WISCONSIN STATE COUNCIL ON ALCOHOL AND OTHER DRUG ABUSE

March 6, 2009
MEETING

Mark Seidl
Chairperson

JIM DOYLE
Governor

STATE COUNCIL
ON ALCOHOL AND OTHER DRUG ABUSE

MISSION STATEMENT

To enhance the quality of life of Wisconsin citizens by preventing alcohol and other drug abuse and its consequences through prevention, treatment, recovery, and enforcement and control activities.

SCAODA FOUR-YEAR STRATEGIC PLAN GOALS
2006 – 2010

Adopted by SCAODA June 2, 2006

GOAL 1:

Support, promote and encourage the implementation of a system of substance abuse services that are evidence-based, gender and culturally competent, population specific, and ensure equal and barrier-free access.

GOAL 2:

Support the prevention and reduction of alcohol, tobacco, and other drug use and abuse through evidence-based practice with special emphasis on underage use.

GOAL 3:

Support and encourage recovery in communities by reducing stigma, discrimination, barriers and promoting healthy lifestyles.

SCAODA 2009 Meeting Dates

American Family Insurance Conference Center
6000 American Parkway Madison, WI 53783

March 6, 2009	**9:30am to 12:30pm (Room A3141)**
June 5, 2009	**9:30am to 3:30pm (Room A3151)**
September 11, 2009	**9:30am to 12:30pm (Room A3151)**
December 4, 2009	**9:30am to 12:30pm (Room A3151)**

Jim Doyle
Governor

State of Wisconsin

State Council on Alcohol and Other Drug Abuse

1 West Wilson Street, P.O. Box 7851
Madison, Wisconsin 53707-7851

Mark Seidl, WCHSA
Chairperson

Linda Mayfield
Vice-Chairperson

Scott Stokes
Secretary

March 6, 2009
MEETING AGENDA
9:30 a.m. – 12:30 p.m.
American Family Insurance Conference Center
6000 American Parkway Madison, WI 53783 Room A3141
American Family contact: Stephanie M. Byrd
(608) 242-4100 ext. 30230

Please call Lori Ludwig at (608)267-3783 or e-mail Lori.Ludwig@wisconsin.gov to advise if you or your designee will not attend the meeting.

9:30 a.m.	I.	Introductions / Welcome / Agenda – Mark Seidl
9:35 a.m.	II.	Review /Approval of December 5, 2008 Minutes – Mark Seidl
9:45 a.m.	III.	Public Input—Mark Seidl
10:00 a. m	IV.	Secretary Timberlake—Department Updates
10:30 a.m.	V.	17-Year-Olds in the Adult Justice System— Introduction by Manny Scarbrough. Presentation by Mr. Jim Moeser and Julie Wesenberg from the Wisconsin Council on Children and Families staff
10:50 a.m.	VI.	Committee Reports: • Planning and Funding–Joyce O'Donnell • Prevention – Scott Stokes • Diversity – Michael Waupoose • Intervention and Treatment – Linda Preysz
11:10 a.m.	VII.	Report on IDP—Mark Seidl
11:30 a.m.	VIII.	Report on WiNTiP program—Introduction by Dave MacMaster. Presentation by Dr. Eric Heiligenstein
11:45 a.m.	IX.	Introduction of Motions—Mark Seidl
11:55 p.m.	X.	Update on County Infra-Structure Study—John Easterday
12:05 p.m.	XI.	Discussion on Changing Time of the Meetings—Mark Seidl

Discussion on OWI Legislation—Mark Seidl

12:25 p.m. XII Agenda Items for June 5, 2009 meeting:

- Action on Motions
- Report on April is Alcohol Awareness Month/Governor's Proclamation
- Committee's Annual Reports
- Strategic Planning: 4 Year Plan 2010-2014;
- Discussion on OWI legislation

12:30 a.m. XIII. Announcements—Sue Gadacz

- 2009 Meeting Dates
- Committees Annual Reports due in June
- Public Forum—Reports from Tribal and Bureau conference in packet and on web

12:30 p.m. XIV. Adjourn—next meeting in regular meeting room A3151

Tobacco-Free Environment

American Family Insurance is a tobacco-free environment. We prohibit the use of tobacco products everywhere, by anyone, at all times.

- Use of tobacco products is prohibited in all interior and exterior spaces, including inside your vehicle while on company-property and in parking ramps and parking lots.

- We ask that you refrain from using tobacco products while using our facility.

Thank you for your cooperation. We welcome you and look forward to serving you!

Meeting Coordinator – Please make sure the meeting participants are aware American Family is a Tobacco-Free Environment.

GOVERNOR'S JUVENILE JUSTICE COMMISSION

JIM DOYLE, GOVERNOR

DEIRDRE GARTON, CHAIR TASHA JENKINS, VICE CHAIR

Statement Related to Wisconsin's Age of Adult Criminal Responsibility

The Governor's Juvenile Justice Commission supports legislation to adjust the age of original criminal responsibility to the age of 18 years.

Background

Legislation introduced in the 2007-08 session of the Wisconsin Legislature included language that would have left existing Chapter 938 statutes intact with the exception of increasing the age of adult court jurisdiction to age 18. Statutes related to waiver, adult jurisdiction over certain offenses, and other provisions included in changes made to the 1996 Juvenile Justice code would remain in effect. That legislation did not pass but became the focal point of considerable interest in the child welfare and criminal justice communities.

Given the significance and complexity of this issue and the Commission's role as advisor to the Governor and Legislature on matters related to juvenile justice, the Commission tasked staff from the Office of Justice Assistance to provide additional information to the Commission. This information was presented in the form of discussion papers, for their consideration at the June and September, 2008 Commission meetings. Those documents provided Commission members with information about this issue.

The first Discussion Paper for the June, 2008 meeting included:

- Information about state and national efforts and discussions on this issue, including summaries of the 2008 Legislative Audit Bureau report related to 17-year olds in the adult system, other state's efforts/discussions, and national trends related to jurisdiction.
- A review of research related to the impact of a lower adult court age on public safety and recidivism of youthful offenders
- A review of research related to impacts of adult court on youthful offenders and public attitudes toward adult versus juvenile jurisdiction
- Data related to juvenile crime trends
- Information from advocacy groups related to this issue.

The Supplemental Discussion Paper, prepared for the September 2008 meeting included information related to:

- The possible impacts (fiscal, programmatic, implementation) on local jurisdictions and the Department of Corrections if a change were to be made
- Ways to consider a cost-benefit analysis of making such a change
- The deterrent effect, or lack thereof, of adult court jurisdiction over 17-year olds
- The trends related to imprisonment of 17-year old offenders in Wisconsin
- Other initiatives and potential options related to managing 17-year old offenders
- Variables to consider related to implementing any potential policy change

At the September 11, 2008 Commission meeting, the Commission also received input from a panel consisting of representatives from law enforcement, county human service agencies, and the Wisconsin Council on Children and Families.

WISCONSIN OFFICE OF JUSTICE ASSISTANCE
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Primary Considerations

First, the Commission affirms that the concerns that led to changes in the Juvenile Code in 1996 were based in part on community perceptions that the then existing Children's Code was not sufficient to provide the kinds of processes and outcomes that adequately protected the public from what was an increasing rise in serious juvenile offenses. The Commission takes note of perceptions that the Children's Code was weighted to protect the due process rights of youthful offenders and focused on the rehabilitation of youthful offenders, perhaps to the exclusion of concerns related to safety and victim interests.

Second, the Commission reviewed relevant national and state research related to the effectiveness and ultimate impact on recidivism of handling 17-year olds in the adult system. Of note is the fact that valid research comparing the adult and juvenile systems is relatively limited and can be misleading depending on the methodology. However, the Commission concludes that the majority of valid research related to this issue supports an argument that for many, if not most, youthful offenders the juvenile system is better able to re-direct their behavior to being less likely to reoffend. This is in large part due to greater availability of services in the juvenile system and is perhaps the paramount consideration as it relates to reducing the further likelihood of victimization to the community.

Third, the Commission has placed considerable emphasis on the increasing amount of research related to effective juvenile justice practices. The Commission believes it is incumbent on juvenile justice professionals, regardless of this policy decision, to be cognizant of the state of research related to "evidence-based" and promising practices and transform existing practices to become more consistent with that research.

Fourth, in taking a position on this issue, the Commission places great weight on recent and evolving brain development research that supports the position that for most 17-year olds the necessary decision-making and moderating functions of the brain are still developing. This leads to two conclusions: (1) that although 17-year olds are capable of "telling right from wrong" and capable of committing serious/violent crime(s), it is not necessarily appropriate to consider them "adult-like" for purposes of prosecution and sentencing, and (2) that 17-year olds remain more amenable to effective interventions and behavior change approaches than adults.

Fifth, the Commission is aware that given the current fiscal state of both state and local jurisdictions and agencies, the kinds of staffing, program, and practice changes that would need to be made to accommodate the return of most 17-year olds to juvenile court cannot be absorbed in any meaningful way without a significant infusion of additional resources. This is a significant issue not only for county human service departments that provide the majority of delinquency-related intake, supervision, and placement services but also for a host of system partners as well, including the courts, prosecutors, public defenders, law enforcement at all levels, juvenile detention facilities and jails, the Department of Corrections/Division of Juvenile Corrections, and others. The Commission is aware of the complexity of funding for juvenile delinquency services, particularly as it relates to the important contribution the Youth Aids funding mechanism has made in promoting the development of effective community-based programs for youthful offenders and views this issue as an opportunity to re-visit that relationship and/or funding mechanism(s) as may be appropriate to further encourage strengthening local services. Absent additional investments and an appropriate delivery mechanism, returning 17-year olds to the juvenile system could weaken the system's ability to provide meaningful protection for the community and to provide accountability and successful interventions for youth/families.

Sixth, the Commission is aware of other on-going discussions related to how best to deal with serious youthful offenders, including consideration of other statutory and/or service delivery models that may be effective in ensuring public safety and successfully re-directing those offenders. Given the current attention to this issue, the Commission recognizes that it may be an opportune moment for the legislature and others to consider a range of options that could accomplish those common goals. Therefore, endorsing the return of 17-year olds to juvenile court is not intended to preclude other potential solutions from being considered.

Seventh, the Commission's position takes note of and is consistent with the recommendation made by the Commission on Reducing Racial Disparities (CRRD) to return jurisdiction over 17-year olds to juvenile courts. This is an important recognition of the disparate involvement of minority youth in both the adult and juvenile systems and that this is a critical time to ensure that the most effective interventions possible are available to 17-year olds as a group and minority youth in particular..

Finally, the Commission recognizes that for some youthful offenders and for some offenses current statutes/procedures related to waiver to adult court and original adult court jurisdiction are both necessary and appropriate to adequately protect the public. The Commission affirms that for those cases in which a juvenile offender is subject to waiver to adult court, the courts have the capacity and have demonstrated the ability to appropriately decide which juveniles and which cases merit the longer-term and typically more restrictive interventions of the adult court system.

Conclusions and Recommendations:

The Commission supports legislation that would raise the age of general adult criminal jurisdiction to age 18 as the sole modification to Chapter 938 at this time. The Commission did not address other changes that could be proposed related to adult court jurisdiction over certain serious charges, changes related to waiver provisions and/or standards for waiver to adult court, changes related to the lack of a right to a jury trial, or changes related to current confidentiality statutes. While the Commission has expressed concerns about the age of delinquency jurisdiction including 10-11 year olds and may discuss that issue at a later time, there has been no formal position taken by the Commission related to that component of age jurisdiction.

The Commission endorses a balanced approach to juvenile justice that includes an emphasis on accountability for youthful offenders, safety for the community, and competency development of offenders as equally important goals of the juvenile justice system. The Commission recognizes that for this change to prove effective, those in the juvenile justice system must continue to improve the services they provide, utilizing the best research and strategies available, and must view youth, families, victims, and the community as important customers of the juvenile justice process.

The Commission recommends that that this change be contingent on the provision of sufficient additional fiscal resources to the myriad of local and state entities that would be affected and encourages further discussions by appropriate parties as to how and through what mechanism(s) those additional funds may best be invested to ensure that the result is an increase in appropriate services. The Commission encourages those investments to be made in a way that promotes continued development of community-based services to both prevent juvenile delinquency and intervene effectively once it has occurred.

Although not endorsing any specific proposal, the Commission encourages interested parties to continue a dialogue related to other means by which the mutual goals of community safety and the provision of quality, re-directive services to youthful offenders can be met.

Risking their Futures:

Why trying nonviolent 17-year-olds as adults is bad policy for Wisconsin

Seventeen-year-olds make mistakes—a lot of them. But we have all been 17 and have made mistakes, and most of us have moved on to become productive members of society. Twelve years ago, however, the mistakes of 17-year-olds in Wisconsin were transformed from childish indiscretions to permanent blots on their records.

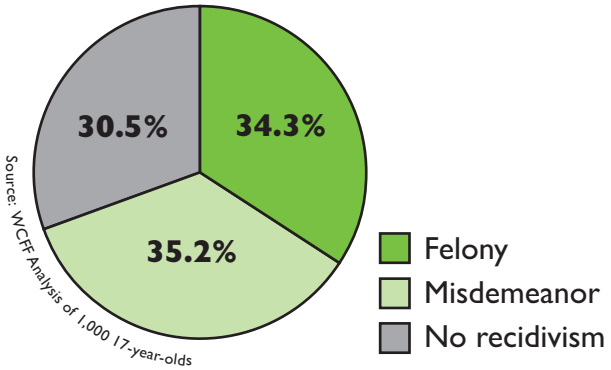
In 1996 Wisconsin changed the state's juvenile justice landscape by excluding 17-year-olds entirely from the juvenile court. Initially this was an effort to save resources and improve community safety by incarcerating older teens as adults, under the theory of "adult crime, adult time." At the time of the legislative change, there was little research to suggest that trying youth as adults would improve community safety. Since then, research has effectively contradicted the premise that the change would make communities safer.

According to a recent study published by the U.S. Centers for Disease Control and Prevention, trying youth under 18 in the adult criminal justice system significantly increases crime and has a negative impact on community safety.[1] Both in Wisconsin and nationally, the data speaks volumes: Trying youth as adults creates more crime. To better understand the long-term consequences in Wisconsin of trying all 17-year-olds as adults, the Wisconsin Council on Children and Families analyzed the criminal histories of 1,000 17-year-olds from 2001 through 2007.

WCCF Analysis of 1,000 17-year-old offenders

The outcomes for the 1,000 17-year-olds analyzed in this paper were troubling. WCCF reviewed the records of 1,000 17-year-olds convicted in 2001 to ascertain how many committed a new crime before September, 2007. For those who did commit a new crime, the severity of the crime was noted. Seventy percent of the youth whose records were reviewed were convicted of a new crime within the follow up period (see Chart 1). Reconvictions were equally split between felonies and misdemeanors. Of the recidivists, over half were convicted of more than one crime in the follow up period.

Chart 1: Overall Recidivism



Methodology:

Using data gathered though the Wisconsin Consolidated Court Automation Program (CCAP) we analyzed the first 1,000 17-year-old offenders with cases dated beginning January 1, 2001. The offenders' files were then reviewed until September 1, 2007 for an average follow up period of 6.5 years (follow-up periods ranged from 6.33 to 6.75 years).

For the purposes of this analysis, a case is defined as a criminal filing on a person who was 17-years-old at the offense date, for a matter which was neither a traffic violation nor a forfeiture, and was not eventually dismissed. Individuals were counted only once in the sample. Recidivism is defined as a subsequent criminal conviction with any disposition (also not including dismissed cases, traffic matters or forfeitures). The sample included 169 females and 812 males, and was 23% youth of color and 67% Caucasion. 10% of youth had no information on race/ethnicity, and 2% had no information on gender.

A typical 17-year-old: Trevor

Trevor had his first contact with law enforcement at the age of 17 for disorderly conduct, a misdemeanor. Both of his parents had substance abuse addictions and Trevor began abusing drugs and alcohol at 13. Trevor's father has been in prison for the past 20 years, and Trevor witnessed domestic violence at home against his mother by multiple boyfriends. Trevor dropped out of school in 9th grade and moved in with his grandmother.

Since his first arrest, Trevor has spent the past several years in and out of jail for alcohol-related disorderly conduct charges. He has received little in the way of alcohol treatment and has not yet completed his GED. If he could make one change in the system, he wishes he could have received treatment for his alcohol addiction when he was first arrested rather than just sit in the adult jail with older drug-addicted adults.

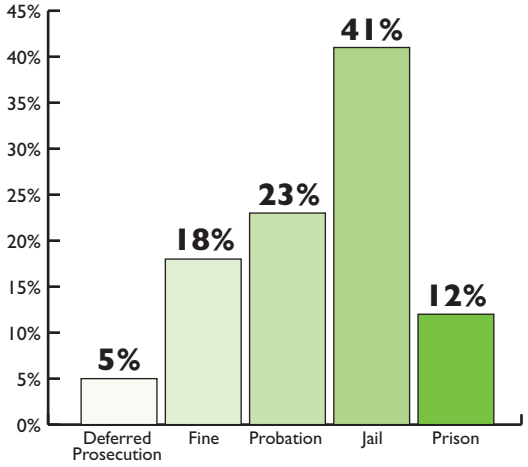
Trevor will be getting out of jail again soon, a month after his 25th birthday. He has a baby on the way and is planning to move in with his girlfriend, get a job and stay sober. He understands that this is his last chance, and if he gets in trouble again he will go to prison.

Photo courtesy of Operation Fresh Start

The most common sentence for 17-year-olds sampled was a jail sentence, followed by probation, a fine and prison (see Chart 2). Deferred prosecution was rarely utilized in the sample population. More than half of the cases resulted in sentences to some sort of confinement, either jail or prison, even though 78 percent of offenders studied were convicted of misdemeanors.

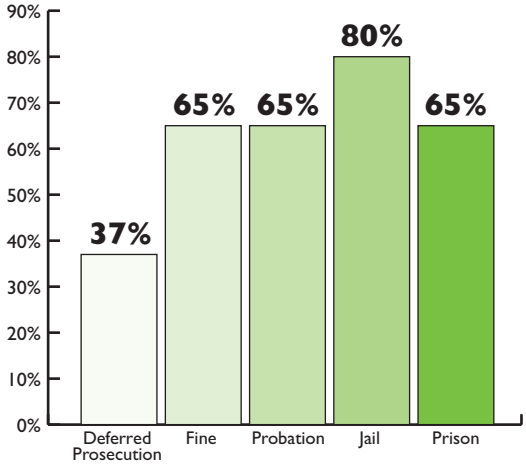
Outcomes for 17-year-olds varied depending on their sentences (see Chart 3). Deferred prosecution yielded the lowest recidivism rate at 37 percent; it was the least common disposition, offered to only 5 percent of offenders. The most frequent sentence, jail, produced the highest recidivism rate at 80 percent.

