

2013 DRAFTING REQUEST

Bill

Received: **10/25/2013** Received By: **tdodge**
 Wanted: **As time permits** Same as LRB:
 For: **Joe Sanfelippo (608) 266-0620** By/Representing: **Brian Larson (LC)**
 May Contact: **Brian Larson (Leg Council)** Drafter: **tdodge**
 Subject: **Mental Health - miscellaneous** Addl. Drafters: **emueller**
 Extra Copies:

Submit via email: **YES**
 Requester's email: **Rep.Sanfelippo@legis.wisconsin.gov**
 Carbon copy (CC) to: **tamara.dodge@legis.wisconsin.gov**
brian.larson@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Oversight of Milwaukee County mental health functions, services, and programs.

Instructions:

See attached

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
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| /? | tdodge 12/16/2013 | | | _____ | | | |
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| /P2 | tdodge | csicilia | jfrantze | _____ | srose | | State |

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| /1 | | csicilia 1/31/2014 | jfrantze 1/31/2014 | _____ | sbasford 1/31/2014 | sbasford 1/31/2014 | State S&L |

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→ A+ Intro.

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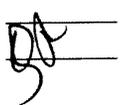
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In: 12/16

Due Today
ASAP

gs RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

D-note

SA

Gen Cat

and making an appropriation

1 AN ACT...; relating to: Milwaukee County mental health functions, programs,
2 and services and creation of the Milwaukee County mental health board.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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:

X

3 SECTION 1. 15.07 (1) (b) 24. of the statutes is created to read:

4 15.07 (1) (b) 24. The Milwaukee County mental health board, subject to 15.195
5 (9).

S.
15.195

X

6 SECTION 2. 15.07 (3) (bm) 7. of the statutes is created to read:

7 15.07 (3) (bm) 7. The Milwaukee County mental health board shall meet 4
8 times each year and may meet at other times on the call of the chairperson or a
9 majority of the board's members.

^

× 1 SECTION 3. 15.195 (9) of the statutes is created to read:

^

2 15.195 (9) MILWAUKEE COUNTY MENTAL HEALTH BOARD. There is created a
3 Milwaukee County mental health board, which is attached to the department of
4 health services under s. 15.03. The board shall consist of the following 7 members:

****NOTE: This draft attaches the Milwaukee County mental health board to DHS for limited purposes so that the board will have administrative support from DHS. Please note that there are default provisions governing boards in s. 15.07 some of which I have altered in this draft. Those provisions I have not changed will apply to the Milwaukee County mental health board as they apply to other boards.

5 (a) The secretary of the department, or his or her designee.

6 (b) Two members who are licensed in a medical or health profession in this
7 state, for staggered 3-year terms.

8 (c) Two members selected from persons suggested by the Milwaukee County
9 executive, for staggered 3-year terms. The county executive shall suggest to the
10 governor 3 persons who are licensed in a medical or health profession in this state
11 for each board membership position. The county executive shall suggest per
12 membership position at least one individual with experience in hospital
13 administration and at least one individual with a financial background and
14 experience in hospital administration.

****NOTE: I am unsure whether a hospital administrator must also be a medical or health professional. You may want to consider not putting the requirement to be a medical professional on the hospital administrator positions.

15 (d) Two members selected from persons suggested by the chairperson of the
16 Milwaukee County board of supervisors for staggered 3-year terms. The
17 chairperson of the Milwaukee County board of supervisors shall suggest to the
18 governor 3 persons who are licensed in a medical or health profession in this state
19 for each board membership position. The chairperson shall suggest per membership
20 position at least one representative from a mental health advocacy group and at least

1 one psychiatrist licensed under subch. II of ch. 448 or one psychologist licensed under
2 ch. 455.

3 SECTION 4. 20.435 (5) (a) of the statutes is amended to read:

4 20.435 (5) (a) *General program operations.* The amounts in the schedule for
5 general program operations relating to mental health and alcoholism or other drug
6 abuse services, including field services and administrative services and for the
7 Milwaukee County mental health board.

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33, 139, 186, 318, 320, 326, 327; 2005 a. 15, 22; 2005 a. 25 ss. 299 to 331, 2498 to 2500, 2510; 2005 a. 74, 107, 199, 228, 264, 388, 406, 434; 2007 a. 20 ss. 331 to 422, 9121 (6) (a); 2007 a. 39, 88, 107, 111, 130; 2009 a. 2, 15; 2009 a. 28 ss. 325 to 470, 485, 488, 490; 2009 a. 76, 180, 190, 219, 274, 276, 279, 318, 334; 2011 a. 32, 70, 257; 2013 a. 20; s. 35.17 correction in (4) (gr), (5) (ma).

***NOTE: The Milwaukee County mental health board reimburses its members for costs and will need administrative support from DHS so this draft adds this ~~function~~ to a DHS GPR appropriation. If you want to follow this approach, please consider how much money you would like to add to this appropriation for the board. Alternatively, you may have Milwaukee County pay the state for these functions in some way. Please advise how you would like to fund the board.

PURPOSE

8 SECTION 5. 46.031 (2) of the statutes is amended to read:

9 46.031 (2) ASSESSMENT OF NEEDS. Before developing and submitting a proposed
10 budget to the county executive or county administrator or the county board or the
11 Milwaukee County mental health board, the county departments listed in sub. (1)
12 shall assess needs and inventory resources and services, using an open public
13 participation process.

History: 1977 c. 29 ss. 543, 544b; 1977 c. 418; 1979 c. 34 s. 2102 (20) (b); 1979 c. 221 ss. 337 to 347m, 2202 (20); 1979 c. 336, 355; 1981 c. 20 ss. 741 to 745, 2202 (20) (a); 1983 a. 27; 1985 a. 29 ss. 808, 3200 (56), 3202 (23); 1985 a. 120, 176, 332; 1993 a. 16; 1995 a. 27, 225; 2007 a. 20.

14 SECTION 6. 46.031 (2g) (a) of the statutes is amended to read:

15 46.031 (2g) (a) The department shall annually submit to the county board of
16 supervisors in a county with a single-county department, the Milwaukee County
17 mental health board, or the county boards of supervisors in counties with a
18 multicounty department a proposed written contract containing the allocation of

1 funds and such administrative requirements as necessary. The contract as approved
2 may contain conditions of participation consistent with federal and state law. The
3 contract may also include provisions necessary to ensure uniform cost accounting of
4 services. Any changes to the proposed contract shall be mutually agreed upon. The
5 county board of supervisors in a county with a single-county department, the
6 Milwaukee County mental health board, or the county boards of supervisors in
7 counties with a multicounty department shall approve the contract before January
8 1 of the year in which it takes effect unless the department grants an extension. The
9 county board of supervisors in a county with a single-county department, the
10 Milwaukee County mental health board, or the county boards of supervisors in
11 counties with a multicounty department may designate an agent to approve addenda
12 to any contract after the contract has been approved.

History: 1977 c. 29 ss. 543, 544b; 1977 c. 418; 1979 c. 34 s. 2102 (20) (b); 1979 c. 221 ss. 337 to 347m, 2202 (20); 1979 c. 336, 355; 1981 c. 20 ss. 741 to 745, 2202 (20) (a); 1983 a. 27; 1985 a. 29 ss. 808, 3200 (56), 3202 (23); 1985 a. 120, 176, 332; 1993 a. 16; 1995 a. 27, 225; 2007 a. 20.

13 **SECTION 7. 46.031 (2g) (b) of the statutes is amended to read:**

14 46.031 (2g) (b) The department may not approve contracts for amounts in
15 excess of available revenues. The county board of supervisors in a county with a
16 single-county department, the Milwaukee County mental health board, or the
17 county boards of supervisors in counties with a multicounty department may
18 appropriate funds not used to match state funds under ss. 46.495 (1) (d) and 51.423.
19 Actual expenditure of county funds shall be reported in compliance with procedures
20 developed by the department, and shall comply with standards guaranteeing quality
21 of care comparable to similar facilities.

History: 1977 c. 29 ss. 543, 544b; 1977 c. 418; 1979 c. 34 s. 2102 (20) (b); 1979 c. 221 ss. 337 to 347m, 2202 (20); 1979 c. 336, 355; 1981 c. 20 ss. 741 to 745, 2202 (20) (a); 1983 a. 27; 1985 a. 29 ss. 808, 3200 (56), 3202 (23); 1985 a. 120, 176, 332; 1993 a. 16; 1995 a. 27, 225; 2007 a. 20.

22 **SECTION 8. 46.031 (2r) (b) of the statutes is amended to read:**

1 46.031 (2r) (b) If the department withholds a portion of the allocable
2 appropriation under par. (a), the county department affected by the action of the
3 department may submit to the county board of supervisors in a county with a
4 single-county department or to its designated agent, to the Milwaukee County
5 mental health board, or to the county boards of supervisors in counties with a
6 multicounty department or their designated agents a plan to rectify the deficiency
7 found by the department. The county board of supervisors or its designated agent
8 in a county with a single-county department, the Milwaukee County mental health
9 board, or the county boards of supervisors in counties with a multicounty department
10 or their designated agents may approve or amend the plan and may submit for
11 departmental approval the plan as adopted. If a multicounty department is
12 administering a program, the plan may not be submitted unless each county board
13 of supervisors which participated in the establishment of the multicounty
14 department, or its designated agent, adopts it.

History: 1977 c. 29 ss. 543, 544b; 1977 c. 418; 1979 c. 34 s. 2102 (20) (b); 1979 c. 221 ss. 337 to 347m, 2202 (20); 1979 c. 336, 355; 1981 c. 20 ss. 741 to 745, 2202 (20) (a); 1983 a. 27; 1985 a. 29 ss. 808, 3200 (56), 3202 (23); 1985 a. 120, 176, 332; 1993 a. 16; 1995 a. 27, 225; 2007 a. 20.

15 **SECTION 9.** 46.031 (3) (a) of the statutes is amended to read:

16 46.031 (3) (a) *Citizen advisory committee.* Except as provided in par. (b), the
17 county board of supervisors of each county, the Milwaukee County mental health
18 board, as applicable, or the county boards of supervisors of 2 or more counties jointly
19 shall establish a citizen advisory committee to the county departments under ss.
20 46.215, 46.22, 46.23, 51.42, and 51.437. The citizen advisory committee shall advise
21 in the formulation of the budget under sub. (1). Membership on the committee shall
22 be determined by the county board of supervisors in a county with a single-county
23 committee, the Milwaukee County mental health board, as applicable, or by the
24 county boards of supervisors in counties with a multicounty committee and shall

1 include representatives of those persons receiving services, providers of service and
 2 citizens. A majority of the members of the committee shall be citizen and service
 3 consumers. The committee's membership may not consist of more than 25% county
 4 supervisors, nor of more than 20% service providers. The chairperson of the
 5 committee shall be appointed by the county board of supervisors establishing it or
 6 by the Milwaukee County mental health board, if it establishes the committee. In
 7 the case of a multicounty committee, the chairperson shall be nominated by the
 8 committee and approved by the county boards of supervisors establishing it. The
 9 county board of supervisors in a county with a single-county committee or the county
 10 boards of supervisors in counties with a multicounty committee may designate an
 11 agent to determine the membership of the committee and to appoint the committee
 12 chairperson or approve the nominee.

INSERT X



History: 1977 c. 29 ss. 543, 544b; 1977 c. 418; 1979 c. 34 s. 2102 (20) (b); 1979 c. 221 ss. 337 to 347m, 2202 (20); 1979 c. 336, 355; 1981 c. 20 ss. 741 to 745, 2202 (20) (a); 1983 a. 27; 1985 a. 29 ss. 808, 3200 (56), 3202 (23); 1985 a. 120, 176, 332; 1993 a. 16; 1995 a. 27, 225; 2007 a. 20.

SECTION 10. 46.031 (3) (c) of the statutes is amended to read:

14 46.031 (3) (c) *Yearly report.* The county board of supervisors or its designated
 15 agent, the Milwaukee County mental health board, or the boards of 2 or more
 16 counties acting jointly or their designated agent, shall submit to the department a
 17 list of members of the citizen advisory committee under par. (a) or a report on the
 18 open public participation process under par. (b) on or before July 1 of each year.

