



In: 3/7

Due ASAP

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 718

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 2, line 17: after that line insert:

3 "SECTION 2d. 15.07 (1) (b) 24. of the statutes, as created by 2013 Wisconsin Act
4 (this act), is repealed."

5 **2.** Page 3, line 8: after that line insert:

6 "SECTION 3d. 15.07 (1) (cm) of the statutes, as affected by 2013 Wisconsin Act
7 (this act), is amended to read:

8 15.07 (1) (cm) The term of one member of the government accountability board
9 shall expire on each May 1. The terms of the 3 members of the land and water
10 conservation board appointed under s. 15.135 (4) (b) 2. shall expire on January 1.
11 The term of the member of the land and water conservation board appointed under

1 s. 15.135 (4) (b) 2m. shall expire on May 1 of an even-numbered year. The terms of
2 the appraiser members of the real estate appraisers board and the terms of the
3 auctioneer and auction company representative members of the auctioneer board
4 shall expire on May 1 in an even-numbered year. The terms of the members of the
5 cemetery board shall expire on July 1 in an even-numbered year. The term of the
6 student member of the Board of Regents of the University of Wisconsin System who
7 is at least 24 years old shall expire on May 1 of every even-numbered year. ~~The terms~~
8 ~~of 6 of the members of the Milwaukee County mental health board appointed under~~
9 ~~s. 15.195 (9) (b) shall expire on May 1 of an even-numbered year.”.~~

10 **3.** Page 3, line 12: after that line insert:

11 “SECTION 4d. 15.07 (3) (bm) 7. of the statutes, as created by 2013 Wisconsin Act
12 (this act), is repealed.”.

13 **4.** Page 9, line 12: after that line insert:

14 “SECTION 5d. 15.195 (9) of the statutes, as created by 2013 Wisconsin Act
15 (this act), is repealed.”.

16 **5.** Page 10, line 5: after that line insert:

17 “SECTION 6d. 17.07 (3r) of the statutes, as created by 2013 Wisconsin Act
18 (this act), is repealed.

19 **SECTION 6j.** 19.42 (7w) (e) of the statutes is created to read:

20 19.42 (7w) (e) The position of member of the Milwaukee County mental health
21 board as created under s. 51.41 (1d).”.

22 **6.** Page 10, line 10: after that line insert:

23 “SECTION 7d. 20.435 (5) (kf) of the statutes, as created by 2013 Wisconsin Act
24 (this act), is repealed.

1 **SECTION 7s.** 46.011 (1s) of the statutes is created to read:

2 46.011 (1s) “Milwaukee County mental health board” means the Milwaukee
3 County mental health board created under s. 51.41 (1d).”

4 **7.** Page 26, line 25: after “**board.**” insert “**(1d) MILWAUKEE COUNTY MENTAL**
5 **HEALTH BOARD; APPOINTMENTS; REQUIREMENTS; VACANCIES.** (a) Milwaukee County shall
6 establish the Milwaukee County mental health board.

7 (b) Subject to par. (d), the board shall consist of the following 11 voting members
8 appointed by the Milwaukee County executive for 4–year terms except for the
9 members under subds. 10. and 11.:

10 1. A psychiatrist or psychologist who is suggested by the Milwaukee County
11 board of supervisors. The Milwaukee County board of supervisors shall solicit
12 suggestions for psychiatrists and psychologists from organizations including the
13 Wisconsin Medical Society, the Medical Society of Milwaukee, the Wisconsin
14 Psychological Association, the Wisconsin Psychiatric Association, and the Wisconsin
15 Association of Family and Children’s Agencies for individuals who specialize in a full
16 continuum of behavioral health services for children. The Milwaukee County board
17 of supervisors shall suggest to the Milwaukee County executive 4 psychiatrists and
18 psychologists for this board membership position.

19 2. A psychiatrist or psychologist who is suggested by the Milwaukee County
20 board of supervisors. The Milwaukee County board of supervisors shall solicit
21 suggestions for psychiatrists and psychologists from organizations including the
22 Wisconsin Medical Society, the Medical Society of Milwaukee, the Wisconsin
23 Psychological Association, the Wisconsin Psychiatric Association, and the
24 Milwaukee Co–occurring Competency Cadre for individuals who specialize in a full

1 continuum of behavioral health services for adults. The Milwaukee County board
2 of supervisors shall suggest to the Milwaukee County executive 4 psychiatrists and
3 psychologists for this board membership position.

4 3. A representative of the community who is a consumer of mental health
5 services and who is suggested by the Milwaukee County board of supervisors. The
6 Milwaukee County board of supervisors shall solicit suggestions for individuals who
7 have experienced mental illness or substance abuse from organizations including
8 Warmline, the Milwaukee Mental Health Task Force, and the Milwaukee
9 Co-occurring Competency Cadre. The Milwaukee County board of supervisors shall
10 suggest to the Milwaukee County executive 4 representatives of the community for
11 this board membership position.

12 4. A psychiatric mental health advanced practice nurse prescriber who is
13 suggested by the Milwaukee County board of supervisors. The Milwaukee County
14 board of supervisors shall solicit suggestions from organizations including the
15 Wisconsin Nurses Association for individuals who specialize in a full continuum of
16 behavioral health and medical services including emergency detention, inpatient,
17 residential, transitional, partial hospitalization, intensive outpatient, and
18 wraparound community-based services. The Milwaukee County board of
19 supervisors shall suggest to the Milwaukee County executive 4 psychiatric mental
20 health advanced practice nurse prescribers for this board membership position.

21 5. An individual specializing in finance and administration. The Milwaukee
22 County executive shall solicit suggestions from organizations including the
23 Wisconsin Hospital Association, the Wisconsin County Human Services Association,
24 and the Public Policy Forum for at least 4 individuals with experience in analyzing
25 healthcare operating expenses, revenues, and reimbursement, knowledge of public

1 and private funding and systems, and expertise in financial restructuring for
2 sustainability.

3 6. A health care provider with experience in the delivery of substance abuse
4 services. The Milwaukee County executive shall solicit suggestions from
5 organizations including the Wisconsin Nurses Association and the Milwaukee
6 Co-occurring Competency Cadre for at least 4 health care providers specializing in
7 providing substance abuse services.