Chart 2: Dispositions: All 17-year-olds



Source: WCCF Analysis of 1,000 17-year-olds

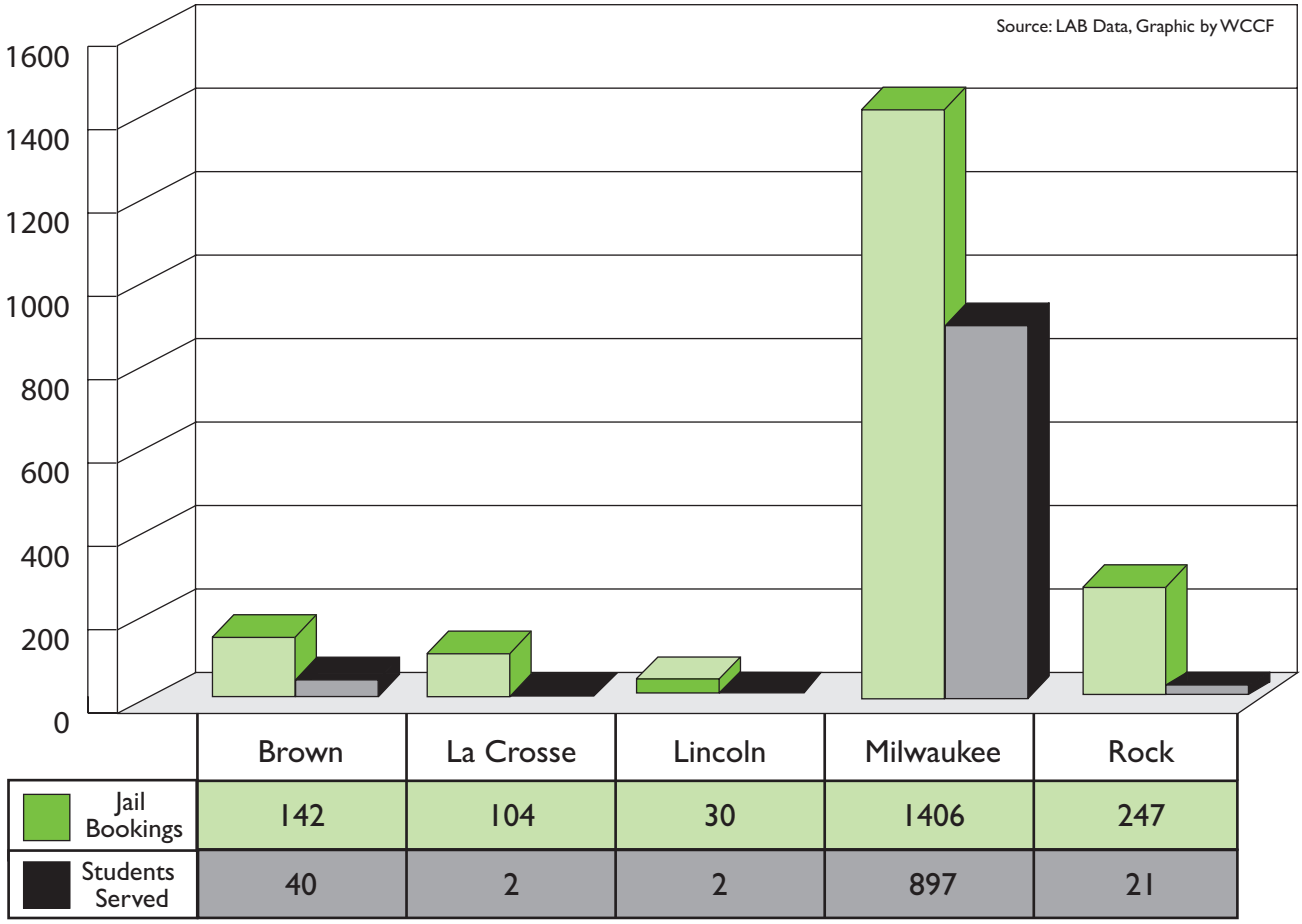
Chart 3: Recidivism Rate by Disposition



Source: WCCF Analysis of 1,000 17-year-olds

Upon closer examination of the jail's ability to serve 17-year-olds, it is not surprising that youth with jail sentences are the least likely to stay out of trouble after their release. According to data presented in the Legislative Audit Bureau's analysis of 17-year-olds in the adult system, few services are available in the adult jail system. Chart 4 compares the number of 17-year-olds admitted to adult jails in selected counties with the number of those youth who were provided an education. The number of students served varied greatly by county. In each instance the services were less than the 5 hours per day of education that would have been standard in the juvenile system.

Chart 4: 2006 Educational Services to 17-Year-Olds in Jail



A typical day in jail: Dan

Dan is a typical 17-year-old from our sample. His first arrest, a few days after his 17th birthday, was for minor theft. He received five months of jail time. Dan did not know that he would be treated as an adult, and was expecting to go to juvenile detention.

Dan's daily schedule in adult jail was sparse; he would sleep fourteen or more hours a day. After waking up for a 5:30 a.m. count, he would eat breakfast, go back to sleep until 11, eat lunch, watch television and play cards until dinner, and then go back to sleep. After a period of time where he had no educational services, Dan was offered one hour of classes, three days per week. While in the adult jail, Dan tried to keep his family from visiting to spare them the pain of seeing him in that atmosphere. He is afraid that his life will be forever changed because of the stupid mistake he made.

Racial Disparities in Sentencing 17-Year-Olds

In the sample studied, African Americans made up 18 percent of the youth overall, 27 percent of the youth with incarceration orders (jail or prison), and less than 8 percent of youth with sentences of probation, fines or deferred prosecution.[2] In all, of the 180 African American youth studied, only 35 received community sentences. In statewide and national studies, Wisconsin has been highlighted as a state where large racial disparities exist in sentencing practices. This sample appears to support that assessment. Table 1 shows the dispositions by race and ethnicity.

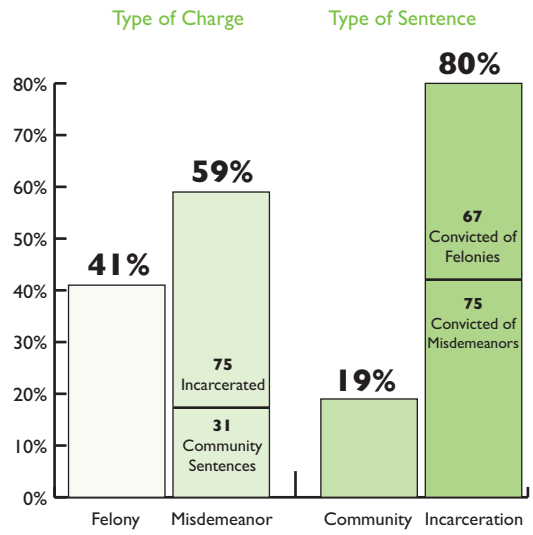
Table 1: Dispositions by Race and Ethnicity

	Jail or Prison	Fine, Probation or Deferred Prosecution
African American	80%	19%
American Indian	60%	40%
Asian	33%	66%
Caucasian	46%	53%
Hispanic	52%	42%
No Info	50%	50%
Average for All	54%	45%

Source: WCCF Analysis of 1,000 17-year-olds

The most troubling racial disparities arise when comparing custody orders (jail or prison) versus community-based orders. As shown in Chart 5, while African Americans are charged with mostly misdemeanors, the vast majority of sentences result in incarceration. Nearly three-quarters (71%) of the African American youth who were charged with misdemeanors were sentenced to incarceration. Among the African American youth who were incarcerated, more than half were charged with misdemeanors.

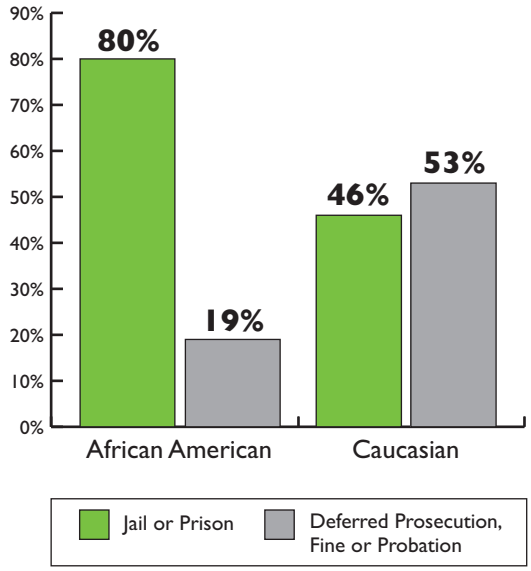
Chart 5: Charges and Sentencing Among African Americans



Source: WCCF Analysis of 1,000 17-year-olds

Comparing Caucasians and African Americans on sentencing reveals a wide disparity. Few African American youth in our sample were given the opportunity for rehabilitation in a community setting; nearly all were sentenced to some sort of incarceration (see Chart 6).

Chart 6: Disposition by Race



Source: WCCF Analysis of 1,000 17-year-olds

The Governor's Commission on Reducing Racial Disparities in the Wisconsin Justice System studied the problem of minority overrepresentation in prison and came up with a number of recommendations. One recommendation was to return 17-year-olds to the juvenile court, while retaining judges' flexibility to try those accused of more serious crimes in the adult system. The report stated:

> *Consistent with the results of the January, 2008 Legislative Audit report, legislation should be introduced to return jurisdiction of 17 year olds alleged to have violated state or federal criminal laws to juvenile courts. Current waiver provisions should be maintained.*[3]

Recidivism in the Corrections Populations

The Wisconsin Legislative Audit Bureau (LAB) released a report in January of 2008 that used Wisconsin Department of Corrections (DOC) data to compare the recidivism rates of 17-year-olds in adult corrections to those of younger and older offenders (see Chart 7). They studied both the volume of re-offenders (recidivism rate) and the severity of re-offenses. According to the DOC data used in the audit, nearly half of the 17-year-olds released from adult prison in 2002 were reincarcerated within three years.[4]

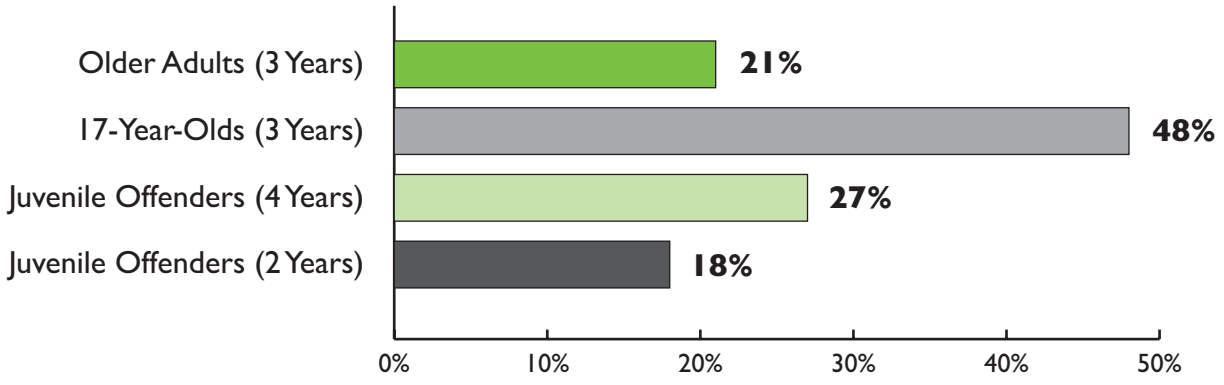
Significantly, the recidivism rate for 17-year-olds incarcerated in adult prisons was nearly double that of younger teens treated in the juvenile system, despite the longer follow up period for the juvenile offenders.[5] As shown in Chart 7, the volume of subsequent offenses is higher for 17-year-olds than for any other age group.

Data from WCCF's study of 1,000 offenders is consistent with data from the LAB study and national research: Trying youth under 18 as adults produces very high recidivism rates and therefore compromises community safety. In light of this research, we must reevaluate current practices and make smarter choices about our treatment of 17-year-olds in the justice system.

Solutions

Trying all 17-year-olds as adults for any crime has been a mistake. We must return 17-year-olds accused of nonviolent crimes to the juvenile justice system so they can get the treatment they need to change behavior and move on to adulthood without the mark of an adult criminal record. The adult system lacks the kind of resources for education and rehabilitation found in juvenile system. Instead of receiving the services they need, youth in the adult system end up receiving an adult criminal record that sticks with them the rest of their lives.

Chart 7: Recidivism in the Corrections Populations



Source: Reproduction of LAB Graph, p.7 Audit Report

A system that treats 17-year-olds fairly would hold them accountable for their actions and give them the opportunity to reform themselves. By providing youth with the resources available only through the juvenile courts, we can improve outcomes and make our communities safer.

Glossary:

Crime: A crime is conduct which is prohibited by state law and punishable by fine or imprisonment or both. Conduct punishable only by forfeiture is not a crime.

Case: For the purposes of this analysis, a case is defined as a criminal filing on a person who was 17 years old at the offense date, for a matter which was neither a traffic violation nor a forfeiture, and was not eventually dismissed.

Disposition: The disposition of a criminal case is its outcome, the sentence the judge gives the offender. Examples of dispositions include deferred prosecution, fines, probation, jail or prison sentences.

Deferred Prosecution: An alternative agreement between the prosecutor and the offender where the offender agrees to comply with certain programming and other conditions in exchange for the prosecutor waiting to file a case until the conditions are met. Once the conditions are met, the case is typically withdrawn.

Recidivism: For the purposes of this paper, a new conviction after an initial case is recidivism. Note – Recidivism is often measured differently. For example, the Wisconsin Department of Corrections measures new incarcerations as recidivism.

[1] "Effects on Violence of Laws and Policies Facilitating the Transfer of Youth from the Juvenile to the Adult Justice System", Morbidity and Mortality Weekly Review, November 30, 2007. www.cdc.gov/mmwr/preview/mmwrhtml/rr5609al.htm.

[2] Race and ethnicity data is as reported in CCAP. Ten percent of the sample studied had no race or ethnicity data available.

[3] Commission on Reducing Racial Disparities in the Wisconsin Justice System final report, February 2008, page 14.

[4] Legislative Audit Bureau, Report 08-3, A Review: 17-Year-Old Offenders in the Adult Criminal Justice System, February 2008, page 7.

[5] Recidivism rates typically increase each year over the first several years of a recidivism study. For example, in a Bureau of Justice Statistics recidivism study, the percentages were 21.5% in the first year, 36.4% combined over the first two years, and 46.9% combined over the first three years. Given these trends, it would be reasonable to expect that a four year recidivism follow up (as in the juveniles in recidivism chart) would be greater than a three year (as in the 17-year-olds).

This policy brief is a publication of the Wisconsin Council on Children and Families, and was made possible with the generous support of the Campaign for Youth Justice and the Public Welfare Foundation. The brief was researched and written by WCCF Policy Analyst Wendy Henderson, who can be reached at whenderson@wccf.org.

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State of Wisconsin

State Council on Alcohol and Other Drug Abuse

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STATE COUNCIL ON ALCOHOL & OTHER DRUG ABUSE
Planning and Funding Committee Meeting Minutes
November 21, 2008
ARC Center for Women and Children
Madison, WI

MEMBERS PRESENT: Joyce O'Donnell, Sally Tess, Duncan Shrout, Norm Briggs, Karen Kinsey, Susan Crowley

EXCUSED: Francine Feinberg, Deb Lieber, Gary Sumnicht, Bill McCulley

GUESTS:

STAFF: Lori Ludwig

I. Call to Order – Joyce O'Donnell: Joyce O'Donnell called the meeting to order at 9:30 A.M.

II. Review of October 31, 2008 Meeting Minutes – Joyce O'Donnell: There were two corrections: 1) page 3, twelfth row from the bottom, change Maylene Picket to Merilee Picket. 2) page 2, last line, change "can't find" to "has difficulty finding".

III. Reschedule May 19th meeting date: The group agreed to reschedule the May 19th meeting date to May 15th.

IV. Report on "Membership Workgroup" and Survey of SCAODA Participants---Lori Ludwig, Joyce O'Donnell, Duncan Shrout, Norm Briggs: Joyce O'Donnell announced that there was a preliminary report from the Membership Workgroup. The workgroup is a group which consists of members of the Nominating Committee and each of the standing committees. They were charged with identifying the most important criteria any new SCAODA members should possess. Lori Ludwig shared preliminary findings from a survey of SCAODA participants regarding the representation of current members and their opinions about the representation of any new SCAODA members. Duncan Shrout reported that the Membership Workgroup agreed on the criteria for two of the potentially five new members: One new member would represent Tribes, being selected for a term by GLITC (Great Lakes Inter-Tribal Council) on a rotating basis. The other would be a representative appointed by WAAODA. Other overarching criteria agreed upon would be that new members should represent persons of color and value affecting policy change. Mr. Shrout felt that there should not be a delay in assigning criteria for the other three potential new members. He suggested that the other three potential new members represent: Women's Specialized Treatment; and the remaining statewide membership organizations, Wisconsin Alcohol and Drug Treatment Providers Association (WADTPA) and

WAADAC, the counselors' state-wide association. These two representatives should demonstrate knowledge of the field of alcohol and drug abuse prevention, treatment and recovery; the related issues facing the state of Wisconsin, and possess a desire to affect policy change. Ideally, these two representatives would represent the true diversity of Wisconsin not currently represented on the State Council, like Hispanic and Hmong citizens. The suggestions were to be shared with the Membership Workgroup via e-mail and telephone prior to the next SCAODA meeting.

V. Effects of Lowering the Drinking Age—Susan Crowley: Susan Crowley reported on the "Amethyst Initiative," an effort that was initiated in Middlebury College in Vermont and focused on college presidents. The effort poses the question: Is 21 a meaningful age in terms of decreasing alcohol use. At the University of Wisconsin, Ms. Crowley focuses on harm reduction. The environment is unsupervised and there simply aren't enough resources to keep underage students from drinking. In that context 134 presidents have signed on to have a discussion about the drinking age. Signing on does not automatically mean you support lowering the drinking age. Simply put, the Amethyst Initiative recognizes that 21 isn't working and would like an informed debate. She distributed a handout titled, "Its Time to Rethink the Drinking Age." The document indicated that "In 1984 Congress passed the National Minimum Drinking Age Act, which imposed a penalty of 10% of a state's federal highway appropriation on any state setting its drinking age lower than 21. Twenty-four years later," the document continued, "our experience as college and university presidents convinces us that…

- Twenty-one is not working
- A culture of dangerous, clandestine "binge-drinking"—often conducted off-campus—has developed.
- Alcohol education that mandates abstinence as the only legal option has not resulted in significant constructive behavioral change among our students.
- Adults under 21 are deemed capable of voting, signing contracts, serving on juries and enlisting in the military, but are told they are not mature enough to have a beer.
- By choosing to use fake IDs, students make ethical compromises that erode respect for the law."

The Amethyst Initiative… "calls upon our elected officials:

- To support an informed and dispassionate public debate over the effects of the 21 year-old drinking age.
- To consider whether the 10% highway fund "incentive" encourages or inhibits that debate.
- To invite new ideas about the best ways to prepare young adults to make responsible decisions about alcohol.
- We pledge ourselves and our institutions to playing a vigorous, constructive role as these critical discussions unfold."

The document generated enormous discussion among Committee members. Ms. Crowley indicated that we need to be thinking about other strategies because she doesn't see lowering the drinking age as a likely strategy. Only LaCrosse is entertaining the idea of lowering the drinking

age. UW is considering signing on as a discussion piece. Most of those who signed on were from small private colleges where liability and risk management is an issue. The larger schools who have signed on are Duke University and Ohio State. Joyce O'Donnell indicated that she was not supportive of Amethyst. She felt that it was counter productive.

VI. Report on Teleconference of SCAODA's Four Chairpersons—Joyce O'Donnell: Joyce O'Donnell reported that Linda Preysz initiated a conference call to be ensure better coordination between the Committees and to reduce the potential of duplicating efforts. Scott Stokes, Linda Preysz and Joyce O'Donnell participated in the conference call, as well as staff: Lori Ludwig, Gail Nahwahquaw and Kate Johnson. Topics explored were workforce issues, the IDP audit, gender-specific treatment, beer tax, alcohol tax women's specialized services, and an annual report in June. Duncan Shrout pointed out that there are many things on SCAODA's plate. Many matters are just for discussion, others are for action. We need to prioritize in order to be productive. Norm Briggs felt that continuation of the four Chairpersons meeting prior to the SCAODA meeting would be productive. He informed the group that the development of the next four-year plan should be done with the four Committees together for the time period 2010-2014. Work should begin in 2009 after the June meeting.

VII. Update IDP Audit Request—Duncan Shrout: Mr. Shrout summed up his contact with Senator Sullivan's Office: It's not that they are refusing to do the audit, it's just not a priority for them. The most effective course of action is for a legislator to pick this up. Norm Briggs asked why we are asking for an audit. He pointed out that we know where the money is going. The money that the state distributes goes to five entities: The crime lab, UW, the tavern league….(and two other places). The issue is that the money should stay with the counties. The surcharge should be returned to the counties. Joyce O'Donnell pointed out that with the elections, the Co-Chairpersons of the Joint Legislative Audit Committee changed from Senator Jim Sullivan and Rep. Suzanne Jeskewitz to Senator Kathleen Vinehout and Representative Peter Barca.

