

2003 DRAFTING REQUEST

Bill

Received: 09/24/2003

Received By: dkennedy

Wanted: As time permits

Identical to LRB:

For: Dean Kaufert (608) 266-5719

By/Representing: Himself

This file may be shown to any legislator: NO

Drafter: dkennedy

May Contact:

Addl. Drafters:

Subject: Health - public health

Extra Copies:

Submit via email: YES

Requester's email: Rep.Kaufert@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Combine public health departments in Winnebago County

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>
/?	dkennedy 10/02/2003	kfollett 10/03/2003		_____			Local
		kfollett 10/07/2003		_____			
		kfollett 10/10/2003		_____			

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1			rschluet 10/10/2003	_____	sbasford 10/10/2003	lnorthro 10/30/2003	

FE Sent For:

At Intro

<END>

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Assembly
per office

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/?	dkennedy	1/1 kj 10/10					
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Handwritten notes in Reviewed column: 1/1 kj, 10/10

Large handwritten scribble with '10-10-3' and '<END>' written inside it.

FE Sent For:

TELEPHONE DRAFTING INSTRUCTIONS

Drafting instructions received by Debora Kennedy.

DATE:

9/24/03

**CONVERSATION
WITH:**

Rep. Kaufert

OF:

TELEPHONE NO:

**REGARDING LRB #
OR DRAFT TOPIC:**

INSTRUCTIONS:

Wants bill to combine public
health depts (Neenah, Menasha, & Oshkosh)
in Winnebago Co.

Soon

D-NOTE

2003 BILL

Regen

REGENERATE

1 AN ACT to renumber and amend 251.02 (2); to amend 250.01 (4) (b), 251.03
 2 (4r), 251.04 (1), 251.04 (2), 251.04 (3), 251.06 (4) (c), 251.12, 251.125, 251.15
 3 (title) and 251.15 (3); and to create 251.02 (2) (b) and 251.15 (2m) of the
 4 statutes; relating to: multiple municipal local health departments in
 5 ~~Milwaukee~~ County. Winnebago

Analysis by the Legislative Reference Bureau

Under current law, in a county with a population of less than 500,000 (all counties except Milwaukee County), a local health department may be a city health department that was established before January 1, 1994, a county health department, or a city-county health department. In Racine County only, a local health department may be a village or town health department or may be a multiple municipal local health department that is established by a city, village, or town in concert with another city, village, or town. In addition, counties may establish multiple county health departments. In Milwaukee County, a local health department may be a city or village health department.

This bill authorizes the governing body of a city or village in ~~Milwaukee~~ County to establish, in concert with the governing body of another city or village in that county, a multiple municipal local health department in a manner that is similar to the establishment of multiple municipal local health departments in Racine County under current law. All the powers and duties of current law for local health

Winnebago

BILL

departments apply to a multiple municipal local health department that is established under the authorization created in this bill.

FE-L

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

1 SECTION 1. 250.01 (4) (b) of the statutes is amended to read:

2 250.01 (4) (b) In a county with a population of 500,000 or more, a city health
3 department or a village, or multiple municipal health department established
4 under s. 251.02 (2).

5 SECTION 2. 251.02 (2) of the statutes is renumbered 251.02 (2) (a) (intro.) and
6 amended to read:

7 251.02 (2) (a) (intro.) ~~In~~ Except as provided in par. (b), in a county with a
8 population of 500,000 or more, the governing body of each city or village shall
9 establish do one of the following:

10 1. Establish a local health department that meets the requirements of this
11 chapter ~~or shall contract~~.

12 2. Contract with the local health department of another city or village in the
13 county to have that local health department provide services in the city or village.

14 SECTION 3. 251.02 (2) (b) of the statutes is created to read:

15 251.02 (2) (b) In a county with a population of 500,000 or more, the governing
16 body of a city or village may establish, jointly with the governing body of another city
17 or village, a multiple municipal local health department that meets the
18 requirements of this chapter.

19 SECTION ~~4~~ 251.03 (4r) of the statutes is amended to read:

20 251.03 (4r) Subsections (1) to (4m) do not apply to a city, village or town that
21 establishes a multiple municipal local health department under s. 251.02 (2) (b) or

INSERT 2-18

BILL

or to a city or village that establishes a multiple municipal local health department under s.