8 7. An individual with legal expertise. The Milwaukee County executive shall
9 solicit suggestions from organizations including the Legal Aid Society of Milwaukee,
10 Legal Action of Wisconsin, Community Justice Counsel, and Disability Rights
11 Wisconsin for at least 4 individuals who have legal expertise specializing in
12 emergency detention regulatory requirements including policies, procedures,
13 provider responsibilities, and patient rights.

14 8. A health care provider representing community-based mental health
15 service providers who is suggested by the Milwaukee County board of supervisors.
16 The Milwaukee County board of supervisors shall solicit suggestions from
17 organizations including the Wisconsin Nurses Association, the Milwaukee Health
18 Care Partnership, the Milwaukee Mental Health Task Force, and the Milwaukee
19 Co-occurring Competency Cadre for health care providers specializing in
20 community-based, recovery-oriented, mental health systems. The Milwaukee
21 County board of supervisors shall suggest to the Milwaukee County executive 4
22 health care providers representing community-based mental health service
23 providers for this board membership position.

24 9. An individual who is a consumer or family member representing
25 community-based mental health service providers. The Milwaukee County

1 executive shall solicit suggestions from organizations including the Milwaukee
2 Health Care Partnership, the Milwaukee Mental Health Task Force, and the
3 Milwaukee Co-occurring Competency Cadre for at least 4 consumers and family
4 members representing community-based mental health service providers.

5 10. The chairperson of the county community programs board in Milwaukee
6 County under s. 51.42 (4), or his or her designee who is not an elected official as
7 defined in s. 5.02 (3m). If the chairperson of the county community programs board
8 in Milwaukee County is an elected official, the chairperson shall designate a member
9 of the county community programs board who is not an elected official to be a member
10 under this subdivision.

11 11. The chairperson of the Milwaukee Mental Health Task Force, or his or her
12 designee.

13 (c) Subject to par. (d), the board shall consist of the following 2 nonvoting
14 members appointed by the Milwaukee County executive for 4-year terms:

15 1. A health care provider who is an employee of a higher education institution
16 suggested by the Medical College of Wisconsin. The Milwaukee County executive
17 shall solicit suggestions from the Medical College of Wisconsin for individuals
18 specializing in community-based, recovery-oriented mental health systems,
19 maximizing comprehensive community-based services, prioritizing access to
20 community-based services and reducing reliance on institutional and inpatient
21 care, protecting the personal liberty of individuals experiencing mental illness so
22 that they may be treated in the least restrictive environment to the greatest extent
23 possible, providing early intervention to minimize the length and depth of psychotic
24 and other mental health episodes, diverting people from the corrections system,

1 when appropriate, or maximizing the use of mobile crisis units and crisis
2 intervention training.

3 2. A health care provider who is an employee of a higher education institution
4 suggested by the University of Wisconsin—Madison. The Milwaukee County
5 executive shall solicit suggestions from the University of Wisconsin—Madison for
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12 and other mental health episodes, diverting people from the corrections system,
13 when appropriate, or maximizing the use of mobile crisis units and crisis
14 intervention training.

15 (d) 1. The Milwaukee County executive shall ensure that one of the members
16 under par. (b) 1. and 2. is a psychologist.

17 2. A person nominating or suggesting individuals for nomination under par. (b)
18 shall attempt to ensure that individuals suggested are among the most-qualified
19 and experienced in their field.

20 3. a. In this subdivision, “cultural competency” means the ability to understand
21 and act respectfully toward, in a cultural context, the beliefs, interpersonal styles,
22 attitudes, and behaviors of persons and families of various cultures, including
23 persons and families who receive mental health services in Milwaukee County and
24 persons and families who provide mental health services in Milwaukee County.

1 b. Members under par. (b) collectively shall possess cultural competency and
2 shall reflect the population that is serviced by the Milwaukee County mental health
3 system.

4 4. No member of the board may be an employee of Milwaukee County at the
5 time of nomination.

6 5. No member of the board may be a lobbyist, as defined in s. 13.62 (11). No
7 member of the board may directly or indirectly solicit or receive subscriptions or
8 contributions for any partisan political party or any political purpose while
9 appointed to the board. No member of the board may engage in any form of political
10 activity calculated to favor or improve the chances of any political party or any person
11 seeking or attempting to hold partisan office. No member of the board may hold an
12 elected office. Any violation of this subdivision is adequate grounds for dismissal.

13 6. No member under par. (b) may serve more than 2 consecutive terms in a
14 membership position for which suggestions for nomination are made by the same
15 individual or entity, except that a member may serve 3 consecutive terms in a
16 membership position for which suggestions for nomination are made by the same
17 individual or entity if one of those 3 terms is for less than 2 years. An individual who
18 has served 2 consecutive 4-year terms or 3 consecutive terms totalling less than 10
19 years is eligible to be suggested for nomination as a member under par. (b) after the
20 individual has not served on the board for 12 months.

21 7. Notwithstanding s. 59.17 (2) (c), appointment of members under pars. (b) and
22 (c) to the Milwaukee County mental health board is not subject to approval of the
23 Milwaukee County board of supervisors.

****NOTE: There is a reference in chapter 17 to vacancies of county appointive positions subject to the approval of the county board. I am unsure whether appointments to this type of governmental unit would typically require approval of the county board.

This amendment specifies that appointments to the Milwaukee County mental health board are not subject to approval by the Milwaukee County board of supervisors.

1 (f) At its first meeting in each year, the Milwaukee County mental health board
2 shall elect a chairperson, vice chairperson, and secretary each of whom may be
3 reelected for successive terms.

4 (g) A majority of the membership of a board constitutes a quorum to do
5 business, and unless a more restrictive provision is adopted by the board, a majority
6 of a quorum may act in any matter within the jurisdiction of the board.

7 (h) The members of the Milwaukee County mental health board shall be
8 reimbursed for their actual and necessary expenses incurred in the performance of
9 their duties. The members shall receive no compensation for their services.

10 (i) 1. Notwithstanding s. 17.10, a member of the Milwaukee County mental
11 health board may be removed by all of the following:

12 a. If the Milwaukee County executive solicited suggestions for nomination, the
13 Milwaukee County executive, for cause.

