



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0070/4
GMM:sac:rs

DOA:.....Major, BB0191 - Tribal family services program

FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, DCF provides funding from various appropriations to the Indian tribes of this state for various tribal family services. Specifically, from an appropriation of general purpose revenues (GPR), DCF provides grants to Indian tribes for tribal adolescent services; from another GPR appropriation, DCF provides grants to Indian tribes for domestic abuse services; from another GPR appropriation, DCF distributes moneys to Indian tribes for child care services; and from an appropriation of federal revenues, DCF distributes moneys to Indian tribes for child welfare services. Current law also specifies the amounts that DCF may provide for tribal adolescent services and must distribute for tribal child care services.

This bill eliminates funding from those various appropriations for those various tribal family services and instead creates a new GPR appropriation from which DCF may distribute tribal family services grants to the elected governing bodies of the Indian tribes in this state. The bill also eliminates the specific amounts that DCF may provide for tribal adolescent services and must distribute for tribal child care services and instead permits an elected governing body of an Indian tribe that receives a tribal family services grant to expend the grant moneys received as determined by that body.

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:

SECTION 1. 20.437 (1) (bd) of the statutes is created to read:

20.437 (1) (bd) *Tribal family services grants.* The amounts in the schedule for tribal family services grants under s. 48.487.

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

SECTION 2. 20.437 (1) (eg) of the statutes is amended to read:

20.437 (1) (eg) *Brighter futures initiative and tribal adolescent services.* The amounts in the schedule for the brighter futures initiative under s. 48.545 and for tribal adolescent services under s. 48.487.

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

SECTION 3. 48.487 (title) of the statutes is amended to read:

48.487 (title) Tribal adolescent family services.

SECTION 4. 48.487 (1m) of the statutes is amended to read:

48.487 (1m) TRIBAL ADOLESCENT FAMILY SERVICES ALLOCATION GRANTS. From the appropriation account under s. 20.437 (1) (~~eg~~) (bd), the department may allocate \$210,000 in each fiscal year to provide the grants specified distribute tribal family services grants to the elected governing bodies of the Indian tribes in this state. An elected governing body that receives a grant under this subsection may expend the grant moneys received for any of the purposes specified in subs. (2), (3) (b), and (4m) (b), (5) (b), (6), and (7) as determined by that body.

SECTION 5. 48.487 (2) of the statutes is amended to read:

48.487 (2) ADOLESCENT SELF-SUFFICIENCY SERVICES. ~~From the allocation under sub. (1m), the department may provide a grant annually in the amount of \$85,000 to the An elected governing body of an Indian tribe may expend moneys from a grant received under sub. (1m) to provide services for adolescent parents which. Those services shall emphasize high school graduation and vocational preparation, training, and experience and may be structured so as to strengthen the adolescent parent's capacity to fulfill parental responsibilities by developing social skills and increasing parenting skills. ~~The Indian tribe seeking to receive a grant to provide these An Indian tribe that provides those services shall develop a proposed service plan that is approved by the department.~~~~

SECTION 6. 48.487 (3) (b) of the statutes is amended to read:

48.487 (3) (b) ~~From the allocation under sub. (1m), the department may provide a grant annually in the amount of \$65,000 to the An elected governing body of an Indian tribe may expend moneys from a grant received under sub. (1m) to provide to high-risk adolescents pregnancy and parenthood prevention services which to high-risk adolescents. Those services shall be structured so as to increase the development of decision-making and communications skills, promote graduation from high school, and expand career and other options and ~~which~~ may address needs of adolescents with respect to pregnancy prevention.~~

SECTION 7. 48.487 (4m) (title) of the statutes is amended to read:

48.487 (4m) (title) ADOLESCENT CHOICES PROJECT-GRANTS PROJECTS.

SECTION 8. 48.487 (4m) (b) (intro.) of the statutes is amended to read:

48.487 (4m) (b) (intro.) ~~From the allocation under sub. (1m), the department may provide a grant annually in the amount of \$60,000 to the An elected governing body of an Indian tribe for the provision of may expend moneys from a grant received~~

under sub. (1m) to provide information to members of the Indian tribe in order to increase community knowledge about the problems of adolescents and to provide information to and activities for adolescents, particularly female adolescents, in order to enable the adolescents to develop skills with respect to all of the following:

SECTION 9. 48.487 (4m) (c) of the statutes is amended to read:

48.487 (4m) (c) ~~Each funded tribal project~~ An Indian tribe that provides services under par. (b) shall provide those services in areas an area of the state as that is approved by the Indian tribe and the department. The department shall determine the boundaries of the regional areas prior to soliciting project grant applications regions in this state within which the Indian tribes may provide services under par. (b) before approving the service area of an Indian tribe under this paragraph.