SECTION 4

251.02

(3t)

1 (3r). In establishing a multiple municipal local health department as described

2 under s. 251.02 (2) (b) or (3r), the relevant governing bodies shall agree on how many

3 members of the local board of health are appointed by each governing body and how

4 many of each governing body's appointees shall be members who are not elected

5 officials or employees of the governing body. The members shall be appointed by the

6 relevant governing bodies. A local board of health under this subsection shall elect

7 a chairperson and clerk.

or (3t)

and (3t)

~~SECTION 5.~~ 251.04 (1) of the statutes is amended to read:

9 251.04 (1) Except as authorized in s. 251.02 (2) (b), (3m) ~~and (3r)~~,

10 a city board of health shall govern a city health department, a county board of health shall govern

11 a county health department or multiple county health department, and a

12 city-county board of health shall govern a city-county health department. A city

13 board of health, a county board of health, a city-county board of health, or a board

14 of health for a local health department as authorized in s. 251.02 (2) (b), (3m) ~~and~~

15 (3r) shall assure the enforcement of state public health statutes and public health

16 rules of the department as prescribed for a Level I local health department. A local

17 board of health may contract or subcontract with a public or private entity to provide

18 public health services. The contractor's staff shall meet the appropriate

19 qualifications for positions in a Level I local health department.

~~SECTION 6.~~ 251.04 (2) of the statutes is amended to read:

, and (3t)

21 251.04 (2) A city or county board of health or a board of health for a local health

22 department as authorized in s. 251.02 (2) (b), (3m) ~~or (3r)~~ shall assure that its local

23 health department is a Level I, Level II, or Level III local health department, as

24 specified in s. 251.05 (1).

, or (3t)

~~SECTION 7.~~ 251.04 (3) of the statutes is amended to read:

BILL

, or (3t)

1 251.04 (3) A city or county board of health or a board of health for a local health
 2 department as authorized in s. 251.02 (2) (b), (3m) ~~or~~ (3r) may adopt those
 3 regulations, for its own guidance and for the governance of the local health
 4 department, that it considers necessary to protect and improve public health. The
 5 regulations may be no less stringent than, and may not conflict with, state statutes
 6 and rules of the department.

7 ~~SECTION 8~~ 251.06 (4) (c) of the statutes is amended to read:

or (3t)

8 251.06 (4) (c) A local health officer of a village or town health department
 9 established under s. 251.02 (3m) and a local health officer of a multiple municipal
 10 local health department established under s. 251.02 (2) (b) or (3r) shall be appointed
 11 by the local board of health.

STET ~~no strike~~

12 ~~SECTION 9~~ 251.12 of the statutes is amended to read:

13 **251.12 City health department, how financed.** The common council shall
 14 appropriate funds for the operation of a city health department that is established
 15 as specified in s. 251.02 (1) and (2) ~~and (a)~~, for the operation of a multiple municipal
 16 local health department that is established under s. 251.02 (3r) by the governing
 17 body of a city in concert with the governing body of another city or a village or town.

and for the operation of a multiple municipal local health department that is
 18 established under s. 251.02 (2) (b) by the governing body of a city in concert with the
 19 governing body of another city or a village

20 ~~SECTION 10~~ 251.125 of the statutes is amended to read:

STET ~~no strike~~

21 **251.125 Village health department, how financed.** If a village health
 22 department is established under s. 251.02 (2) (a) or (3m) ~~or~~ if a multiple municipal
 23 local health department is established under s. 251.02 (3r) by the governing body of
 24 a village in concert with the governing body of another village or a city or town, or
 25

BILL

① if a multiple municipal local health department is established under s. 251.02 (2) (b)
 ② by the governing body of a village in concert with the governing body of another
 ③ village or a city, the village board shall appropriate funds for the operation of the
 4 department.

5 SECTION ~~11~~ 251.15^v (title) of the statutes is amended to read:

6 **251.15 (title) Withdrawal of counties and, cities, villages, or towns.**

7 SECTION ~~12~~ 251.15^v (2m) of the statutes is created to read:

8 251.15 (2m) After establishing a multiple municipal local health department
 9 under s. 251.02 (2) (b) ~~or~~ ^{or (3t)} (3r), the governing body of any city, village, or town
 10 participating in the multiple municipal local health department may withdraw by
 11 giving written notice to the local board of health and to the governing bodies of all
 12 other participating cities, villages, and towns.