History: 1977 c. 29 ss. 543, 544b; 1977 c. 418; 1979 c. 34 s. 2102 (20) (b); 1979 c. 221 ss. 337 to 347m, 2202 (20); 1979 c. 336, 355; 1981 c. 20 ss. 741 to 745, 2202 (20) (a); 1983 a. 27; 1985 a. 29 ss. 808, 3200 (56), 3202 (23); 1985 a. 120, 176, 332; 1993 a. 16; 1995 a. 27, 225; 2007 a. 20.

SECTION 11. 46.034 (3) of the statutes is amended to read:

20 46.034 (3) With the agreement of the affected county board of supervisors in
 21 a county with a single-county department, the Milwaukee County mental health
 22 board, or boards of supervisors in counties with a multicounty department, effective
 23 for the contract period beginning January 1, 1980, the department may approve a

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

History: 1975 c. 39; 1977 c. 29, 418; 1979 c. 34; 1981 c. 20, 390; 1983 a. 27 s. 2202 (20); 1985 a. 120, 176, 332; 1987 a. 27 s. 724e; Stats. 1987 s. 46.034; 1989 a. 31; 1993 a. 27; 1997 a. 27; 2001 a. 16; 2005 a. 25; 2007 a. 20.

****NOTE: This provision refers to agreements. I am unsure whether the board will be able to enter into agreements on its own but will check into this.

22 **SECTION 12.** 46.175 of the statutes is amended to read:

1 **46.175 County institutions: minimum standards.** Notwithstanding any
2 other provision of law, any county currently operating an institution established
3 under s. 49.70, 49.71, 49.72, 51.08 or 51.09 may, by resolution of the county board or,
4 in Milwaukee County, the Milwaukee County mental health board, designate such
5 institution or distinct part of such institution as a facility to be operated under s.
6 50.02, 50.03 or 50.33. Any county institution or part thereof, where so designated,
7 shall be required to meet those licensure standards established by the department
8 for the type of facility designated by the county. Any designation under this section
9 may be made only if such designation will not result in any additional cost to the
10 state.

History: 1971 c. 215; 1975 c. 413 s. 18; 1975 c. 430 s. 80; 1995 a. 27.

11 **SECTION 13.** 46.18 (1) of the statutes is amended to read:

12 **46.18 (1) TRUSTEES.** Every county home, infirmary, hospital, or similar
13 institution, shall, subject to regulations approved by the county board or, in
14 Milwaukee County, the Milwaukee County mental health board, be managed by a
15 board of trustees, electors of the county, chosen by ballot by the county board. At its
16 annual meeting, the county board or the Milwaukee County mental health board, if
17 applicable, shall appoint an uneven number of trustees, from 3 to 9 at the option of
18 the board, for staggered 3-year terms ending the first Monday in January. Any
19 vacancy shall be filled for the unexpired term by the county board or the Milwaukee
20 County mental health board; but the chairperson of the county board may appoint
21 a trustee to fill the vacancy until the county board acts except in Milwaukee County
22 where the chairperson of the Milwaukee County mental health board may appoint

1 a trustee to fill the vacancy until the entire Milwaukee County mental health board
2 acts.

History: 1971 c. 50; 1971 c. 108 s. 6; 1979 c. 34, 110; 1981 c. 329; 1983 a. 192; 1985 a. 29; 1989 a. 31; 1991 a. 316; 1993 a. 89, 231; 1995 a. 27 ss. 2057, 9126 (19); 1999 a. 9; 2001 a. 107; 2007 a. 20 s. 9121 (6) (a).

3 **SECTION 14.** 46.18 (3) of the statutes is amended to read:

4 **46.18 (3) REMOVAL OF TRUSTEE.** Any trustee may be removed from office for
5 misconduct or neglect, by a two-thirds vote of the county board or of the Milwaukee
6 County mental health board, if applicable, on due notice in writing and hearing of
7 the charges against the trustee.

History: 1971 c. 50; 1971 c. 108 s. 6; 1979 c. 34, 110; 1981 c. 329; 1983 a. 192; 1985 a. 29; 1989 a. 31; 1991 a. 316; 1993 a. 89, 231; 1995 a. 27 ss. 2057, 9126 (19); 1999 a. 9; 2001 a. 107; 2007 a. 20 s. 9121 (6) (a).

8 **SECTION 15.** 46.18 (4) of the statutes is amended to read:

9 **46.18 (4) OATH OF OFFICE, BOND, EXPENSES, PAY.** Each trustee shall take and file
10 the official oath and execute and file an official bond to the county, in the amount
11 determined by the county board, or the Milwaukee County mental health board, and
12 the sufficiency of the sureties shall be approved by the chairperson of the board. Each
13 trustee shall be reimbursed for traveling expenses necessarily incurred in the
14 discharge of the duties, and shall receive the compensation fixed by the county board
15 or the Milwaukee County mental health board, unless otherwise provided by law.

History: 1971 c. 50; 1971 c. 108 s. 6; 1979 c. 34, 110; 1981 c. 329; 1983 a. 192; 1985 a. 29; 1989 a. 31; 1991 a. 316; 1993 a. 89, 231; 1995 a. 27 ss. 2057, 9126 (19); 1999 a. 9; 2001 a. 107; 2007 a. 20 s. 9121 (6) (a).

16 **SECTION 16.** 46.18 (11) of the statutes is amended to read:

17 **46.18 (11) COUNTY APPROPRIATION.** The county board or, in Milwaukee County,
18 the Milwaukee County mental health board shall annually appropriate for operation
19 and maintenance of each such institution not less than the amount of state aid
20 estimated by the trustees to accrue to said institution; or such lesser sum as may be
21 estimated by the trustees to be necessary for operation and maintenance.

History: 1971 c. 50; 1971 c. 108 s. 6; 1979 c. 34, 110; 1981 c. 329; 1983 a. 192; 1985 a. 29; 1989 a. 31; 1991 a. 316; 1993 a. 89, 231; 1995 a. 27 ss. 2057, 9126 (19); 1999 a. 9; 2001 a. 107; 2007 a. 20 s. 9121 (6) (a).

22 **SECTION 17.** 46.18 (12) of the statutes is amended to read:

1 46.18 (12) ADDITIONAL DUTIES. The county board or the Milwaukee County
2 mental health board as applicable may provide that the trustees and superintendent
3 of any institution shall be the trustees and superintendent of any other institution.

History: 1971 c. 50; 1971 c. 108 s. 6; 1979 c. 34, 110; 1981 c. 329; 1983 a. 192; 1985 a. 29; 1989 a. 31; 1991 a. 316; 1993 a. 89, 231; 1995 a. 27 ss. 2057, 9126 (19); 1999 a. 9; 2001 a. 107; 2007 a. 20 s. 9121 (6) (a).

4 **SECTION 18.** 46.18 (13) of the statutes is amended to read:

5 46.18 (13) BUILDING RESERVE FUND. The Except in Milwaukee County, the
6 county board shall maintain as a segregated cash reserve an annual charge of 2% of
7 the original cost of new construction or purchase or of the appraised value of existing
8 infirmary structures and equipment. In Milwaukee County, the Milwaukee County

9 mental health board, for mental health infirmary structures and equipment, ^{shall} require
10 the county board to maintain as a segregated cash reserve an annual charge of 2
11 percent of the original cost of new construction or purchase or of the appraised value
12 of existing mental health infirmary structures and equipment. If the infirmary or

13 any of its equipment is replaced, any net cost of replacement in excess of the original
14 cost is subject to an annual charge of 2%. No contributions to the cash reserve in
15 excess of the amount required under this subsection may be included in the
16 calculation under s. 49.726 (1). The county board may from time to time appropriate

17 from such reserve sums to be expended solely for the enlargement, modernization or
18 replacement of such infirmary and its equipment. In Milwaukee County, the county
19 board may only appropriate from (such) reserve sums to be expended for the
20 enlargement, modernization, or replacement of a mental health infirmary and its

21 equipment upon the request of the Milwaukee County mental health board.

History: 1971 c. 50; 1971 c. 108 s. 6; 1979 c. 34, 110; 1981 c. 329; 1983 a. 192; 1985 a. 29; 1989 a. 31; 1991 a. 316; 1993 a. 89, 231; 1995 a. 27 ss. 2057, 9126 (19); 1999 a. 9; 2001 a. 107; 2007 a. 20 s. 9121 (6) (a).

22 **SECTION 19.** 46.18 (14) of the statutes is amended to read:

for mental health infirmaries
LPS: it says: infirmaries

1 46.18 (14) INCENTIVE PAYMENTS TO PATIENTS IN MENTAL HOSPITALS. The county
 2 board or, in Milwaukee County, the Milwaukee County mental health board may
 3 authorize the board of trustees of any county mental hospital to establish a program
 4 of incentive payments so as to provide incentive and encouragement to patients by
 5 the disbursement of small weekly payments but not restricted to work allowances.
 6 Incentive payments paid to inmates shall not be included as costs in arriving at the
 7 per capita rate for state aids or charges to other counties and the state for care of
 8 inmates. ~~In counties having a population of 500,000 or more the county board of~~
 9 ~~supervisors Milwaukee County the Milwaukee County mental health board may~~
 10 ~~establish a similar program.~~

History: 1971 c. 50; 1971 c. 108 s. 6; 1979 c. 34, 110; 1981 c. 329; 1983 a. 192; 1985 a. 29; 1989 a. 31; 1991 a. 316; 1993 a. 89, 231; 1995 a. 27 ss. 2057, 9126 (19); 1999 a. 9; 2001 a. 107; 2007 a. 20 s. 9121 (6) (a).

11 **SECTION 20.** 46.18 (15) of the statutes is amended to read:

12 46.18 (15) JOINT OPERATION OF HEALTH-RELATED SERVICE. If the county board of
 13 supervisors, or the Milwaukee County mental health board, if applicable, so
 14 authorizes, the trustees of the county hospital may, together with a private or public
 15 organization or affiliation, organize, establish and participate in the governance and
 16 operation of an entity to operate, wholly or in part, any health-related service, may
 17 participate in the financing of the entity and may provide administrative and
 18 financial services or resources for its operation on terms prescribed by the county
 19 board of supervisors. or the Milwaukee County mental health board, if applicable

History: 1971 c. 50; 1971 c. 108 s. 6; 1979 c. 34, 110; 1981 c. 329; 1983 a. 192; 1985 a. 29; 1989 a. 31; 1991 a. 316; 1993 a. 89, 231; 1995 a. 27 ss. 2057, 9126 (19); 1999 a. 9; 2001 a. 107; 2007 a. 20 s. 9121 (6) (a).

20 **SECTION 21.** 46.19 (4) of the statutes is amended to read:

21 46.19 (4) The salaries of the superintendent, visiting physician and all
 22 necessary additional officers and employees shall be fixed by the county board or, if
 23 applicable, the Milwaukee County mental health board.

History: 1991 a. 316; 2001 a. 103.

1 SECTION 22. 46.21(2) (a), (j), (k), (m) and (q), (2m) (a) and (b) 1. (intro.), (3), (3g),
2 (3r), (4m) (a) and (b) and (6) of the statutes ^{are} ~~is~~ amended to read:

3 46.21 (2) (a) Shall adopt policies for the management, operation, maintenance
4 and improvement of the county hospital; the detention center; the probation section
5 of the children's court center; the provision and maintenance of the physical facilities
6 for the children's court and its intake section under the supervision and operation
7 of the judges assigned to exercise jurisdiction under chs. 48 and 938 and as provided
8 in s. 938.06 (1); ~~the mental health complex~~; the county department of human
9 services; the central service departments; and all buildings and land used in
10 connection with any institution under this section except a mental health
11 institution. The powers and duties of the county board of supervisors are policy
12 forming only, and not administrative or executive. The county board of supervisors
13 may not form policies regarding mental health or mental health institutions,
14 programs, or services.

