  
22 under s. 46.40 (2) for a year equals 9.89% 9.89 percent of the total of the county's  
23 distributions under s. 46.40 (2) for that year for which matching funds are required  
24 plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for  
25 juvenile delinquency-related services from its distribution for 1987. Each county's

1 required match for the distribution under s. 46.40 (9) (b) for a year equals ~~9.89%~~ 9.89  
 2 percent of that county's amounts described in s. 46.40 (9) (a) (intro.) for that year.  
 3 Matching funds may be from county tax levies, federal and state revenue sharing  
 4 funds, or private donations to the counties that meet the requirements specified in  
 5 sub. (5). Private donations may not exceed ~~25%~~ 25 percent of the total county match.  
 6 If the county match is less than the amount required to generate the full amount of  
 7 state and federal funds distributed for this period, the decrease in the amount of state  
 8 and federal funds equals the difference between the required and the actual amount  
 9 of county matching funds.

10 ~~SECTION 9421. Effective dates, health and family services.~~

11 (1) FEDERAL SUBSTANCE ABUSE PREVENTION AND TREATMENT BLOCK GRANT  
 12 MONEYS. The repeal and recreation of section 46.495 (1) (d) of the statutes takes effect  
 13 on January 1, 2006.

14 (END)

↓  
 DM 512

↓ LRB-0084/2

DRAFT

Dennis Rhodes and Robert Blaine: 5

13

This draft reconciles LRB-0295/1 and LRB-0746/1

LRB-0084

~~Both~~ LRB-0295/1 and LRB-0746/1

~~NO #~~ all should continue to appear in the compiled

bill.  
↑

G.M.

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

LRB-0295/2dn  
GMM:kjfjf

January 26, 2005

Dennis Rhodes and Robert Blaine:

This draft reconciles LRB-0295/1, LRB-0084/2, and LRB-0746/3. LRB-0295, LRB-0084, and LRB-0746 should all continue to appear in the compiled bill.

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



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-0295/2

GMM:kjf:jf

DOA:.....Rhodes, BB0048 - Substance abuse prevention and treatment block grant funding

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

---

*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**MENTAL ILLNESS AND DEVELOPMENTAL DISABILITIES**

Under current law, federal Substance Abuse Prevention and Treatment Block Grant moneys are appropriated to DHFS for distribution to counties, as community aids, for the prevention and treatment of substance abuse. Currently, those moneys are appropriated to DHFS under two separate appropriations. This bill consolidates those moneys into one appropriation.

---

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

2 SECTION 1. 20.435 (3) (o) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 SECTION 2. 46.034 (3) of the statutes is amended to read:

4 46.034 (3) With the agreement of the affected county board of supervisors in  
5 a county with a single-county department or boards of supervisors in counties with

1 a multicounty department, effective for the contract period beginning January 1,  
2 1980, the department may approve a county with a single-county department or  
3 counties participating in a multicounty department to administer a single  
4 consolidated aid consisting of the state and federal financial aid available to that  
5 county or those counties from appropriations under s. 20.435 ~~(3)(e)~~ and (7) (b) and  
6 (o) for services provided and purchased by county departments under ss. 46.215,  
7 46.22, 46.23, 51.42, and 51.437. Under such an agreement, in the interest of  
8 improved service coordination and effectiveness, the county board of supervisors in  
9 a county with a single-county department or county boards of supervisors in  
10 counties with a multicounty department may reallocate among county departments  
11 under ss. 46.215, 46.22, 46.23, 51.42, and 51.437 funds that otherwise would be  
12 specified for use by a single county department. The budget under s. 46.031 (1) shall  
13 be the vehicle for expressing the proposed use of the single consolidated fund by the  
14 county board of supervisors in a county with a single-county department or county  
15 boards of supervisors in counties with a multicounty department. Approval by the  
16 department of this use of the fund shall be in the contract under s. 46.031 (2g).  
17 Counties that were selected by the department to pilot test consolidated aids for  
18 contract periods beginning January 1, 1978, may continue or terminate  
19 consolidation with the agreement of the affected county board of supervisors in a  
20 county with a single-county department or county boards of supervisors in counties  
21 with a multicounty department.