VIII. Update on Women's Specialized Services—Norm Briggs: Mr. Briggs asked that a report on Women's Specialized Services should be a standing agenda item in order to keep the issue in the forefront. Mr. Briggs reported at the Bureau conference that eight Women's Specialized Services programs are funded with 13% GPR. He was disappointed that Ms. Gadacz reported that there are no new dollars. Mr. Briggs pointed out that the Women's Specialized Services programs have performance based outcomes. Programs that have good outcomes should receive funding and those that don't have good outcomes should not receive funding. Marginal programs should not be funded. Mr. Briggs reported that he met with a contingent of peri-natal nurses who expressed a dire need for Women-Specialized services in the Kenosha area. There are no Women's Specialized Services there whatsoever. Kenosha residents cannot cross County lines to get services in Milwaukee. Mr. Shrout reported on an initiative in California to raise funds. It is called the 5 cents a drink tax. **Duncan Shrout moved to recommend to the State Council to advance to the Governor that a 5 cent per alcoholic drink user fee be inserted in the budget. Karen Kinsey seconded the motion. The motion passed unanimously. Duncan Shrout moved that the Planning and Funding Committee support the AWARE initiative through UW Health Systems in combination with local coalitions to work with elected officials to reduce drunken driving and underage drinking by changing the laws and the culture. Sally Tess seconded the motion. The motion passed unanimously.**

IX. Report on Senator Roessler's Replacement: Joyce O'Donnell reported that she met with Bureau and Department staff to discuss the process for seeking Senator Roessler's replacement on SCAODA. Katie Plona, the Department of Health Service's legislative liaison agreed to

check on protocols. Ms. O'Donnell had suggested that Senator Sheila Harsdorf might be a possible candidate.

X. Discussion Pending Legislation/Motions/Updates--Lori Ludwig: Ms. Ludwig referred the group to the document "SCAODA Legislative /Motions Update—10-31-08" included in their packets for an update on the status of SCAODA motions.

XI. Report Public Forum Tribal Conference—Lori Ludwig: Ms. Ludwig reported that she has not received a copy of the report as yet. Michael Waupoose will present the report on the Tribal Conference's Public Forum at the next SCAODA meeting.

XII. Discussion—Planning and Funding Strategic Plan Goals and Objectives: Joyce O'Donnell reported that in developing past planning documents, Bill McCulley provided the planning model. Ms. O'Donnell felt that each Committee should develop a strategic plan. She also thought that the Committees—at least representatives from each of the Committees—should meet and discuss the planning process for the 2010-2014 Four Year Plan.

XIII. Adjourn: The meeting adjourned at 3:00 P.M. The next meeting is scheduled for the following:

PLANNING AND FUNDING COMMITTEE MEETING
TUESDAY JANUARY 20, 2009
9:30 A.M. – 2:30 P.M.
ARC CENTER FOR WOMEN & CHILDREN
1409 EMIL STREET
MADISON, WI
608/283-6426

Prevention/SPF SIG Advisory Committee Meeting Minutes
September 25, 2008
9:30 am – 2:30 am
Monona Community Center
Monona, WI.

Members present: Chair Scott Stokes, Ronda Kopelke, Francie McGuire Winkler, Kathy Wolf, Gary Sumnicht, Chris Wardlow, Julia Sherman, Rick Peterson, Kathy Marty, Blinda Beason

Members absent: Doug Merrill, Jane Larson, Carol Hanneman-Garuz, Tracy Herlitzke, Emanuel Scarbrough, Claude Gilmore, Heidi Foster, Tonia Gray, Gerald Huber, Brenda Jennings, Mark Warpness, Candace Peterson, Mary Miceli- Wink, Carlos Morales (Ex-Officio)

Others Present: Kathy Thomas, Bureau of Prevention Treatment and Recovery (BPTR)
Lou Oppor, BPTR
Mary Raina Zwadzich, BPTR
Kris Freindlich – Department of Health Services, Facilitator
Robin Lecoanet – University of Wisconsin, Population Health Institute (UW PHI)
Dr. Paul Moberg, UW PHI
Christy Niemuth, BPTR/ UW PHI
Sarah Linnan, UW PHI
Amanda Jovaag, UW PHI
Mary Barrett, Wisconsin Clearinghouse on Prevention Resources
Russell Squire, Americorps Worker
Sarah Levin-Lederer, Americorps Workers

Call to Order, Welcome/Introductions and Review of Agenda

Chair Stokes called the meeting to order and informed the members and guests of housekeeping issues. He introduced the Facilitator, Kris Freindluch from the Department of Health Services. Kris introduced herself and passed around a Word document titled, Today's Meeting Principles and briefly explained the objectives of today's meeting.

Approval of the Minutes

Chair Stokes requested the Committee to review May's meeting minutes. The following changes were requested: Ronda K. and Kathy W. were both absent from the May meeting, and it is important to clarify that Alliance for Wisconsin Youth (AWY) and Marshfield Clinic collaborated together for supporting coalitions throughout the state with new Americorps workers, and change the word quests to guests. **The motion to approve the minutes with the changes was made by Francie Winkler, seconded and passed unanimously.**

Wisconsin's Current Status – Epidemiology Study, Lou Oppor

Lou presented the new Epidemiology Study to the Committee and handed out copies. This new Study provides county level data which was not in the first Study. The Study confirmed that the identified problem areas have not changed from last year's Study. The SPF SIG priorities will remain the same and the Bureau and Committee will continue to work on these priorities. The Study will be distributed to the State Legislature, counties and the AWY coalitions after a cover letter is created by the Bureau.

The next steps will to collaborate with the Division of Public Health and geo-map regional and county maps with the new data. These maps will be then incorporated into a fact sheets created by the new State Epidemiological Workgroup (SEW) for dissemination to the communities and counties.

Prevention – Culture, facilitated by Kris Freundlich

Kris Freunlich described the focus of the Committee in the next two meetings is to create a new workplan for the Prevention/SPF SIG Committee. This meeting's focus is to identify the objectives we need to focus on and collaborate on how the Committee can start to move forward. The next meeting's time will be spent reviewing the collection of identified priorities, targeted groups, stakeholders, resources and outcomes to move forward in creating strategies for the workplan. The focus is Goal 2 in the PowerPoint Presentation from the State Council on Alcohol and Other Drug Abuse (SCAODA). Another handout of a flowchart was provided to the Committee to review which described the Committee's priorities.

Kris Freunlich wrote on the flipcharts the discussion that followed with the first question that was presented to the Committee.

- What are the most critical things to be done in Wisconsin to change the culture behind the statistics?
- What are the most important things that this Committee can do to foster momentum on those things that must be done?

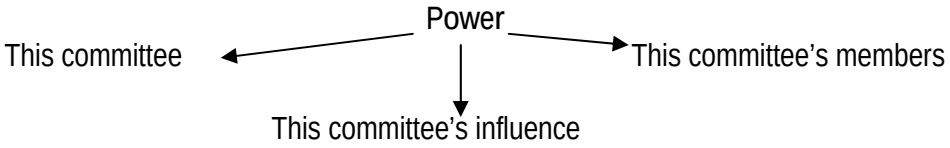
Prevention – Systems, facilitated by Kris Feiundlich

During the afternoon discussion the Committee moved to the next question facilitated by Kris.

To create the outcomes listed above, what are the most critical things to be done to impact "the system" in Wisconsin in these arenas:

- Affordability
- Access
- Attractiveness
- Acceptance

Following is a summary of the results of the Committee's discussion



- Goal: Legislative and policy change (e.g. beer tax, eliminate sponsorship, etc.) and enforcement

- Strategies and Actions:

- Define, advance, advocate for legislative / policy changes and actions needed (e.g. implementation, enforcement)
- Develop capacity
    - Stir the advocates (free up people power) e.g. legislative breakfast
    - Develop regional centers (CESA / CAFCA) – build on drug free coalitions
    - Seek financial capacity
        - Gates foundations, other resources
        - Formal collaborative partnering and resource allocation w/in and across systems
    - Develop leadership champions
    - Include youth in development of the solution
- Develop and take actions of influence (e.g. develop recognition of our "power")
    - Define targeted audiences: e.g. Am Vets, Tavern League, wholesalers, medical leaders - as a medical issue, youth) Understand your audience.
    - Deliver the right messages to the right audiences with consistency of message.
- Change the culture:
    - Inform / educate on a) the problem, b) state versus local responsibility c) what YOU can do
    - Social marketing – new WI image, new perceptions

Dr. Paul Moberg provided the handout of Kathleen Falk's budget proposal which would allocate money to the prevention, treatment and recovery of alcohol for individuals in Dane county. **Motion by Rick Peterson to have Scott Stokes as Chair write a letter to Kathleen Falk and thank her for developing a countywide alcohol initiative with funding. We would ask for her to encourage other County Executives to take her lead in their counties by producing an alcohol initiative and highlight the part of the plan which focuses on prevention. The motion was seconded by Ronda Kopelke. and the motion passed unanimously.**

A motion by Kathy Marty was made for the Prevention Committee to draft a letter with the Epidemiology Study to the County Chairs and Executives to educate them on the seriousness of Wisconsin's substance abuse problems in their counties. The letter would request counties take action in proposing countywide alcohol initiative

like Kathleen Falk's. The motion was seconded by Blinda Beason and the motion passed unanimously.

Next Steps

Kris Freunlich will facilitate the committee's next meet with the goal of finalizing the 2009 workplan.

The meeting adjourned at 2:30.

Jim Doyle
Governor

Mark Seidl, WCHSA
Chairperson

Linda Mayfield
Vice-Chairperson

Scott Stokes
Secretary

State of Wisconsin

State Council on Alcohol and Other Drug Abuse

1 West Wilson Street, P.O. Box 7851
Madison, Wisconsin 53707-7851

Diversity Committee Meeting Minutes
Tuesday, January 20, 2009
10am-12pm
Transportation District One Offices
2101 Wright Street
Madison, WI 53704
(608) 246-3800

Attendees:

1. Michael Waupoose, Chairperson
2. Sandy Hardie
3. Denise Johnson
4. Angela Rivera
5. Gail Kinney-teleconference

Excused Members:

1. Harold Gates
2. Jerry Kaye
3. Steve Dakai
4.

Unexcused Members:

1. James Crawford
2. Alvita Berlinger
3. FayeAnn White
4. Angela McAlister
5. Dino Arestegui

State Staff:

Gail M. Nahwahquaw –Staff Person

Diversity Committee Meeting Minutes

I. Call to order:

Meeting was called to order at 10:20am, Denise Johnson was in attendance but the interpreters did not show, she decided to leave the meeting as she could not participate. There was not a quorum so regular business was not conducted, but the meeting convened as scheduled.

II. SCAODA Membership Committee Update:

- A motion to increase the SCAODA by five members was introduced and passed in previous SCAODA meetings. There was a strong recommendation at the motions

introduction that the new members be non-state employees, but since SCAODA has began new Departments have formed so to consider including new government representation as appropriate.

- Can't recall if Ex-Officio members be allowed to vote was included as part of the motion. Check on this with Lori.
- A committee was formed, made up of each of the SCAODA committee chairs, Joyce O'Donnell, Scott Stokes, Jill Peryz, and Michael Waupoose along with two additional Planning and Funding committee members.
- Planning and Funding is advocating for the new member seats go to WAAODA, WAADPA and WAADAC. This was voted down as being too "Organization" focused and not on individual or citizen members to help better balance the Council.
- The membership committee did vote to have two seats be assigned to 1-Great Lakes Intertribal Council- with rotating tribal representation, 1-WAAODA-Citizen Group member.
- Michael would like to hear from the Diversity Committee members regarding this issue. The membership committee agreed to stick within the survey results in order to decide the new member block. Be prepared to attend the February Diversity Committee Meeting for discussion. The Membership Committee's next meeting is on February 27, 2009.
    - Discussion-The corporate (manufacturing) world is not represented at SCAODA. They have a big impact on alcohol and related issues.
    - In Milwaukee lack of providers with dual (MH/AODA) diagnosis experience, especially in the Hispanic community.
    - MH Council Representative, apparently someone from this council has an Ex-Officio seat on the SCAODA, but there has not been active participation.
    - There needs to be ongoing education regarding the importance of having representation from specific communities both at the treatment site and on advisory boards. Patients/CLTS repeatedly do better when they feel understood by the treatment staff and often that is an indigenous treatment program or staff who look like them.
    - Both Prevention and Intervention and Treatment Committee members have expressed a belief that diversity is of importance in selecting remaining three recommended members.

III. SCAODA-Diversity Webpage:

Bureau staff continue to actively respond to committee suggestions in editing the SCAODA webpage. The Diversity Committee section's-Cultural Subcommittee page needs more material. It's been suggested that demographic information be added to this section. Population make-up, information about service needs within communities, the numbers of respective communities served, and providers.

IV. ADA Workgroup Update-DHH Survey

The hyperlink for the Deaf and Hard of Hearing Survey is listed here, it is live on the SCAODA website. Michael will email the link out to WAAODA, WAADPA and WAADAC.

http://doa.wi.gov/dhfssurveys/TakeSurvey.aspx?PageNumber=1&SurveyID=m4LH5751

V. Diversity Workforce Review:

A motion was made at the December SCAODA meeting to have the Bureau conduct a workforce review. The motion is very broad based and bureau substance abuse section lead staff have asked each committee staffer to propose exactly how each committee plans to use any information researched. It is also understood that the ITC is already working on this issue and therefore the Planning and Funding chair will forego her motion and let ITC continue with the work they have already started.

Discussion:

- There is this assumption that there are not enough providers to meet the need. Any workforce research information should help answer this question. Suggest surveying treatment agencies to learn if a workforce shortage is what they are experiencing. Diversity Committee members share that some number of students graduate annually with credentials and are not finding jobs in the field.
- Level of licensing-
- Level of education-this relates to reimbursement ability.
- Supervisors level of education
- Survey CLT/Patients about their service needs.
- Language-ability of providers/agencies to provide culturally appropriate services in a language that's comfortable for the CLT/PT.

There is no longer one group that manages or collects demographic data in this area. WCB used to do this, and the DRL asks some questions but makes the response optional for licensees. The DRL view their roll as strictly licensing and regulation not keeping demographic statistics. Can another agency maintain a database of this information? Such as WAAODA.

Suggested that the committee look at the 4 Year Strategic Plan using it as foundation for getting answers to the workforce questions being posed.

VI. Cultural Competency Workgroup Update:

SBIRT-Harold Gates shared via email that he is not able to attend Tuesday meetings from 10-12pm, but will get the meeting agenda and materials to Ron Brown or Candace Peterson who will attend in his absence. He is also willing to work closely with the Diversity Committee in a role that suits his time schedule better.

VII. Governor Doyle-Wheeler Report:

The Wheeler Report issued January 5, 2009 reports Governor Doyle's "Unlikely" support of a beer tax increase. Stating that a beer tax increase is associated with a cigarette tax increase and likening the taxes as being similar. Doyle has different ideas about the basis for each tax increase, 'beer is not a substance like tobacco. It is not a substance which is inherently harmful.' He states, "We are not discouraging drinking beer in the state of Wisconsin."

It's believed the Governor has not been fully educated regarding the impact of alcohol on the citizens of Wisconsin. A motion to support a beer tax increase was made and approved at the December 2008 SCAODA meeting. SCAODA failed to make this motion and specifying that a portion of suggested tax increase be used for treatment specific services.

VIII. Agenda Items for Next Time

Membership discussion
Workforce Review
Update on DHH survey
SCAODA Webpage
Medicaid Reimbursement for SBIRT services.

Meeting Dates-Committee decided to change the meeting day to the third Tuesday of the meeting month. 2009 schedules:

Diversity Meetings
3rd Tuesday: 10am-12pm
January 20, 2009
February 17, 2009
April 21, 2009
May 19, 2009
July 21, 2009
August 18, 2009
October 20, 2009
November 17, 2009

SCAODA Meetings

March 6, 2009, 9:30am-12:30pm
June 5, 2009, 9:30am-3:30pm
September 11, 2009, 9:30-12:30pm
December 4, 2009, 9:30-12:30pm

INTERVENTION AND TREATMENT COMMITTEE (ITC) MEETING MINUTES
Tuesday, January 13, 2009
10:30am- 2:30 pm
Department of Corrections
3099 E. Washington Avenue
Madison, WI

Committee members present: Tami Bahr, Norman Briggs, Renee Chyba, Sheri Graeber, Dave Macmaster, Deb Marino, Dan Nowak, Linda Preysz, Michael Waupoose, S. Kate Johnson – Bureau of Prevention, Treatment and Recovery (BPTR) staff

Excused members: David Chastain, Helen Johnson-Lemon

Call to order: The meeting was called to order at 10:35 a.m. by Chairperson Linda Preysz.

Review and approval of minutes: The January minutes were reviewed and approved without any edits.

IDP Committee Discussion
Mark Seidl, the Chair of the State Council on Alcohol and Other Drug Abuse (SCAODA) and AODA Manager in Kewanee County, and Tom Saari, the primary contact for the Wisconsin County Human Services Association (WCHSA) Intoxicated Driver Program (IDP) Committee and Behavioral Health Division Manager from Winnebago County Human Services, joined the discussion by phone.

Mark and Tom participated in the meeting to provide the perspective from WCHSA regarding the IDP Subcommittee of ITC and IDP issues in general. The two most pressing concerns or issues from the county perspective include: 1) advocating for treatment for IDP clients rather than just punishment, and 2) securing appropriate funding for the IDP program.

There was a variety of discussion about the charge, scope, and direction of the IDP Subcommittee, especially regarding any direction or guidance from SCAODA. Mark and Tom stressed the need to have a unified voice for treatment alternatives from the counties, SCAODA, and ITC. The group confirmed that ITC will maintain a clear position that any proposal addressing the problem of intoxicated drivers must include treatment. Winnebago County has a program that is identified in statute to provide treatment alternatives that has measurable results. In addition, counties said that the cost of operating the IDP program greatly exceeds the funding allocated from the state, with a limited amount of supplemental funding available to meet large county requests.

Many committee members present acknowledged the need to get more information from SCAODA to clarify the scope and charge of the subcommittee. Mark will be providing a presentation to SCAODA regarding IDP issues at the March meeting to provide a historical overview of the program and explanation of its current status. Members will wait to hear the discussion at the upcoming SCAODA meeting and then take additional steps as identified. Tom agreed to participate on the ITC IDP Subcommittee. The next update about this issue will be at the April ITC meeting.

Children, Youth, and Families Treatment Subcommittee – Tami Bahr
The Children, Youth, and Families Treatment Subcommittee has had two meetings since the November ITC meeting. The December meeting was to prioritize issues that are critical to youth

and families, and the group identified steps to address each specific issue at the January meeting. The identified issues include: service coordination; access and funding; family and community; training; funding for in-patient and residential treatment; retention, engagement and referral; and legislative issues. The subcommittee has invited representatives from the Substance Abuse Block Grant and the Mental Health Block Grant to their next meeting. More information is included in the minutes from this Subcommittee, which will be posted to the SCAODA web site at:
http://www.scaoda.state.wi.us/committeeintraventionandtreatment/subchildandyouth.htm

WiNTiP Update (are you "smober" yet?) – Dave Macmaster
Mac explained that that first year of WiNTiP focused on why the mental health and substance abuse systems in Wisconsin weren't addressing tobacco treatment issues and planning for how to address this issue. Continued funding in Year 2 will allow WiNTiP to expand to planning and implementation, particularly through training for providers. WiNTiP plans to issue a RFP this year for development of models of training about nicotine dependence treatment for providers**.** Also in 2009, WiNTiP has a goal of expanding its Steering Committee to include representation from the Bureau of Prevention, Treatment, and Recovery. Mac will give a presentation at SCAODA in March reviewing the WiNTiP accomplishments in 2008 and priorities for 2009. In the near future, the WiNTiP web site will have a list-serve or e-group to keep interested parties up to date about their activities.