14 b. If the Milwaukee County board of supervisors suggested the member for
15 nomination, the Milwaukee County board of supervisors, for cause.

16 2. A member of the Milwaukee County mental health board shall be removed
17 by the Milwaukee County executive for engaging in an activity that disqualifies an
18 individual from board membership under this subsection.”.

19 **8.** Page 27, line 1: delete “(1)” and substitute “(1s)”.

20 **9.** Page 27, line 6: before “budget” insert “mental health”.

****NOTE: The changes to page 27, line 6, are correcting an error in a
cross-reference and making a clarification in the substitute amendment.

21 **10.** Page 27, line 6: delete “amount set” and substitute “as defined”.

22 **11.** Page 27, line 6: after “(a)” insert “2”.

1 **12.** Page 28, line 6: delete “(a)”.

2 **13.** Page 28, line 12: delete lines 12 to 19.

3 **14.** Page 34, line 17: after “functions” insert “and to ensure there is no
4 interruption of mental health services”.

5 **15.** Page 35, line 8: after that line insert:

6 “**SECTION 35m.** 51.41 (3) and (5) (a) and (b) of the statutes, as created by 2013
7 Wisconsin Act (this act), are amended to read:

8 51.41 (3) PUBLIC HEARING; MEETINGS. The Milwaukee County mental health
9 board shall meet 6 times each year and may meet at other times on the call of the
10 chairperson or a majority of the board’s members. Annually, the Milwaukee County
11 mental health board shall hold a public hearing in Milwaukee County as one of its
12 required meetings.

13 (5) (a) The Milwaukee County board of supervisors has no jurisdiction over any
14 mental health policy, functions, programs, or services. The Milwaukee County board
15 of supervisors may not create new mental health functions, programs, or services
16 that are under the jurisdiction of the board of supervisors. ~~Any dispute between the~~
17 ~~Milwaukee County board of supervisors and the Milwaukee County mental health~~
18 ~~board over whether a function, program, or service is a mental health function,~~
19 ~~program, or service under the jurisdiction of the Milwaukee County mental health~~
20 ~~board shall be resolved by the secretary of health services.~~

21 (b) The Milwaukee County mental health board may transfer jurisdiction over
22 a Milwaukee County function, service, or program to itself that pertains to mental
23 health or is highly integrated with mental health services and that is not under its
24 jurisdiction by statute ~~or by agreement with the Milwaukee County board of~~

1 supervisors, by an affirmative vote of ~~8 of the voting~~ a majority of the Milwaukee
2 County mental health board and a majority of the Milwaukee County mental health
3 board. of supervisors

4 **SECTION 35p.** 51.41 (6) of the statutes, as created by 2013 Wisconsin Act
5 (this act), is repealed.”

6 **16.** Page 44, line 19: after that line insert:

7 “(c) This subsection does not apply after December 31, 2014.

8 (2d) COUNTY-BASED MILWAUKEE COUNTY MENTAL HEALTH BOARD; TRANSFER OF
9 BOARD MEMBER APPOINTMENTS. Notwithstanding section 51.41 (1d) of the statutes, as
10 created by this act, on January 1, 2015, the Milwaukee County executive shall
11 appoint the individuals who are appointed to the state-based Milwaukee County
12 mental health board under section 15.195 (9) of the statutes, as created by this act,
13 as of December 31, 2014, to the county-based Milwaukee County mental health
14 board as created in section 51.41 (1d) of the statutes, as created by this act, to serve
15 the remainder of their terms as specified under subsection (1). Beginning January
16 1, 2015, the Milwaukee County executive shall make appointments to the
17 Milwaukee County mental health board in accordance with section 51.41 (1d) of the
18 statutes, as created by this act, to fill board vacancies and to fill positions when the
19 term of a board member expires.”

20 **17.** Page 45, line 6: after “programs.” insert “The audit shall include
21 recommendations for the state assuming oversight responsibility for emergency
22 detention services and the psychiatric hospital of the Milwaukee County Mental
23 Health Complex, developing a plan for closing the Milwaukee County Mental Health
24 Complex, and developing a plan for state oversight of a regional facility for the

12 -
Using similar state-operated regional facilities as a model

1 delivery of institutional, inpatient, crisis services, and behavioral health services.
2 In addition, the audit shall provide details and specifications on how, after the
3 transitioning of the county-run institutional model to a state-based regionalized
4 model, the state-based Milwaukee County mental health board will transition to a
5 county-based board, the positions on the Milwaukee County mental health board
6 will transition to a community-based focus, and the funding for inpatient services
7 and community-based services will continue.

****NOTE: Please review this language to confirm it complies with your intent. I rearranged the second sentence to eliminate potential confusion with the timing. It is my understanding that the psychiatric hospital would not fully transition to a state-based model until after January 1, 2015. The Milwaukee County mental health board, however, begins its transition to the county on January 1, 2015.

8 **18.** Page 45, line 20: after that line insert:

9 **"SECTION 54m. Effective dates.** This act takes effect on the day after
10 publication, except as follows:

11 (1) **TRANSITION TO COUNTY-BASED MILWAUKEE COUNTY MENTAL HEALTH BOARD.** The
12 treatment of sections 15.07 (1) (cm) (by SECTION 3d), 19.42 (7w) (e), 46.011 (1s), and
13 51.41 (1d), (3) (by SECTION 35m), and (5) (a) and (b) (by SECTION 35m) of the statutes
14 and the repeal of sections 15.07 (1) (b) 24. and (3) (bm) 7., 15.195 (9), 17.07 (3r), 20.435
15 (5) (kf), and 51.41 (6) of the statutes take effect on January 1, 2015."

16 (END)

^ and mental health services will be delivered in a manner that reflects all of the following principles: ^

Insert NS-1

1 INSERT NS-1

2 ~~9~~ 1. Community-based, person-centered, recovery-oriented, mental health
3 systems.

4 2. Maximizing comprehensive community-based services.

5 3. Prioritizing access to community-based services and reducing reliance on
6 institutional and inpatient care.

7 4. Protecting the personal liberty of individuals experiencing mental illness so
8 that they may be treated in the least restrictive environment to the greatest extent
9 possible.

