

2003 SENATE BILL 287

October 21, 2003 – 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. Referred to Committee on Homeland Security, Veterans and Military Affairs and Government Reform.

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.

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

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departments apply to a multiple municipal 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) (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

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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.

8 **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), a city board
10 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.

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

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).

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

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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:

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.

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

21 **SECTION 10.** 251.125 of the statutes is amended to read:

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

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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 (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 (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 (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 (3) of the statutes is amended to read:

14 251.15 **(3)** The notice under sub. (1) ~~or~~, (2), 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.

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(END)