

**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2003 SENATE BILL 287**

**AN ACT** *to renumber and amend* 251.02 (2); *to amend* 250.01 (4) (b), 251.02 (1), 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* 250.01 (4) (a) 6., 251.02 (2) (b), 251.02 (3t), 251.12 (3), 251.12 (4) and 251.15 (2m) of the statutes; **relating to:** establishing multiple municipal local health departments in Milwaukee County and city–city local health departments.

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***Analysis by the Legislative Reference Bureau***

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***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:

1           250.01 (4) (b) In a county with a population of 500,000 or more, a city health  
2           department ~~or a~~, village, or multiple municipal health department established  
3           under s. 251.02 (2).

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

5           251.02 (1) In counties with a population of less than 500,000, unless a county  
6           board establishes a city–county health department under sub. (1m) jointly with the  
7           governing body of a city or establishes a multiple county health department under  
8           sub. (3) in conjunction with another county, the county board shall establish a single  
9           county health department, which shall meet the requirements of this chapter. The  
10          county health department shall serve all areas of the county that are not served by  
11          a city health department that was established prior to January 1, 1994, by a town  
12          or village health department established under sub. (3m), or by a multiple municipal  
13          local health department established under sub. (3r) or by a city–city health  
14          department established under sub. (3t). No governing body of a city may establish  
15          a city health department after January 1, 1994.

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

18          251.02 (2) (a) (intro.) In Except as provided in par. (b), in a county with a  
19          population of 500,000 or more, the governing body of each city or village shall  
20          establish do one of the following:

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

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

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

1           251.02 **(2)** (b) In a county with a population of 500,000 or more, the governing  
2 body of a city or village may establish, jointly with the governing body of another city  
3 or village, a multiple municipal local health department that meets the  
4 requirements of this chapter.

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

6           251.02 **(3t)** The governing body of a city with a city health department, as  
7 specified in s. 250.01 (4) (a) 3., may, in concert with the governing body of another city  
8 with a city health department, as specified in s. 250.01 (4) (a) 3., in the same county,  
9 establish a city–city health department and elect a local health officer consistent  
10 with this chapter.

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

12           251.03 **(4r)** Subsections (1) to (4m) do not apply to a city, village or town that  
13 establishes a multiple municipal local health department under s. 251.02 (2) (b) or  
14 (3r), or to cities that establish a city–city local health department under s. 251.02 (3t).  
15 In establishing a multiple municipal local health department as described under s.  
16 251.02 (2) (b) or (3r), the relevant governing bodies shall agree on how many  
17 members of the local board of health are appointed by each governing body and how  
18 many of each governing body’s appointees shall be members who are not elected  
19 officials or employees of the governing body. The members shall be appointed by the  
20 relevant governing bodies. A local board of health under this subsection shall elect  
21 a chairperson and clerk.

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

23           251.04 **(1)** Except as authorized in s. 251.02 (2) (b), (3m) and, (3r), and (3t), a  
24 city board of health shall govern a city health department, a county board of health  
25 shall govern a county health department or multiple county health department, and

1 a city–county board of health shall govern a city–county health department. A city  
2 board of health, a county board of health, a city–county board of health, or a board  
3 of health for a local health department as authorized in s. 251.02 (2) (b), (3m) ~~and~~,  
4 (3r), or (3t) shall assure the enforcement of state public health statutes and public  
5 health rules of the department as prescribed for a Level I local health department.  
6 A local board of health may contract or subcontract with a public or private entity  
7 to provide public health services. The contractor’s staff shall meet the appropriate  
8 qualifications for positions in a Level I local health department.

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

10 251.04 **(2)** A city or county board of health or a board of health for a local health  
11 department as authorized in s. 251.02 (2) (b), (3m) ~~or~~, (3r), or (3t) shall assure that  
12 its local health department is a Level I, Level II, or Level III local health department,  
13 as specified in s. 251.05 (1).

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

15 251.04 **(3)** A city or county board of health or a board of health for a local health  
16 department as authorized in s. 251.02 (2) (b), (3m) ~~or~~, (3r), or (3t) may adopt those  
17 regulations, for its own guidance and for the governance of the local health  
18 department, that it considers necessary to protect and improve public health. The  
19 regulations may be no less stringent than, and may not conflict with, state statutes  
20 and rules of the department.

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

22 251.06 **(4)** (c) A local health officer of a village or town health department  
23 established under s. 251.02 (3m) ~~and a local health officer~~, of a multiple municipal  
24 local health department established under s. 251.02 (2) (b) or (3r), or of a city–city

1 local health department established under s. 251.02 (3t) shall be appointed by the  
2 local board of health.

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

4 **251.12 City health department, how financed.** The common council shall  
5 appropriate funds for the operation of ~~a~~ all of the following:

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

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

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

12 251.12 (3) A multiple municipal local health department that is established as  
13 specified in s. 251.02 (2) (b).

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

15 251.12 (4) A city-city local health department that is established as specified  
16 in s. 251.02 (3t).

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

18 **251.125 Village health department, how financed.** If a village health  
19 department is established under s. 251.02 (2) (a) or (3m) ~~or~~, if a multiple municipal  
20 local health department is established under as specified in s. 251.02 (3r) by the  
21 governing body of a village in concert with the governing body of another village or  
22 a city or town, or if a multiple municipal local health department is established as  
23 specified in s. 251.02 (2) (b), the village board shall appropriate funds for the  
24 operation of the department.

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

