



1997 ASSEMBLY BILL 741

January 27, 1998 - Introduced by Representatives OURADA, AINSWORTH, BRANDEMUEHL, MUSSER, ALBERS, REYNOLDS, SPRINGER, OWENS, F. LASEE and JESKEWITZ, cosponsored by Senators MOORE and ROSENZWEIG. Referred to Committee on Health.

1 **AN ACT to renumber** 51.42 (5a); **to renumber and amend** 51.42 (5); **to amend**
2 46.23 (3) (b) 2. b., 51.42 (6) (intro.), 51.42 (6m) (e), 51.42 (6m) (f) and 51.42 (8)
3 (b) 1.; and **to create** 51.42 (5) (b) and 51.42 (5a) (b) of the statutes; **relating to:**
4 authorizing certain county community programs boards and certain county
5 community programs directors, together with private or public organizations
6 or affiliations, to organize, establish and participate in the governance and
7 operation of an entity to operate a mental health-related service.

Analysis by the Legislative Reference Bureau

Under current law, the county board of supervisors of Milwaukee County may, together with a private or public organization or affiliation, organize, establish and participate in the governance and operation of an entity to operate a health-related service, participate in the financing of the entity and provide administrative and financial services or resources for its operation on terms that the county board of supervisors prescribes.

This bill authorizes similar powers for a county community programs board with respect to the provision of mental health-related services, subject to approval by the county board of supervisors. In counties (other than Milwaukee County) with a county executive or a county administrator, the bill authorizes the powers for the county community programs director, subject to approval by the county executive or county administrator.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 46.23 (3) (b) 2. b. of the statutes is amended to read:

2 46.23 **(3)** (b) 2. b. Any reference in any law to a county director appointed under
3 s. 46.22 (2) (b), 51.42 (5) ~~(d)~~ (a) 4. or 51.437 (9) (a) applies to the county human services
4 director appointed under sub. (5) (f) in his or her administration of the powers and
5 duties of the county director to which the reference is made. Except as provided in
6 s. 46.21 (2m) (b) 2. b., any reference in any law to a county director appointed under
7 s. 46.22 (3m) (a), 51.42 (6m) (intro.) or 51.437 (10m) (intro.) applies to the county
8 human services director appointed under sub. (6m) (intro.) in his or her
9 administration of the powers and duties of the county director to which the reference
10 is made.

11 **SECTION 2.** 51.42 (5) of the statutes is renumbered 51.42 (5) (a), and 51.42 (5)
12 (a) 12., as renumbered, is amended to read:

13 51.42 **(5)** (a) 12. Determine, subject to the approval of the county board of
14 supervisors in a county with a single-county department of community programs or
15 the county boards of supervisors in counties with a multicounty department of
16 community programs and with the advice of the county community programs
17 director appointed under ~~par. (d)~~ subd. 4., whether services are to be provided
18 directly by the county department of community programs or contracted for with
19 other providers and make such contracts. The county board of supervisors in a
20 county with a single-county department of community programs or the county
21 boards of supervisors in counties with a multicounty department of community

1 programs may elect to require the approval of any such contract by the county board
2 of supervisors in a county with a single-county department of community programs
3 or the county boards of supervisors in counties with a multicounty department of
4 community programs.

5 **SECTION 3.** 51.42 (5) (b) of the statutes is created to read:

6 51.42 (5) (b) Subject to the approval of the county board of supervisors in a
7 county with a single-county department of community programs or the county
8 boards of supervisors in counties with a multicounty department of community
9 programs and with the advice of the county community programs director appointed
10 under par. (a) 4., a county community programs board appointed under sub. (4) (a)
11 1. may, together with a private or public organization or affiliation, do all of the
12 following:

- 13 1. Organize, establish and participate in the governance and operation of an
14 entity to operate, wholly or in part, any mental health-related service.
- 15 2. Participate in the financing of the entity under subd. 1.
- 16 3. Provide administrative and financial services or resources for operation of
17 the entity under subd. 1. on terms prescribed by the county board of supervisors.

18 **SECTION 4.** 51.42 (5a) of the statutes is renumbered 51.42 (5a) (a).

19 **SECTION 5.** 51.42 (5a) (b) of the statutes is created to read:

20 51.42 (5a) (b) The county community programs director, subject only to the
21 supervision of the county executive or county administrator, may do all of the
22 following:

- 23 1. Organize, establish and participate in the governance and operation of an
24 entity to operate, wholly or in part, any mental health-related service.
- 25 2. Participate in the financing of the entity under subd. 1.

1 3. Provide administrative and financial services or resources for operation of
2 the entity under subd. 1. on terms prescribed by the county executive or county
3 administrator.

4 **SECTION 6.** 51.42 (6) (intro.) of the statutes is amended to read:

5 51.42 **(6)** POWERS AND DUTIES OF COUNTY COMMUNITY PROGRAMS DIRECTOR IN
6 CERTAIN COUNTIES. (intro.) A county community programs director appointed under
7 sub. (5) ~~(d)~~ (a) 4. shall have all of the administrative and executive powers and duties
8 of managing, operating, maintaining and improving the programs of the county
9 department of community programs, subject to such delegation of authority as is not
10 inconsistent with this section and the rules of the department of health and family
11 services promulgated under this section. In consultation and agreement with the
12 county community programs board, the county community programs director
13 appointed under sub. (5) (d) shall do all of the following:

14 **SECTION 7.** 51.42 (6m) (e) of the statutes is amended to read:

15 51.42 **(6m)** (e) Assist the county community programs board under sub. (5a)
16 in the preparation of the budgets required under sub. (5a) ~~(e)~~ (a) 3.

17 **SECTION 8.** 51.42 (6m) (f) of the statutes is amended to read:

18 51.42 **(6m)** (f) Make recommendations to the county executive or county
19 administrator regarding modifications to the proposed budget prepared by the
20 county community programs board under sub. (5a) ~~(e)~~ (a) 3.

21 **SECTION 9.** 51.42 (8) (b) 1. of the statutes is amended to read:

22 51.42 **(8)** (b) 1. Any reference in any law to a county community programs
23 director appointed under sub. (5) ~~(d)~~ (a) 4. applies to the director of a county

1 department appointed under s. 46.23 (5) (f) in his or her administration of the powers
2 and duties of that county community programs director.

3 (END)