Go to the WiNTiP web site at www.wisconsinwintip.com for updates about the initiative.

Discussion about workforce motion from SCAODA – Linda Preysz
At the December SCAODA meeting, a motion was introduced and approved for a workforce study; however, not much detail was provided about the scope or exact purpose of the study. The group had wide-ranging discussion about what the purpose should or could be, questions to ask providers, the best methods to capture the information, and which groups or individuals should be surveyed (i.e. certified substance abuse counselors or licensed DHS 75 agencies). Discussion concluded with a decision for Linda to raise this issue with committee chairs, let them know of ITC's questions, and seek additional information and guidance from them. This issue will be included on the February agenda.

Next mtg. items

- Jeff Scanlan to talk about reciprocity and endorsement
- WiNTiP update
- Children, Youth, and Families Treatment Subcommittee update
- Workforce motion update

The meeting adjourned at 2:40 pm.

Next SCAODA and ITC Meeting dates:

- Children, Youth and Families Treatment Subcommittee meeting: February 6th (teleconference); March 6th at American Family Insurance, Madison from 1:30 – 3:30 pm
- ITC meeting: February 10th, 2009; 10:30 am – 2:30 pm; Department of Corrections, Madison
- Full SCAODA meeting: March 6, 2008; 9:30 am – 12:30 pm; American Family Insurance Training Center; Madison

Wisconsin Nicotine Treatment Integration Project (WINTIP)

Rob Adsit, M.Ed.
Bruce Christiansen, Ph.D.
Randall Glysch, M.S.
Dave Macmaster, CSAC, PTTS
Eric Heiligenstein, M.D.

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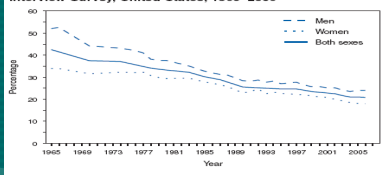
Smoking Prevalence in the U.S.

FIGURE. Estimated percentage of persons aged ≥18 years who were current smokers,* by sex — National Health Interview Survey, United States, 1965–2006



*During 1965–1991, current smokers were defined as persons who reported smoking at least 100 cigarettes during their lifetimes and who, at the time of interview, reported smoking ("Have you smoked at least 100 cigarettes in your entire life?" and "Do you smoke cigarettes now?"). In 1992, the definition changed to more accurately assess intermittent smoking (i.e., smoking on some days) and included persons who reported they smoked either every day or some days ("Do you now smoke cigarettes every day, some days, or not at all?")

Tobacco Use Disparities

- Ethnic minorities
- Low SES/educational level
- Pregnant women
- Youth/young adults
- Coexisting Psychiatric/Substance use disorders

Tobacco Use by Diagnosis

Schizophrenia	62-90%
Bipolar disorder	51-70%
Major depression	36-80%
Anxiety disorders	32-60%
Post-traumatic stress disorder	45-60%
Attention deficit/ hyperactivity disorder	38-42%
Alcohol abuse	34-80%
Other drug abuse	49-98%

Beckham et al., 1995; De Leon et al., 1995; Farnam 1999; Grant et al., 2004; Hughes et al., 1996; Lasser et al., 2000; Morris et al., 2006; Pomerleaue et al., 1995; Stark & Campbell, 1993; Ziedonis et al., 1994

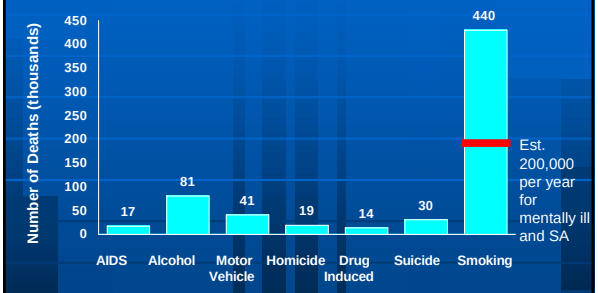
Consume 45% of cigarettes smoked in U.S

Breslau, 2003

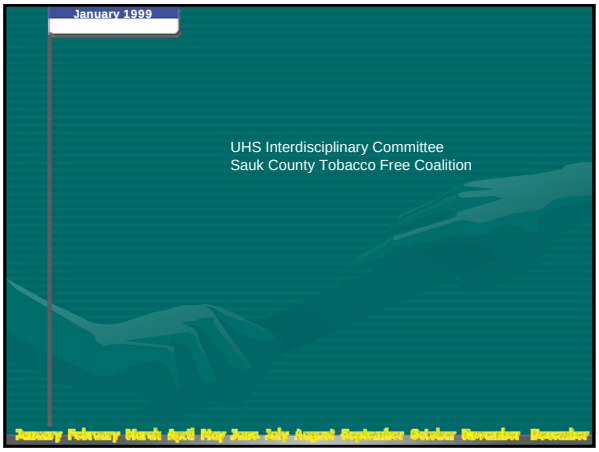
Complications of Smoking and PD/SUD

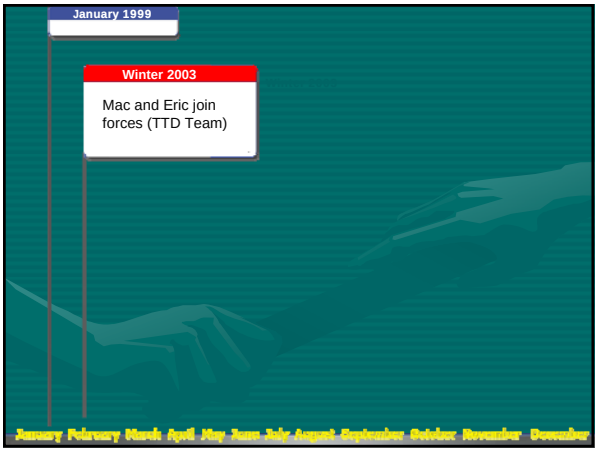
- Additive mortality risks
  - Heart disease is 7X higher than peers and **more than 7x the suicide rate.**
- Average loss of life is 24 years
- Smoking is severity of illness multiplier

Comparative Causes of Annual Deaths in the United States



Source: CDC





Integration Advocacy Begins

- Commitments are developed
  - AODA treatment providers (WADPTA)
  - Addiction counselor associations (WAADAC)
  - State AODA advocacy association (WAAODA)
  - Governors State Council on Alcohol and Other Drugs/Intervention and Treatment Committee

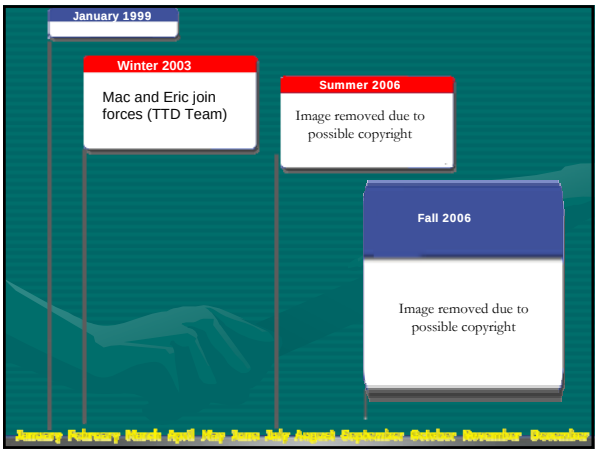
Integration Resolution

Resolved:

That (Profession/Association/Other interested party) supports policies that lead to the integration of evidence-based nicotine treatment into addiction and mental health services

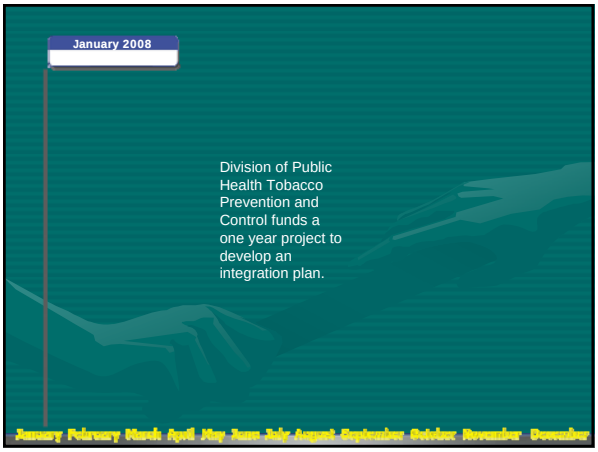
Advocacy Progress

- SCOADA Intervention and Treatment Committee includes nicotine integration in its strategic plan
- Governors State Council adopts resolution as state policy
- Division of Public Health's Treating Tobacco Dependency and Disparities Team includes integration resolution in their strategic plans.



Advocacy Progress

Integration resolution adopted as national tobacco prevention and control policy at the 2007 National Conference on Tobacco or Health in Minneapolis , MN



WINTIP

Saving Wisconsin lives by integrating evidence-based nicotine dependence treatment into alcohol and other drug dependence and mental health services

Core Rationale for WINTIP

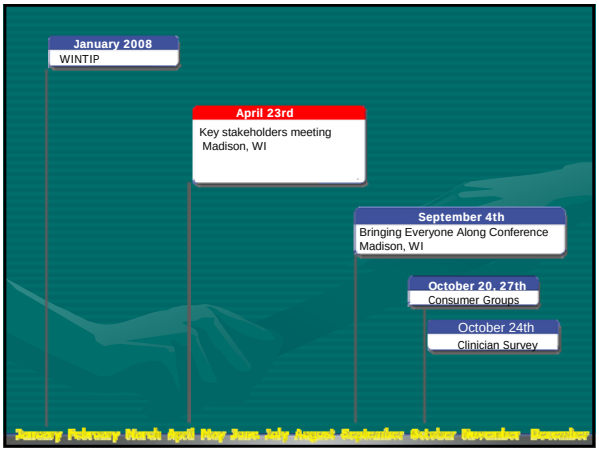
- The sincere belief in the right of this population
  - To receive the same level of health care assessment and treatment in regard to the use of nicotine that is the expectation for the general population

WINTIP Summary

- Two year planning project for integration
- Funded by WI Division of Public Health Tobacco Prevention and Control Program
- Brings together tobacco control, mental health/substance use systems, and government

WINTIP Summary (con't)

- Gathers information from state and national resources
- Supported by leaders in the state's mental health and substance use fields



Questions?

UW-CTRI
UNIVERSITY OF WISCONSIN
Center for Tobacco Research & Intervention

WiNTiP

Wisconsin Nicotine Treatment Integration Project : Mental Health, AODA and Tobacco Dependence

First Posting of the WiNTiP Bulletin

- *Saving thousands of Wisconsin lives by integrating evidence-based nicotine treatment into our addiction and mental health services is the goal of the Wisconsin Nicotine Treatment Integration Project. Our partners in tobacco, mental health, AODA and government are developing a plan that will address and treat the harmful effects of tobacco on those with mental health and substance dependence disorders.*

- *Why? People in these two populations are getting sick and dying from tobacco caused diseases at from twice to four times the rate in the general population. Fortunately managers and clinicians can be trained to treat and prevent the 270 tobacco caused deaths of those who suffer from addiction and mental health disorders every month in Wisconsin.*

- *WiNTiP bulletins bring you news and information on this issue and invites you to learn more. We want all those with a stake in our state's health care to participate in the integration planning under development in WiNTiP.*

www.wisconsinwintip.com

WiNTiP 2009

Wisconsin Nicotine Treatment Integration Project

Funded by Division of Public Health Tobacco Prevention and Control
Coordinated by UW-Center for Tobacco Research and Intervention

2009 Goals

1. **Address provider barriers identified in 2008**

2. **Develop smoke free policies for facilities regulated by/under contract to the state and plan for their implantation.**

3. **Develop administrative code changes that mandate tobacco free facilities and tobacco dependence treatment and plan for implementation of new regulations.**

4. **Develop provider training curriculum and implementation plan (and begin its implementation in) by the fourth quarter of year 2.**

5. **Develop and send out RFP for technical support to begin in year 3.**

6. **Develop proposal for a mini-grant program that encourages, recognizes and develops champions of best practices.**

7. **Develop proposal for meaningful consumer roles for integration.**

8. **Develop plan to measure the success of integration efforts.**

9. **Develop a plan for securing funding for outgoing years from grant and government resources**.

10. **Develop a plan for helping those with mental health and substance dependence disorders who are nicotine dependent and under the care of a primary care physician rather than a specialist.**

WiNTiP Goals will be achieved through the skills, knowledge and commitment of a nimble Steering Committee representing the state partners in tobacco, mental health, AODA and government in an expanded Advisory Group

SCAODA Motion Introduction

Committee Introducing Motion: Membership Workgroup
Motion: The Membership Workgroup recommends that the five new members to be added to SCAODA when legislation is passed be comprised of: 1. A Tribal representative to be appointed by Great Lakes Inter-Tribal Council (GLITC) on a rotating basis to a term to be determined by GLITC; 2. An Officer or Board Member of Wisconsin Association on Alcohol and Other Drug Abuse (WAAODA); 3. A representative of the Wisconsin Department of Children and Families (DCF); 4. A Researcher in the field of alcohol and other drug abuse; and 5. A Women's Treatment representative. Further, the Membership Workgroup recommends that the last three recommendations (a representative of DCF; a Researcher in the field of alcohol and other drug abuse and; a Women's Treatment representative) be racially diverse representatives.
Related SCAODA Goal: Goal 1: Support, promote and encourage the implementation of a system of substance abuse services that are evidence-based, gender and culturally competent, population specific, and ensure equal and barrier-free access.
Background: The Membership Workgroup was appointed by SCAODA, consisting of representatives of each Committee and the Nominating Committee, to consider all relevant information available including a survey of SCAODA members and participants, to formulate recommendations as to the constituencies any new members would represent. • Positive impact: The membership of SCAODA would become more racially diverse and more representative of key segments of Wisconsin's system of alcohol and drug services. • Potential Opposition: None. The recommendations have been approved unanimously by the Membership Workgroup.
Rationale for Supporting Motion: To promote a more racially diverse and representative membership of SCAODA

SCAODA Motion Introduction

Committee Introducing Motion: Planning and Funding
Motion: To advance to the Governor a "Nickle a Drink" (5 cents) user fee on alcoholic beverages. Funds generated will be dedicated to treatment and prevention services.
Related SCAODA Goal: SCAODA Goal #2: "Support the prevention and reduction of alcohol…(and other drugs)….Planning and Funding Goal: To provide resources for insured and non-insured individuals by raising needed revenue and dedicating it to treatment and prevention services.
Background: A similar proposal has been introduced in California as a way to raise revenue for states' ailing budgets. • Positive impact: Providing additional funds for increased treatment and prevention services in Wisconsin. • Potential Opposition: None
Rationale for Supporting Motion: A nickel per drink increase in New York could raise an additional $355 million. Florida could add $430 million to its budget with a similar increase.

Marin Institute Calls on States with Budget Shortfalls to Follow California in Proposing an Alcohol Tax Increase

Long Overdue Tax Increases Could Ease Budget Deficits in 39 States and Mitigate Alcohol-Related Costs

SAN RAFAEL, CA – Public health advocates are calling on policymakers around the nation to follow the lead of California Governor Arnold Schwarzenegger to help fund ailing state budgets through higher alcohol taxes. On Thursday, Governor Schwarzenegger proposed a nickel a drink tax increase on beer, wine, and distilled spirits to help reduce California's budget shortfall, while providing critical support to the state's programs that reduce alcohol-related problems.

At least 38 other states also face serious budget deficits, totaling more than $60 billion dollars, according to the Center on Budget and Policy Priorities. "A nickel a drink -- It's the change we need to fix budgets around the nation," said Bruce Lee Livingston, executive director of Marin Institute, the California-based alcohol industry watchdog. "The largest states, such as New York and Florida can avoid cutting essential programs through long-overdue alcohol tax increases," Livingston added. California's proposal accomplishes exactly that.

A nickel per drink increase in New York could raise an additional $355 million. Florida could add $430 million to its budget with a similar increase. Some states have not raised alcohol taxes in decades. For example, the last time alcohol taxes were raised in Massachusetts was 1975; while in Arizona alcohol taxes were last raised in1983.

"Too many states are facing serious budget shortfalls while leaving too much money on the table, said Michele Simon, Marin Institute's research and policy director. "In most of these states, inflation has eroded the real value of alcohol tax revenue. Meanwhile governments continue paying for the rising costs of alcohol-related problems, such as healthcare and criminal justice. The time has come for states to join with California and raise alcohol taxes to reduce these costs."

Representative Terese Berceau's Power Point on the Beer Tax, can be found on her home page:

http://www.legis.state.wi.us/assembly/asm76/news/

Milwaukee Journal Sentinel series, entitled "Wasted in Wisconsin" is still being published.

Higher Alcohol Taxes, Less Drinking

By ERIC NAGOURNEY

Higher taxes on alcohol can do more than add cash to ailing government budgets. A new study reports “statistically overwhelming evidence” that raising taxes also reduces the level of drinking.

The lead author, Alexander C. Wagenaar of the University of Florida, said the reduction in drinking had been found throughout the population, among social drinkers and problem drinkers alike. The analysis, in the February issue of the journal Addiction, is a review of more than 110 studies on the subject.

As prices go up, the study found, people become less likely to drink. And when they do drink, they drink less. The findings were true for teenagers as well as adults.

Although studies have found that moderate drinking can have beneficial health effects, other research has shown that reducing overall drinking has a broader social benefit, Dr. Wagenaar said. “Areas that drink more have higher rates of a wide range of problems (e.g., injuries and chronic health problems and deaths),” he wrote in an e-mail message.

He disagreed with critics of alcohol taxes who say they are unfair to people who drink reasonably. Nondrinkers and light drinkers, he said, in effect subsidize heavier drinkers because costs related to alcohol use are reflected in various things, like car insurance and health care.

Dr Wagenaar is a national researcher and program developer. He may be best known for his development of the environmental program Communities Mobilizing for Change on Alcohol (CMCA). CMCA is one of the few environmental strategies endorsed by SAMHSA.

The other and perhaps more subtle point is that it does not matter how the increased tax revenue is spent. What matters is that all alcohol taxes were increased.

Attachment 1

Project Abstract

WISCONSIN PUBLIC MENTAL HEALTH AND SUBSTANCE ABUSE INFRASTRUCTURE STUDY

The Wisconsin Department of Health Services, Division of Mental Health and Substance Abuse Services is contracting for an in-depth review of Wisconsin's current state supervised, county-based system of financing and provision of publicly funded mental health and substance abuse services. The public system's responsibilities are primarily lodged with county government as laid out in Chapter 51.42, Wis. Stats. A number of recent initiatives in Wisconsin will have ramifications for the future of the current service delivery system and for individuals not otherwise eligible for services funded by other state and federal programs.

Purpose of the Study

The purpose of this study is to: (1) review the current funding and delivery of public mental health and substance abuse services in Wisconsin; (2) review alternative funding and delivery systems in other states; and (3) recommend strategies for improvement to be considered during the 2011-2013 biennial budget process and other policy making processes.

The goals or benchmarks by which to measure the strengths and weaknesses of the Wisconsin system as well as alternative State models are: (A) equitable access to service across the state; (B) accountability for outcomes including the availability of evidence-based programs and the information technology to evaluate outcomes; (C) equitable and affordable funding for services; and (D) efficiency of service delivery.

Study Deliverables

At the end of the study the Division will have:

- A comprehensive summary of the current financing of publicly funded mental health and substance abuse services in the state;
- A review of other similar state financing and system structures of public mental health & substance abuse services including their key financing and structural strategies;
- An overview of projected changes and potential impact on county systems of mental health and substance abuse services, including: the impact form the current planned changes including Family Care, BadgerCare Plus expansion to childless adults, Medicaid SSI Managed Care, WIMCR, Community Support Programs (CSP) inclusion in Family Care, further development of Comprehensive Community Services (CCS), and cost of living increases in staff and infrastructure costs in counties which are often taken out of treatment funds;
- Recommendations for changes to the current mental health and substance abuse system funding and service delivery alternatives, including any needed Legislative and/or statutory changes;

- A summit of key stakeholders, including state agencies, county, tribal, consumer and advocacy organizations to present and discuss the findings of the study and proposals for next steps; and
- A document outlining the proceedings of the summit and recommended next steps.