22 **SECTION 3.** 46.215 (2) (c) 1. of the statutes is amended to read:

23 46.215 (2) (c) 1. A county department of social services shall develop, under the  
24 requirements of s. 46.036, plans and contracts for care and services to be purchased,  
25 except for care and services under subch. III of ch. 49 or s. 301.08 (2). The department

1 of health and family services may review the contracts and approve them if they are  
2 consistent with s. 46.036 and if state or federal funds are available for such purposes.  
3 The joint committee on finance may require the department of health and family  
4 services to submit the contracts to the committee for review and approval. The  
5 department of health and family services may not make any payments to a county  
6 for programs included in a contract under review by the committee. The department  
7 of health and family services shall reimburse each county for the contracts from the  
8 appropriations under s. 20.435 ~~(3)(e)~~ and (7) (b) and (o), as appropriate, under s.  
9 46.495.

10 **SECTION 4.** 46.22 (1) (e) 3. a. of the statutes is amended to read:

11 46.22 (1) (e) 3. a. A county department of social services shall develop, under  
12 the requirements of s. 46.036, plans and contracts for care and services, except under  
13 subch. III of ch. 49 and s. 301.08 (2), to be purchased. The department of health and  
14 family services may review the contracts and approve them if they are consistent  
15 with s. 46.036 and to the extent that state or federal funds are available for such  
16 purposes. The joint committee on finance may require the department of health and  
17 family services to submit the contracts to the committee for review and approval.  
18 The department of health and family services may not make any payments to a  
19 county for programs included in the contract that is under review by the committee.  
20 The department of health and family services shall reimburse each county for the  
21 contracts from the appropriations under s. 20.435 ~~(3)(e)~~ and (7) (b) and (o) according  
22 to s. 46.495.

23 **SECTION 5.** 46.40 (1) (a) of the statutes is amended to read:

24 46.40 (1) (a) Within the limits of available federal funds and of the  
25 appropriations under s. 20.435 ~~(3)(e)~~ and (7) (b) and (o), the department shall

1 distribute funds for community social, mental health, developmental disabilities,  
2 and alcohol and other drug abuse services and for services under ss. 46.51, 46.87,  
3 46.985, and 51.421 to county departments under ss. 46.215, 46.22, 46.23, 51.42, and  
4 51.437 and to county aging units, as provided in subs. (2), (2m), and (7) to (9).

5 **SECTION 6.** 46.495 (1) (am) of the statutes is amended to read:

6 46.495 (1) (am) The department shall reimburse each county from the  
7 appropriations under s. 20.435 ~~(3) (e)~~ and (7) (b) and (o) for social services as  
8 approved by the department under ss. 46.215 (1), (2) (c) 1., and (3) and 46.22 (1) (b)  
9 1. d. and (e) 3. a. except that no reimbursement may be made for the administration  
10 of or aid granted under s. 49.02.

11 **SECTION 7.** 51.423 (1) of the statutes is amended to read:

12 51.423 (1) The department shall fund, within the limits of the department's  
13 allocation for mental health services under s. 20.435 ~~(3) (e)~~ and (7) (b) and (o) and  
14 subject to this section, services for mental illness, developmental disability,  
15 alcoholism, and drug abuse to meet standards of service quality and accessibility.  
16 The department's primary responsibility is to guarantee that county departments  
17 established under either s. 51.42 or 51.437 receive a reasonably uniform minimum  
18 level of funding and its secondary responsibility is to fund programs which meet  
19 exceptional community needs or provide specialized or innovative services. Moneys  
20 appropriated under s. 20.435 (7) (b) and earmarked by the department for mental  
21 health services under s. 20.435 (7) (o) shall be allocated by the department to county  
22 departments under s. 51.42 or 51.437 in the manner set forth in this section.

23 **SECTION 8.** 51.423 (2) of the statutes is amended to read:

24 51.423 (2) From the appropriations under s. 20.435 ~~(3) (e)~~ and (7) (b) and (o),  
25 the department shall distribute the funding for services provided or purchased by

1 county departments under s. 46.23, 51.42, or 51.437 to such county departments as  
2 provided under s. 46.40. County matching funds are required for the distributions  
3 under s. 46.40 (2) and (9) (b). Each county's required match for the distributions  
4 under s. 46.40 (2) for a year equals 9.89% of the total of the county's distributions  
5 under s. 46.40 (2) for that year for which matching funds are required plus the  
6 amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for juvenile  
7 delinquency-related services from its distribution for 1987. Each county's required  
8 match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of that  
9 county's amounts described in s. 46.40 (9) (a) (intro.) for that year. Matching funds  
10 may be from county tax levies, federal and state revenue sharing funds, or private  
11 donations to the counties that meet the requirements specified in sub. (5). Private  
12 donations may not exceed 25% of the total county match. If the county match is less  
13 than the amount required to generate the full amount of state and federal funds  
14 distributed for this period, the decrease in the amount of state and federal funds  
15 equals the difference between the required and the actual amount of county  
16 matching funds.

17 (END)