15 (j) May exercise approval or disapproval power over contracts and purchases
16 of the director that are for \$50,000 or more, except that the county board of
17 supervisors may not exercise approval or disapproval power over any personal
18 service contract or over any contract or purchase of the director that relates to
19 community living arrangements, adult family homes, or foster homes and that was
20 entered into pursuant to a contract under s. 46.031 (2g) or 301.031 (2g), regardless
21 of whether the contract mentions the provider, except as provided in par. (m). The
22 county board of supervisors may not exercise ^{approval} ~~approval~~ approval or disapproval power over any
23 contract relating to mental health or mental health institutions, programs, or
24 services. This paragraph does not preclude the county board of supervisors from

1 creating a central purchasing department for all county purchases that are not
2 related to mental health.

3 (k) Shall make sufficient appropriation annually for the support, maintenance,
4 salaries, repairs and improvements to the county department of human services and
5 the institutions, except for mental health institutions. The appropriations shall be
6 used subject to the order of the director or administrator and as the policies adopted
7 by the county board of supervisors provide. The director or administrator may not
8 incur any expense or contract for new buildings, additions to present buildings or the
9 purchase of land until the county board of supervisors, or the Milwaukee County
10 mental health board, if applicable, has appropriated or provided for the money to
11 defray such expense.

12 (m) May establish and maintain in connection with such county hospital, an
13 emergency unit or department for the treatment, subject to such rules as may be
14 prescribed by the county board of supervisors, of persons in the county who may meet
15 with accidents or be suddenly afflicted with illness not contagious; provided that
16 medical care and treatment shall only be furnished in such unit or department until
17 such time as the patient may be safely removed to another hospital or to his or her
18 place of abode, or regularly admitted to the county hospital. The county board of
19 supervisors may also contract with any private hospital or nonprofit hospital within
20 the county for the use of its facilities and for medical service to be furnished by a
21 licensed physician or physicians to patients who require emergency medical
22 treatment or first aid as a result of any accident, injury or sudden affliction of illness
23 occurring within the county, except that reasonable compensation may only be
24 authorized until the patient is regularly admitted as an inpatient or safely removed
25 to another hospital or to his place of abode. In this paragraph, “hospital” includes,

1 without limitation due to enumeration, public health centers, medical facilities and
 2 general, tuberculosis, ~~mental~~, chronic disease and other types of hospitals and
 3 related facilities, such as laboratories, outpatient departments, nurses' home and
 4 training facilities, and central service facilities operated in connection with
 5 hospitals. In this paragraph, "hospital" does not include any hospital furnishing
 6 primarily domiciliary care. In this paragraph "nonprofit hospital" means any
 7 hospital owned and operated by a corporation or association, no part of the net
 8 earnings of which inures, or may lawfully inure, to the benefit of any private
 9 shareholder or individual.

10 (q) May, together with a private or public organization or affiliation, organize,
 11 establish and participate in the governance and operation of an entity to operate,
 12 wholly or in part, any health-related service except a mental health-related service,
 13 may participate in the financing of the entity and may provide administrative and
 14 financial services or resources for its operation on terms prescribed by the county
 15 board of supervisors.

16 (2m) COUNTY DEPARTMENT OF HUMAN SERVICES. (a) *Creation.* The management,
 17 operation, maintenance and improvement of human services in a county with a
 18 population of ~~500,000~~ 750,000 or more is vested in a county department of human
 19 services under the jurisdiction, as to policy, of the county board of supervisors or the
 20 Milwaukee County mental health board as to mental health policy. The county
 21 department of human services shall consist of the director appointed under sub.
 22 (1m), any division administrator appointed under sub. (4) and necessary personnel
 23 appointed by the director or appointed by a division administrator and approved by
 24 the director.

(1) (b) Powers and duties. 1. ^(intro.) The county board of supervisors or, in matters related to mental health, the Milwaukee County mental health board may transfer the powers and duties of any human services program under the control of the county and shall transfer all of the following to the county department of human services:

(3) POWERS AND DUTIES OF THE DIRECTOR. All of the administrative and executive powers and duties of managing, operating, maintaining and improving the county department of human services and other institutions and departments that the county board of supervisors or, in matters of mental health, the Milwaukee County mental health board may place under the jurisdiction of the director are vested in the director, subject to the policies and in accordance with the principles adopted by the county board of supervisors.

(3g) POWERS AND DUTIES OF THE ADMINISTRATOR. All of the administrative and executive powers and duties of managing, operating, maintaining and improving the county hospital and other institutions and departments that the county board of supervisors ^{or, in matters of mental health, the Milwaukee County mental health board} or, in matters^s of mental health, the Milwaukee County mental health board may place under the jurisdiction of the administrator are vested in the administrator, subject to the policies and in accordance with the principles adopted by the county board of supervisors ^{or, in matters^s of mental health, the Milwaukee County mental health board.}

(3r) OTHER POWERS AND DUTIES. The county board of supervisors or, in matters of mental health, the Milwaukee County mental health board may place under the jurisdiction of county entities not specified under this section the administrative and executive powers and duties of managing, operating, maintaining and improving institutions and departments or other responsibilities that are specified in sub. (2),

1 including functions related to the central service departments and buildings and
2 land used in connection with any institution under sub. (2).

3 (4m) HOSPITALS AND SANATORIUMS. (a) The county hospitals and county
4 sanatoriums of a county with a population of ~~500,000~~ 750,000 or more shall be
5 devoted to hospital service and the treatment of patients upon such terms and
6 conditions as the county board of supervisors or, in matters of mental health, the
7 Milwaukee County mental health board establishes. The hospitals and sanatoriums
8 may be utilized for instruction of medical students, physicians and nurses and for
9 scientific and clinical research that will promote the welfare of the patients and
10 assist the application of science to the alleviation of human suffering.

11 (b) Professional staff responsible for the care of patients under this subsection
12 may submit bills for professional services under policies adopted by the county board
13 of supervisors or under mental health policies adopted by the Milwaukee County
14 mental health board.

15 (6) REPORTS; EXPENDITURES. The director and the administrator shall submit
16 annually to the county board of supervisors, or to the Milwaukee County mental
17 health board in matters of mental health, reports, including itemized statements of
18 receipts and disbursements, at the times and in the manner that the county board
19 of supervisors or Milwaukee County mental health board specifies and as are
20 required to comply with applicable federal statutes and regulations and state
21 statutes and rules. Disbursements shall be made in the manner that the county
22 board of supervisors or Milwaukee County mental health board, as applicable,
23 adopts, consistent with sound accounting and auditing procedure and with

1 applicable federal statutes and regulations, state statutes and rules and
2 requirements of the county auditor and county department of administration.

History: 1973 c. 136, 153, 262; 1975 c. 224; 1975 c. 413 s. 18; 1977 c. 271, 272, 449; 1979 c. 34; 1981 c. 217, 329, 391; 1983 a. 27, 239, 368, 524; 1985 a. 29 s. 3202 (23); 1985 a. 120, 176, 332; 1987 a. 399; 1989 a. 31, 112, 319; 1991 a. 274; 1993 a. 27, 186, 213, 446; 1995 a. 27, 77, 201; 1997 a. 27, 79, 164, 237, 283; 1999 a. 9; 2005 a. 264, 388, 443; 2007 a. 20, 45; 2009 a. 28, 180; 2011 a. 32; 2013 a. 20.

3 **SECTION 23.** 49.325 of the statutes is amended to read:

4 **49.325 County department budgets and contracts.** (1) BUDGET. (a) Each
5 county department under s. 46.215, 46.22, or 46.23 shall submit its final budget for
6 services directly provided or purchased under this subchapter or ch. 48 to the
7 department by December 31 annually.

8 (b) The department shall submit a model of the contract under sub. (2g) (a) to
9 each county department under s. 46.215, 46.22 or 46.23 by May 1 annually.

10 (2) ASSESSMENT OF NEEDS. Before developing and submitting a proposed budget
11 for services directly provided or purchased under this subchapter or ch. 48 to the
12 county executive or county administrator or the county board, the county
13 departments listed in sub. (1) shall assess needs and inventory resources and
14 services, using an open public participation process.

15 (2g) CONTRACT. (a) The department shall annually submit to the county board
16 of supervisors in a county with a single-county department or the county boards of
17 supervisors in counties with a multicounty department a proposed written contract
18 containing the allocation of funds for services directly provided or purchased under
19 this subchapter or ch. 48 and such administrative requirements as necessary. The
20 contract as approved may contain conditions of participation consistent with federal
21 and state law. The contract may also include provisions necessary to ensure uniform
22 cost accounting of services. Any changes to the proposed contract shall be mutually
23 agreed upon. The county board of supervisors in a county with a single-county
24 department or the county boards of supervisors in counties with a multicounty

1 department shall approve the contract before January 1 of the year in which it takes
2 effect unless the department grants an extension. The county board of supervisors
3 in a county with a single-county department or the county boards of supervisors in
4 counties with a multicounty department may designate an agent to approve addenda
5 to any contract after the contract has been approved.

6 (b) The department may not approve contracts for amounts in excess of
7 available revenues. Actual expenditure of county funds shall be reported in
8 compliance with procedures developed by the department.

9 (c) The joint committee on finance may require the department to submit
10 contracts between county departments under ss. 46.215, 46.22, and 46.23 and
11 providers of services under this subchapter or ch. 48 to the committee for review and
12 approval.

13 **(2r) WITHHOLDING FUNDS.** (a) The department, after reasonable notice, may
14 withhold a portion of the appropriation allocated to a county department under s.
15 46.215, 46.22 or 46.23 if the department determines that that portion of the allocated
16 appropriation is any of the following:

17 1. For services under this subchapter or ch. 48 that duplicate or are
18 inconsistent with services being provided or purchased by the department or other
19 county departments receiving grants-in-aid or reimbursement from the
20 department.

21 2. Inconsistent with state or federal statutes, rules, or regulations, in which
22 case the department may also arrange for provision of services under this subchapter
23 or ch. 48 by an alternate agency. The department may not arrange for provision of
24 services by an alternate agency unless the joint committee on finance or a review

1 body designated by the committee reviews and approves the department's
2 determination.

3 5. Inconsistent with the provisions of the county department's contract under
4 sub. (2g).

5 (b) If the department withholds a portion of the allocable appropriation under
6 par. (a), the county department under s. 46.215, 46.22 or 46.23 that is affected by the
7 action of the department may submit to the county board of supervisors in a county
8 with a single-county department or to its designated agent or the county boards of
9 supervisors in counties with a multicounty department or their designated agents
10 a plan to rectify the deficiency found by the department. The county board of
11 supervisors or its designated agent in a county with a single-county department or
12 the county boards of supervisors in counties with a multicounty department or their
13 designated agents may approve or amend the plan and may submit for departmental
14 approval the plan as adopted. If a multicounty department is administering a
15 program, the plan may not be submitted unless each county board of supervisors
16 which participated in the establishment of the multicounty department, or its
17 designated agent, adopts it.

18 (3) OPEN PUBLIC PARTICIPATION PROCESS. (a) *Citizen advisory committee.* Except
19 as provided in par. (b), the county board of supervisors of each county or the county
20 boards of supervisors of 2 or more counties jointly shall establish a citizen advisory
21 committee to the county departments under ss. 46.215, 46.22 and 46.23. The citizen
22 advisory committee shall advise in the formulation of the budget under sub. (1).
23 Membership on the committee shall be determined by the county board of
24 supervisors in a county with a single-county committee or by the county boards of
25 supervisors in counties with a multicounty committee and shall include

1 representatives of those persons receiving services, providers of services and
2 citizens. A majority of the members of the committee shall be citizens and consumers
3 of services. At least one member of the committee shall be chosen from the governing
4 or administrative board of the community action agency serving the county or
5 counties under s. 49.265, if any. The committee's membership may not consist of
6 more than 25% county supervisors, nor of more than 20% services providers. The
7 chairperson of the committee shall be appointed by the county board of supervisors
8 establishing it. In the case of a multicounty committee, the chairperson shall be
9 nominated by the committee and approved by the county boards of supervisors
10 establishing it. The county board of supervisors in a county with a single-county
11 committee or the county boards of supervisors in counties with a multicounty
12 committee may designate an agent to determine the membership of the committee
13 and to appoint the committee chairperson or approve the nominee.

14 (b) *Alternate process.* The county board of supervisors or the boards of 2 or more
15 counties acting jointly may submit a report to the department on the open public
16 participation process used under sub. (2). The county board of supervisors may
17 designate an agent, or the boards of 2 or more counties acting jointly may designate
18 an agent, to submit the report. If the department approves the report, establishment
19 of a citizen advisory committee under par. (a) is not required.