The contractor for this study, The Management Group, Inc. (TMG), will work with the Bureau of Prevention, Treatment and Recovery Contract Administrator to accomplish the study activities. In addition, a Steering Committee will be formed to help guide and advise the study process. The Workplan (Attachment 2) for this study will be reviewed regularly with the Contract Administrator and Steering Committee, and adjustments will be made as necessary during the course of the project.

SCAODA Public Forum
Bureau of Prevention Treatment and Recovery Conference
Wisconsin Dells
October 22, 2008

SCAODA Chairperson, Mark Seidl convened the Public Forum at 4:45 p.m. with a panel consisting of himself, Dr. Steve Dakai from the Diversity Committee, and Mr. Norm Briggs from the Intervention and Treatment Committee. Bureau staff in attendance were Joyce Allen, Kate Johnson and Lori Ludwig. There were 10 individuals who signed in. Together they represented public and private substance abuse providers, out-patient, in-patient (hospital), and residential facilities. A representative from the Division of Quality Assurance was also present.

Impact of Title 19 referrals from across the state:

Two individuals spoke to the recent influx of persons on Medicaid being referred to St. Josephs Hospital in Marshfield and St Josephs hospital in Chippewa Falls from all over the state, including Dane County. They felt that it was because of the increase in persons served under the state's Badger Care. They have high medical needs (MRIs etc.) and are being admitted to acute care beds. None of the Badger Care programs provide residential treatment.

Lack of treatment alternatives for adolescents:

- Two individuals felt that the state should look at the lack of higher levels of care for adolescents, specifically, residential and in-patient beds. The speakers felt that if treatment occurs at younger ages, then there would be a reduction in the number of adults requiring treatment. Currently, adolescents in need of residential or in-patient treatment are being sent out of state. It used to be that Tellurian had an adolescent treatment unit. What happened? St. Joseph's Hospital in Chippewa Falls recently shut down their adolescent unit for chronic under-utilization. There is an issue of medical necessity. Mark Seidl indicated that in order to admit persons less than age 18 to CBRFs, changes in the administrative rules would have to occur. Changes would need to occur in HFS 75 and HFS 83.

Administrative rules restrict practice:

One person testified that once there is a "Substance Abuse" diagnosis, mental health therapists' practice is restricted. She continued that most people have a mental health diagnosis in conjunction with a substance abuse disorder and yet the scope of practice is limited for mental health therapists. Joyce Allen explained that the Department of Regulation and Licensing (DRL) is responsible for defining the scope of practice, however, if we can identify a specific Administrative Rule provision that is problematic, we'll take a look at it. Mark Seidl identified HFS 35 and HFS 75 and the DRL as relevant to the issue.

Wisconsin and Minnesota AODA treatment compared:

- One participant testified that since he has moved to Wisconsin from Minnesota, he has observed that Wisconsin does not treat its OWI offenders as if they are addicts. He felt that a significant portion of the Drunk Driving system doesn't provide the full continuum of care as Minnesota does. Only for some is treatment authorized.
- There has been "no margin" in treatment, that is, the volume of adolescent AODA treatment clients has been so low that the provision of service is too expensive to justify the cost and providers cannot justify continuing that service.
- In Minnesota, providers are required to provide the complete continuum of services. Counties contribute much more in terms of funding.
- Another participant added that we need the ability to sort out all the rules. We need a Wisconsin civics and funding course 101

Funding for Substance Abuse Services:

- We need an excise tax on alcohol. 80% of the alcohol is consumed by 20% of the people. This appears to be a taboo subject in Wisconsin. We need a new funding stream. All of the current funding systems are drying up. The Medicaid issue is pushing us.
- Another participant pointed out that Badger Care is not covering AOD treatment, except for detox and medications. Badger Care is not covering childless adults, either.
- Mark Seidl informed the group that the state is looking at funding streams for counties. There is a mental health and substance abuse study going on. Joyce Allen added that the results of the study will be available in about one year. A participant pointed out that costs are being transferred to hospital emergency rooms. Joyce Allen explained that the perspective of the study is: what is the future of county government in this system. If we've given them the responsibility, have we given them the funds? A participant pointed out that we need data on people seeking services. How do we bridge the gap between county and state funding to private providers. Is there a way to look at the entire system? It seems like there is a lack of ability to coordinate the entire system. Joyce Allen confirmed that it is very difficult to look at the entire system. Data systems differ. Data systems are fragmented and exist within county organizations or hospitals.
- A participant felt that we need to identify the themes which we know we have to prepare for in the future: workforce; the indigent; excise taxes and regulatory practices. We need to look at how larger systems are impacted and where there is an opportunity for change.

Payment for Residential Care Services

Norm Briggs reported that in the 1980's there used to be licenses for residential care for children. Kate Johnson pointed out that now there are RCCs (Residential Care Centers) for kids. Norm Briggs asked if there was funding available for RCCs through Medicaid. Joyce Allen responded that, in general, not. A state can draw down some funding for certain services. Another way is through Comprehensive Community Services programs. They are able to build in some substance abuse rehabilitation services including some residential treatment costs, if the CCS county decides to include it in their CCS benefits plan and they will then be able to draw down the federal share of Medicaid for thos services. Counties must provide the non-federal share. CCSs are also a way to pay for integrated treatment of mental health or substance abuse disorders for a range of services. There are no exclusions for adolescents. It is for everyone. The benefit could be used to support residential services. She continued, the Psycho-Social rehabilitation benefit requires people to meet certain eligibility requirements which are built into the functional screen, which is used to define the medical necessity for CCS. One participant indicated that it wouldn't happen in his County. Mark Seidl indicated that it is a 60/40 split. His County has to come up with the money. Joyce Allen indicated that the study will look at that.

Mark Seidl summarized the issues presented: 1) Residential treatment for adolescents; 2) funding streams and impacts; 3) taxes on alcoholic beverages.

Jim Doyle
Governor

Mark Seidl, WCHSA
Chairperson

Linda Mayfield
Vice-Chairperson

Scott Stokes
Secretary

State of Wisconsin

State Council on Alcohol and Other Drug Abuse
1 West Wilson Street, P.O. Box 7851
Madison, Wisconsin 53707-7851

Public Forum
Meeting Minutes

Wednesday, October 29, 2008, 6:00-7:30pm
16th Annual Healing Ourselves Conference
Ho-Chunk Hotel and Convention Center
S3214 Highway 12
Baraboo, WI 53913

Present:

Members:	Michael Waupoose, Steve Dakai-Diversity Committee Member
Staff:	Sarah Kate Johnson, Gail Nahwahquaw
Participants:	See attached Sign-In Sheets (X3)

Introduction/Welcome:
Michael Waupoose welcomed the participants and introduced himself as a member of SCAODA, chairperson of the Diversity Committee and Menominee tribal member.
Steve Dakai introduced himself as treatment provider, clinical supervisor at the Maehnowesekiyah Wellness Center and Diversity Committee member and Gail Nahwahquaw introduced herself as Division of Mental Health and Substance Abuse Services, Bureau of Prevention Treatment and Recovery staff .

Michael shared that SCAODA is an advisory committee to the Governor, made up of one each House Majority and Minority representatives, multi state department representation and respective division representation, AODA Prevention and Treatment providers and community representatives. The council advises the governor on issues involving and related to AODA policies, legislation, perceived gaps and ect. The purpose of the public forum is to learn from respective tribal perspective what the issues, concerns challenges and what's working to help SCAODA target resources on a more fully informed basis and that this is the first time SCAODA has hosted a public forum at a tribally specific conference/event. Michael presented the participants with the general outline of the current SCAODA workplan listing SCAODA Mission and Vision statements.

Issue 1: American RedCross-Homeless Outreach Nursing Center-Protective Payee and Domestic Violence Services Advocate for women, men and families (agency not mentioned). Services for the homeless overall are inadequate, but she recognizes that more and more American Indian are in need of such services in urban settings. The providers who offer any AODA services are not actively engaging the homeless community and the services are limited. Most homeless people she encounters struggle with either mental health or AODA issues or both. There is a lack of culturally appropriate services and providers within tribally specific service centers. Participant has often witnessed when homeless or others needing AODA treatment services go to these

providers, a large majority never return because they don't see someone who looks like them in the agency which may translate the client thinking there will be a lack of understanding of "where I'm coming from". In addition, she noted a lack of services for Native Americans who live off reservation and related issues, such as not wanting their families who live on the reservation to know about their struggles or treatment.
Grant funding is limited and keeping appropriate services operating in the urban areas is noticeably decreasing.

Issue 2: The SCAODA handout listing a general workplan for the council is viewed as too vague. If SCAODA is not creating measurable outcomes, how do they know when they've achieved any of the "vague" goals listed? Suggest using data such as current waiting lists (how long) and where is this occurring? Two questions that can help to place funding where there is greatest need.

Issue 3: The reliance on Evidence Based Practices(EBP) for funding, is a challenge for tribal communities.

Discussion-The EBP description is a misnomer; for one thing, the EBP have not been tried in tribal communities or programs most often. Most ceremonial practices for many Native American seeking AODA treatment services are not listed as EBP. The Venture Program was experienced as coming close to a native appropriate program- but it was oriented to tribes in the Southwest, not Midwestern or Wisconsin tribes. This provider still experienced frustration in having to "fit-in" to this model, felt like it takes away from the natural caregiver role defined by tribal societal standards long established. She said that Indian people know their treatment needs and should have the ability to use methods that they know work, rather than being required or encouraged to use EBP. No one model can meet the needs of people in all 11 tribes in the state.

Issue 4: Various state policies and criteria are prohibitive to consumer-provider relationship alliance building.

Discussion- Tribal member's unable to sustain or maintain work in the substance abuse recovery/treatment field. Tribal members feel the disconnection of providers who work in their communities but are not from the community. Other policy or provider treatment requirements include the amount of paperwork that is necessary for billing purposes, is too much and it doesn't contribute to relationship building. Is there a way that paperwork can be minimized?

One participant attended the Minority Counselor Training Institute (MCTI), but felt like this program was not as inclusive as it could be. All the trainers were African American and it was stated that the program did not take the opportunity to invite trainers with expertise in working with Native Americans. When this shortcoming was brought forth to the MCTI program staff it was felt that the comments/observations were dismissed. One person through MCTI was assigned to work with the entire Western side of the state, and there was too much area and need for one person to cover. The participant has not encouraged other tribal members to enroll in the program as a result.

Issue 5: Intervention, inpatient services and funding limitations.

Discussion-What are the resources available to a treatment experienced individual who may have reached the limit of service thru their insurance? Participant is aware that the tribes get limited funds from the Indian Health Services and that the state gives the county (Washburn Co) funds for AODA treatment services. One concern is that when tribal members are referred to services thru county agencies the tribe loses that "referral", and the person is registered in the county

system. Tribes are not able to demonstrate the need for funding increases when this referral process occurs.

She reported that the treatment need in her community is growing with the younger populations, and, with their limited budget, there are no resources to support people in recovery. There is some (not enough) funding for youth but a lack of funding to support treatment and recovery for the parents. They need help to meet the treatment need in their community – funding, counselors, support.

This access to services extends to family members as well. Which unveils another issue, that of treating the core issue of trauma.

Why aren't gaming dollars going back to communities with the greatest need?

Issue 6: Insurance companies and the Division of Licensing and Regulation (DRL) differ in the credential status of counselors for billing purposes.

Discussion- This participant was denied as (primary) provider by the insurance company because she did not hold a masters degree, but DRL does not require this level of training/education to provide treatment services as a counselor. So reimbursement by this standard is limited, because tribal agencies don't have enough staff credentialed at level required by insurance companies. Other DRL issues experienced are the mandated processes that are not supported often by financial means but also with training.

Tribes need their own licensing boards. Also a special task force to help ensure licensing requirements/criteria is understandable to tribal agency staff. The language is culturally insensitive on the DRL web-posting of requirements and criteria. The state can do a better job of getting the appropriate tribal representatives involved on boards. Tribal leadership should appoint the representatives so there's a general awareness in the community as to who the contact person is for various boards.

Also a contact list needs to be created listing the tribal service agencies listing appropriate contact person. This is a helpful resource for other tribes, but also for county and urban based agencies working with tribal members.

Issue 7: Treating trauma.

Discussion-Providers are treating the symptoms and not getting to the core issue of trauma. This participant states mental health and AODA providers do not talk or collaborate on treatment for clients with co-occurring disorder. Often providers or treatment programs don't have the necessary training to start working with clients on issues of trauma.

Issue 8- AODA services are needed in general and very helpful.

I accessed Al-a-Non services for the addictions my family members faced. The program was not tribally specific, but when I needed it, it was very helpful for me to have access to this program. I was able to hear from others experiencing similar challenges in their lives and was given the opportunity to "talk" publicly about what I was experiencing. It was through this program that my family member realized their addiction and sought help. An awareness of the current programs and how to access them was what was helpful for me and my family. It didn't need to be tribally specific.

Issue 9-Accurate data

Discussion-This issues ties into the funding issue, data collection is an issue for tribes but also counties. Documentation on death certificates often does not reflect the actual cause of death, i.e., domestic violence, rather the physiological or anatomical cause of death. i.e., blunt force trauma.

Multiple people expressed the challenges and pain that members of their communities are experiencing – two tragedies in one week, domestic violence, issues with younger generations – and that there need to be resources to allow Native communities to develop services locally to address the entire spectrum of treatment through recovery.

There was a recommendation that one of the new SCAODA members should be reserved for a tribal member. The tribes could appoint at least one person as a representative and rotate that position among the 11 tribes.

2009 ASSEMBLY BILL 17

February 3, 2009 – Introduced by Representatives STASKUNAS, KAUFERT, SMITH, JORGENSEN, SHERMAN, ZIEGELBAUER, DAVIS, HEBL, BERCEAU, A. OTT, CULLEN, TOWNSEND, ROTH, SPANBAUER, RICHARDS, SHILLING, SOLETSKI, BARCA, GUNDERSON and TURNER, cosponsored by Senators PLALE, LEIBHAM, LEHMAN, CARPENTER, DARLING, HARSDORF, A. LASEE and SCHULTZ. Referred to Committee on Public Safety.

AN ACT ***to repeal*** 342.12 (4) (c) 1. b., 343.301 (1) (title), 343.301 (2), 346.65 (6), 940.09 (1d) (b) and 940.25 (1d) (b); ***to renumber and amend*** 343.301 (1) (c), 343.301 (1) (d), 940.09 (1d) (a) 1., 940.09 (1d) (a) 2., 940.25 (1d) (a) 1. and 940.25 (1d) (a) 2.; ***to consolidate, renumber and amend*** 343.301 (1) (a) 1. and 2. and 343.301 (1) (b) 1. and 2.; ***to amend*** 340.01 (46m) (c), 342.12 (4) (c) 1. c., 342.13 (1), 343.10 (2) (a) (intro.), 343.10 (5) (a) 3., 343.301 (title), 343.305 (10m) (title), 343.305 (10m) (a), 343.305 (10m) (b), 347.413 (title) and (1), 347.417 (1), 347.417 (2) and 347.50 (1s); ***to repeal and recreate*** 343.10 (2) (a) (intro.); and ***to create*** 20.395 (5) (hs), 343.10 (2) (f), 343.301 (3) (b), 343.301 (5) and 347.50 (1t) of the statutes; **relating to:** requiring ignition interlock devices for certain motor vehicle violations, granting rule–making authority, making an appropriation, and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, if a person is convicted of a second offense relating to operating a motor vehicle with a prohibited alcohol concentration (in most cases, a

concentration of 0.8 or higher) or under the influence of an intoxicant (OWI−related offense), a judge may immobilize the person's motor vehicles or require that the person's operating privilege be limited to operating vehicles that are equipped with an ignition interlock device. If a person is convicted of a third or subsequent OWI−related offense within five years, a judge must limit the person's operating privilege to operating vehicles that are equipped with an ignition interlock device unless the judge orders that the person's motor vehicles be immobilized or seized and sold at auction.

Current law requires the person to pay for the costs of installing and monitoring the ignition interlock device on every motor vehicle he or she owns. If the judge determines that this would work a hardship to the person, current law allows the judge to require an ignition interlock device on some, but not all, of the person's motor vehicles.

Under current law, no one may remove, disconnect, tamper with, or otherwise circumvent the operation of an ignition interlock device. A person who does so may be required to forfeit not less than $150 nor more than $600 for the first offense and, for a second or subsequent offense within five years, may be fined not less than $300 nor more than $1,000, or imprisoned for not more than six months, or both.

This bill eliminates the option of ordering the person's vehicle to be immobilized or seized and sold at auction. The bill makes it mandatory for a judge to require that the person's operating privilege be limited, for a minimum of one year, to operating vehicles that are equipped with an ignition interlock device if either of the following are true: 1) the person commits a first OWI−related offense with an alcohol concentration of 0.15 or more; or 2) the person commits a second OWI−related offense.

Under the bill, the judge must order that every motor vehicle the person owns be equipped with an ignition interlock device. If the judge determines that the person's income is at or below 150 percent of the federal poverty level, the person is required to pay a $50 surcharge upon the installation of the first ignition interlock device and, for each ignition interlock device, half of the installation cost, and $1 per day toward the cost of monitoring the ignition interlock device. A person whose income is above 150 percent of the federal poverty level is required to pay the surcharge and assume the full cost of installing and monitoring each ignition interlock device. Under the bill, if a person who is ordered to do so fails to pay the surcharge or fails to have an ignition interlock device installed, he or she may not obtain an occupational license.

Under the bill, a court may order a person who removes, disconnects, tampers with, or otherwise circumvents the operation of an ignition interlock device to be imprisoned for not more than six months for a first offense. The bill also subjects a person who fails to have an ignition interlock device installed as ordered by the court to the same penalties as a person who removes, disconnects, tampers with, or otherwise circumvents the operation of an ignition interlock device.

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. 20.395 (5) (hs) of the statutes is created to read:

20.395 **(5)** (hs) *Ignition interlock device administration and enforcement.* All moneys received under s. 343.301 (5) for expenditures related to administering and enforcing the ignition interlock device program under s. 343.301.

SECTION 2. 340.01 (46m) (c) of the statutes is amended to read:

340.01 **(46m)** (c) If the person <u>is subject to an order under s. 343.301 or if the person</u> has 3 or more prior convictions, suspensions or revocations, as counted under s. 343.307 (1), an alcohol concentration of more than 0.02.

SECTION 3. 342.12 (4) (c) 1. b. of the statutes is repealed.

SECTION 4. 342.12 (4) (c) 1. c. of the statutes is amended to read:

342.12 **(4)** (c) 1. c. The person requesting the issuance of the certificate of title files an affidavit with the department attesting that the ~~conditions~~ <u>condition</u> under subd. 1. a. ~~and b. are~~ <u>is</u> met.

SECTION 5. 342.13 (1) of the statutes is amended to read:

342.13 **(1)** If a certificate of title is lost, stolen, mutilated, or destroyed, or becomes illegible, the owner or legal representative of the owner named in the certificate, as shown by the records of the department, shall promptly make application for and may obtain a replacement upon furnishing information satisfactory to the department. The replacement certificate of title shall contain a notation, in a form determined by the department, identifying the certificate as a replacement certificate that may be subject to the rights of a person under the

original certificate. ~~If applicable under s. 346.65 (6), the replacement certificate of title shall include the notation "Per section 346.65 (6) of the Wisconsin statutes, ownership of this motor vehicle may not be transferred without prior court approval".~~

SECTION 6. 343.10 (2) (a) (intro.) of the statutes is amended to read:

343.10 **(2)** (a) (intro.) Except as provided in pars. (b) to ~~(e)~~ (f), a person is eligible for an occupational license if the following conditions are satisfied:

SECTION 7. 343.10 (2) (a) (intro.) of the statutes, as affected by 2007 Wisconsin Acts 20 and 2009 Wisconsin Act .... (this act), is repealed and recreated to read:

343.10 **(2)** (a) (intro.) Except as provided in pars. (b) to (f), and subject to s. 343.165 (5), a person is eligible for an occupational license if the following conditions are satisfied:

SECTION 8. 343.10 (2) (f) of the statutes is created to read:

343.10 **(2)** (f) If the court orders under s. 343.301 (1) that the person's operating privilege for the operation of "Class D" vehicles be restricted to operating vehicles that are equipped with an ignition interlock device, no occupational license may be granted until the person pays the surcharge under s. 343.301 (5) and submits proof that an ignition interlock device has been installed in each motor vehicle for which the person's name appears on the vehicle's certificate of title or registration.

