



**ASSEMBLY AMENDMENT 6,
TO 1995 SENATE BILL 270**

March 14, 1996 - Offered by Representative FREESE.

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

2 **1.** Page 1, line 13: after "reports", before the material inserted by senate
3 amendment 1, insert: ", funding certain mental health services, providing an
4 exemption from emergency rule procedures, granting rule-making authority"; and
5 delete "an appropriation", as inserted by senate amendment 1, and substitute
6 "appropriations".

7 **2.** Page 4, line 1: before that line insert:

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

				1995-96	1996-97
10					
11	20.435	Health and family services, department			
12		of			
13	(7)	COMMUNITY SERVICES; AIDS AND LOCAL ASSISTANCE			
14	(bg)	Mental health services	GPR C	-0-	1,500,000

15 **SECTION 1h.** 20.435 (7) (bg) of the statutes is created to read:

1 20.435 (7) (bg) *Mental health services*. 1. As a continuing appropriation, the
2 amounts in the schedule for mental health services under s. 51.12 for individuals
3 who are detained on an emergency basis under s. 51.15 or involuntarily committed
4 under s. 51.20 and who are not eligible for services under s. 49.46, 49.465, 49.468 or
5 49.47.

6 2. This paragraph does not apply after the last day of the 59th month
7 commencing after the effective date of this subdivision [revisor inserts date].”.

8 **3.** Page 4, line 1: delete “**SECTION 1**” and substitute “**SECTION 1r**”.

9 **4.** Page 6, line 10: after that line insert:

10 “**SECTION 3m.** 51.12 of the statutes is created to read:

11 **51.12 Mental health services funding. (1)** From the appropriation under
12 s. 20.435 (7) (bg), the department shall distribute, in accordance with sub. (4), to
13 applying county departments under s. 51.42 funds for mental health services for
14 individuals who are detained on an emergency basis under s. 51.15 or involuntarily
15 committed under s. 51.20 and who are not eligible for services under s. 49.46, 49.465,
16 49.468 or 49.47.

17 **(2)** No county may receive in a calendar year funds under sub. (1) that exceed
18 10% of the highest amount of funds in the appropriation account under s. 20.435 (7)
19 (bg) for the fiscal year that begins in the calendar year.

20 **(3)** The amount of funding that a county may receive under sub. (1), as limited
21 by sub. (2), shall be based on the percentage increase, if any, in the number of
22 involuntary commitments under s. 51.20 for residents of the county in the most
23 recent calendar year over the average of the number of involuntary commitments
24 under s. 51.20 for residents of the county in the next most recent 3 full calendar years.

1 This determination shall be made by the department for a county by January 31
2 annually.

3 (4) The department shall promulgate rules for distribution of the funds under
4 this section.

5 (5) This section does not apply after the last day of the 59th month commencing
6 after the effective date of this subsection [revisor inserts date].”.

7 **5.** Page 28, line 5: after that line, after the material inserted by senate
8 amendment 2, and before the material inserted by senate amendment 1, insert:

9 “(3) The department of health and social services shall develop a plan for
10 distribution of funds under section 51.12 of the statutes, as created by this act, and,
11 by June 1, 1996, shall submit the plan to the joint committee on finance for review.
12 The department may proceed to promulgate rules under section 51.12 (4) of the
13 statutes, as created by this act, based on the plan if within 14 working days of the
14 submittal the committee does not schedule a meeting for the purpose of reviewing
15 the plan. If the committee schedules a meeting for the purpose of reviewing the plan,
16 the department may not proceed to promulgate rules based on the plan until the plan
17 is reviewed and approved by the committee.

18 (4) (a) The department of health and social services shall submit proposed
19 rules required under section 51.12 (4) of the statutes, as created by this act, to the
20 legislative council staff for review under section 227.15 (1) of the statutes no later
21 than November 1, 1996.

22 (b) Using the procedure under section 227.24 of the statutes, the department
23 of health and social services shall promulgate rules required under section 51.12 (4)
24 of the statutes, as created by this act, for the period prior to the effective date of the

1 rules submitted under paragraph (a), but not to exceed the period authorized under
2 section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a)
3 and (2) (b) of the statutes, the department need not provide evidence of the necessity
4 of preservation of the public peace, health, safety or welfare in promulgating the
5 rules under this paragraph.”.

6 **6.** Page 28, line 20: after that line insert:

7 “(3) The treatment of section 51.12 (4) of the statutes and SECTION 35 (4) of this
8 act take effect on the day after publication or on July 1, 1996, whichever is earlier.

9 (4) SECTION 35 (3) of this act takes effect on the day after publication.”.

10

(END)