

No. 2, S.]

[Published October 19, 1961.

**CHAPTER 563**

AN ACT to repeal 141.03; to amend 141.05 (1); to repeal and recreate 141.01 and 141.04; and to create 141.015 of the statutes, relating to county health commissions and city and village boards of health.

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

SECTION 1. 141.01 of the statutes is repealed and recreated to read:

141.01 COUNTY HEALTH COMMISSION. (1) Unless a county has a county health department organized under s. 140.09 or the entire area of a county has local boards of health under s. 141.015, 141.02 or 141.04, or the county has a population of 500,000 or more, the county board may within 60 days after the first meeting of the county board following the effective date of this section (1961), provide for a county health commission which shall:

(a) Replace all town health boards and officers,  
(b) Act in cities and villages which do not operate a board of health or have a health officer.

(2) Such commission shall consist of:

(a) Not less than 5 members of the county board and the district health officer, ex officio; or

(b) Not less than 5 nor more than 7 members: one a member of the county board; 2 physicians practicing in the county to be selected from a list of 5 physicians submitted by the county medical society; one dentist practicing in the county to be selected from a list of 3 dentists submitted by the county dental society; the remainder to be residents of the county, men or women, who are persons of ability and known to have a broad social viewpoint and a serious interest in the health protection of their community, and the district health officer, ex officio. The first appointee to serve one year; the second 2 years; the third 3 years; the fourth 4 years; the fifth 5 years; the sixth, if any, one year; the seventh, if any, 2 years; and their successors shall each serve for 5 years.

(c) The appointments shall be made by the chairman of the county board.

(3) (a) Unless the manner of appointment is otherwise provided for by ordinance, the commission shall elect a chairman and a clerk, and employ a health director, and may employ one or more sanitarians under s. 140.45 (3). The director shall receive an annual salary to be fixed by the county board and shall receive his actual and necessary expenses. If the appointee is not a physician, the commission shall arrange for and provide in addition such services of a physician as may be necessary on either a part-time or a full-time basis and provide reasonable compensation therefor.

(b) The commission shall be supplied with record books, quarantine cards and other materials needed to carry out its functions. Unless such materials are provided by the state board, their costs shall be paid for by the county.

(4) The commission shall have jurisdiction over the areas of the county which do not have boards of health as provided in s. 141.015, 141.02 or 141.04.

(5) The commission shall take such measures as shall be most effectual for the preservation of the public health.

(6) The director under the direction of the district health officer shall:

(a) Make an annual sanitary survey and maintain continuous sanitary supervision over his territory.

(b) Make a sanitary inspection periodically of all school buildings and places of public assemblage, and report thereon to those responsible for the maintenance thereof.

(c) Promote the spread of information as to the causes, nature and prevention of prevalent diseases, and the preservation and improvement of health.

(d) Take steps necessary to secure prompt and full reports, by physicians of communicable diseases, and prompt and full registration of births and deaths.

(e) Enforce the health laws and the rules of the state board.

(f) Keep and deliver to his successor a record of all his official acts.

(g) The director and the clerk shall report to the state board as required. They shall also submit the report of their transactions to the state board.

(7) The county health commission when established in any county shall have all the powers now vested in local boards of health and local health officers and shall designate filing officers to replace those superseded by this section.

(8) No services shall be performed by the county health commission for any political subdivision in a county which does not contribute toward the support of the county health commission.

(9) If the county board does not provide for a county health commission every town board shall, within 30 days after each election of officers,

organize as a board of health or appoint wholly or partially from its own members, a suitable number of competent persons as a board of health for such town. The board of health shall elect a chairman, a clerk and a health officer who shall be ex officio a member of such board with voting power and its executive officer and take the oath of office. The health officer shall hold office for 2 years. The town board of health and health officer shall have the powers and duties authorized for the county health commission and health director in this section.

SECTION 2. 141.015 of the statutes is created to read:

141.015 CITY AND VILLAGE BOARDS OF HEALTH. (1) Unless a county health commission is created under s. 141.01 and the village or city elects to come under the jurisdiction of the county health commission, the board or council of any village or city shall, after the first meeting of the board or council following the effective date of this section (1961), provide for a board of health. In such villages and cities the board or council shall appoint wholly or partially from its own members, a suitable number of competent persons as its board of health.

(2) "Health officer" as used in this chapter means the officer performing the duties thereof regardless of his designation.

(3) In case the board or council fails to appoint a board of health the county health commission shall perform the health services in such village or city.

(4) Unless the manner of appointment is otherwise provided for by ordinance, the board of health shall elect a chairman, a clerk and a health officer who shall be ex officio a member of such board and its executive officer and take the oath of office. If a vacancy in the position of health officer occurs, the board of health shall immediately fill the same. The board shall immediately report to the county health commission and the state board the names, post-office addresses and occupations of the officers thereof, and any changes therein. The health officer shall receive an annual salary to be fixed by the city council or the village board and shall receive his actual and necessary expenses. If the appointee is not a physician, the board of health shall arrange for and provide in addition such services of a physician as may be necessary on either a part-time or full-time basis and provide reasonable compensation therefor.

(5) Whenever a health officer fails to perform the duties of his office and assist the state board, the appointing board, either upon its own initiative or upon recommendation of the state board, shall discharge such officer and immediately select a new officer.

(6) The board shall take such measures as shall be most effectual for the preservation of the public health.

(7) The board may appoint persons to aid them and regulate their charges.

(8) The health officer under the direction of the district health officer shall perform the duties specified in s. 141.01 (6).

(9) All record books, quarantine cards and other material needed by the board, except such as is furnished by the state board, shall be supplied by the health officer at municipal expense, upon order of the board.

(10) The health officer and the clerk shall report to the state board as required. They shall also submit a report of their transactions to the state board.

(11) Physicians acting and receiving compensation as health officers in all cities and villages, except cities having a population of 25,000 or more, may also hold office as city physicians.

(12) Health officers in cities having a population of less than 25,000 and in villages and hospitals in which they have an interest shall be permitted to give medical services or hospitalization, or both, to persons receiv-

ing poor relief or medical aid from such municipalities and receive compensation from such persons therefor.

(13) In cities having a population of 39,000 or more the health officer shall be a physician, or a person with training and experience in public health administration which shall meet the training and experience requirements established by the state board.

(14) No part of any expense incurred by a county health commission shall be levied against any property in any city or village which operates its own board of health or has a health officer or provides health services jointly with another city or village under s. 141.04.

SECTION 2m. 141.03 of the statutes is repealed.

SECTION 3. 141.04 of the statutes is repealed and recreated to read:

141.04 JOINT SERVICES. Towns, villages and cities jointly may provide health services as agreed upon under s. 66.30.

SECTION 4. 141.05 (1) of the statutes is amended to read:

141.05 (1) The local board of health or health officer may employ public health nurses within the limits of the appropriation made therefor by the municipality *and such nurses shall possess the qualifications required by s. 141.045*. They shall work under the direction of the board of health and health officer and shall conduct a generalized public health nursing program in co-operation with the state board of health.

Approved October 3, 1961.

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