SECTION 9. 343.10 (5) (a) 3. of the statutes is amended to read:

343.10 **(5)** (a) 3. ~~If the applicant has 2 or more prior convictions, suspensions, or revocations, as counted under s. 343.307 (1), the~~ The occupational license of the applicant shall restrict the applicant's operation under the occupational license to vehicles that are equipped with a functioning ignition interlock device if the court has ordered under s. 343.301 (1) ~~(a) 1. or 2.~~ that the person's operating privilege for Class D vehicles be restricted to operating vehicles that are equipped with an

ignition interlock device or has ordered under s. 346.65 (6) (a) 1., 1999 stats., that the motor vehicle owned by the person and used in the violation or improper refusal be equipped with an ignition interlock device. A person to whom a restriction under this subdivision applies violates that restriction if he or she removes or disconnects an ignition interlock device, requests or permits another to blow into an ignition interlock device or to start a motor vehicle equipped with an ignition interlock device for the purpose of providing the person an operable motor vehicle without the necessity of first submitting a sample of his or her breath to analysis by the ignition interlock device~~. If~~, or otherwise tampers with or circumvents the operation of the ignition interlock device. Except as provided in s. 343.301 (3) (b), if the occupational license restricts the applicant's operation to a vehicle that is equipped with an ignition interlock device, the applicant shall be liable for the reasonable costs of equipping the vehicle with the ignition interlock device.

SECTION 10. 343.301 (title) of the statutes is amended to read:

343.301 (title) **Installation of ignition interlock device ~~or immobilization of a motor vehicle~~.**

SECTION 11. 343.301 (1) (title) of the statutes is repealed.

SECTION 12. 343.301 (1) (a) 1. and 2. of the statutes are consolidated, renumbered 343.301 (1) and amended to read:

343.301 **(1)** ~~Except as provided in subd. 2., if~~ If a person improperly refuses to take a test under s. 343.305 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the person either had an alcohol concentration of 0.15 or more at the time of the offense or has a total of one or more prior convictions, suspensions, or revocations, counting convictions under ss. 940.09 (1) and 940.25 in the person's lifetime and other convictions, suspensions, and revocations counted under s. 343.307 (1), the

court ~~may order that the person's operating privilege for the operation of "Class D" vehicles be restricted to operating "Class D" vehicles that are equipped with an ignition interlock device. 2. If a person improperly refuses to take a test under s. 343.305 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the person has a total of 2 or more convictions, suspensions, or revocations, counted under s. 343.307 (1) within any 5−year period, the court~~ shall order that the person's operating privilege for the operation of "Class D" vehicles be restricted to operating vehicles that are equipped with an ignition interlock device and shall order that each motor vehicle for which the person's name appears on the vehicle's certificate of title or registration be equipped with an ignition interlock device. ~~If equipping each motor vehicle with an ignition interlock device under this subdivision would cause an undue financial hardship, the court may order that one or more motor vehicles subject to this subdivision not be equipped with an ignition interlock device. This subdivision does not apply if the court enters an order under sub. (2) (a) 2. or, if the person has 2 or more prior convictions, suspensions, or revocations for purposes of this subdivision, to the motor vehicle owned by the person and used in the violation or refusal if the court orders the vehicle to be seized and forfeited under s. 346.65 (6).~~

SECTION 13. 343.301 (1) (b) 1. and 2. of the statutes are consolidated, renumbered 343.301 (2m) and amended to read:

343.301 **(2m)** The court ~~may~~ <u>shall</u> restrict the operating privilege ~~restriction~~ under ~~par. (a) 1.~~ <u>sub. (1)</u> for a period of not less than one year nor more than the maximum operating privilege revocation period permitted for the refusal or violation. ~~2. The court shall order the operating privilege restriction and the installation of an ignition interlock device under par. (a) 2. for a period of not less than one year nor more than the maximum operating privilege revocation period~~

~~permitted for the refusal or violation~~, beginning ~~one year after the operating privilege revocation period begins~~ on the date the department issues any license granted under this chapter. The court may order the installation of an ignition interlock device under sub. (1) immediately upon issuing an order under sub. (1).

SECTION 14. 343.301 (1) (c) of the statutes is renumbered 343.301 (3) (a) and amended to read:

343.301 **(3)** (a) ~~If~~ Except as provided in par. (b), if the court enters an order under ~~par. (a)~~ sub. (1), the person shall be liable for the reasonable cost of equipping and maintaining any ignition interlock device installed on his or her motor vehicle.

SECTION 15. 343.301 (1) (d) of the statutes is renumbered 343.301 (4) and amended to read:

343.301 **(4)** A person to whom an order under ~~par. (a)~~ sub. (1) applies violates that order if he or she fails to have an ignition interlock device installed as ordered, removes or disconnects an ignition interlock device, requests or permits another to blow into an ignition interlock device or to start a motor vehicle equipped with an ignition interlock device for the purpose of providing the person an operable motor vehicle without the necessity of first submitting a sample of his or her breath to analysis by the ignition interlock device, or otherwise tampers with or circumvents the operation of the ignition interlock device.

SECTION 16. 343.301 (2) of the statutes is repealed.

SECTION 17. 343.301 (3) (b) of the statutes is created to read:

343.301 **(3)** (b) If the court finds that the person who is subject to an order under sub. (1) has a household income that is at or below 150 percent of the nonfarm federal poverty line for the continental United States, as defined by the federal department of labor under 42 USC 9902 (2), the court shall limit the person's liability under par.

(a) to one−half of the cost of equipping each motor vehicle with an ignition interlock device and $1 per day per vehicle in which an ignition interlock device is installed.

SECTION 18. 343.301 (5) of the statutes is created to read:

343.301 **(5)** In addition to the the costs under sub. (3), the person shall pay to the department a surcharge of $50 upon the installation of the first ignition interlock device.

SECTION 19. 343.305 (10m) (title) of the statutes is amended to read:

343.305 **(10m)** (title) REFUSALS; ~~SEIZURE, IMMOBILIZATION OR~~ IGNITION INTERLOCK OF A MOTOR VEHICLE.

SECTION 20. 343.305 (10m) (a) of the statutes is amended to read:

343.305 **(10m)** (a) Except as provided in par. (b), if the person whose operating privilege is revoked under sub. (10) has one or more prior convictions, suspensions, or revocations, as counted under s. 343.307 (1), the procedure under s. 343.301 shall be followed if the court enters an order regarding operating privilege restriction ~~or enters an order regarding immobilization. If the number of convictions under ss. 940.09 (1) and 940.25 in the lifetime of the person whose operating privilege is revoked under sub. (10), plus the total number of other convictions, suspensions, and revocations counted under s. 343.307 (1), equals 2 or more, the procedure under s. 346.65 (6) shall be followed if the court orders seizure and forfeiture of the motor vehicle used in the improper refusal and owned by the person~~.

SECTION 21. 343.305 (10m) (b) of the statutes is amended to read:

343.305 **(10m)** (b) If the person whose operating privilege is revoked under sub. (10) has 2 or more convictions, suspensions, or revocations, as counted under s. 343.307 (1)~~ within any 5−year period~~, the procedure under s. 343.301 shall be followed if the court enters an order regarding operating privilege restriction and the

installation of an ignition interlock device ~~or enters an order regarding immobilization. If the number of convictions under ss. 940.09 (1) and 940.25 in the lifetime of the person whose operating privilege is revoked under sub. (10), plus the total number of other convictions, suspensions, and revocations counted under s. 343.307 (1), equals 2 or more, the procedure under s. 346.65 (6) shall be followed if the court orders seizure and forfeiture of the motor vehicle used in the improper refusal and owned by the person~~.

SECTION 22. 346.65 (6) of the statutes is repealed.

SECTION 23. 347.413 (title) and (1) of the statutes are amended to read:

347.413 (title) **Ignition interlock device tampering; failure to install.** **(1)** No person may remove, disconnect, tamper with, or otherwise circumvent the operation of an ignition interlock device installed in response to the court order under s. 346.65 (6), 1999 stats., or s. 343.301 (1), or fail to have the ignition interlock device installed as ordered by the court. This subsection does not apply to the removal of an ignition interlock device upon the expiration of the order requiring the motor vehicle to be so equipped or to necessary repairs to a malfunctioning ignition interlock device by a person authorized by the department.

SECTION 24. 347.417 (1) of the statutes is amended to read:

347.417 **(1)** No person may remove, disconnect, tamper with, or otherwise circumvent the operation of any immobilization device installed in response to a court order under s. 346.65 (6), 1999 stats., or s. 343.301 (2), 2007 stats. This subsection does not apply to the removal of an immobilization device pursuant to a court order or to necessary repairs to a malfunctioning immobilization device.

SECTION 25. 347.417 (2) of the statutes is amended to read:

347.417 **(2)** The department shall design a warning label which shall be affixed by the owner of each immobilization device before the device is used to immobilize any motor vehicle under s. 346.65 (6), 1999 stats., or s. 343.301 (2), 2007 stats. The label shall provide notice of the penalties for removing, disconnecting, tampering with, or otherwise circumventing the operation of the immobilization device.

SECTION 26. 347.50 (1s) of the statutes is amended to read:

347.50 **(1s)** Any person violating s. 347.413 (1) or 347.417 (1) may be required to forfeit not less than $150 nor more than $600, or may be imprisoned for not more than 6 months, or both for the first offense. For a 2nd or subsequent conviction within 5 years, the person may be fined not less than $300 nor more than $1,000, or imprisoned for not more than 6 months, or both.

SECTION 27. 347.50 (1t) of the statutes is created to read:

347.50 **(1t)** In addition to the penalty under sub. (1s), if a person who is subject to an order under s. 343.301 violates s. 347.413, the court shall extend the order under s. 343.301 (1) or (2m) for 6 months for each violation.

SECTION 28. 940.09 (1d) (a) 1. of the statutes is renumbered 940.09 (1d) (ac) and amended to read:

940.09 **(1d)** (ac) Except as provided in ~~subd. 2.~~ par. (bc), if the person who committed an offense under sub. (1) (a), (am), (b), (c), (cm), or (d) has 2 or more prior convictions, suspensions, or revocations, counting convictions under sub. (1) and s. 940.25 in the person's lifetime, plus other convictions, suspensions, or revocations counted under s. 343.307 (1), the procedure under s. 343.301 shall be followed if the court enters an order regarding operating privilege restriction ~~or enters an order regarding immobilization~~.

SECTION 29. 940.09 (1d) (a) 2. of the statutes is renumbered 940.09 (1d) (bc) and amended to read:

940.09 **(1d)** (bc) ~~Notwithstanding par. (b), if~~ If the person who committed an offense under sub. (1) (a), (am), (b), (c), (cm), or (d) has 2 or more convictions, suspensions, or revocations counted under s. 343.307 (1)~~ within any 5−year period~~, the procedure under s. 343.301 shall be followed if the court enters an order regarding operating privilege restriction and the installation of an ignition interlock device ~~or enters an order regarding immobilization~~.

SECTION 30. 940.09 (1d) (b) of the statutes is repealed.

SECTION 31. 940.25 (1d) (a) 1. of the statutes is renumbered 940.25 (1d) (ac) and amended to read:

940.25 **(1d)** (ac) Except as provided in ~~subd. 2.~~ par. (bc), if the person who committed an offense under sub. (1) (a), (am), (b), (c), (cm), or (d) has 2 or more prior convictions, suspensions, or revocations, counting convictions under sub. (1) and s. 940.09 (1) in the person's lifetime, plus other convictions, suspensions, or revocations counted under s. 343.307 (1), the procedure under s. 343.301 shall be followed if the court enters an order regarding operating privilege restriction ~~or enters an order regarding immobilization~~.

SECTION 32. 940.25 (1d) (a) 2. of the statutes is renumbered 940.25 (1d) (bc) and amended to read:

940.25 **(1d)** (bc) ~~Notwithstanding par. (b), if~~ If the person who committed an offense under sub. (1) (a), (am), (b), (c), (cm), or (d) has 2 or more convictions, suspensions, or revocations counted under s. 343.307 (1)~~ within any 5−year period~~, the procedure under s. 343.301 shall be followed if the court enters an order

regarding operating privilege restriction and the installation of an ignition interlock device ~~or enters an order regarding immobilization~~.

SECTION 33. 940.25 (1d) (b) of the statutes is repealed.

SECTION 34. Initial applicability.

(1) This act first applies to offenses that are committed on the effective date of this subsection.

SECTION 35. Effective dates. This act takes effect on first day of the 3rd month beginning after publication, except as follows:

(1) The repeal and recreation of s. 343.10 (2) (a) (intro) of the statutes takes effect on the first day of the 3rd month beginning after publication, or on the date on which the creation of section 343.165 of the statutes by 2007 Wisconsin Act 20 takes effect, whichever is later.

(END)

2009 ASSEMBLY BILL 66

February 17, 2009 − Introduced by Representatives ZEPNICK, BERCEAU, A. WILLIAMS and A. OTT. Referred to Committee on Urban and Local Affairs.

AN ACT ***to create*** 125.32 (8) and 125.68 (13) of the statutes; **relating to:** pricing of retail sales of alcohol beverages.

Analysis by the Legislative Reference Bureau

Under current law, with specific exceptions, no person may sell alcohol beverages at retail unless the person possesses a license or permit authorizing the sale. Class "B" licenses, issued by municipalities, authorize the retail sale of fermented malt beverages (beer) for consumption on or off the retail premises. "Class B" licenses, also issued by municipalities, authorize the retail sale of intoxicating liquor for consumption on or off the retail premises, which authorization is subject to certain limitations, some of which depend on whether the issuing municipality has adopted an ordinance related to "Class B" licenses. Under limited circumstances, the Department of Revenue may issue Class "B" and "Class B" permits that authorize the retail sale of, respectively, beer or intoxicating liquor for on−premises consumption.

Under this bill, no Class "B" or "Class B" licensee or permittee may, for a fixed price, provide to a customer an unlimited or undefined quantity of beer or intoxicating liquor. A retailer that violates this prohibition is subject to the general penalty for alcohol beverages violations, which is a fine of not more than $1,000 or imprisonment for not more than 90 days or both. The retailer's license or permit may also be revoked.

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

SECTION 1. 125.32 (8) of the statutes is created to read:

125.32 **(8)** CERTAIN RETAIL PRICING PROHIBITED. No Class "B" licensee or permittee may, for a fixed price, provide to a customer an unlimited or undefined quantity of fermented malt beverages.

SECTION 2. 125.68 (13) of the statutes is created to read:

125.68 **(13)** CERTAIN RETAIL PRICING PROHIBITED. No "Class B" licensee or permittee may, for a fixed price, provide to a customer an unlimited or undefined quantity of intoxicating liquor.

(END)

2009 ASSEMBLY BILL 67

February 17, 2009 − Introduced by Representatives ZEPNICK, HIXSON, BERCEAU, A. WILLIAMS and A. OTT. Referred to Committee on Urban and Local Affairs.

AN ACT ***to renumber and amend*** 125.32 (2) and 125.68 (2); ***to amend*** 125.17 (1), 125.32 (2) (title), 125.32 (3) (b), 125.68 (2) (title) and 945.041 (3); and ***to create*** 125.12 (7), 125.32 (2) (b) and 125.68 (2) (b) of the statutes; **relating to:** alcohol beverages operators' licenses, managers' licenses, and retail licenses, and persons responsible for the operation of certain retail licensed premises.

Analysis by the Legislative Reference Bureau

Under current law, with specific exceptions, no person may sell alcohol beverages at retail unless the person possesses a license or permit authorizing the sale. Class "B" licenses, issued by municipalities, authorize the retail sale of fermented malt beverages (beer) for consumption on or off the retail premises. "Class B" licenses, also issued by municipalities, authorize the retail sale of intoxicating liquor for consumption on or off the retail premises, which authorization is subject to certain limitations, some of which depend on whether the issuing municipality has adopted an ordinance related to "Class B" licenses.

Current law requires municipalities to issue operators' licenses (commonly called bartenders' licenses) and authorizes municipalities to issue managers' licenses. No retail seller of alcohol beverages may be open for business unless the licensee, the designated agent of a corporate licensee, or a person who possesses a manager's license or operator's license is present and responsible for the acts of all persons providing alcohol beverages on the premises.

This bill prohibits a person holding an operator's license or manager's license, or a person who is a Class "B" or "Class B" licensee or a designated agent of a

corporate Class "B" or "Class B" licensee, from being on Class "B" or "Class B" licensed premises where the person is employed or holds an ownership interest, during the person's working hours, if the person has an alcohol concentration of more than 0.0, as measured from the person's blood or breath. If a person is convicted of violating this prohibition three or more times, any operator's license, manager's license, or Class "B" or "Class B" license issued to the person or to a corporation for which the person is a designated agent must be revoked.

The bill also eliminates a statutory inconsistency as to whether an immediate family member of a Class "B" or "Class B" licensee is considered to hold an operator's license and treats such an immediate family member like other holders of operators' licenses.

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. 125.12 (7) of the statutes is created to read:

125.12 **(7)** REVOCATION OF RETAIL LICENSES AND PERMITS, MANAGERS' LICENSES, AND OPERATORS' LICENSES FOR CERTAIN VIOLATIONS. (a) Upon receiving notice that a person issued a retail license under s. 125.26 or 125.51, a manager's license under s. 125.18, or an operator's license under s. 125.17, or that a person named in such a retail license as an agent for a licensee that is a corporation or limited liability company, has been convicted 3 or more times of violating s. 125.32 (2) (b) or 125.68 (2) (b) within the issuing municipality, the municipality shall revoke the license, following the procedure specified in sub. (2) (ar) to (d).

(b) Upon receiving notice that a person issued a retail permit under s. 125.27 or 125.51, or that a person named in such a retail permit as an agent for a permittee that is a corporation or limited liability company, has been convicted 3 or more times of violating s. 125.32 (2) (b) or 125.68 (2) (b), the department shall revoke the permit, following the procedure specified in sub. (5).

SECTION 2. 125.17 (1) of the statutes is amended to read:

125.17 **(1)** AUTHORIZATION. Every municipal governing body shall issue an operator's license to any applicant who is qualified under s. 125.04 (5). Operators' licenses may not be required other than for the purpose of complying with ss. 125.32 (2) (a) and 125.68 (2) (a). Operators' licenses may be issued only upon written application.

SECTION 3. 125.32 (2) (title) of the statutes is amended to read:

125.32 **(2)** (title) OPERATORS LICENSES AND CLASS "A" OR CLASS "B" PREMISES SUPERVISION.

SECTION 4. 125.32 (2) of the statutes is renumbered 125.32 (2) (a) and amended to read:

125.32 **(2)** (a) Except as provided under sub. (3) (b) and s. 125.07 (3) (a) 10., and subject to par. (b), no premises operated under a Class "A" or Class "B" license or permit may be open for business unless there is upon the premises the licensee or permittee, the agent named in the license or permit if the licensee or permittee is a corporation or limited liability company, or some person who has an operator's license and who is responsible for the acts of all persons serving any fermented malt beverages to customers. An operator's license issued in respect to a vessel under s. 125.27 (2) is valid outside the municipality that issues it. For the purpose of this ~~subsection~~ paragraph, and subject to par. (b), any person holding a manager's license under s. 125.18 or any member of the licensee's or permittee's immediate family who has attained the age of 18 shall be considered the holder of an operator's license. No person~~, including a member of the licensee's or permittee's immediate family,~~ other than the licensee, permittee or agent may serve fermented malt beverages in any place operated under a Class "A" or Class "B" license or permit unless he or she has an operator's license, is considered to hold an operator's license, or is at least 18 years

of age and is under the immediate supervision of the licensee, permittee, agent or a person holding or considered to hold an operator's license, who is on the premises at the time of the service.

