

1993 Senate Bill 147

Date of enactment: **November 24, 1993**

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## 1993 WISCONSIN ACT 83

AN ACT *to renumber and amend* 46.23 (4) (c); *to amend* 46.23 (3) (b) 1. (intro.), 46.23 (4) (b) 2 and 51.437 (15) (c) 1, 2 and 3. a. and b.; and *to create* 46.23 (3) (b) 1. am. and 46.23 (4) (c) 2 of the statutes, **relating to:** transferring the powers and duties of a county department of developmental disabilities services to a county department of human services and removal of a member of the county human services board.

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

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

46.23 (3) (b) 1. (intro.) If a county department of human services is established under par. (a), the county board of supervisors in a county with a single-county department of human services or the county boards of supervisors in counties with a multicounty department of human services shall transfer the powers and duties of the county departments under ss. 46.22, and 51.42 and 51.437 to the county department of human services. The county board of supervisors in a county with a single-county department of human services and the county boards of supervisors in counties with a multicounty department of human services may transfer the powers and duties of the following to the county department of human services established under par. (a):

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

46.23 (3) (b) 1. am. A county department under s. 51.437.

**SECTION 3.** 46.23 (4) (b) 2. of the statutes is amended to read:

46.23 (4) (b) 2. In any county with a county executive or county administrator and which has established a single-county department of human services, the county executive or county administrator shall appoint, subject to confirmation by the county board of supervisors, the

county human services 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 human services board appointed under this subdivision may be removed by the county executive or county administrator for cause or, on due notice in writing, if the member when appointed was a member of the county board of supervisors and was not reelected to that office.

**SECTION 4.** 46.23 (4) (c) of the statutes is renumbered 46.23 (4) (c) (intro.) and amended to read:

46.23 (4) (c) *Terms.* (intro.) Members of a county human services board shall serve for terms of 3 years, so arranged that as nearly as practicable, the terms of one-third of the members shall expire each year. Vacancies shall be filled in the same manner as the original appointments. A county human services board member appointed under par. (a) 1. may be removed from office for the following reasons:

1. For cause, by a two-thirds vote of each county board of supervisors participating in the appointment, on due notice in writing and hearing of the charges against the member.

**SECTION 5.** 46.23 (4) (c) 2. of the statutes is created to read:

46.23 (4) (c) 2. If the member when appointed was a member of the county board of supervisors and was not reelected to that office, on due notice in writing.

**SECTION 6.** 51.437 (15) (c) 1., 2. and 3. a. and b. of the statutes are amended to read:

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51.437 (15) (c) 1. Any reference in any law to a county department of developmental disabilities services applies to the county department under s. 46.23 in its administration of the powers and duties of the county department of developmental disabilities services under s. 46.23 (3) (b) ~~or, if the powers and duties of a county department of developmental disabilities services are transferred under s. 46.23 (3) (b) 1. Any reference in any law to a county department of developmental disabilities services~~ applies to a county department under s. 46.21 (2m) in its administration of the powers and duties of the county department of developmental disabilities services under s. 46.21 (2m) (b) 1. a.

2. a. Any reference in any law to a county developmental disabilities services director appointed under sub. (9) (a) applies to the director of a county department appointed under s. 46.23 (5) (f) in his or her administration of the powers and duties of that county developmental disabilities services director, if the powers and duties of a county department of developmental disabilities services are transferred under s. 46.23 (3) (b) 1.

b. Any reference in any law to a county developmental disabilities services director appointed under sub. (10m) (intro.) applies to the director of a county department appointed under s. 46.23 (6m) (intro.) ~~or, if the pow-~~

ers and duties of a county department of developmental disabilities services are transferred under s. 46.23 (3) (b) 1. Any reference in any law to a county developmental disabilities services director appointed under sub. (10m) (intro.) applies to the director of a county department appointed under s. 46.21 (1m) (a) in his or her administration of the powers and duties of that county developmental disabilities services director.

3. a. Any reference in any law to a county developmental disabilities services board appointed under sub. (7) (a) 1. applies to the board of a county department appointed under s. 46.23 (4) (b) 1. in its administration of the powers and duties of that county developmental disabilities services board, if the powers and duties of a county department of developmental disabilities services are transferred under s. 46.23 (3) (b) 1.

b. Except as provided in subd. 3. c., any reference in any law to a county developmental disabilities services board appointed under sub. (7) (a) 2. applies to the board of a county department appointed under s. 46.23 (4) (b) 2. in its administration of the powers and duties of that county developmental disabilities services board, if the powers and duties of a county department of developmental disabilities services are transferred under s. 46.23 (3) (b) 1.