20 (c) *Yearly report.* The county board of supervisors or its designated agent, or
21 the boards of 2 or more counties acting jointly or their designated agent, shall submit
22 to the department a list of members of the citizen advisory committee under par. (a)
23 or a report on the open public participation process under par. (b) on or before July
24 1 annually.

1 **SECTION 24.** 51.20 (18) (a) of the statutes is amended to read:

2 51.20 (18) (a) Unless previously fixed by the county board of supervisors or the
3 Milwaukee County mental health board in the county in which the examination is
4 held, the examiners shall receive a fee as fixed by the court for participation in
5 commitment proceedings, and reasonable reimbursement for travel expenses.

History: 1975 c. 430; 1977 c. 26, 29; 1977 c. 187 ss. 42, 43, 134, 135; 1977 c. 428 ss. 29 to 65, 115; 1977 c. 447, 449; Sup. Ct. Order, 83 Wis. 2d xiii; 1979 c. 32, 89; Sup. Ct. Order, eff. 1-1-80; 1979 c. 110 s. 60 (1); 1979 c. 175 s. 53; 1979 c. 300, 336, 356; 1981 c. 20, 367; 1981 c. 390 s. 252; 1983 a. 27, 219; 1983 a. 474 ss. 2 to 9m, 14; 1985 a. 29 ss. 1067 to 1071, 3200 (56), 3202 (56); 1985 a. 139, 176, 321, 332; 1987 a. 27; Sup. Ct. Order, 141 Wis. 2d xiii (1987); 1987 a. 366, 394, 403; 1989 a. 31, 334; 1993 a. 98, 196, 227, 316, 451, 474; 1995 a. 77, 201, 268, 292, 440; Sup. Ct. Order No. 96-08, 207 Wis. 2d xv (1997); 1997 a. 35, 130, 237, 283; 1999 a. 83, 89, 162; 2001 a. 16 ss. 1966i to 1966n, 4034ze to 4034zh; 2001 a. 38, 61, 109; 2003 a. 33, 50, 326; 2005 a. 22, 264, 277, 387; 2007 a. 20, 45, 116; 2009 a. 137, 258, 260; 2013 a. 20. Λ

6 **SECTION 25.** 51.41 of the statutes is created to read:

7 **51.41 Milwaukee County mental health board.** (1) DEFINITIONS. In this
8 section, "board" means the Milwaukee County mental health board created under
9 this section.

10 (2) POWERS OF THE BOARD. The board shall have all the powers necessary or
11 convenient to carry out the purposes and provisions of this section and the duties
12 assigned to the board under the statutes. In addition to all other powers granted by
13 this section and the statutes, the board may do any of the following:

14 (a) Compel cooperation in its mission by any county department under s. 46.21,
15 51.42, or 51.437.

16 (b) Request information from the Milwaukee Mental Health Complex, a
17 county department under s. 46.21, 51.42, or 51.437, or any other Milwaukee county
18 governmental unit that possesses mental health information in order to fulfill its
19 duties of overseeing mental health programs and services in Milwaukee County.

20 (3) DUTIES OF THE BOARD. The board shall do all of the following:

21 (a) Oversee the provision of mental health programs and services in Milwaukee
22 County.

1 (b) Make recommendations to the Milwaukee County executive on the budget
2 and allocate moneys for mental health programs and services in Milwaukee County
3 in accordance with sub. (4).
functions

4 (c) Make the final determination on mental health policy in Milwaukee County.

5 (d) Have as a goal in its policy determinations a transition to a
6 community-based model for mental health programs and services.

7 (e) Replace the Milwaukee County board of supervisors in all mental health
8 functions that are typically performed by a county board of supervisors.

9 (4) MILWAUKEE COUNTY MENTAL HEALTH BUDGET. (a) Before the Milwaukee
10 County executive proposes the county budget, the board shall make
11 recommendations to the Milwaukee County executive on the mental health budget.

12 (b) The Milwaukee County executive shall consider the recommendations of
13 the board in setting a maximum amount to be budgeted for all Milwaukee County
14 mental health functions, programs and services.

15 (c) The board may not exceed the maximum amount budgeted by the county
16 executive under par. (b) when allocating moneys to be spent on each mental health
17 function, program, and service. The board may allocate a total amount that is less
18 than the maximum budgeted amount under par. (b).

19 (d) The Milwaukee County board of supervisors may not change the maximum
20 amount set by the county executive or the amount allocated by the board if the
21 allocation is less than the maximum amount.
under par. (b)
under par. (c)
(total) any amount allocated to a mental health function, program, or service

22 SECTION 26. 51.42 (1) (b) of the statutes is amended to read:

23 51.42 (1) (b) *County liability.* The county board of supervisors or, in Milwaukee
24 County, the Milwaukee County mental health board has the primary responsibility
25 for the well-being, treatment and care of the mentally ill, developmentally disabled,

26 *Note: Please note that this version has the county executive setting the maximum for the mental health budget. Instead, you could determine the percentage of the budget that is mental health-related and insert that into the statutes.*

1 alcoholic and other drug dependent citizens residing within its county and for
2 ensuring that those individuals in need of such emergency services found within its
3 county receive immediate emergency services. This primary responsibility is limited
4 to the programs, services and resources that the county board of supervisors, or, as
5 applicable, the Milwaukee County mental health board, is reasonably able to provide
6 within the limits of available state and federal funds and of county funds required
7 to be appropriated to match state funds. County liability for care and services
8 purchased through or provided by a county department of community programs
9 established under this section shall be based upon the client's county of residence
10 except for emergency services for which liability shall be placed with the county in
11 which the individual is found. For the purpose of establishing county liability,
12 "emergency services" includes those services provided under the authority of s. 55.05
13 (4), 2003 stats., or s. 55.06 (11) (a), 2003 stats., or s. 51.15, 51.45 (11) (a) or (b) or (12),
14 55.13, or 55.135 for not more than 72 hours. Nothing in this paragraph prevents
15 recovery of liability under s. 46.10 or any other statute creating liability upon the
16 individual receiving a service or any other designated responsible party, or prevents
17 reimbursement by the department of health services for the actual cost of all care and
18 services from the appropriation under s. 20.435 (7) (da), as provided in s. 51.22 (3).

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (q); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 224, 276, 352, 417; 1997 a. 27, 164, 237, 268; 1999 a. 9; 2001 a. 10, 16, 38; 2003 a. 320; 2005 a. 264, 388, 431, 434; 2007 a. 20 ss. 1819m to 1821, 9121 (6) (a); 2007 a. 45, 97; 2009 a. 28, 180, 276, 334; 2011 a. 32, 126.

19 **SECTION 27.** 51.42 (3) (a) of the statutes is amended to read:

20 51.42 (3) (a) *Creation.* Except as provided under s. 46.23 (3) (b), the county
21 board of supervisors of any county except Milwaukee County, the Milwaukee County
22 mental health board, or the county boards of supervisors of 2 or more counties, shall
23 establish a county department of community programs on a single-county or

1 multicounty basis to administer a community mental health, developmental
 2 disabilities, alcoholism and drug abuse program, make appropriations to operate the
 3 program and authorize the county department of community programs to apply for
 4 grants-in-aid under s. 51.423. The county department of community programs shall
 5 consist of a county community programs board, a county community programs
 6 director and necessary personnel.

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (q); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 224, 276, 352, 417; 1997 a. 27, 164, 237, 268; 1999 a. 9; 2001 a. 10, 16, 38; 2003 a. 320; 2005 a. 264, 388, 431, 434; 2007 a. 20 ss. 1819m to 1821, 9121 (6) (a); 2007 a. 45, 97; 2009 a. 28, 180, 276, 334; 2011 a. 32, 126.

7 **SECTION 28.** 51.42 (3) (ar) 3. of the statutes is amended to read:

8 51.42 (3) (ar) 3. Plan for and establish a community developmental disabilities
 9 program to deliver the services required under s. 51.437 if, under s. 51.437 (4g) (b),
 10 the county board of supervisors in a county with a single-county department of
 11 community programs, the Milwaukee County mental health board, or the county
 12 boards of supervisors in counties with a multicounty department of community
 13 programs transfer the powers and duties of the county department under s. 51.437
 14 to the county department of community programs. The county board of supervisors
 15 in a county with a single-county department of community programs and the county
 16 boards of supervisors in counties with a multicounty department of community
 17 programs may designate the county department of community programs to which
 18 these powers and duties have been transferred as the administrative agency of the
 19 long-term support community options program under s. 46.27 (3) (b) 1. and 5. and
 20 the community integration programs under ss. 46.275, 46.277 and 46.278.

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (q); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 224, 276, 352, 417; 1997 a. 27, 164, 237, 268; 1999 a. 9; 2001 a. 10, 16, 38; 2003 a. 320; 2005 a. 264, 388, 431, 434; 2007 a. 20 ss. 1819m to 1821, 9121 (6) (a); 2007 a. 45, 97; 2009 a. 28, 180, 276, 334; 2011 a. 32, 126.

21 **SECTION 29.** 51.42 (3) (ar) 8. of the statutes is amended to read:

The Milwaukee County mental health board

1 51.42 (3) (ar) 8. By September 30, submit for inclusion as part of the proposed
2 county budget to the Milwaukee County mental health board in Milwaukee County,
3 to the county executive or county administrator, or, in those counties without a
4 county executive or county administrator, directly to the county board of supervisors
5 in a county with a single-county department of community programs or the county
6 boards of supervisors in counties with a multicounty department of community
7 programs a proposed budget for the succeeding calendar year covering services,
8 including active treatment community mental health center services, based on the
9 plan required under subd. 5. The final budget shall be submitted to the department
10 of health services.

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (q); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 224, 276, 352, 417; 1997 a. 27, 164, 237, 268; 1999 a. 9; 2001 a. 10, 16, 38; 2003 a. 320; 2005 a. 264, 388, 431, 434; 2007 a. 20 ss. 1819m to 1821, 9121 (6) (a); 2007 a. 45, 97; 2009 a. 28, 180, 276, 334; 2011 a. 32, 126.

11 **SECTION 30.** 51.42 (3) (ar) 14. of the statutes is amended to read:

12 51.42 (3) (ar) 14. If the county board of supervisors or, as applicable, the
13 Milwaukee County mental health board establishes an initiative to provide
14 coordinated services under s. 59.53 (7), participate in and may administer the
15 initiative, including entering into any written interagency agreements or contracts.

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (q); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 224, 276, 352, 417; 1997 a. 27, 164, 237, 268; 1999 a. 9; 2001 a. 10, 16, 38; 2003 a. 320; 2005 a. 264, 388, 431, 434; 2007 a. 20 ss. 1819m to 1821, 9121 (6) (a); 2007 a. 45, 97; 2009 a. 28, 180, 276, 334; 2011 a. 32, 126.

16 **SECTION 31.** 51.42 (3) (b) of the statutes is amended to read:

17 51.42 (3) (b) *Other powers and duties.* The county board of supervisors of any
18 county with a single-county department of community programs, the Milwaukee
19 County mental health board, and the county boards of supervisors of counties with
20 a multicounty department of community programs may designate the county
21 department of community programs as the administrator of any other county health

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1 care program or institution, but the operation of such program or institution is not
2 reimbursable under s. 51.423.

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (q); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 224, 276, 352, 417; 1997 a. 27, 164, 237, 268; 1999 a. 9; 2001 a. 10, 16, 38; 2003 a. 320; 2005 a. 264, 388, 431, 434; 2007 a. 20 ss. 1819m to 1821, 9121 (6) (a); 2007 a. 45, 97; 2009 a. 28, 180, 276, 334; 2011 a. 32, 126.