SECTION 5. 125.32 (2) (b) of the statutes is created to read:

125.32 **(2)** (b) No person holding or considered to hold an operator's license under s. 125.17, and no licensee or permittee or agent named in the license or permit if the licensee or permittee is a corporation or limited liability company, may be on premises operated under a Class "B" license or permit where the person is employed or holds an ownership interest, during the person's working hours, if the person has an alcohol concentration, as defined in s. 340.01 (1v), of more than 0.0.

SECTION 6. 125.32 (3) (b) of the statutes is amended to read:

125.32 **(3)** (b) Class "A" premises may remain open for the conduct of their regular business but may not sell fermented malt beverages between 12 midnight and 8 a.m. Subsection (2) (a) does not apply to Class "A" premises between 12 midnight and 8 a.m. or at any other time during which the sale of fermented malt beverages is prohibited by a municipal ordinance adopted under par. (d).

SECTION 7. 125.68 (2) (title) of the statutes is amended to read:

125.68 **(2)** (title) OPERATORS' LICENSES; AND "CLASS A", "CLASS B" OR "CLASS C" PREMISES SUPERVISION.

SECTION 8. 125.68 (2) of the statutes is renumbered 125.68 (2) (a) and amended to read:

125.68 **(2)** (a) Except as provided under s. 125.07 (3) (a) 10., and subject to par. (b), no premises operated under a "Class A" or "Class C" license or under a "Class B" license or permit may be open for business unless there is upon the premises either the licensee or permittee, the agent named in the license or permit if the licensee or

permittee is a corporation or limited liability company, or some person who has an operator's license and who is responsible for the acts of all persons selling or serving any intoxicating liquor to customers. An operator's license issued in respect to a vessel under s. 125.51 (5) (c) is valid outside the municipality that issues it. For the purpose of this ~~subsection~~ paragraph, and subject to par. (b), any person holding a manager's license issued under s. 125.18 or any member of the licensee's or permittee's immediate family who has attained the age of 18 shall be considered the holder of an operator's license. No person~~, including a member of the licensee's or permittee's immediate family,~~ other than the licensee, permittee or agent may serve or sell alcohol beverages in any place operated under a "Class A" or "Class C" license or under a "Class B" license or permit unless he or she has an operator's license, is considered to hold an operators license, or is at least 18 years of age and is under the immediate supervision of the licensee, permittee or agent or a person holding or considered to hold an operator's license, who is on the premises at the time of the service.

SECTION 9. 125.68 (2) (b) of the statutes is created to read:

125.68 **(2)** (b) No person holding or considered to hold an operator's license under s. 125.17, and no licensee or permittee or agent named in the license or permit if the licensee or permittee is a corporation or limited liability company, may be on premises operated under a "Class B" license or permit where the person is employed or holds an ownership interest, during the person's working hours, if the person has an alcohol concentration, as defined in s. 340.01 (1v), of more than 0.0.

SECTION 10. 945.041 (3) of the statutes is amended to read:

945.041 **(3)** Such proceeding shall be in the name of the state and the issues may be determined by a jury. It shall be instituted by the filing of a petition and

service of a notice as herein provided. The petition shall be directed to the circuit court and shall set forth a clear and concise statement of the grounds that are alleged to exist justifying a revocation of the license or permit under sub. (1), and shall request an order revoking such license or permit. It shall also request an injunction restraining the defendant from thereafter knowingly suffering or permitting any such devices or any horse race betting to be set up, kept, managed, used or conducted upon premises directly or indirectly controlled by the defendant. Upon the filing of such petition the court shall fix a time for hearing not to exceed 30 days from the date of filing at a place within the judicial circuit, and a copy of the petition and a notice of the time and place of hearing shall be served upon the defendant not less than 20 days prior to the date of hearing. Such service shall be made in the same manner as a summons is served in a civil action, except that it may also be made by leaving a copy of said petition and notice with any person charged with the operation of the licensed premises under s. 125.68 (2) (a). The allegations of the petition shall be deemed controverted and shall be at issue without further pleading by the defendant. No hearing shall be adjourned except for cause. If upon such hearing the court finds that the allegations of the petition are true, it shall issue a written order revoking the license or permit and shall likewise enjoin the defendant from thereafter knowingly suffering or permitting any gambling devices referred to in sub. (1) or any horse race betting to be set up, kept, managed, used or conducted upon premises directly or indirectly controlled by the defendant. The district attorney shall forthwith cause a copy of the order to be filed with the issuing authority of the license or permit and shall cause a copy to be served upon the defendant as above provided or the defendant's attorney. The revocation and injunction shall become

effective upon such service. In cases where a license is issued by a town, city or village, a copy of the order shall also be filed with the department of revenue.

(END)

2009 ASSEMBLY BILL 85

February 24, 2009 − Introduced by Representatives GOTTLIEB, TAUCHEN, NYGREN, LOTHIAN, NEWCOMER, MURSAU, VOS, TOWNSEND, BIES, MURTHA, BALLWEG, NERISON, STRACHOTA and SPANBAUER, cosponsored by Senators GROTHMAN, TAYLOR and DARLING. Referred to Committee on Urban and Local Affairs.

AN ACT ***to amend*** 125.51 (10) of the statutes; **relating to:** temporary alcohol beverage retail licenses.

Analysis by the Legislative Reference Bureau

Current law authorizes municipalities to issue temporary "Class B" licenses to certain clubs, fair associations, agricultural societies, churches, veterans organizations, lodges, and societies that authorize the retail sale of wine at fairs, meetings, picnics, and similar gatherings hosted by these organizations. A municipality may not issue to one of these organizations more than two temporary "Class B" licenses in any 12−month period.

This bill increases, from two to ten, the number of temporary "Class B" licenses that a municipality may issue to one of these organizations in any 12−month period.

For further information see the ***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. 125.51 (10) of the statutes is amended to read:

125.51 **(10)** TEMPORARY LICENSES. Notwithstanding s. 125.68 (3), temporary "Class B" licenses may be issued to bona fide clubs, to county or local fair associations

or agricultural societies, to churches, lodges or societies that have been in existence for at least 6 months before the date of application and to posts of veterans' organizations authorizing the sale of wine in an original package, container or bottle or by the glass if the wine is dispensed directly from an original package, container or bottle at a particular picnic or similar gathering, at a meeting of the post, or during a fair conducted by the fair association or agricultural society. The amount of the fee for the license shall be $10, except that no fee may be charged to a person who at the same time applies for a temporary Class "B" license under s. 125.26 (6) for the same event. A license issued to a county or district fair licenses the entire fairgrounds where the fair is being conducted and all persons engaging in retail sales of wine from leased stands on the fairgrounds. The county or district fair to which the license is issued may lease stands on the fairgrounds to persons who may engage in retail sales of wine from the stands while the fair is being held. Not more than ~~2~~ 10 licenses may be issued under this subsection to any club, county or local fair association, agricultural association, church, lodge, society or veterans post in any 12−month period.

(END)

2009 ASSEMBLY JOINT RESOLUTION 15

February 17, 2009 − Introduced by Representatives GRIGSBY, KESSLER, BERCEAU, COLON, FIELDS, MASON, ROYS, SINICKI, TOLES, TURNER, A. WILLIAMS, YOUNG and A. OTT, cosponsored by Senators TAYLOR, GROTHMAN, LEHMAN, PLALE and ERPENBACH. Referred to Committee on Judiciary and Ethics.

Relating to: opposing a federal mandate requiring the suspension or revocation of driver's licenses in all circumstances in which a person has been convicted of a drug or other controlled substances violation and exercising the state's option to opt out of this federal mandate.

Whereas, federal law, under 23 USC 159 and regulations promulgated under this federal statute, including 23 CFR 192, requires states, as a prerequisite to receiving certain federal transportation−related funds, either to enact a state law mandating the suspension or revocation of driver's licenses in all circumstances in which a person has been convicted of a drug or other controlled substances violation or to resolve that the state is opposed to a federal mandate requiring the suspension or revocation of driver's licenses in these circumstances; and

Whereas, this state adopted legislation in accordance with this federal law in chapters 938 and 961 of the Wisconsin statutes, mandating driver's license suspensions for adults and juveniles convicted or adjudicated of a violation of this state's Uniform Controlled Substances Act; and

Whereas, the number of suspensions for violations of this state's uniform controlled substances rose from 8,130 in 2001 to 14,849 in 2006; and

Whereas, 37 states have adopted resolutions in opposition to the federal mandate, in accordance with the provisions of federal law described above; and

Whereas, the state desires to modify its legislation that was adopted in accordance with this federal law and to instead opt out of this federal mandate, and to do so without loss of federal transportation−related funds to the state; now, therefore, be it

Resolved by the assembly, the senate concurring, That the state of Wisconsin opposes a federal mandate requiring the suspension or revocation of driver's licenses in all circumstances in which a person has been convicted of a drug or other controlled substances violation and exercises its option to opt out of this federal mandate; and, be it further

Resolved, That the assembly chief clerk shall send copies of this joint resolution to the secretary of the U.S. department of transportation and to each member of the congressional delegation from this state.

(END)

2009 SENATE BILL 30

February 3, 2009 – Introduced by Senators ROBSON and KREITLOW, cosponsored by Representatives HIXSON, HUBLER, BERCEAU, BIES, DEXTER, A. OTT, POPE–ROBERTS, SINICKI, SMITH, TOLES, TOWNSEND and TURNER. Referred to Committee on Children and Families and Workforce Development.

AN ACT ***to amend*** 125.07 (1) (a) 2. and 125.07 (4) (a) 2. of the statutes; **relating to:** underage persons possessing, consuming, or being provided alcohol beverages on licensed premises when accompanied by a parent, guardian, or spouse.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, a person who has not attained the legal drinking age of 21 years (underage person), and who is not accompanied by his or her parent, guardian, or spouse who has attained the legal drinking age, may not knowingly possess or consume alcohol beverages and may not enter or be on any premises for which a license or permit for the retail sale of alcohol beverages has been issued (licensed premises). Also, no person, including a licensee or permittee, may procure for, sell, dispense, or give away (provide) alcohol beverages to an underage person who is not accompanied by his or her parent, guardian, or spouse who has attained the legal drinking age.

Under this bill, an underage person accompanied by a parent, guardian, or spouse who has attained the legal drinking age may possess, consume, or be provided alcohol beverages on licensed premises only if the underage person is at least 18 years of age. An underage person of any age may still enter or be on licensed premises

if accompanied by a parent, guardian, or spouse who has attained the legal drinking age.

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

SECTION 1. 125.07 (1) (a) 2. of the statutes is amended to read:

125.07 **(1)** (a) 2. No licensee or permittee may sell, vend, deal, or traffic in alcohol beverages to or with any underage person ~~not~~ unless the underage person is at least 18 years of age and is accompanied by his or her parent, guardian, or spouse who has attained the legal drinking age.

SECTION 2. 125.07 (4) (a) 2. of the statutes is amended to read:

125.07 **(4)** (a) 2. Unless at least 18 years of age and accompanied by a parent, guardian, or spouse who has attained the legal drinking age, possesses or consumes alcohol beverages on licensed premises.

SECTION 3. Initial applicability.

(1) This act first applies to violations committed on the effective date of this subsection.

(END)

2009 SENATE BILL 32

February 3, 2009 − Introduced by Senators KEDZIE and SCHULTZ, cosponsored by Representatives SMITH, STASKUNAS, LOTHIAN, BIES, A. OTT and ROTH. Referred to Committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing.

AN ACT ***to amend*** 340.01 (46m) (a) and (c) of the statutes; **relating to:** prohibited alcohol concentration.

Analysis by the Legislative Reference Bureau

Under current law, a person may not operate a motor vehicle, a boat, a snowmobile, or an all−terrain vehicle with a prohibited alcohol concentration (PBAC) while under the influence of an intoxicant or a controlled substance, or with a measurable amount of a restricted controlled substance in his or her blood (OWI−related offense). For a person who has committed two or fewer OWI−related offenses, the PBAC is 0.08 or more. For a person who has committed three or more OWI−related offenses, the PBAC is 0.02.

This bill lowers the PBAC for a person with one or more OWI−related offenses to 0.02.

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

SECTION 1. 340.01 (46m) (a) and (c) of the statutes are amended to read:

340.01 **(46m)** (a) If the person has ~~2 or fewer~~ no prior ~~convictions, suspensions, or revocations~~ violation, conviction, suspension, or revocation, as counted under s. 343.307 (1), an alcohol concentration of 0.08 or more.

(c) If the person has ~~3~~ 1 or more prior violations, convictions, suspensions or revocations, as counted under s. 343.307 (1), an alcohol concentration of more than 0.02.

(END)

2009 SENATE BILL 33

February 3, 2009 − Introduced by Senators KEDZIE, LEIBHAM and A. LASEE, cosponsored by Representatives NASS, LOTHIAN, KERKMAN, KAUFERT, BROOKS, GUNDERSON, J. OTT, KLEEFISCH, NYGREN, LEMAHIEU and HONADEL. Referred to Committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing.

AN ACT ***to create*** 343.30 (7) of the statutes; **relating to:** purchasing or leasing a motor vehicle after a violation relating to operating a motor vehicle while intoxicated and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a person who violates state law or a local ordinance prohibiting the operation of a motor vehicle while under the influence of an intoxicant or with a prohibited blood alcohol concentration is subject to having his or her operating privileges suspended or revoked. The duration of the suspension or revocation depends upon how many times the person has violated the state law or local ordinance and ranges from six months to three years.

This bill prohibits a person whose operating privileges have been suspended or revoked for a violation relating to operating a motor vehicle while intoxicated from purchasing or leasing a motor vehicle while his or her operating privileges are suspended or revoked. Under the bill, if a person whose operating privileges have been suspended or revoked has an occupational license, that person may purchase or lease a motor vehicle as long as the occupational license is in effect. A person who purchases or leases a motor vehicle in violation of the prohibition is guilty of a Class I felony and subject to a fine of up to $10,000, imprisonment of up to three years and six months, or both.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a

report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

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

SECTION 1. 343.30 (7) of the statutes is created to read:

343.30 **(7)** (a) A person whose license is suspended or revoked under sub. (1q) or s. 343.305 (10) may not purchase or lease a motor vehicle while the suspension or revocation is in effect. This subsection does not apply to a person who holds an occupational license under s. 343.10.

(b) Any person who violates par. (a) is guilty of a Class I felony.

(END)

2009 SENATE BILL 36

February 3, 2009 − Introduced by Senators TAYLOR, GROTHMAN, LEHMAN, PLALE and ERPENBACH, cosponsored by Representatives GRIGSBY, KESSLER, BERCEAU, COLON, FIELDS, MASON, ROYS, SINICKI, TOLES, TURNER, A. WILLIAMS, YOUNG and A. OTT. Referred to Committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing.

AN ACT ***to amend*** 343.32 (1m) (b) (intro.), 938.34 (14r) (a) and 961.50 (1) (intro.) of the statutes; **relating to:** motor vehicle operating privilege suspensions for controlled substance violations.

Analysis by the Legislative Reference Bureau

Current law requires a court to suspend the motor vehicle operating privilege of a person, including a juvenile, if the person is convicted of any violation of the state's Uniform Controlled Substances Act (drug violation). Under this bill, a court may, but is not required to, suspend a person's motor vehicle operating privilege if the person is convicted of a drug violation.

Also under current law, the Department of Transportation (DOT) must suspend a person's operating privilege whenever DOT receives notice that the person has been convicted in another state for an offense that, if committed in this state, would be a drug violation. Under this bill, DOT may, but is not required to, suspend a person's motor vehicle operating privilege if the person is convicted in another state for an offense that, if committed in this state, would be a drug violation.

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. 343.32 (1m) (b) (intro.) of the statutes is amended to read:

343.32 **(1m)** (b) (intro.) The secretary ~~shall~~ may suspend a person's operating privilege for not less than 6 months nor more than 5 years whenever notice has been received of the conviction of such person under federal law or the law of a federally recognized American Indian tribe or band in this state or the law of another jurisdiction for any offense therein which, if the person had committed the offense in this state and been convicted of the offense under the laws of this state, would have ~~required~~ permitted suspension of such person's operating privilege under s. 961.50. The person is eligible for an occupational license under s. 343.10 as follows:

SECTION 2. 938.34 (14r) (a) of the statutes is amended to read:

938.34 **(14r)** (a) In addition to any other dispositions imposed under this section, if the juvenile is found to have violated ch. 961, the court ~~shall~~ may suspend the juvenile's operating privilege, as defined in s. 340.01 (40), for not less than 6 months nor more than 5 years. ~~The~~ If a court suspends a person's operating privilege under this paragraph, the court shall immediately take possession of any suspended license and forward it to the department of transportation together with the notice of suspension stating that the suspension or revocation is for a violation of ch. 961.

SECTION 3. 961.50 (1) (intro.) of the statutes is amended to read:

961.50 **(1)** (intro.) If a person is convicted of any violation of this chapter, the court ~~shall~~ may, in addition to any other penalties that may apply to the crime, suspend the person's operating privilege, as defined in s. 340.01 (40), for not less than 6 months nor more than 5 years. ~~The~~ If a court suspends a person's operating privilege under this subsection, the court shall immediately take possession of any suspended license and forward it to the department of transportation together with

the record of conviction and notice of the suspension. The person is eligible for an occupational license under s. 343.10 as follows:

SECTION 4. Initial applicability.

(1) This act first applies to violations occurring on the effective date of this subsection.

(END)

History of Assembly Bill 17

http://www.legis.state.wi.us/2009/data/AB17hst.html

An Act to repeal 342.12 (4) (c) 1. b., 343.301 (1) (title), 343.301 (2), 346.65 (6), 940.09 (1d) (b) and 940.25 (1d) (b); to renumber and amend 343.301 (1) (c), 343.301 (1) (d), 940.09 (1d) (a) 1., 940.09 (1d) (a) 2., 940.25 (1d) (a) 1. and 940.25 (1d) (a) 2.; to consolidate, renumber and amend 343.301 (1) (a) 1. and 2. and 343.301 (1) (b) 1. and 2.; to amend 340.01 (46m) (c), 342.12 (4) (c) 1. c., 342.13 (1), 343.10 (2) (a) (intro.), 343.10 (5) (a) 3., 343.301 (title), 343.305 (10m) (title), 343.305 (10m) (a), 343.305 (10m) (b), 347.413 (title) and (1), 347.417 (1), 347.417 (2) and 347.50 (1s); to repeal and recreate 343.10 (2) (a) (intro.); and to create 20.395 (5) (hs), 343.10 (2) (f), 343.301 (3) (b), 343.301 (5) and 347.50 (1t) of the statutes; relating to: requiring ignition interlock devices for certain motor vehicle violations, granting rule-making authority, making an appropriation, and providing a penalty. (FE)
2009

02-03. A. Introduced by Representatives Staskunas, Kaufert, Smith, Jorgensen, Sherman, Ziegelbauer, Davis, Hebl, Berceau, A. Ott, Cullen, Townsend, Roth, Spanbauer, Richards, Shilling, Soletski, Barca, Gunderson and Turner; cosponsored by Senators Plale, Leibham, Lehman, Carpenter, Darling, Harsdorf, A. Lasee and Schultz.

02-03. A. Read first time and referred to committee on Public Safety..... 46

History of Assembly Bill 66

http://www.legis.state.wi.us/2009/data/AB66hst.html

An Act to create 125.32 (8) and 125.68 (13) of the statutes; relating to: pricing of retail sales of alcohol beverages.
2009

02-17. A. Introduced by Representatives Zepnick, Berceau, A. Williams and A. Ott.