SECTION 10. 48.487 (4m) (d) of the statutes is amended to read:

48.487 (4m) (d) ~~Prior to making grants to applying Indian tribes under par. (b) approving the service area of an Indian tribe under par. (c),~~ the department shall consider whether and how the ~~applying~~ Indian tribe proposes to coordinate its services with other public or private resources, programs, or activities in the region and the state.

SECTION 11. 48.487 (4m) (e) of the statutes is amended to read:

48.487 (4m) (e) The department shall work closely with the women's council and the department of public instruction, on a continuing basis, concerning the scope and direction of activities ~~under projects funded by the program~~ conducted under par. (b).

SECTION 12. 48.487 (5) of the statutes is created to read:

48.487 (5) DOMESTIC ABUSE SERVICES. (a) In this subsection:

1. "Domestic abuse" means physical abuse, including a violation of s. 940.225 (1), (2), or (3), or any threat of physical abuse between adult family or adult household members, by a minor family or minor household member against an adult family or adult household member, by an adult against his or her adult former spouse or by an adult against an adult with whom the person has a child in common.

2. "Domestic abuse services" means any of the following:

- a. Shelter facilities or private home shelter care.
- b. Advocacy and counseling for victims.
- c. A 24-hour telephone service.
- d. Community education.

3. "Family member" means a spouse, a parent, a child, or a person related by blood or adoption to another person.

4. "Household member" means a person currently or formerly residing in a place of abode with another person.

(b) Subject to pars. (c) and (d), an elected governing body of an Indian tribe may expend moneys from a grant received under sub. (1m) to provide domestic abuse services. If an elected governing body of an Indian tribe expends those moneys for those services, the body shall provide matching funds or in-kind contributions in an amount to be determined by the department. The department shall establish guidelines regarding the types of contributions that qualify as in-kind contributions.

(c) An elected governing body of an Indian tribe may provide shelter facilities only if the department of safety and professional services determines that the physical plant of the facility will not be dangerous to the health or safety of the residents when the facility is in operation. An elected governing body of an Indian tribe may provide shelter facilities or private home shelter care only if the body

ensures that the following services will be provided either by that Indian tribe or by another person:

1. A 24-hour telephone service.
2. Temporary housing and food.
3. Advocacy and counseling for victims.
4. Referral and follow-up services.
5. Arrangements for education of school-age children.
6. Emergency transportation to the shelter.
7. Community education.

(d) An Indian tribe that provides domestic abuse services under this subsection shall report all of the following information to the department by February 15 annually:

1. The total expenditures that the Indian tribe made on domestic abuse services in the previous tribal fiscal year.
2. The expenditures specified in subd. 1. by general category of domestic abuse services provided.
3. The number of persons served in the previous tribal fiscal year by general type of domestic abuse service.
4. The number of persons who were in need of domestic abuse services in the previous tribal fiscal year but who did not receive the domestic abuse services that they needed.

SECTION 13. 48.487 (7) of the statutes is created to read:

48.487 (7) CHILD WELFARE SERVICES. An elected governing body of an Indian tribe may expend moneys from a grant received under sub. (1m) to provide child welfare services as authorized under [42 USC 621](#) to [628b](#).

SECTION 14. 48.563 (3) of the statutes is renumbered 48.487 (6) and amended to read:

48.487 (6) TRIBAL CHILD CARE. ~~For~~ An elected governing body of an Indian tribe may expend moneys from a grant received under sub. (1m) to provide child care services under 42 USC 9858, ~~the department shall distribute not more than \$412,800 in each fiscal year from the appropriation account under s. 20.437 (1) (b) to Indian tribes.~~ An Indian tribe that receives funding under this subsection shall use that funding to provide child care for an eligible child, as defined in 42 USC 9858n (4).

SECTION 15. 49.165 (1) (d) (intro.) of the statutes is amended to read:

49.165 (1) (d) (intro.) “Organization” means a nonprofit corporation, or ~~or~~ a public agency ~~or a federally recognized American Indian tribe or band~~ that provides or proposes to provide any of the following domestic abuse services:

(END)