10 5. Providing early intervention to minimize the length and depth of psychotic
11 and other mental health episodes.

12 6. Diverting people experiencing mental illness from the corrections system
13 when appropriate.

14 7. Maximizing use of mobile crisis units and crisis intervention training.”.

15 ~~#1~~. Page 45, line 6: before “The department” insert “(b)”.

16 ~~#2~~. Page 45, line 7: after “audit” insert “under paragraph (a)”.

17 ~~#3~~. Page 45, line 9: delete “audit shall” and substitute “audit under paragraph
18 (a) shall”.

19 ~~#4~~. Page 45, line 9: delete “audit, including” and substitute “audit under
20 paragraph (a), including”.

21 ~~#5~~. Page 45, line 15: delete “(b)” and substitute “(c)”.

Dodge, Tamara

From: Hoisington, Joshua
Sent: Monday, March 10, 2014 10:35 AM
To: Dodge, Tamara
Cc: Sanfelippo, Joe
Subject: Amendment

Good Morning Tami,

Could you please do one more p draft and remove the word 'prescriber' ^{sub} 4 line 20?

After we get one more look at it we should be good to go. ^{and amend.} 4 line 12 to remove "prescriber"

Best Regards,

Josh Hoisington
Office of Representative Joe Sanfelippo
15th Assembly District
608.266.0620

NOTE: Emails sent to and from this account may be subject to open records requests and should not be considered private.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBa2033/P2
TJD:jld&sac:jf

P3

In. 3/10

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RMR

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20 3. a. In this subdivision, “cultural competency” means the ability to understand
21 and act respectfully toward, in a cultural context, the beliefs, interpersonal styles,
22 attitudes, and behaviors of persons and families of various cultures, including
23 persons and families who receive mental health services in Milwaukee County and
24 persons and families who provide mental health services in Milwaukee County.

1 b. Members under par. (b) collectively shall possess cultural competency and
2 shall reflect the population that is serviced by the Milwaukee County mental health
3 system.

4 4. No member of the board may be an employee of Milwaukee County at the
5 time of nomination.

6 5. No member of the board may be a lobbyist, as defined in s. 13.62 (11). No
7 member of the board may directly or indirectly solicit or receive subscriptions or
8 contributions for any partisan political party or any political purpose while
9 appointed to the board. No member of the board may engage in any form of political
10 activity calculated to favor or improve the chances of any political party or any person
11 seeking or attempting to hold partisan office. No member of the board may hold an
12 elected office. Any violation of this subdivision is adequate grounds for dismissal.

13 6. No member under par. (b) may serve more than 2 consecutive terms in a
14 membership position for which suggestions for nomination are made by the same
15 individual or entity, except that a member may serve 3 consecutive terms in a
16 membership position for which suggestions for nomination are made by the same
17 individual or entity if one of those 3 terms is for less than 2 years. An individual who
18 has served 2 consecutive 4-year terms or 3 consecutive terms totalling less than 10
19 years is eligible to be suggested for nomination as a member under par. (b) after the
20 individual has not served on the board for 12 months.

21 7. Notwithstanding s. 59.17 (2) (c), appointment of members under pars. (b) and
22 (c) to the Milwaukee County mental health board is not subject to approval of the
23 Milwaukee County board of supervisors.

1 (f) At its first meeting in each year, the Milwaukee County mental health board
2 shall elect a chairperson, vice chairperson, and secretary each of whom may be
3 reelected for successive terms.

4 (g) A majority of the membership of a board constitutes a quorum to do
5 business, and unless a more restrictive provision is adopted by the board, a majority
6 of a quorum may act in any matter within the jurisdiction of the board.

7 (h) The members of the Milwaukee County mental health board shall be
8 reimbursed for their actual and necessary expenses incurred in the performance of
9 their duties. The members shall receive no compensation for their services.

10 (i) 1. Notwithstanding s. 17.10, a member of the Milwaukee County mental
11 health board may be removed by all of the following:

12 a. If the Milwaukee County executive solicited suggestions for nomination, the
13 Milwaukee County executive, for cause.

14 b. If the Milwaukee County board of supervisors suggested the member for
15 nomination, the Milwaukee County board of supervisors, for cause.

16 2. A member of the Milwaukee County mental health board shall be removed
17 by the Milwaukee County executive for engaging in an activity that disqualifies an
18 individual from board membership under this subsection.”.

19 **8.** Page 27, line 1: delete “(1)” and substitute “(1s)”.

20 **9.** Page 27, line 6: before “budget” insert “mental health”.

21 **10.** Page 27, line 6: delete “amount set” and substitute “as defined”.

22 **11.** Page 27, line 6: after “(a)” insert “2”.

23 **12.** Page 28, line 6: delete “(a)”.

24 **13.** Page 28, line 12: delete lines 12 to 19.

1 **14.** Page 34, line 17: after “functions” insert “and to ensure there is no
2 interruption of mental health services”.

3 **15.** Page 35, line 8: after that line insert:

4 “**SECTION 35m.** 51.41 (3) and (5) (a) and (b) of the statutes, as created by 2013
5 Wisconsin Act (this act), are amended to read:

6 51.41 (3) PUBLIC HEARING; ~~MEETINGS.~~ The Milwaukee County mental health
7 board shall meet 6 times each year and may meet at other times on the call of the
8 chairperson or a majority of the board’s members. Annually, the Milwaukee County
9 mental health board shall hold a public hearing in Milwaukee County as one of its
10 required meetings.

11 (5) (a) The Milwaukee County board of supervisors has no jurisdiction over any
12 mental health policy, functions, programs, or services. The Milwaukee County board
13 of supervisors may not create new mental health functions, programs, or services
14 that are under the jurisdiction of the board of supervisors. ~~Any dispute between the~~
15 ~~Milwaukee County board of supervisors and the Milwaukee County mental health~~
16 ~~board over whether a function, program, or service is a mental health function,~~
17 ~~program, or service under the jurisdiction of the Milwaukee County mental health~~
18 ~~board shall be resolved by the secretary of health services.~~

19 (b) The Milwaukee County mental health board may transfer jurisdiction over
20 a Milwaukee County function, service, or program to itself that pertains to mental
21 health or is highly integrated with mental health services and that is not under its
22 jurisdiction by statute ~~or by agreement with the Milwaukee County board of~~
23 ~~supervisors, by an affirmative vote of 8 of the voting~~ a majority of the Milwaukee

1 County mental health board and a majority of the Milwaukee County board of
2 supervisors.

3 **SECTION 35p.** 51.41 (6) of the statutes, as created by 2013 Wisconsin Act
4 (this act), is repealed.”.