13 SECTION ~~13~~ 251.15^v (3) of the statutes is amended to read:

14 251.15 (3) The notice under sub. (1) ~~or~~ (2), ^v or (2m) shall be given at least one
 15 year prior to commencement of the fiscal year at which the withdrawal takes effect.
 16 Whenever the withdrawal ~~of any county or city from a city-county or multiple-county~~
 17 ~~health department~~ takes effect, all relevant provisions of law relating to local boards
 18 of health and local health officers shall immediately become applicable within the
 19 withdrawing county or, city, village, or town.

20 (END)

D-Note

INSERT 2-18

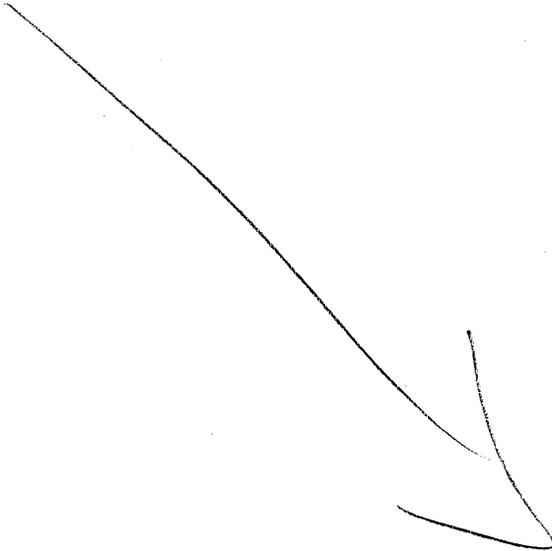
P-186
3

Section #. 250.01 (4) (a) 5. of the statutes is amended to read:

250.01 (4) (a) 5. A multiple municipal local health department established under s. 251.02 (3r).

History: 1993 a. 27 ss. 162, 322, 449; 1995 a. 27 s. 9126 (19); 1999 a. 9, 22; 2001 a. 16, 109.

or (3t)

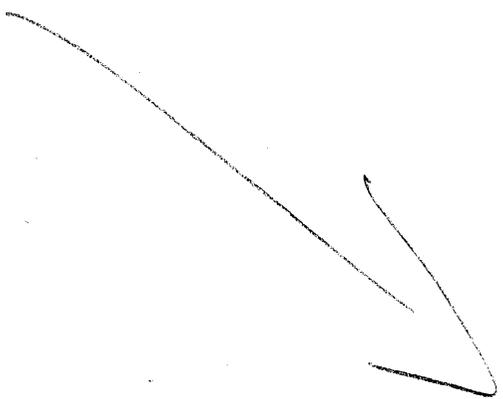


Section #. 251.02 (1) of the statutes is amended to read:

251.02 (1) In counties with a population of less than 500,000, unless a county board establishes a city-county health department under sub. (1m) jointly with the governing body of a city or establishes a multiple county health department under sub. (3) in conjunction with another county, the county board shall establish a single county health department, which shall meet the requirements of this chapter. The county health department shall serve all areas of the county that are not served by a city health department that was established prior to January 1, 1994, by a town or village health department established under sub. (3m), or by a multiple municipal local health department established under sub. (3r). No governing body of a city may establish a city health department after January 1, 1994.

History: 1993 a. 27; 1999 a. 9, 185; 2001 a. 16.

or (3t)



SECTION #. CR; 251.02 (3t)

251.02 (3t) In Winnebago county, the governing body of a city or village may, in concert with the governing body of another city or village in that county, establish a multiple municipal local health department and elect a local health officer consistent with this chapter.

D-NOTE

DAK: kjf

To Representative Kaufert:

I did not amend in this bill s. 251.06 (1)

(a) 2. and (2) (c) (intro.), stats.; it seems to me

that these provisions are applicable only to

the special situation in Racine county. Please

let me know if you disagree with this decision.

DAK

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3379/1dn
DAK:kjfrs

October 10, 2003

To Representative Kaufert:

I did not amend in this bill s. 251.06 (1) (a) 2. and (2) (c) (intro.), stats.; it seems to me that these provisions are applicable only to the special situation in Racine County. Please let me know if you disagree with this decision.

Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137
E-mail: debora.kennedy@legis.state.wi.us