02-17. A. Read first time and referred to committee on Urban and Local Affairs..... 62

History of Assembly Bill 67

http://www.legis.state.wi.us/2009/data/AB67hst.html

An Act to renumber and amend 125.32 (2) and 125.68 (2); to amend 125.17 (1), 125.32 (2) (title), 125.32 (3) (b), 125.68 (2) (title) and 945.041 (3); and to create 125.12 (7), 125.32 (2) (b) and 125.68 (2) (b) of the statutes; relating to: alcohol beverages operators' licenses, managers' licenses, and retail licenses, and persons responsible for the operation of certain retail licensed premises. (FE)
2009

02-17. A. Introduced by Representatives Zepnick, Hixson, Berceau, A. Williams and A. Ott.

02-17. A. Read first time and referred to committee on Urban and Local Affairs..... 62

History of Assembly Bill 85

http://www.legis.state.wi.us/2009/data/AB85hst.html

An Act to amend 125.51 (10) of the statutes; relating to: temporary alcohol beverage retail licenses. (FE)
2009
02-24. A. Introduced by Representatives Gottlieb, Tauchen, Nygren, Lothian, Newcomer, Mursau, Vos, Townsend, Bies, Murtha, Ballweg, Nerison, Strachota and Spanbauer; cosponsored by Senators Grothman, Taylor and Darling.
02-24. A. Read first time and referred to committee on Urban and Local Affairs 83

History of Assembly Joint Resolution 15

http://www.legis.state.wi.us/2009/data/AJR15hst.html

Relating to: opposing a federal mandate requiring the suspension or revocation of driver's licenses in all circumstances in which a person has been convicted of a drug or other controlled substances violation and exercising the state's option to opt out of this federal mandate.
2009
02-17. A. Introduced by Representatives Grigsby, Kessler, Berceau, Colon, Fields, Mason, Roys, Sinicki, Toles, Turner, A. Williams, Young and A. Ott; cosponsored by Senators Taylor, Grothman, Lehman, Plale and Erpenbach.
02-17. A. Read and referred to committee on Judiciary and Ethics..... 60
02-24. A. Public hearing held.

History of Assembly Joint Resolution 15

http://www.legis.state.wi.us/2009/data/AJR15hst.html

Relating to: opposing a federal mandate requiring the suspension or revocation of driver's licenses in all circumstances in which a person has been convicted of a drug or other controlled substances violation and exercising the state's option to opt out of this federal mandate.
2009
02-17. A. Introduced by Representatives Grigsby, Kessler, Berceau, Colon, Fields, Mason, Roys, Sinicki, Toles, Turner, A. Williams, Young and A. Ott; cosponsored by Senators Taylor, Grothman, Lehman, Plale and Erpenbach.
02-17. A. Read and referred to committee on Judiciary and Ethics..... 60
02-24. A. Public hearing held.

History of Senate Bill 30

http://www.legis.state.wi.us/2009/data/SB30hst.html

An Act to amend 125.07 (1) (a) 2. and 125.07 (4) (a) 2. of the statutes; relating to: underage persons possessing, consuming, or being provided alcohol beverages on licensed premises when accompanied by a parent, guardian, or spouse.
2009
02-03. S. Introduced by Senators Robson and Kreitlow; cosponsored by Representatives Hixson, Hubler, Berceau, Bies, Dexter, A. Ott, Pope-Roberts, Sinicki, Smith, Toles, Townsend and Turner.
02-03. S. Read first time and referred to committee on Children and Families and Workforce Development 48

History of Senate Bill 32

http://www.legis.state.wi.us/2009/data/SB32hst.html

An Act to amend 340.01 (46m) (a) and (c) of the statutes; relating to: prohibited alcohol concentration.
2009
02-03. S. Introduced by Senators Kedzie and Schultz; cosponsored by Representatives Smith, Staskunas, Lothian, Bies, A. Ott and Roth. 02-03. S. Read first time and referred to committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing..... 48

History of Senate Bill 33

http://www.legis.state.wi.us/2009/data/SB33hst.html

An Act to create 343.30 (7) of the statutes; relating to: purchasing or leasing a motor vehicle after a violation relating to operating a motor vehicle while intoxicated and providing a penalty.
2009
02-03. S. Introduced by Senators Kedzie, Leibham and A. Lasee; cosponsored by Representatives Nass, Lothian, Kerkman, Kaufert, Brooks, Gunderson, J. Ott, Kleefisch, Nygren, LeMahieu and Honadel.
02-03. S. Read first time and referred to committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing..... 48

History of Senate Bill 36

http://www.legis.state.wi.us/2009/data/SB36hst.html

An Act to amend 343.32 (1m) (b) (intro.), 938.34 (14r) (a) and 961.50 (1) (intro.) of the statutes; relating to: motor vehicle operating privilege suspensions for controlled substance violations. (FE)
2009
02-03. S. Introduced by Senators Taylor, Grothman, Lehman, Plale and Erpenbach; cosponsored by Representatives Grigsby, Kessler, Berceau, Colon, Fields, Mason, Roys, Sinicki, Toles, Turner, A. Williams, Young and A. Ott.

02-03. S. Read first time and referred to committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing..... 48
02-05. S. Public hearing held.
02-11. S. Executive action taken.
02-12. S. Report passage recommended by committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing, Ayes 5, Noes 0..... 61
02-12. S. Available for scheduling.
02-16. S. Fiscal estimate received.
02-18. S. Placed on calendar 2-24-2009 by committee on Senate Organization.
02-24. S. Read a second time 84
02-24. S. Ordered to a third reading 84
02-24. S. Rules suspended 84
02-24. S. Read a third time and passed, Ayes 25, Noes 8..... 84
02-24. S. Ordered immediately messaged 85
02-24. A. Received from Senate 84
02-24. A. Read first time and referred to committee on Judiciary and Ethics..... 84

History of Senate Joint Resolution 6

http://www.legis.state.wi.us/2009/data/SJR6hst.html

Relating to: opposing a federal mandate requiring the suspension or revocation of driver's licenses in all circumstances in which a person has been convicted of a drug or other controlled substances violation and exercising the state's option to opt out of this federal mandate.
2009
02-03. S. Introduced by Senators Taylor, Grothman, Lehman, Plale and Erpenbach; cosponsored by Representatives Grigsby, Kessler, Berceau, Colon, Fields, Mason, Roys, Sinicki, Toles, Turner, A. Williams, Young and A. Ott.
02-03. S. Read and referred to committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing..... 47
02-05. S. Public hearing held.
02-11. S. Executive action taken.
02-12. S. Report adoption recommended by committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing, Ayes 5, Noes 0..... 61
02-12. S. Available for scheduling.
02-18. S. Placed on calendar 2-24-2009 by committee on Senate Organization.
02-24. S. Adopted, Ayes 25, Noes 8..... 83
02-24. S. Ordered immediately messaged..... 83
02-24. A. Received from Senate..... 84
02-24. A. Read and referred to committee on Judiciary and Ethics..... 84

History of Senate Joint Resolution 6

http://www.legis.state.wi.us/2009/data/SJR6hst.html

Relating to: opposing a federal mandate requiring the suspension or revocation of driver's licenses in all circumstances in which a person has been convicted of a drug or other controlled substances violation and exercising the state's option to opt out of this federal mandate.
2009

02-03. S. Introduced by Senators Taylor, Grothman, Lehman, Plale and Erpenbach; cosponsored by Representatives Grigsby, Kessler, Berceau, Colon, Fields, Mason, Roys, Sinicki, Toles, Turner, A. Williams, Young and A. Ott.

02-03. S. Read and referred to committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing..... 47

02-05. S. Public hearing held.

02-11. S. Executive action taken.

02-12. S. Report adoption recommended by committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing, Ayes 5, Noes 0..... 61

02-12. S. Available for scheduling.

02-18. S. Placed on calendar 2-24-2009 by committee on Senate Organization.

02-24. S. Adopted, Ayes 25, Noes 8..... 83

02-24. S. Ordered immediately messaged..... 83

02-24. A. Received from Senate..... 84

02-24. A. Read and referred to committee on Judiciary and Ethics..... 84

Simplified Roberts Rules of Order

Main ideas:

- Everyone has the right to speak once if they wish, before anyone may speak a second time.
- Everyone has the right to know what is going on at all times.
- Only urgent matters may interrupt a speaker.
- The [members] discuss only one thing at a time.

How to do things:

1. **You want to bring up a new idea before the group.**
   After recognition by the [president], present your motion. A second is required for the motion to go to the floor for debate, or consideration.
2. **You want a motion just introduced by another person to be killed.**

Without recognition from the [president] simply state "I object to consideration." This must be done before any debate. This motion requires no second, is not debatable and requires a 2/3 vote.

3. **You want to change some of the wording in a motion under debate.**
   After recognition by the [president], move to amend by
   - adding words,
   - striking words or
   - striking and inserting words.
4. **You like the idea of a motion under debate, but you need to reword it beyond simple word changes.**
   Move to substitute your motion for the original motion. If it is seconded, debate will continue on both motions and eventually the body will vote on which motion they prefer.
5. **You want more study and/or investigation given to the idea under debate.**
   Move to refer to a committee. Try to be specific as to the charge to the committee.
6. **You want more time personally to study the proposal under debate.**
   Move to postpone to a definite time or date.
7. **You are tired of the current debate.**
   Move to limit debate to a set period of time or to a set number of speakers. Requires a 2/3 vote.
8. **You have heard enough debate.**
   Move to close the debate. Requires a 2/3 vote.
   Or move to previous question. This cuts off debate and brings the assembly to a vote on the pending question only. Requires a 2/3 vote.
9. **You want to postpone a motion until some later time.**
   Move to table the motion. The motion may be taken from the table after 1 item of business has been conducted. If the motion is not taken from the table by the end of the next meeting, it is dead. To kill a motion at the time it is tabled requires a 2/3 vote. A majority is required to table a motion without killing it.
10. **You want to take a short break.**
    Move to recess for a set period of time.
11. **You want to end the meeting.**
    Move to adjourn.
12. **You are unsure that the [president] has announced the results of a vote correctly.**
    Without being recognized, call for a “division of the house." At this point a standing vote will be taken.
13. **You are confused about a procedure being used and want clarification.**
    Without recognition, call for "Point of Information" or “Point of Parliamentary Inquiry.” The [president] will ask you to state your question and will attempt to clarify the situation.

14. **You have changed your mind about something that was voted on earlier in the meeting for which you were on the winning side.**
    Move to reconsider. If the majority agrees, the motion comes back on the floor as though the vote had not occurred.
15. **You want to change an action voted on at an earlier meeting.**
    Move to rescind. If previous written notice is given, a simple majority is required. If no notice is given, as 2/3 vote is required.

You may INTERRUPT a speaker for these reasons only:

- to get information about business -point of information
- to get information about rules -parliamentary inquiry
- if you can't hear, safety reasons, comfort, etc. -question of privilege
- if you see a breach of the rules -point of order
- if you disagree with the [president]'s ruling -appeal

You may influence WHAT the [members] discuss:

- if you would like to discuss something -motion
- if you would like to change a motion under discussion -amend

You may influence HOW and WHEN the [members] discuss a motion:

- if you want to limit debate on something -limit debate
- if you want a committee to evaluate the topic and report back -commit
- if you want to discuss the topic at another time -postpone or lay it on the table
- if you think people are ready to vote -previous question

Parliamentary Procedure Motions Chart

Adjourn	S			M	
Recess	S		A	M	
Table	S			M	
Close Debate	S			2/3	R
Limit Debate	S		A	2/3	R
Postpone To Later Time	S	D	A	M	R
Refer To Committee	S	D	A	M	R
Amend Amendment	S	D		M	R
Postpone Indefinitely	S	D	A	M	R
Main Motion	S	D	A	M	R

- S = Must Be Seconded D = Debatable A = Amendable M = Requires A Simple Majority Vote 2/3 = Requires A 2/3 Vote R = May Be Reconsidered Or Rescinded

Adapted from Case Western Reserve Graduate Student Senate; changes in [ ]

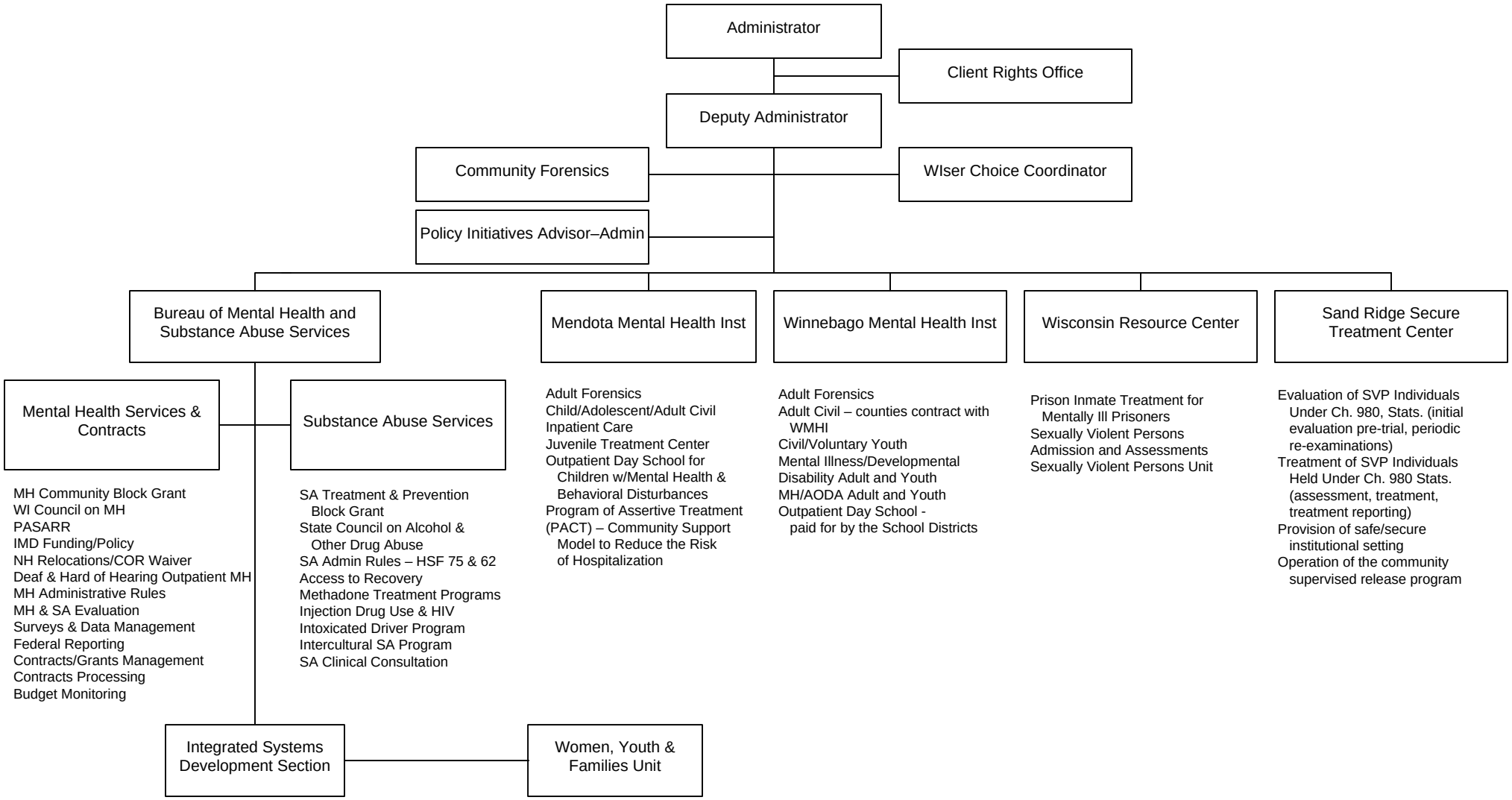
Link: https://oceanpark.net/opa/docs/SimplifiedRobertsRulesofOrder.pdf

Department of Health and Family Services

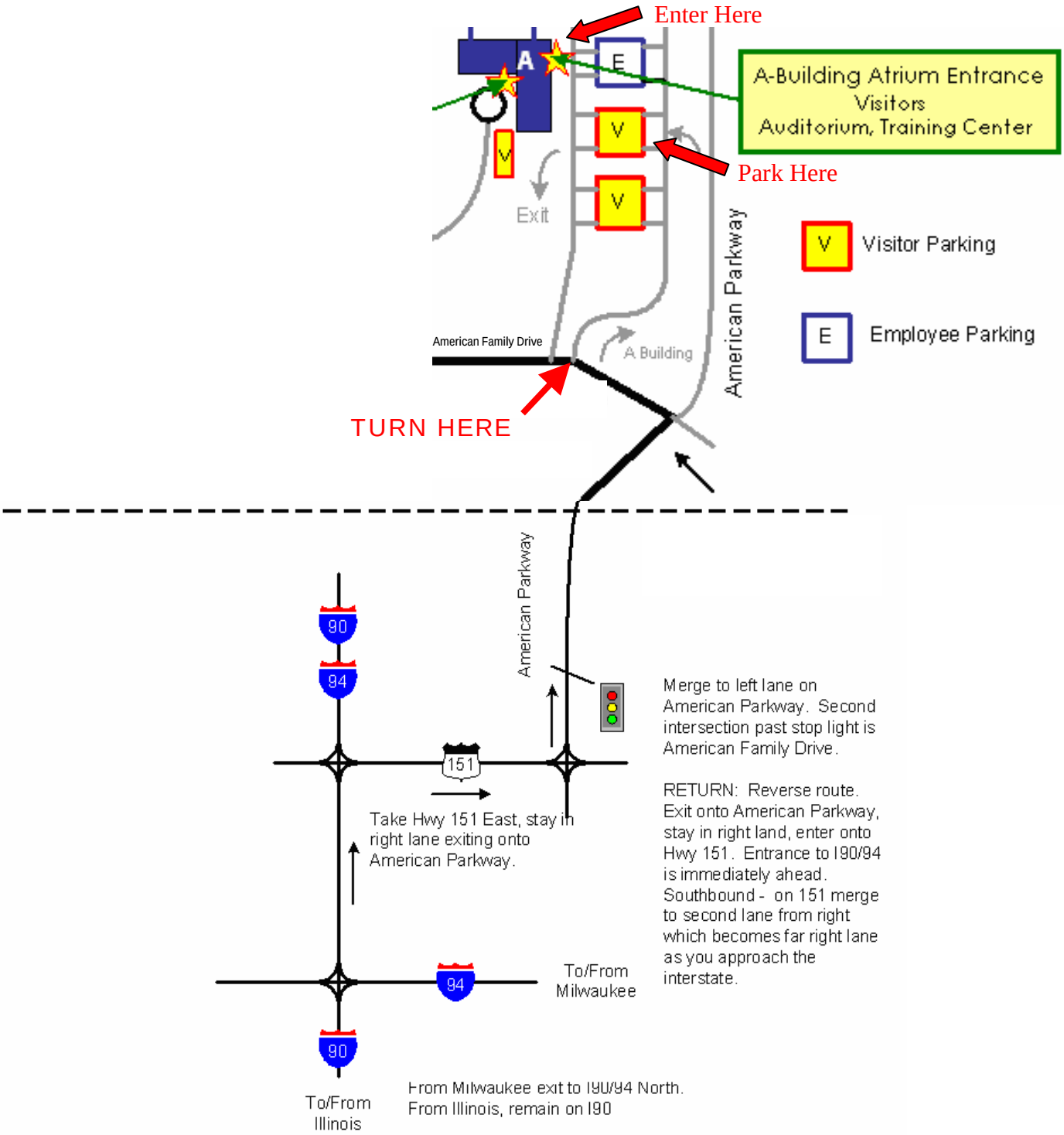
June 2007

Division of Mental Health and Substance Abuse Services

Functions



Directions to American Family's Training Center and Auditorium



Highway Directions to AF-NHQ Campus