5 **16.** Page 44, line 19: after that line insert:

6 “(c) This subsection does not apply after December 31, 2014.

7 (2d) COUNTY-BASED MILWAUKEE COUNTY MENTAL HEALTH BOARD; TRANSFER OF
8 BOARD MEMBER APPOINTMENTS. Notwithstanding section 51.41 (1d) of the statutes, as
9 created by this act, on January 1, 2015, the Milwaukee County executive shall
10 appoint the individuals who are appointed to the state-based Milwaukee County
11 mental health board under section 15.195 (9) of the statutes, as created by this act,
12 as of December 31, 2014, to the county-based Milwaukee County mental health
13 board as created in section 51.41 (1d) of the statutes, as created by this act, to serve
14 the remainder of their terms as specified under subsection (1). Beginning January
15 1, 2015, the Milwaukee County executive shall make appointments to the
16 Milwaukee County mental health board in accordance with section 51.41 (1d) of the
17 statutes, as created by this act, to fill board vacancies and to fill positions when the
18 term of a board member expires.”.

19 **17.** Page 45, line 6: after “programs.” insert “The audit shall include
20 recommendations for the state assuming oversight responsibility for emergency
21 detention services and the psychiatric hospital of the Milwaukee County Mental
22 Health Complex, developing a plan for closing the Milwaukee County Mental Health
23 Complex, and developing a plan for state oversight of a regional facility for the
24 delivery of institutional, inpatient, crisis services, and behavioral health services

1 using similar state-operated regional facilities as a model. In addition, the audit
2 shall provide details and specifications on how, after the transitioning of the
3 county-run institutional model to a state-based regionalized model, the state-based
4 Milwaukee County mental health board will transition to a county-based board, the
5 positions on the Milwaukee County mental health board will transition to a
6 community-based focus, the funding for inpatient services and community-based
7 services will continue, and mental health services will be delivered in a manner that
8 reflects all of the following principles:

9 1. Community-based, person-centered, recovery-oriented mental health
10 systems.

11 2. Maximizing comprehensive community-based services.

12 3. Prioritizing access to community-based services and reducing reliance on
13 institutional and inpatient care.

14 4. Protecting the personal liberty of individuals experiencing mental illness so
15 that they may be treated in the least restrictive environment to the greatest extent
16 possible.

17 5. Providing early intervention to minimize the length and depth of psychotic
18 and other mental health episodes.

19 6. Diverting people experiencing mental illness from the corrections system
20 when appropriate.

21 7. Maximizing use of mobile crisis units and crisis intervention training.”.

22 **18.** Page 45, line 6: before “The department” insert “(b)”.

23 **19.** Page 45, line 7: after “audit” insert “under paragraph (a)”.

Dodge, Tamara

From: Hoisington, Joshua
Sent: Monday, March 10, 2014 12:28 PM
To: Dodge, Tamara
Subject: RE: Question

For suggestions made by the county board, the county executive cannot just reappoint. If the county board would like to reappoint the individual they can forward that one name on in lieu of the 4 suggestions. Alternatively, if the county board wishes to not reappoint that individual they can submit 4 new names.

Adding it only to the county based board is fine.

- ✓ For the positions for which the county executive solicits suggestions, it is fine as is.
- ✓ For the positions for which the county board solicits suggestions, we want to limit the county exec to appointing only one of the suggested individuals. I believe that's how it's currently written.

Once these changes are made please make it a /1 and a rush delivery. I can also run over and pick up the jacket if need be.

Best Regards,

Josh Hoisington
Office of Representative Joe Sanfelippo
15th Assembly District
608.266.0620

NOTE: Emails sent to and from this account may be subject to open records requests and should not be considered private.

From: Dodge, Tamara
Sent: Monday, March 10, 2014 12:09 PM
To: Hoisington, Joshua
Subject: RE: Question

For the filling of each position, the four suggestions are required, including for a position for which the member is allowed to serve another term.

I can add something, but I need to know exactly how this works. Assuming the suggestion was made by the county board, does the county exec just get to reappoint. Or does the county board still have to make the suggestion of that individual? What if the county board suggests 4 new people but the county exec wants the incumbent?

If you want language added, I would only add it to the county-based board because the board converts from state-based to county-based before any incumbents' terms would expire.

Mary pointed out something. When I transferred the nomination provisions to the county-base board, in those positions for which the county executive solicits suggestions, he is not required to appoint a suggested individual. (This is how the gubernatorial direct appointments were in the original bill. And actually, the county board does need to provide the four names from only those suggested; it has always been that way.) So, do you want to limit the county exec to appointing only one of the suggested individuals? Or is it okay as it is in the bill? I realize this may be a bigger issue you need to discuss with the various parties involved.

Once this is decided, may I do a /1?

Tamara J. Dodge

Attorney
Wisconsin Legislative Reference Bureau
P.O. Box 2037
Madison, WI 53701-2037
(608) 267 - 7380
tamara.dodge@legis.wisconsin.gov

From: Hoisington, Joshua
Sent: Monday, March 10, 2014 11:53 AM
To: Dodge, Tamara
Subject: RE: Question

Ok, got it.

There has been a question raised regarding re appointments of members of the MCMHB. If for example the county board liked who they suggested and they're nominated on the initial appointments, when their term expires does the county board have to submit 4 suggestions again or can they just recommend re appointment?

If they need to send 4 suggestions again I think Joe would like to add a sentence saying if they are an incumbent on the board they can suggest re appointment of that 1 individual provided they have not been on longer than outlined on page 9, lines 5 – 12 of the sub.

Sorry, this should be the last change and then we're good. It was just mentioned to me by Joe. Would that be a big change or is it necessary?

Best Regards,

Josh Hoisington
Office of Representative Joe Sanfelippo
15th Assembly District
608.266.0620

NOTE: Emails sent to and from this account may be subject to open records requests and should not be considered private.