3 **SECTION 32.** 51.42 (4) (a) 1. (intro.) of the statutes is amended to read:

4 51.42 (4) (a) 1. (intro.) Except as provided under subd. 2., the county board of
5 supervisors of every county with a single-county department of community
6 programs except Milwaukee County, the Milwaukee County mental health board, or
7 the county boards of supervisors in counties with a multicounty department of
8 community programs shall, before qualification under this section, appoint a
9 governing and policy-making board to be known as the county community programs
10 board. A county community programs board appointed under this subdivision shall
11 govern the single-county or multicounty department of community programs and
12 shall assume all of the powers and duties of the county department of community
13 programs under sub. (3) (ar) to (bm). A member of a county community programs
14 board appointed under this subdivision may be removed from office under the
15 following circumstances:

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (q); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 224, 276, 352, 417; 1997 a. 27, 164, 237, 268; 1999 a. 9; 2001 a. 10, 16, 38; 2003 a. 320; 2005 a. 264, 388, 431, 434; 2007 a. 20 ss. 1819m to 1821, 9121 (6) (a); 2007 a. 45, 97; 2009 a. 28, 180, 276, 334; 2011 a. 32, 126.

16 **SECTION 33.** 51.42 (4) (a) 1. a. of the statutes is amended to read:

17 51.42 (4) (a) 1. a. For cause, by a two-thirds vote of each county board of
18 supervisors participating in the appointment or the Milwaukee County mental
19 health board, on due notice in writing and hearing of the charges against the
20 member.

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (q); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201,

224, 276, 352, 417; 1997 a. 27, 164, 237, 268; 1999 a. 9; 2001 a. 10, 16, 38; 2003 a. 320; 2005 a. 264, 388, 431, 434; 2007 a. 20 ss. 1819m to 1821, 9121 (6) (a); 2007 a. 45, 97; 2009 a. 28, 180, 276, 334; 2011 a. 32, 126.

SECTION 34. 51.42 (4) (a) 1. b. of the statutes is amended to read:

51.42 (4) (a) 1. b. If the member when appointed was a member of the county board of supervisors and the member is not reelected to that office, on due notice in writing.

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (q); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 224, 276, 352, 417; 1997 a. 27, 164, 237, 268; 1999 a. 9; 2001 a. 10, 16, 38; 2003 a. 320; 2005 a. 264, 388, 431, 434; 2007 a. 20 ss. 1819m to 1821, 9121 (6) (a); 2007 a. 45, 97; 2009 a. 28, 180, 276, 334; 2011 a. 32, 126.

SECTION 35. 51.42 (4) (a) 2. (intro.) of the statutes are amended to read:

51.42 (4) (a) 2. In any county with a county executive or county administrator and which has established a single-county department of community programs, the county executive or county administrator shall appoint, subject to confirmation by the county board of supervisors or the Milwaukee County mental health board, the county community programs board, which shall be only a policy-making body determining the broad outlines and principles governing the administration of programs under this section. A member of a county community programs board appointed under this subdivision may be removed by the county executive or county administrator under the following circumstances:

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (q); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 224, 276, 352, 417; 1997 a. 27, 164, 237, 268; 1999 a. 9; 2001 a. 10, 16, 38; 2003 a. 320; 2005 a. 264, 388, 431, 434; 2007 a. 20 ss. 1819m to 1821, 9121 (6) (a); 2007 a. 45, 97; 2009 a. 28, 180, 276, 334; 2011 a. 32, 126.

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (q); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 224, 276, 352, 417; 1997 a. 27, 164, 237, 268; 1999 a. 9; 2001 a. 10, 16, 38; 2003 a. 320; 2005 a. 264, 388, 431, 434; 2007 a. 20 ss. 1819m to 1821, 9121 (6) (a); 2007 a. 45, 97; 2009 a. 28, 180, 276, 334; 2011 a. 32, 126.

SECTION 36. 51.42 (4) (b) 1. of the statutes is amended to read:

51.42 (4) (b) 1. In a single-county department of community programs the county community programs board shall be composed of not less than 9 nor more than 15 persons of recognized ability and demonstrated interest in the problems of the mentally ill, developmentally disabled, alcoholic or drug dependent persons and

1 shall have representation from the interest group of the mentally ill, the interest
 2 group of the developmentally disabled, the interest group of the alcoholic and the
 3 interest group of the drug dependent. At least one member appointed to a county
 4 community programs board shall be an individual who receives or has received
 5 services for mental illness, developmental disability, alcoholism or drug dependency
 6 or shall be a family member of such an individual. No more than 5 members may be
 7 appointed from the county board of supervisors. In Milwaukee County, the
 8 Milwaukee County mental health board shall make the appointments.

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (q); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 224, 276, 352, 417; 1997 a. 27, 164, 237, 268; 1999 a. 9; 2001 a. 10, 16, 38; 2003 a. 320; 2005 a. 264, 388, 431, 434; 2007 a. 20 ss. 1819m to 1821, 9121 (6) (a); 2007 a. 45, 97; 2009 a. 28, 180, 276, 334; 2011 a. 32, 126.

9 **SECTION 37. 51.42 (5) (a) 4.** of the statutes is amended to read:

10 51.42 (5) (a) 4. Appoint a county community programs director, subject to the
 11 approval of each county board of supervisors which participated in the appointment
 12 of the county community programs board ^{the approval of} ~~or the~~ Milwaukee County mental health
 13 board, on the basis of recognized and demonstrated interest in and knowledge of the
 14 problems of mental health, developmental disability, alcoholism and drug addiction,
 15 with due regard to training, experience, executive and administrative ability, and
 16 general qualification and fitness for the performance of the duties of the county
 17 community programs director under sub. (6). The county board of supervisors in a
 18 county with a single-county department of community programs, the Milwaukee
 19 County mental health board, or the county boards of supervisors in counties with a
 20 multicounty department of community programs may delegate this appointing
 21 authority to the county community programs board.

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (q); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 224, 276, 352, 417; 1997 a. 27, 164, 237, 268; 1999 a. 9; 2001 a. 10, 16, 38; 2003 a. 320; 2005 a. 264, 388, 431, 434; 2007 a. 20 ss. 1819m to 1821, 9121 (6) (a); 2007 a. 45, 97; 2009 a. 28, 180, 276, 334; 2011 a. 32, 126.

1 **SECTION 38.** 51.42 (5) (a) 5. of the statutes is amended to read:
2 51.42 (5) (a) 5. Fix the salaries of the employees of the county department of
3 community programs, subject to the approval of each county board of supervisors
4 which participated in the appointment of the county community programs board or
5 ~~the approval of~~ the Milwaukee County mental health board unless such county board of supervisors
6 or the Milwaukee County mental health board elects not to review the salaries.

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (q); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 224, 276, 352, 417; 1997 a. 27, 164, 237, 268; 1999 a. 9; 2001 a. 10, 16, 38; 2003 a. 320; 2005 a. 264, 388, 431, 434; 2007 a. 20 ss. 1819m to 1821, 9121 (6) (a); 2007 a. 45, 97; 2009 a. 28, 180, 276, 334; 2011 a. 32, 126.

7 **SECTION 39.** 51.42 (5) (a) 6. of the statutes is amended to read:
8 51.42 (5) (a) 6. Prepare a proposed budget for submission to the county board
9 or the Milwaukee County mental health board, as applicable, and a final budget for
10 submission to the department of health services in accordance with s. 46.031 (1).

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (q); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 224, 276, 352, 417; 1997 a. 27, 164, 237, 268; 1999 a. 9; 2001 a. 10, 16, 38; 2003 a. 320; 2005 a. 264, 388, 431, 434; 2007 a. 20 ss. 1819m to 1821, 9121 (6) (a); 2007 a. 45, 97; 2009 a. 28, 180, 276, 334; 2011 a. 32, 126.

11 **SECTION 40.** 51.42 (5) (a) 12. of the statutes is amended to read:
12 51.42 (5) (a) 12. Determine, subject to the approval of the county board of
13 supervisors in a county with a single-county department of community programs,
14 the Milwaukee County mental health board, or the county boards of supervisors in
15 counties with a multicounty department of community programs and with the advice
16 of the county community programs director appointed under subd. 4., whether
17 services are to be provided directly by the county department of community
18 programs or contracted for with other providers and make such contracts. The
19 county board of supervisors in a county with a single-county department of
20 community programs, the Milwaukee County mental health board, 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 the Milwaukee County mental health board, or the county boards of supervisors in
4 counties with a multicounty department of community programs.

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (q); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 224, 276, 352, 417; 1997 a. 27, 164, 237, 268; 1999 a. 9; 2001 a. 10, 16, 38; 2003 a. 320; 2005 a. 264, 388, 431, 434; 2007 a. 20 ss. 1819m to 1821, 9121 (6) (a); 2007 a. 45, 97; 2009 a. 28, 180, 276, 334; 2011 a. 32, 126.

5 **SECTION 41.** 51.42 (5) (b) (intro.) of the statutes is amended to read:

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

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (q); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 224, 276, 352, 417; 1997 a. 27, 164, 237, 268; 1999 a. 9; 2001 a. 10, 16, 38; 2003 a. 320; 2005 a. 264, 388, 431, 434; 2007 a. 20 ss. 1819m to 1821, 9121 (6) (a); 2007 a. 45, 97; 2009 a. 28, 180, 276, 334; 2011 a. 32, 126.

13 **SECTION 42.** 51.42 (5) (b) 3. of the statutes is amended to read:

14 51.42 (5) (b) 3. Provide administrative and financial services or resources for
15 operation of the entity under subd. 1. on terms prescribed by the county board of
16 supervisors or the Milwaukee County mental health board.

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (q); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 224, 276, 352, 417; 1997 a. 27, 164, 237, 268; 1999 a. 9; 2001 a. 10, 16, 38; 2003 a. 320; 2005 a. 264, 388, 431, 434; 2007 a. 20 ss. 1819m to 1821, 9121 (6) (a); 2007 a. 45, 97; 2009 a. 28, 180, 276, 334; 2011 a. 32, 126.

17 **SECTION 43.** 51.42 (6) (d) of the statutes is amended to read:

18 51.42 (6) (d) Prepare other reports as are required by the secretary and the
19 county board of supervisors in a county with a single-county department of
20 community programs, the Milwaukee County mental health board, or the county

1 boards of supervisors in counties with a multicounty department of community
2 programs.

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (q); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 224, 276, 352, 417; 1997 a. 27, 164, 237, 268; 1999 a. 9; 2001 a. 10, 16, 38; 2003 a. 320; 2005 a. 264, 388, 431, 434; 2007 a. 20 ss. 1819m to 1821, 9121 (6) (a); 2007 a. 45, 97; 2009 a. 28, 180, 276, 334; 2011 a. 32, 126.

3 **SECTION 44. 51.42 (6m) (intro.) of the statutes is amended to read:**

4 **51.42 (6m) COUNTY COMMUNITY PROGRAMS DIRECTOR IN CERTAIN COUNTIES WITH A**
5 **COUNTY EXECUTIVE OR COUNTY ADMINISTRATOR. (intro.) In any county with a county**
6 **executive or county administrator in which the county board of supervisors or the**
7 **Milwaukee County mental health board has established a single-county department**
8 **of community programs, the county executive or county administrator shall appoint**
9 **and supervise the county community programs director. In any county with a**
10 **population of ~~500,000~~ 750,000 or more, the county executive or county administrator**
11 **shall appoint the director of the county department of human services under s. 46.21**
12 **as the county community programs director. The appointment of a county**
13 **community programs director under this subsection shall be on the basis of**
14 **recognized and demonstrated interest in and knowledge of the problems of mental**
15 **health, intellectual disability, alcoholism and drug addiction, with due regard to**
16 **training, experience, executive and administrative ability, and general qualification**
17 **and fitness for the performance of the duties of the director. The appointment of a**
18 **county community programs director under this subsection is subject to**
19 **confirmation by the county board of supervisors unless the county board of**
20 **supervisors, by ordinance, elects to waive confirmation or unless the appointment is**
21 **made under a civil service system competitive examination procedure established**

1 under s. 59.52 (8) or ch. 63. The county community programs director, subject only
2 to the supervision of the county executive or county administrator, shall:

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (q); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 224, 276, 352, 417; 1997 a. 27, 164, 237, 268; 1999 a. 9; 2001 a. 10, 16, 38; 2003 a. 320; 2005 a. 264, 388, 431, 434; 2007 a. 20 ss. 1819m to 1821, 9121 (6) (a); 2007 a. 45, 97; 2009 a. 28, 180, 276, 334; 2011 a. 32, 126.

