

SENATE BILL 287 (LRB -2172)

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

2003

10-21.	S.	Introduced by Senators Lazich, Darling, Kanavas, Reynolds and Welch; cosponsored by Representatives Stone, Gundrum, Krusick, Jensen, Kerkman, Seratti, Jeskewitz, Gunderson, Musser, McCormick, LeMahieu, Hines, Hundertmark, Hahn, Ladwig, Gielow, Albers, Petrowski, Bies, Staskunas, Gottlieb, Nass, Krawczyk, Vrakas and F. Lasee.	
10-21.	S.	Read first time and referred to committee on Homeland Security, Veterans and Military Affairs and Government Reform	415
10-28.	S.	Withdrawn from committee on Homeland Security, Veterans and Military Affairs and Government Reform and referred to committee on Health, Children, Families, Aging and Long Term Care pursuant to Senate Rule 46 (2)(c)	450
11-24.	S.	Public hearing held.	
11-25.	S.	Executive action taken.	
11-26.	S.	Report passage recommended by committee on Health, Children, Families, Aging and Long Term Care, Ayes 7, Noes 2	497
11-26.	S.	Available for scheduling.	

2004

01-20.	S.	Placed on calendar 1-21-2004 by committee on Senate Organization.	
01-21.	S.	Read a second time	565
01-21.	S.	Referred to committee on Senate Organization	565
01-27.	S.	Placed on calendar 1-28-2004 by committee on Senate Organization.	
01-28.	S.	Read a second time	579
01-28.	S.	Ordered to a third reading	579
01-28.	S.	Rules suspended	579
01-28.	S.	Read a third time and passed, Ayes 21, Noes 12	579
01-28.	S.	Ordered immediately messaged	579
02-02.	A.	Received from Senate	659
02-02.	A.	Read first time and referred to committee on Urban and Local Affairs	659
02-25.	A.	Rules suspended to withdraw from committee on Urban and Local Affairs and take up	743
02-25.	A.	Assembly substitute amendment 1 offered by Representative Stone (LRB s0392)	743
02-25.	A.	Assembly substitute amendment 1 adopted	743
02-25.	A.	Ordered to a third reading	743
02-25.	A.	Rules suspended	743
02-25.	A.	Read a third time and concurred in as amended, Ayes 94, Noes 0	743
02-25.	A.	Ordered immediately messaged	743
02-26.	S.	Received from Assembly amended and concurred in as amended, Assembly substitute amendment 1 adopted	635
02-26.	S.	Available for scheduling.	
02-26.	S.	Placed on calendar 3-2-2004 by committee on Senate Organization.	
03-02.	S.	Assembly substitute amendment 1 concurred in .	
03-02.	S.	Action ordered immediately messaged.	

**2003
ENROLLED BILL**

03en S B-287

ADOPTED DOCUMENTS:

Orig Engr

A SubAmdt 1

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Amendments to above (if none, write "NONE"): none

Corrections - show date (if none, write "NONE"): none

Topic relaty

3/3/04
Date

[Signature]
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**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2003 SENATE BILL 287**

February 25, 2004 - Offered by Representative STONE.

1 **AN ACT to renumber and amend 251.02 (2); to amend 250.01 (4) (b), 251.02**
2 **(1), 251.03 (4r), 251.04 (1), 251.04 (2), 251.04 (3), 251.06 (4) (c), 251.12, 251.125,**
3 **251.15 (title) and 251.15 (3); and to create 250.01 (4) (a) 6., 251.02 (2) (b),**
4 **251.02 (3t), 251.12 (3), 251.12 (4) and 251.15 (2m) of the statutes; relating to:**
5 **establishing multiple municipal local health departments in Milwaukee**
6 **County and city-city local health departments.**

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

The bill also authorizes the governing body of a city with an existing city health department to establish, in concert with the governing body of another city with an existing city health department in the same county, a city-city 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 departments apply to a city-city local health department that is established under the authorization created in this bill.

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

1 **SECTION 1.** 250.01 (4) (a) 6. of the statutes is created to read:

2 250.01 (4) (a) 6. A city-city health department established under s. 251.02 (3t).

3 **SECTION 2.** 250.01 (4) (b) of the statutes is amended to read:

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

7 **SECTION 3.** 251.02 (1) of the statutes is amended to read:

8 251.02 (1) In counties with a population of less than 500,000, unless a county
9 board establishes a city-county health department under sub. (1m) jointly with the
10 governing body of a city or establishes a multiple county health department under
11 sub. (3) in conjunction with another county, the county board shall establish a single
12 county health department, which shall meet the requirements of this chapter. The
13 county health department shall serve all areas of the county that are not served by
14 a city health department that was established prior to January 1, 1994, by a town
15 or village health department established under sub. (3m), or by a multiple municipal

1 local health department established under sub. (3r) or by a city-city health
2 department established under sub. (3t). No governing body of a city may establish
3 a city health department after January 1, 1994.

4 **SECTION 4.** 251.02 (2) of the statutes is renumbered 251.02 (2) (a) (intro.) and
5 amended to read:

6 251.02 (2) (a) (intro.) ~~In~~ Except as provided in par. (b), in a county with a
7 population of 500,000 or more, the governing body of each city or village shall
8 ~~establish~~ do one of the following:

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

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

13 **SECTION 5.** 251.02 (2) (b) of the statutes is created to read:

14 251.02 (2) (b) In a county with a population of 500,000 or more, the governing
15 body of a city or village may establish, jointly with the governing body of another city
16 or village, a multiple municipal local health department that meets the
17 requirements of this chapter.