From: Dodge, Tamara
Sent: Monday, March 10, 2014 11:48 AM
To: Hoisington, Joshua
Subject: RE: Question

Our phones are out. We're best to communicate by email.

Tamara J. Dodge

Attorney
Wisconsin Legislative Reference Bureau
P.O. Box 2037
Madison, WI 53701-2037
(608) 267 - 7380
tamara.dodge@legis.wisconsin.gov

From: Hoisington, Joshua
Sent: Monday, March 10, 2014 11:47 AM

To: Dodge, Tamara
Subject: Question

Trying to call and your line is busy. Can you please give me a call when you're able?

Best Regards,

Josh Hoisington
Office of Representative Joe Sanfelippo
15th Assembly District
608.266.0620

NOTE: Emails sent to and from this account may be subject to open records requests and should not be considered private.



In: 3/10

(Due Today
ASAP)

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 718

1 At the locations indicated, amend the [✓]substitute amendment as follows:

2 **1.** Page 2, line 17: after that line insert:

3 “SECTION 2d. 15.07 (1) (b) 24. of the statutes, as created by 2013 Wisconsin Act
4 (this act), is repealed.”.

5 **2.** Page 3, line 8: after that line insert:

6 “SECTION 3d. 15.07 (1) (cm) of the statutes, as affected by 2013 Wisconsin Act
7 (this act), is amended to read:

8 15.07 (1) (cm) The term of one member of the government accountability board
9 shall expire on each May 1. The terms of the 3 members of the land and water
10 conservation board appointed under s. 15.135 (4) (b) 2. shall expire on January 1.
11 The term of the member of the land and water conservation board appointed under

1 s. 15.135 (4) (b) 2m. shall expire on May 1 of an even-numbered year. The terms of
2 the appraiser members of the real estate appraisers board and the terms of the
3 auctioneer and auction company representative members of the auctioneer board
4 shall expire on May 1 in an even-numbered year. The terms of the members of the
5 cemetery board shall expire on July 1 in an even-numbered year. The term of the
6 student member of the Board of Regents of the University of Wisconsin System who
7 is at least 24 years old shall expire on May 1 of every even-numbered year. ~~The terms
8 of 6 of the members of the Milwaukee County mental health board appointed under
9 s. 15.195 (9) (b) shall expire on May 1 of an even-numbered year.~~

10 **3.** Page 3, line 12: after that line insert:

11 “**SECTION 4d.** 15.07 (3) (bm) 7. of the statutes, as created by 2013 Wisconsin Act
12 (this act), is repealed.”

13 **4.** Page 4, line 20: delete “prescriber”.

14 **5.** Page 5, line 3: delete “nurse prescribers” and substitute “nurses”.

15 **6.** Page 9, line 12: after that line insert:

16 “**SECTION 5d.** 15.195 (9) of the statutes, as created by 2013 Wisconsin Act
17 (this act), is repealed.”

18 **7.** Page 10, line 5: after that line insert:

19 “**SECTION 6d.** 17.07 (3r) of the statutes, as created by 2013 Wisconsin Act
20 (this act), is repealed.

21 **SECTION 6j.** 19.42 (7w) (e) of the statutes is created to read:

22 19.42 (7w) (e) The position of member of the Milwaukee County mental health
23 board as created under s. 51.41 (1d).”

24 **8.** Page 10, line 10: after that line insert:

1 “SECTION 7d. 20.435 (5) (kf) of the statutes, as created by 2013 Wisconsin Act
2 (this act), is repealed.

3 **SECTION 7s.** 46.011 (1s) of the statutes is created to read:

4 46.011 (1s) “Milwaukee County mental health board” means the Milwaukee
5 County mental health board created under s. 51.41 (1d).”.

6 **9.** Page 26, line 25: after “**board.**” insert “**(1d)** MILWAUKEE COUNTY MENTAL
7 HEALTH BOARD; APPOINTMENTS; REQUIREMENTS; VACANCIES. (a) Milwaukee County shall
8 establish the Milwaukee County mental health board.

9 (b) Subject to par. (d), the board shall consist of the following 11 voting members
10 appointed by the Milwaukee County executive for 4-year terms except for the
11 members under subds. 10. and 11.:

12 1. A psychiatrist or psychologist who is suggested by the Milwaukee County
13 board of supervisors. The Milwaukee County board of supervisors shall solicit
14 suggestions for psychiatrists and psychologists from organizations including the
15 Wisconsin Medical Society, the Medical Society of Milwaukee, the Wisconsin
16 Psychological Association, the Wisconsin Psychiatric Association, and the Wisconsin
17 Association of Family and Children’s Agencies for individuals who specialize in a full
18 continuum of behavioral health services for children. The Milwaukee County board
19 of supervisors shall suggest to the Milwaukee County executive 4 psychiatrists and
20 psychologists for this board membership position.

21 2. A psychiatrist or psychologist who is suggested by the Milwaukee County
22 board of supervisors. The Milwaukee County board of supervisors shall solicit
23 suggestions for psychiatrists and psychologists from organizations including the
24 Wisconsin Medical Society, the Medical Society of Milwaukee, the Wisconsin

1 Psychological Association, the Wisconsin Psychiatric Association, and the
2 Milwaukee Co-occurring Competency Cadre for individuals who specialize in a full
3 continuum of behavioral health services for adults. The Milwaukee County board
4 of supervisors shall suggest to the Milwaukee County executive 4 psychiatrists and
5 psychologists for this board membership position.

6 3. A representative of the community who is a consumer of mental health
7 services and who is suggested by the Milwaukee County board of supervisors. The
8 Milwaukee County board of supervisors shall solicit suggestions for individuals who
9 have experienced mental illness or substance abuse from organizations including
10 Warmline, the Milwaukee Mental Health Task Force, and the Milwaukee
11 Co-occurring Competency Cadre. The Milwaukee County board of supervisors shall
12 suggest to the Milwaukee County executive 4 representatives of the community for
13 this board membership position.