3 **SECTION 45.** 51.42 (6m) (c) of the statutes is amended to read:

4 51.42 (6m) (c) Determine, subject to the approval of the county board of
5 supervisors or the Milwaukee County mental health board, as applicable, and with
6 the advice of the county community programs board, whether services are to be
7 provided directly by the county department of community programs or contracted for
8 with other providers and make such contracts. The county board of supervisors or
9 the Milwaukee County mental health board may elect to require the approval of any
10 such contract by the county board of supervisors or the Milwaukee County mental
11 health board.

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (q); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 224, 276, 352, 417; 1997 a. 27, 164, 237, 268; 1999 a. 9; 2001 a. 10, 16, 38; 2003 a. 320; 2005 a. 264, 388, 431, 434; 2007 a. 20 ss. 1819m to 1821, 9121 (6) (a); 2007 a. 45, 97; 2009 a. 28, 180, 276, 334; 2011 a. 32, 126.

12 **SECTION 46.** 51.42 (6m) (i) of the statutes is amended to read:

13 51.42 (6m) (i) Establish salaries and personnel policies of the programs of the
14 county department of community programs subject to approval of the county
15 executive or county administrator and county board of supervisors or the Milwaukee
16 County mental health board unless the county board of supervisors or the Milwaukee
17 County mental health board elects not to review the salaries and personnel policies.

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (q); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 224, 276, 352, 417; 1997 a. 27, 164, 237, 268; 1999 a. 9; 2001 a. 10, 16, 38; 2003 a. 320; 2005 a. 264, 388, 431, 434; 2007 a. 20 ss. 1819m to 1821, 9121 (6) (a); 2007 a. 45, 97; 2009 a. 28, 180, 276, 334; 2011 a. 32, 126.

18 **SECTION 47.** 51.42 (6m) (m) 3. of the statutes is amended to read:

1 **51.42 (6m)** (m) 3. Such other reports as are required by the secretary and the
2 county board of supervisors or, as applicable, the Milwaukee County mental health
3 board.

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (q); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 224, 276, 352, 417; 1997 a. 27, 164, 237, 268; 1999 a. 9; 2001 a. 10, 16, 38; 2003 a. 320; 2005 a. 264, 388, 431, 434; 2007 a. 20 ss. 1819m to 1821, 9121 (6) (a); 2007 a. 45, 97; 2009 a. 28, 180, 276, 334; 2011 a. 32, 126.

4 **SECTION 48.** 51.423 (11) of the statutes is amended to read:

5 51.423 (11) Each county department under s. 51.42 or 51.437, or both, shall
6 apply all funds it receives under subs. (1) to (7) to provide the services required under
7 ss. 51.42, 51.437 and 51.45 (2) (g) to meet the needs for service quality and
8 accessibility of the persons in its jurisdiction, except that the county department may
9 pay for inpatient treatment only with funds designated by the department for
10 inpatient treatment. The county department may expand programs and services
11 with county funds not used to match state funds under this section subject to the
12 approval of the county board of supervisors in a county with a single-county
13 department, the Milwaukee County mental health board, or the county boards of
14 supervisors in counties with multicounty departments and with other local or
15 private funds subject to the approval of the department and the county board of
16 supervisors in a county with a single-county department under s. 51.42 or 51.437,
17 the Milwaukee County mental health board with a department under s. 51.42 or
18 51.437, or the county boards of supervisors in counties with a multicounty
19 department under s. 51.42 or 51.437. The county board of supervisors in a county
20 with a single-county department under s. 51.42 or 51.437, the Milwaukee County
21 mental health board with a department under s. 51.42 or 51.437, or the county
22 boards of supervisors in counties with a multicounty department under s. 51.42 or
23 51.437 may delegate the authority to expand programs and services to the county

1 department under s. 51.42 or 51.437. The county department under s. 51.42 or
2 51.437 shall report to the department all county funds allocated to the county
3 department under s. 51.42 or 51.437 and the use of such funds. Moneys collected
4 under s. 46.10 shall be applied to cover the costs of primary services, exceptional and
5 specialized services or to reimburse supplemental appropriations funded by
6 counties. County departments under ss. 51.42 and 51.437 shall include collections
7 made on and after October 1, 1978, by the department that are subject to s. 46.10 (8m)
8 (a) 3. and 4. and are distributed to county departments under ss. 51.42 and 51.437
9 from the appropriation account under s. 20.435 (5) (gg), as revenues on their
10 grant-in-aid expenditure reports to the department.

History: 1985 a. 176 ss. 452 to 454, 456 to 461, 463, 466; 1987 a. 27, 186; 1989 a. 31, 56, 122; 1991 a. 39, 269; 1993 a. 16, 445; 1995 a. 27; 1997 a. 27; 1999 a. 9; 2001
a. 16; 2005 a. 25; 2007 a. 20; 2009 a. 28.

11 **SECTION 49.** 51.437 (4) (a) of the statutes is amended to read:

12 51.437 (4) (a) The county board of supervisors, or in Milwaukee County, the
13 Milwaukee County mental health board, has the primary governmental
14 responsibility for the well-being of those developmentally disabled citizens residing
15 within its county and the families of the developmentally disabled insofar as the
16 usual resultant family stresses bear on the well-being of the developmentally
17 disabled citizen. This primary governmental responsibility is limited to the
18 programs, services and resources that the county board of supervisors or the
19 Milwaukee County mental health board is reasonably able to provide within the
20 limits of available state and federal funds and of county funds required to be
21 appropriated to match state funds.

History: 1971 c. 307, 322; 1973 c. 90, 333; 1975 c. 39, 199, 430; 1977 c. 26 ss. 39, 75; 1977 c. 29; 1977 c. 354 s. 101; 1977 c. 418; 1977 c. 428 s. 85, 86, 115; 1979 c. 32,
117, 221, 330, 355; 1981 c. 20, 93, 329; 1983 a. 27, 365, 375, 524; 1985 a. 29 ss. 1094 to 1105m, 3200 (56) (a); 1985 a. 120, 176, 307, 332; 1987 a. 27; 1989 a. 31, 56, 107, 262;
1991 a. 39, 274, 315; 1993 a. 16, 83; 1995 a. 27 ss. 3266m, 9116 (5), 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 225, 352, 417; 1997 a. 27, 35, 164, 252; 1999 a. 9; 2001 a.
16, 59; 2003 a. 33; 2005 a. 25, 264, 388; 2007 a. 20 ss. 1822 to 1824b, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

22 **SECTION 50.** 51.437 (4g) (a) of the statutes is amended to read:

1 51.437 (4g) (a) Except as provided under par. (b) and ss. 46.21 (2m) (b) and
2 46.23 (3) (b), every county board of supervisors except in Milwaukee County and the
3 Milwaukee County mental health board in Milwaukee County shall establish a
4 county department of developmental disabilities services on a single-county or
5 multicounty basis to furnish services within its county. Counties lacking the
6 financial resources and professional personnel needed to provide or secure such
7 services on a single-county basis may combine their energies and financial resources
8 to provide these joint services and facilities with the approval of the department of
9 health services. The county department of developmental disabilities services shall
10 consist of a county developmental disabilities services board, a county
11 developmental disabilities services director and necessary personnel.

History: 1971 c. 307, 322; 1973 c. 90, 333; 1975 c. 39, 199, 430; 1977 c. 26 ss. 39, 75; 1977 c. 29; 1977 c. 354 s. 101; 1977 c. 418; 1977 c. 428 s. 85, 86, 115; 1979 c. 32, 117, 221, 330, 355; 1981 c. 20, 93, 329; 1983 a. 27, 365, 375, 524; 1985 a. 29 ss. 1094 to 1105m, 3200 (56) (a); 1985 a. 120, 176, 307, 332; 1987 a. 27; 1989 a. 31, 56, 107, 262; 1991 a. 39, 274, 315; 1993 a. 16, 83; 1995 a. 27 ss. 3266m, 9116 (5), 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 225, 352, 417; 1997 a. 27, 35, 164, 252; 1999 a. 9; 2001 a. 16, 59; 2003 a. 33; 2005 a. 25, 264, 388; 2007 a. 20 ss. 1822 to 1824b, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

12 **SECTION 51.** 51.437 (4g) (b) of the statutes is amended to read:

13 51.437 (4g) (b) A county board of supervisors or the Milwaukee County mental
14 health board may transfer the powers and duties of a county department of
15 developmental disabilities services under this section to a county department under
16 s. 51.42, which shall act under s. 51.42 (3) (ar) 3.

History: 1971 c. 307, 322; 1973 c. 90, 333; 1975 c. 39, 199, 430; 1977 c. 26 ss. 39, 75; 1977 c. 29; 1977 c. 354 s. 101; 1977 c. 418; 1977 c. 428 s. 85, 86, 115; 1979 c. 32, 117, 221, 330, 355; 1981 c. 20, 93, 329; 1983 a. 27, 365, 375, 524; 1985 a. 29 ss. 1094 to 1105m, 3200 (56) (a); 1985 a. 120, 176, 307, 332; 1987 a. 27; 1989 a. 31, 56, 107, 262; 1991 a. 39, 274, 315; 1993 a. 16, 83; 1995 a. 27 ss. 3266m, 9116 (5), 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 225, 352, 417; 1997 a. 27, 35, 164, 252; 1999 a. 9; 2001 a. 16, 59; 2003 a. 33; 2005 a. 25, 264, 388; 2007 a. 20 ss. 1822 to 1824b, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

17 **SECTION 52.** 51.437 (4g) (c) of the statutes is amended to read:

18 51.437 (4g) (c) In a county with a population of ~~500,000~~ 750,000 or more, the
19 ~~county board of supervisors~~ Milwaukee County mental health board shall integrate
20 day care programs for persons with an intellectual disability and those programs for

1 persons with other developmental disabilities into the county developmental
2 disabilities program.

History: 1971 c. 307, 322; 1973 c. 90, 333; 1975 c. 39, 199, 430; 1977 c. 26 ss. 39, 75; 1977 c. 29; 1977 c. 354 s. 101; 1977 c. 418; 1977 c. 428 s. 85, 86, 115; 1979 c. 32, 117, 221, 330, 355; 1981 c. 20, 93, 329; 1983 a. 27, 365, 375, 524; 1985 a. 29 ss. 1094 to 1105m, 3200 (56) (a); 1985 a. 120, 176, 307, 332; 1987 a. 27; 1989 a. 31, 56, 107, 262; 1991 a. 39, 274, 315; 1993 a. 16, 83; 1995 a. 27 ss. 3266m, 9116 (5), 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 225, 352, 417; 1997 a. 27, 35, 164, 252; 1999 a. 9; 2001 a. 16, 59; 2003 a. 33; 2005 a. 25, 264, 388; 2007 a. 20 ss. 1822 to 1824b, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

3 **SECTION 53.** 51.437 (4m) (j) of the statutes is amended to read:

4 51.437 (4m) (j) By September 30, submit for inclusion as part of the proposed
5 county budget to the county executive or county administrator, to the Milwaukee
6 County mental health board in Milwaukee County, or, in those counties without a
7 county executive or county administrator, directly to the county board of supervisors
8 in a county with a single-county department of developmental disabilities services
9 or the county boards of supervisors in counties with a multicounty department of
10 developmental disabilities services a proposed budget for the succeeding calendar
11 year covering services, including active treatment community mental health center
12 services, based on the plan required under s. 51.42 (3) (ar) 5. The final budget shall
13 be submitted to the department of health services.

History: 1971 c. 307, 322; 1973 c. 90, 333; 1975 c. 39, 199, 430; 1977 c. 26 ss. 39, 75; 1977 c. 29; 1977 c. 354 s. 101; 1977 c. 418; 1977 c. 428 s. 85, 86, 115; 1979 c. 32, 117, 221, 330, 355; 1981 c. 20, 93, 329; 1983 a. 27, 365, 375, 524; 1985 a. 29 ss. 1094 to 1105m, 3200 (56) (a); 1985 a. 120, 176, 307, 332; 1987 a. 27; 1989 a. 31, 56, 107, 262; 1991 a. 39, 274, 315; 1993 a. 16, 83; 1995 a. 27 ss. 3266m, 9116 (5), 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 225, 352, 417; 1997 a. 27, 35, 164, 252; 1999 a. 9; 2001 a. 16, 59; 2003 a. 33; 2005 a. 25, 264, 388; 2007 a. 20 ss. 1822 to 1824b, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

14 **SECTION 54.** 51.437 (4m) (m) of the statutes is amended to read:

15 51.437 (4m) (m) If the county board of supervisors or the Milwaukee County
16 mental health board establishes an initiative to provide coordinated services under
17 s. 59.53 (7), participate in the initiative, including entering into any written
18 interagency agreements or contracts.