18 **SECTION 6.** 251.02 (3t) of the statutes is created to read:

19 251.02 (3t) The governing body of a city with a city health department, as
20 specified in s. 250.01 (4) (a) 3., may, in concert with the governing body of another city
21 with a city health department, as specified in s. 250.01 (4) (a) 3., in the same county,
22 establish a city-city health department and elect a local health officer consistent
23 with this chapter.

24 **SECTION 7.** 251.03 (4r) of the statutes is amended to read:

1 251.03 (4r) Subsections (1) to (4m) do not apply to a city, village or town that
2 establishes a multiple municipal local health department under s. 251.02 (2) (b) or
3 (3r), or to cities that establish a city–city local health department under s. 251.02 (3t).
4 In establishing a multiple municipal local health department as described under s.
5 251.02 (2) (b) or (3r), the relevant governing bodies shall agree on how many
6 members of the local board of health are appointed by each governing body and how
7 many of each governing body’s appointees shall be members who are not elected
8 officials or employees of the governing body. The members shall be appointed by the
9 relevant governing bodies. A local board of health under this subsection shall elect
10 a chairperson and clerk.

11 **SECTION 8.** 251.04 (1) of the statutes is amended to read:

12 251.04 (1) Except as authorized in s. 251.02 (2) (b), (3m) ~~and~~, (3r), and (3t), a
13 city board of health shall govern a city health department, a county board of health
14 shall govern a county health department or multiple county health department, and
15 a city–county board of health shall govern a city–county health department. A city
16 board of health, a county board of health, a city–county board of health, or a board
17 of health for a local health department as authorized in s. 251.02 (2) (b), (3m) ~~and~~,
18 (3r), or (3t) shall assure the enforcement of state public health statutes and public
19 health rules of the department as prescribed for a Level I local health department.
20 A local board of health may contract or subcontract with a public or private entity
21 to provide public health services. The contractor’s staff shall meet the appropriate
22 qualifications for positions in a Level I local health department.

23 **SECTION 9.** 251.04 (2) of the statutes is amended to read:

24 251.04 (2) A city or county board of health or a board of health for a local health
25 department as authorized in s. 251.02 (2) (b), (3m) ~~or~~, (3r), or (3t) shall assure that

1 its local health department is a Level I, Level II, or Level III local health department,
2 as specified in s. 251.05 (1).

3 SECTION 10. 251.04 (3) of the statutes is amended to read:

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

10 SECTION 11. 251.06 (4) (c) of the statutes is amended to read:

11 251.06 (4) (c) A local health officer of a village or town health department
12 established under s. 251.02 (3m) ~~and a local health officer,~~ of a multiple municipal
13 local health department established under s. 251.02 (2) (b) or (3r), or of a city-city
14 local health department established under s. 251.02 (3t) shall be appointed by the
15 local board of health.

16 SECTION 12. 251.12 of the statutes is amended to read:

17 **251.12 City health department, how financed.** The common council shall
18 appropriate funds for the operation of ~~a-~~ all of the following:

19 (1) A city health department that is established as specified in s. 251.02 (1) and
20 (2) and (a), for the operation of a-

21 (2) A multiple municipal local health department that is established under as
22 specified in s. 251.02 (3r) by the governing body of a city in concert with the governing
23 body of another city or a village or town.

24 SECTION 13. 251.12 (3) of the statutes is created to read:

1 251.12 (3) A multiple municipal local health department that is established as
2 specified in s. 251.02 (2) (b).

3 **SECTION 14.** 251.12 (4) of the statutes is created to read:

4 251.12 (4) A city–city local health department that is established as specified
5 in s. 251.02 (3t).

6 **SECTION 15.** 251.125 of the statutes is amended to read:

7 **251.125 Village health department, how financed.** If a village health
8 department is established under s. 251.02 (2) (a) or (3m) ~~or~~, if a multiple municipal
9 local health department is established under as specified in s. 251.02 (3r) by the
10 governing body of a village in concert with the governing body of another village or
11 a city or town, or if a multiple municipal local health department is established as
12 specified in s. 251.02 (2) (b), the village board shall appropriate funds for the
13 operation of the department.

14 **SECTION 16.** 251.15 (title) of the statutes is amended to read:

15 **251.15 (title) Withdrawal of counties and, cities, villages, or towns.**

16 **SECTION 17.** 251.15 (2m) of the statutes is created to read:

17 251.15 (2m) After establishing a multiple municipal local health department
18 under s. 251.02 (2) (b) or (3r) or a city–city local health department under s. 251.02
19 (3t), the governing body of any participating city, village, or town participating may
20 withdraw by giving written notice to the local board of health and to the governing
21 bodies of all other participating cities, villages, and towns.

22 **SECTION 18.** 251.15 (3) of the statutes is amended to read:

23 251.15 (3) The notice under sub. (1) ~~or~~, (2), or (2m) shall be given at least one
24 year prior to commencement of the fiscal year at which the withdrawal takes effect.
25 Whenever the withdrawal of ~~any county or city from a city–county or multiple county~~

1 ~~health department~~ takes effect, all relevant provisions of law relating to local boards
2 of health and local health officers shall immediately become applicable within the
3 withdrawing county or, city, village, or town.

4 (END)