14 4. A psychiatric mental health advanced practice nurse who is suggested by the
15 Milwaukee County board of supervisors. The Milwaukee County board of
16 supervisors shall solicit suggestions from organizations including the Wisconsin
17 Nurses Association for individuals who specialize in a full continuum of behavioral
18 health and medical services including emergency detention, inpatient, residential,
19 transitional, partial hospitalization, intensive outpatient, and wraparound
20 community-based services. The Milwaukee County board of supervisors shall
21 suggest to the Milwaukee County executive 4 psychiatric mental health advanced
22 practice nurses for this board membership position.

23 5. An individual specializing in finance and administration. The Milwaukee
24 County executive shall solicit suggestions from organizations including the
25 Wisconsin Hospital Association, the Wisconsin County Human Services Association,

1 and the Public Policy Forum for at least 4 individuals with experience in analyzing
2 healthcare operating expenses, revenues, and reimbursement, knowledge of public
3 and private funding and systems, and expertise in financial restructuring for
4 sustainability.

5 6. A health care provider with experience in the delivery of substance abuse
6 services. The Milwaukee County executive shall solicit suggestions from
7 organizations including the Wisconsin Nurses Association and the Milwaukee
8 Co-occurring Competency Cadre for at least 4 health care providers specializing in
9 providing substance abuse services.

10 7. An individual with legal expertise. The Milwaukee County executive shall
11 solicit suggestions from organizations including the Legal Aid Society of Milwaukee,
12 Legal Action of Wisconsin, Community Justice Counsel, and Disability Rights
13 Wisconsin for at least 4 individuals who have legal expertise specializing in
14 emergency detention regulatory requirements including policies, procedures,
15 provider responsibilities, and patient rights.

16 8. A health care provider representing community-based mental health
17 service providers who is suggested by the Milwaukee County board of supervisors.
18 The Milwaukee County board of supervisors shall solicit suggestions from
19 organizations including the Wisconsin Nurses Association, the Milwaukee Health
20 Care Partnership, the Milwaukee Mental Health Task Force, and the Milwaukee
21 Co-occurring Competency Cadre for health care providers specializing in
22 community-based, recovery-oriented, mental health systems. The Milwaukee
23 County board of supervisors shall suggest to the Milwaukee County executive 4
24 health care providers representing community-based mental health service
25 providers for this board membership position.

1 9. An individual who is a consumer or family member representing
2 community-based mental health service providers. The Milwaukee County
3 executive shall solicit suggestions from organizations including the Milwaukee
4 Health Care Partnership, the Milwaukee Mental Health Task Force, and the
5 Milwaukee Co-occurring Competency Cadre for at least 4 consumers and family
6 members representing community-based mental health service providers.

7 10. The chairperson of the county community programs board in Milwaukee
8 County under s. 51.42 (4), or his or her designee who is not an elected official as
9 defined in s. 5.02 (3m). If the chairperson of the county community programs board
10 in Milwaukee County is an elected official, the chairperson shall designate a member
11 of the county community programs board who is not an elected official to be a member
12 under this subdivision.

13 11. The chairperson of the Milwaukee Mental Health Task Force, or his or her
14 designee.

15 (c) Subject to par. (d), the board shall consist of the following 2 nonvoting
16 members appointed by the Milwaukee County executive for 4-year terms:

17 1. A health care provider who is an employee of a higher education institution
18 suggested by the Medical College of Wisconsin. The Milwaukee County executive
19 shall solicit suggestions from the Medical College of Wisconsin for individuals
20 specializing in community-based, recovery-oriented mental health systems,
21 maximizing comprehensive community-based services, prioritizing access to
22 community-based services and reducing reliance on institutional and inpatient
23 care, protecting the personal liberty of individuals experiencing mental illness so
24 that they may be treated in the least restrictive environment to the greatest extent
25 possible, providing early intervention to minimize the length and depth of psychotic

1 and other mental health episodes, diverting people from the corrections system,
2 when appropriate, or maximizing the use of mobile crisis units and crisis
3 intervention training.

4 2. A health care provider who is an employee of a higher education institution
5 suggested by the University of Wisconsin—Madison. The Milwaukee County
6 executive shall solicit suggestions from the University of Wisconsin—Madison for
7 individuals specializing in community-based, recovery-oriented mental health
8 systems, maximizing comprehensive community-based services, prioritizing access
9 to community-based services and reducing reliance on institutional and inpatient
10 care, protecting the personal liberty of individuals experiencing mental illness so
11 that they may be treated in the least restrictive environment to the greatest extent
12 possible, providing early intervention to minimize the length and depth of psychotic
13 and other mental health episodes, diverting people from the corrections system,
14 when appropriate, or maximizing the use of mobile crisis units and crisis
15 intervention training.

16 (d) 1. The Milwaukee County executive shall ensure that one of the members
17 under par. (b) 1. and 2. is a psychologist.

18 2. A person nominating or suggesting individuals for nomination under par. (b)
19 shall attempt to ensure that individuals suggested are among the most-qualified
20 and experienced in their field.

21 3. a. In this subdivision, “cultural competency” means the ability to understand
22 and act respectfully toward, in a cultural context, the beliefs, interpersonal styles,
23 attitudes, and behaviors of persons and families of various cultures, including
24 persons and families who receive mental health services in Milwaukee County and
25 persons and families who provide mental health services in Milwaukee County.

1 b. Members under par. (b) collectively shall possess cultural competency and
2 shall reflect the population that is serviced by the Milwaukee County mental health
3 system.

4 4. No member of the board may be an employee of Milwaukee County at the
5 time of nomination.

6 5. No member of the board may be a lobbyist, as defined in s. 13.62 (11). No
7 member of the board may directly or indirectly solicit or receive subscriptions or
8 contributions for any partisan political party or any political purpose while
9 appointed to the board. No member of the board may engage in any form of political
10 activity calculated to favor or improve the chances of any political party or any person
11 seeking or attempting to hold partisan office. No member of the board may hold an
12 elected office. Any violation of this subdivision is adequate grounds for dismissal.

13 6. No member under par. (b) may serve more than 2 consecutive terms in a
14 membership position for which suggestions for nomination are made by the same
15 individual or entity, except that a member may serve 3 consecutive terms in a
16 membership position for which suggestions for nomination are made by the same
17 individual or entity if one of those 3 terms is for less than 2 years. An individual who
18 has served 2 consecutive 4-year terms or 3 consecutive terms totalling less than 10
19 years is eligible to be suggested for nomination as a member under par. (b) after the
20 individual has not served on the board for 12 months.