History: 1971 c. 307, 322; 1973 c. 90, 333; 1975 c. 39, 199, 430; 1977 c. 26 ss. 39, 75; 1977 c. 29; 1977 c. 354 s. 101; 1977 c. 418; 1977 c. 428 s. 85, 86, 115; 1979 c. 32, 117, 221, 330, 355; 1981 c. 20, 93, 329; 1983 a. 27, 365, 375, 524; 1985 a. 29 ss. 1094 to 1105m, 3200 (56) (a); 1985 a. 120, 176, 307, 332; 1987 a. 27; 1989 a. 31, 56, 107, 262; 1991 a. 39, 274, 315; 1993 a. 16, 83; 1995 a. 27 ss. 3266m, 9116 (5), 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 225, 352, 417; 1997 a. 27, 35, 164, 252; 1999 a. 9; 2001 a. 16, 59; 2003 a. 33; 2005 a. 25, 264, 388; 2007 a. 20 ss. 1822 to 1824b, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

19 **SECTION 55.** 51.437 (4r) (a) 3. of the statutes is amended to read:

1 **51.437 (4r) (a) 3.** May administer an initiative to provide coordinated services
2 under s. 59.53 (7), if the county board of supervisors or the Milwaukee County mental
3 health board establishes the initiative.

History: 1971 c. 307, 322; 1973 c. 90, 333; 1975 c. 39, 199, 430; 1977 c. 26 ss. 39, 75; 1977 c. 29; 1977 c. 354 s. 101; 1977 c. 418; 1977 c. 428 s. 85, 86, 115; 1979 c. 32, 117, 221, 330, 355; 1981 c. 20, 93, 329; 1983 a. 27, 365, 375, 524; 1985 a. 29 ss. 1094 to 1105m, 3200 (56) (a); 1985 a. 120, 176, 307, 332; 1987 a. 27; 1989 a. 31, 56, 107, 262; 1991 a. 39, 274, 315; 1993 a. 16, 83; 1995 a. 27 ss. 3266m, 9116 (5), 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 225, 352, 417; 1997 a. 27, 35, 164, 252; 1999 a. 9; 2001 a. 16, 59; 2003 a. 33; 2005 a. 25, 264, 388; 2007 a. 20 ss. 1822 to 1824b, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

4 **SECTION 56.** 51.437 (7) (a) 1. of the statutes is amended to read:

5 **51.437 (7) (a) 1.** Except as provided under subd. 2., the county board of
6 supervisors in a county with a single–county department of developmental
7 disabilities services, the Milwaukee County mental health board, or the county
8 boards of supervisors in counties with a multicounty department of developmental
9 disabilities services shall, before qualification under this section, appoint a county
10 developmental disabilities services board. A county developmental disabilities
11 services board appointed under this subdivision shall govern the single–county or
12 multicounty department of developmental disabilities services. A member of a
13 county developmental disabilities services board appointed under this subdivision
14 may be removed from office for cause by a two–thirds vote of the appointing
15 authority, on due notice in writing and hearing of the charges against the member.

History: 1971 c. 307, 322; 1973 c. 90, 333; 1975 c. 39, 199, 430; 1977 c. 26 ss. 39, 75; 1977 c. 29; 1977 c. 354 s. 101; 1977 c. 418; 1977 c. 428 s. 85, 86, 115; 1979 c. 32, 117, 221, 330, 355; 1981 c. 20, 93, 329; 1983 a. 27, 365, 375, 524; 1985 a. 29 ss. 1094 to 1105m, 3200 (56) (a); 1985 a. 120, 176, 307, 332; 1987 a. 27; 1989 a. 31, 56, 107, 262; 1991 a. 39, 274, 315; 1993 a. 16, 83; 1995 a. 27 ss. 3266m, 9116 (5), 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 225, 352, 417; 1997 a. 27, 35, 164, 252; 1999 a. 9; 2001 a. 16, 59; 2003 a. 33; 2005 a. 25, 264, 388; 2007 a. 20 ss. 1822 to 1824b, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

16 **SECTION 57.** 51.437 (7) (a) 2. of the statutes is amended to read:

17 **51.437 (7) (a) 2.** In any county with a county executive or county administrator
18 and which has established a single–county department of developmental disabilities
19 services, the county executive or county administrator shall appoint, subject to
20 confirmation by the county board of supervisors or the Milwaukee County mental
21 health board as applicable, the county developmental disabilities services board,
22 which shall be only a policy–making body determining the broad outlines and

1 principles governing the administration of programs under this section. A member
2 of the county developmental disabilities services board appointed under this
3 subdivision may be removed by the county executive or county administrator for
4 cause.

History: 1971 c. 307, 322; 1973 c. 90, 333; 1975 c. 39, 199, 430; 1977 c. 26 ss. 39, 75; 1977 c. 29; 1977 c. 354 s. 101; 1977 c. 418; 1977 c. 428 s. 85, 86, 115; 1979 c. 32, 117, 221, 330, 355; 1981 c. 20, 93, 329; 1983 a. 27, 365, 375, 524; 1985 a. 29 ss. 1094 to 1105m, 3200 (56) (a); 1985 a. 120, 176, 307, 332; 1987 a. 27; 1989 a. 31, 56, 107, 262; 1991 a. 39, 274, 315; 1993 a. 16, 83; 1995 a. 27 ss. 3266m, 9116 (5), 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 225, 352, 417; 1997 a. 27, 35, 164, 252; 1999 a. 9; 2001 a. 16, 59; 2003 a. 33; 2005 a. 25, 264, 388; 2007 a. 20 ss. 1822 to 1824b, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

5 **SECTION 58.** 51.437 (9) (a) of the statutes is amended to read:

6 51.437 (9) (a) Appoint a county developmental disabilities services director,
7 subject to the approval of each county board of supervisors which participated in the
8 appointment of the county developmental disabilities services board or the
9 Milwaukee County mental health board, establish salaries and personnel policies for
10 the county department of developmental disabilities services subject to the approval
11 of each such county board of supervisors or the Milwaukee County mental health
12 board and arrange and promote local financial support for the program. Each county
13 board of supervisors in a county with a single-county department of developmental
14 disabilities services, the Milwaukee County mental health board, or the county
15 boards of supervisors in counties with a multicounty department of developmental
16 disabilities services may delegate such appointing authority to the county
17 developmental disabilities services board.

History: 1971 c. 307, 322; 1973 c. 90, 333; 1975 c. 39, 199, 430; 1977 c. 26 ss. 39, 75; 1977 c. 29; 1977 c. 354 s. 101; 1977 c. 418; 1977 c. 428 s. 85, 86, 115; 1979 c. 32, 117, 221, 330, 355; 1981 c. 20, 93, 329; 1983 a. 27, 365, 375, 524; 1985 a. 29 ss. 1094 to 1105m, 3200 (56) (a); 1985 a. 120, 176, 307, 332; 1987 a. 27; 1989 a. 31, 56, 107, 262; 1991 a. 39, 274, 315; 1993 a. 16, 83; 1995 a. 27 ss. 3266m, 9116 (5), 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 225, 352, 417; 1997 a. 27, 35, 164, 252; 1999 a. 9; 2001 a. 16, 59; 2003 a. 33; 2005 a. 25, 264, 388; 2007 a. 20 ss. 1822 to 1824b, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

18 **SECTION 59.** 51.437 (9) (g) of the statutes is amended to read:

19 51.437 (9) (g) Determine, subject to the approval of the county board of
20 supervisors in a county with a single-county department of developmental
21 disabilities services, the Milwaukee County mental health board, or the county
22 boards of supervisors in counties with a multicounty department of developmental

1 disabilities services and with the advice of the county developmental disabilities
2 services director appointed under par. (a), whether services are to be provided
3 directly by the county department of developmental disabilities services or
4 contracted for with other providers and make such contracts. The county board of
5 supervisors in a county with a single-county department of developmental
6 disabilities services, the Milwaukee County mental health board in Milwaukee
7 County, or the county boards of supervisors in counties with a multicounty
8 department of developmental disabilities services may elect to require the approval
9 of any such contract by the county board of supervisors in a county with a
10 single-county department of developmental disabilities services, the Milwaukee
11 County mental health board in Milwaukee County, or the county boards of
12 supervisors in counties with a multicounty department of developmental disabilities
13 services.

History: 1971 c. 307, 322; 1973 c. 90, 333; 1975 c. 39, 199, 430; 1977 c. 26 ss. 39, 75; 1977 c. 29; 1977 c. 354 s. 101; 1977 c. 418; 1977 c. 428 s. 85, 86, 115; 1979 c. 32, 117, 221, 330, 355; 1981 c. 20, 93, 329; 1983 a. 27, 365, 375, 524; 1985 a. 29 ss. 1094 to 1105m, 3200 (56) (a); 1985 a. 120, 176, 307, 332; 1987 a. 27; 1989 a. 31, 56, 107, 262; 1991 a. 39, 274, 315; 1993 a. 16, 83; 1995 a. 27 ss. 3266m, 9116 (5), 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 225, 352, 417; 1997 a. 27, 35, 164, 252; 1999 a. 9; 2001 a. 16, 59; 2003 a. 33; 2005 a. 25, 264, 388; 2007 a. 20 ss. 1822 to 1824b, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

14 **SECTION 60.** 51.437 (10) (ar) 3. of the statutes is amended to read:

15 51.437 (10) (ar) 3. Such other reports as are required by the department of
16 health services and the county board of supervisors in a county with a single-county
17 department of developmental disabilities services, the Milwaukee County mental
18 health board in Milwaukee County, or the county boards of supervisors in counties
19 with a multicounty department of developmental disabilities services.

History: 1971 c. 307, 322; 1973 c. 90, 333; 1975 c. 39, 199, 430; 1977 c. 26 ss. 39, 75; 1977 c. 29; 1977 c. 354 s. 101; 1977 c. 418; 1977 c. 428 s. 85, 86, 115; 1979 c. 32, 117, 221, 330, 355; 1981 c. 20, 93, 329; 1983 a. 27, 365, 375, 524; 1985 a. 29 ss. 1094 to 1105m, 3200 (56) (a); 1985 a. 120, 176, 307, 332; 1987 a. 27; 1989 a. 31, 56, 107, 262; 1991 a. 39, 274, 315; 1993 a. 16, 83; 1995 a. 27 ss. 3266m, 9116 (5), 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 225, 352, 417; 1997 a. 27, 35, 164, 252; 1999 a. 9; 2001 a. 16, 59; 2003 a. 33; 2005 a. 25, 264, 388; 2007 a. 20 ss. 1822 to 1824b, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

20 **SECTION 61.** 51.437 (10m) (intro.) of the statutes is amended to read:

21 51.437 (10m) COUNTY DEVELOPMENTAL DISABILITIES SERVICES DIRECTOR IN CERTAIN
22 COUNTIES WITH A COUNTY EXECUTIVE OR COUNTY ADMINISTRATOR. (intro.) In any county

1 with a county executive or a county administrator in which the county board of
 2 supervisors or the Milwaukee County mental health board has established a
 3 single-county department of developmental disabilities services, the county
 4 executive or county administrator shall appoint and supervise the county
 5 developmental disabilities services director. In any county with a population of
 6 ~~500,000~~ 750,000 or more, the county executive or county administrator shall appoint
 7 the director of the county department of human services under s. 46.21 as the county
 8 developmental disabilities services director. The appointment is subject to
 9 confirmation by the Milwaukee County mental health board in Milwaukee County
 10 or the county board of supervisors unless the county board of supervisors, by
 11 ordinance, elects to waive confirmation or unless the appointment is made under a
 12 civil service system competitive examination procedure established under s. 59.52
 13 (8) or ch. 63. The county developmental disabilities services director, subject only to
 14 the supervision of the county executive or county administrator, shall:

History: 1971 c. 307, 322; 1973 c. 90, 333; 1975 c. 39, 199, 430; 1977 c. 26 ss. 39, 75; 1977 c. 29; 1977 c. 354 s. 101; 1977 c. 418; 1977 c. 428 s. 85, 86, 115; 1979 c. 32, 117, 221, 330, 355; 1981 c. 20, 93, 329; 1983 a. 27, 365, 375, 524; 1985 a. 29 ss. 1094 to 1105m, 3200 (56) (a); 1985 a. 120, 176, 307, 332; 1987 a. 27; 1989 a. 31, 56, 107, 262; 1991 a. 39, 274, 315; 1993 a. 16, 83; 1995 a. 27 ss. 3266m, 9116 (5), 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 225, 352, 417; 1997 a. 27, 35, 164, 252; 1999 a. 9; 2001 a. 16, 59; 2003 a. 33; 2005 a. 25, 264, 388; 2007 a. 20 ss. 1822 to 1824b, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

15 **SECTION 62.** 51.437 (10m) (c) of the statutes is amended to read:

16 51.437 (10m) (c) Determine, subject to the approval of the county board of
 17 supervisors) and with the advice of the county developmental disabilities services
 18 board under sub. (9b) (e), whether services are to be provided directly by the county
 19 department of developmental disabilities services or contracted for with other
 20 providers and make such contracts. The county board of supervisors or the
 21 Milwaukee County mental health board may elect to require the approval of any such

or the Milwaukee County mental health board

1 contract by the county board of supervisors or the Milwaukee County mental health
2 board.