21 8 e 7. Notwithstanding s. 59.17 (2) (c), appointment of members under pars. (b) and
22 (c) to the Milwaukee County mental health board is not subject to approval of the
23 Milwaukee County board of supervisors.

Insert 8-21 ✓

1 (f) At its first meeting in each year, the Milwaukee County mental health board
2 shall elect a chairperson, vice chairperson, and secretary each of whom may be
3 reelected for successive terms.

4 (g) A majority of the membership of a board constitutes a quorum to do
5 business, and unless a more restrictive provision is adopted by the board, a majority
6 of a quorum may act in any matter within the jurisdiction of the board.

7 (h) The members of the Milwaukee County mental health board shall be
8 reimbursed for their actual and necessary expenses incurred in the performance of
9 their duties. The members shall receive no compensation for their services.

10 (i) 1. Notwithstanding s. 17.10, a member of the Milwaukee County mental
11 health board may be removed by all of the following:

12 a. If the Milwaukee County executive solicited suggestions for nomination, the
13 Milwaukee County executive, for cause.

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15 nomination, the Milwaukee County board of supervisors, for cause.

16 2. A member of the Milwaukee County mental health board shall be removed
17 by the Milwaukee County executive for engaging in an activity that disqualifies an
18 individual from board membership under this subsection.”.

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21 **12.** Page 27, line 6: delete “amount set” and substitute “as defined”.

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24 **15.** Page 28, line 12: delete lines 12 to 19.

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2 interruption of mental health services”.

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4 “**SECTION 35m.** 51.41 (3) and (5) (a) and (b) of the statutes, as created by 2013
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6 51.41 (3) PUBLIC HEARING; MEETINGS. The Milwaukee County mental health
7 board shall meet 6 times each year and may meet at other times on the call of the
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9 mental health board shall hold a public hearing in Milwaukee County as one of its
10 required meetings.

11 (5) (a) The Milwaukee County board of supervisors has no jurisdiction over any
12 mental health policy, functions, programs, or services. The Milwaukee County board
13 of supervisors may not create new mental health functions, programs, or services
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18 ~~board shall be resolved by the secretary of health services.~~

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20 a Milwaukee County function, service, or program to itself that pertains to mental
21 health or is highly integrated with mental health services and that is not under its
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23 ~~supervisors, by an affirmative vote of 8 of the voting~~ a majority of the Milwaukee

1 County mental health board and a majority of the Milwaukee County board of
2 supervisors.

3 **SECTION 35p.** 51.41 (6) of the statutes, as created by 2013 Wisconsin Act
4 (this act), is repealed.”.

5 **18.** Page 44, line 19: after that line insert:

6 “(c) This subsection does not apply after December 31, 2014.

7 (2d) COUNTY-BASED MILWAUKEE COUNTY MENTAL HEALTH BOARD; TRANSFER OF
8 BOARD MEMBER APPOINTMENTS. Notwithstanding section 51.41 (1d) of the statutes, as
9 created by this act, on January 1, 2015, the Milwaukee County executive shall
10 appoint the individuals who are appointed to the state-based Milwaukee County
11 mental health board under section 15.195 (9) of the statutes, as created by this act,
12 as of December 31, 2014, to the county-based Milwaukee County mental health
13 board as created in section 51.41 (1d) of the statutes, as created by this act, to serve
14 the remainder of their terms as specified under subsection (1). Beginning January
15 1, 2015, the Milwaukee County executive shall make appointments to the
16 Milwaukee County mental health board in accordance with section 51.41 (1d) of the
17 statutes, as created by this act, to fill board vacancies and to fill positions when the
18 term of a board member expires.”.

19 **19.** Page 45, line 6: after “programs.” insert “The audit shall include
20 recommendations for the state assuming oversight responsibility for emergency
21 detention services and the psychiatric hospital of the Milwaukee County Mental
22 Health Complex, developing a plan for closing the Milwaukee County Mental Health
23 Complex, and developing a plan for state oversight of a regional facility for the
24 delivery of institutional, inpatient, crisis services, and behavioral health services

1 using similar state-operated regional facilities as a model. In addition, the audit
2 shall provide details and specifications on how, after the transitioning of the
3 county-run institutional model to a state-based regionalized model, the state-based
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7 services will continue, and mental health services will be delivered in a manner that
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9 1. Community-based, person-centered, recovery-oriented mental health
10 systems.

11 2. Maximizing comprehensive community-based services.

12 3. Prioritizing access to community-based services and reducing reliance on
13 institutional and inpatient care.

14 4. Protecting the personal liberty of individuals experiencing mental illness so
15 that they may be treated in the least restrictive environment to the greatest extent
16 possible.

17 5. Providing early intervention to minimize the length and depth of psychotic
18 and other mental health episodes.

19 6. Diverting people experiencing mental illness from the corrections system
20 when appropriate.

21 7. Maximizing use of mobile crisis units and crisis intervention training.”.

22 **20.** Page 45, line 6: before “The department” insert “(b)”.

23 **21.** Page 45, line 7: after “audit” insert “under paragraph (a)”.

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa2033/lins
TJD:.....

1 INSERT 8-21

2 7. Notwithstanding par. (b) 1., 2., 3., 4., and 8.✓ and subject to subd. 6.✓, if the
3 Milwaukee County board of supervisors chooses to suggest a member of the
4 Milwaukee County mental health board✓ for reappointment to his or her position
5 under par. (b) 1., 2., 3., 4., or 8.✓, the Milwaukee County board of supervisors is not
6 required to solicit suggestions from organizations and is not required to submit an
7 additional 3✓ suggestions to the Milwaukee County executive for that appointment.
8 Notwithstanding par. (b) 5., 6., 7., and 9.✓ and subject to subd. 6., if the Milwaukee
9 County executive chooses to suggest a member of the Milwaukee County mental
10 health board for reappointment to his or her position under par. 5., 6., 7., or 9.✓, the
11 Milwaukee County executive is not required to solicit suggestions from organizations
12 for that appointment.✓

(END INSERT 8-21)