History: 1971 c. 307, 322; 1973 c. 90, 333; 1975 c. 39, 199, 430; 1977 c. 26 ss. 39, 75; 1977 c. 29; 1977 c. 354 s. 101; 1977 c. 418; 1977 c. 428 s. 85, 86, 115; 1979 c. 32, 117, 221, 330, 355; 1981 c. 20, 93, 329; 1983 a. 27, 365, 375, 524; 1985 a. 29 ss. 1094 to 1105m, 3200 (56) (a); 1985 a. 120, 176, 307, 332; 1987 a. 27; 1989 a. 31, 56, 107, 262; 1991 a. 39, 274, 315; 1993 a. 16, 83; 1995 a. 27 ss. 3266m, 9116 (5), 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 225, 352, 417; 1997 a. 27, 35, 164, 252; 1999 a. 9; 2001 a. 16, 59; 2003 a. 33; 2005 a. 25, 264, 388; 2007 a. 20 ss. 1822 to 1824b, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

3 **SECTION 63.** 51.437 (10m) (i) of the statutes is amended to read:

4 51.437 (10m) (i) Establish salaries and personnel policies of the program
5 subject to approval of the county executive or county administrator and county board
6 of supervisors or the Milwaukee County mental health board, as applicable.

History: 1971 c. 307, 322; 1973 c. 90, 333; 1975 c. 39, 199, 430; 1977 c. 26 ss. 39, 75; 1977 c. 29; 1977 c. 354 s. 101; 1977 c. 418; 1977 c. 428 s. 85, 86, 115; 1979 c. 32, 117, 221, 330, 355; 1981 c. 20, 93, 329; 1983 a. 27, 365, 375, 524; 1985 a. 29 ss. 1094 to 1105m, 3200 (56) (a); 1985 a. 120, 176, 307, 332; 1987 a. 27; 1989 a. 31, 56, 107, 262; 1991 a. 39, 274, 315; 1993 a. 16, 83; 1995 a. 27 ss. 3266m, 9116 (5), 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 225, 352, 417; 1997 a. 27, 35, 164, 252; 1999 a. 9; 2001 a. 16, 59; 2003 a. 33; 2005 a. 25, 264, 388; 2007 a. 20 ss. 1822 to 1824b, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

7 **SECTION 64.** 51.437 (10m) (n) 3. of the statutes is amended to read:

8 51.437 (10m) (n) 3. Such other reports as are required by the department of
9 health services, the Milwaukee County mental health board where applicable, and
10 the county board of supervisors.

History: 1971 c. 307, 322; 1973 c. 90, 333; 1975 c. 39, 199, 430; 1977 c. 26 ss. 39, 75; 1977 c. 29; 1977 c. 354 s. 101; 1977 c. 418; 1977 c. 428 s. 85, 86, 115; 1979 c. 32, 117, 221, 330, 355; 1981 c. 20, 93, 329; 1983 a. 27, 365, 375, 524; 1985 a. 29 ss. 1094 to 1105m, 3200 (56) (a); 1985 a. 120, 176, 307, 332; 1987 a. 27; 1989 a. 31, 56, 107, 262; 1991 a. 39, 274, 315; 1993 a. 16, 83; 1995 a. 27 ss. 3266m, 9116 (5), 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 225, 352, 417; 1997 a. 27, 35, 164, 252; 1999 a. 9; 2001 a. 16, 59; 2003 a. 33; 2005 a. 25, 264, 388; 2007 a. 20 ss. 1822 to 1824b, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

11 **SECTION 65.** 51.44 (4) of the statutes is amended to read:

12 51.44 (4) Each county board of supervisors and the Milwaukee County mental
13 health board shall designate the appropriate county department under s. 46.21,
14 46.23 or 51.437, the local health department of the county or another entity as the
15 local lead agency to provide early intervention services under the funding specified
16 in sub. (3).

History: 1991 a. 39, 269; 1993 a. 16, 27; 1995 a. 27; 1997 a. 27; 2001 a. 16; 2013 a. 20.

17 **SECTION 66.** 51.61 (1) (e) of the statutes is amended to read:

18 51.61 (1) (e) Except in the case of a patient who is admitted or transferred under
19 s. 51.35 (3) or 51.37 or under ch. 971 or 975, have the right to the least restrictive
20 conditions necessary to achieve the purposes of admission, commitment or protective
21 placement, under programs, services and resources that the county board of

1 supervisors or the Milwaukee County mental health board is reasonably able to
2 provide within the limits of available state and federal funds and of county funds
3 required to be appropriated to match state funds.

History: 1975 c. 430; 1977 c. 428 ss. 96 to 109, 115; 1981 c. 20; 1981 c. 314 s. 144; 1983 a. 189 s. 329 (5); 1983 a. 293, 357, 538; 1985 a. 176; 1987 a. 366, 367, 403; 1989 a. 31; 1993 a. 184, 445, 479; 1995 a. 27 s. 9126 (19); 1995 a. 92, 268, 292; 1997 a. 292; 2001 a. 16 ss. 1993j to 1993w, 4034zk, 4034zl; 2001 a. 104; 2005 a. 387, 434, 444; 2007 a. 20 s. 9121 (6) (a); 2007 a. 97; 2009 a. 28; 2011 a. 32.

4 **SECTION 67.** 51.61 (1) (f) of the statutes is amended to read:

5 51.61 (1) (f) Have a right to receive prompt and adequate treatment,
6 rehabilitation and educational services appropriate for his or her condition, under
7 programs, services and resources that the county board of supervisors or the
8 Milwaukee County mental health board is reasonably able to provide within the
9 limits of available state and federal funds and of county funds required to be
10 appropriated to match state funds.

History: 1975 c. 430; 1977 c. 428 ss. 96 to 109, 115; 1981 c. 20; 1981 c. 314 s. 144; 1983 a. 189 s. 329 (5); 1983 a. 293, 357, 538; 1985 a. 176; 1987 a. 366, 367, 403; 1989 a. 31; 1993 a. 184, 445, 479; 1995 a. 27 s. 9126 (19); 1995 a. 92, 268, 292; 1997 a. 292; 2001 a. 16 ss. 1993j to 1993w, 4034zk, 4034zl; 2001 a. 104; 2005 a. 387, 434, 444; 2007 a. 20 s. 9121 (6) (a); 2007 a. 97; 2009 a. 28; 2011 a. 32.

11 **SECTION 68.** 55.001 of the statutes is amended to read:

12 **55.001 Declaration of policy.** The legislature recognizes that many citizens
13 of the state, because of serious and persistent mental illness, degenerative brain
14 disorder, developmental disabilities, or other like incapacities, are in need of
15 protective services or protective placement. Except as provided in s. 49.45 (30m) (a),
16 the protective services or protective placement should, to the maximum degree of
17 feasibility under programs, services and resources that the county board of
18 supervisors or the Milwaukee County mental health board is reasonably able to
19 provide within the limits of available state and federal funds and of county funds
20 required to be appropriated to match state funds, allow the individual the same
21 rights as other citizens, and at the same time protect the individual from financial
22 exploitation, abuse, neglect, and self-neglect. This chapter is designed to establish
23 those protective services and protective placements, to assure their availability to all

1 individuals when in need of them, and to place the least possible restriction on
2 personal liberty and exercise of constitutional rights consistent with due process and
3 protection from abuse, financial exploitation, neglect, and self-neglect.

4 **History:** 1973 c. 284; 1979 c. 221; 1995 a. 92; 2003 a. 33; 2005 a. 264, 388; 2009 a. 180.

(END)

D-note

~~xxx~~ Note: In a subsequent draft I will
insert a nonstatutory provision relating to
the initial terms of board members to create
the staggered terms. ✓

Insert X

✓

Section #. 46.031 (3) (b) of the statutes is amended to read:

~~or~~ the Milwaukee County mental health board;

46.031 (3) (b) *Alternate process.* The county board of supervisors or the boards of 2 or more counties acting jointly may submit a report to the department on the open public participation process used under sub. (2). The county board of supervisors may designate an agent, or the boards of 2 or more counties acting jointly may designate an agent, to submit the report. If the department approves the report, establishment of a citizen advisory committee under par. (a) is not required.

or the Milwaukee County mental health board

History: 1977 c. 29 ss. 543, 544b; 1977 c. 418; 1979 c. 34 s. 2102 (20) (b); 1979 c. 221 ss. 337 to 347m, 2202 (20); 1979 c. 336, 355; 1981 c. 20 ss. 741 to 745, 2202 (20) (a); 1983 a. 27; 1985 a. 29 ss. 808, 3200 (56), 3202 (23); 1985 a. 120, 176, 332; 1993 a. 16; 1995 a. 27, 225; 2007 a. 20.

(End of Insert)

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

LRB-3513/dn

TJD:/:.....

js

P1

Date

Representative Sanfelippo:

Please review this very rough, preliminary draft to ensure that it complies with your intent. I anticipate this draft will need changes and I plan to review this draft with a drafter who drafts local government topics and with Brian Larson from Legislative Council before the next version of the draft.

This version of the draft substitutes the Milwaukee County mental health board only for the Milwaukee County board of supervisors, but any function that the Milwaukee County executive currently has remains a function of the executive. Since it appears that the mental health programs and services are administered by the Milwaukee County Department of Health and Human Services, this draft does not alter some of the statutes relating to a county department of social services. It is difficult to determine sometimes what is a mental health program, service, or function so please review this draft carefully to determine whether the scope of mental health in this draft is too broad or too narrow. This draft includes as "mental health" a department of developmental disabilities but does not include s. 46.56 relating to coordinated care for children or s. 46.87 relating to Alzheimer's disease.

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new

Should you have any questions or redraft instructions, please contact me

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

LRB-3513/P1dn
TJD:csj:rs

December 16, 2013

Representative Sanfelippo:

Please review this very rough, preliminary draft to ensure that it complies with your intent. I anticipate this draft will need changes and I plan to review this draft with a drafter who drafts local government topics and with Brian Larson from Legislative Council before the next version of the draft.

This version of the draft substitutes the Milwaukee County mental health board only for the Milwaukee County board of supervisors, but any function that the Milwaukee County executive currently has remains a function of the executive. Since it appears that the mental health programs and services are administered by the Milwaukee County Department of Health and Human Services, this draft does not alter some of the statutes relating to a county department of social services. It is difficult to determine sometimes what is a mental health program, service, or function so please review this draft carefully to determine whether the scope of mental health in this draft is too broad or too narrow. This draft includes as "mental health" a department of developmental disabilities but does not include s. 46.56 relating to coordinated care for children or s. 46.87 relating to Alzheimer's disease.

Should you have any questions or redraft instructions, please contact me.

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