



2003 ASSEMBLY BILL 664

November 13, 2003 - Introduced by Representatives KAUFERT, MCCORMICK, KRAWCZYK, HAHN, JESKEWITZ, LEMAHIEU, OTT, STONE and TOWNSEND, cosponsored by Senators ROESSLER, COWLES and A. LASEE. Referred to Committee on Urban and Local Affairs.

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

ASSEMBLY BILL 664

For further information see the *local* fiscal estimate, which will be printed as an appendix to 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) 5. of the statutes is amended to read:

2 250.01 (4) (a) 5. A multiple municipal local health department established
3 under s. 251.02 (3r) or (3t).

4 **SECTION 2.** 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 (3t). No governing body of a
14 city may establish a city health department after January 1, 1994.

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

16 251.02 (3t) In Winnebago county, the governing body of a city or village may,
17 in concert with the governing body of another city or village in that county, establish
18 a multiple municipal local health department and elect a local health officer
19 consistent with this chapter.

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

ASSEMBLY BILL 664

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 (3r) or to
3 a city or village that establishes a multiple local health department under s. 251.02
4 (3t). In establishing a multiple municipal local health department as described
5 under s. 251.02 (3r) or (3t), 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 5.** 251.04 (1) of the statutes is amended to read:

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

23 **SECTION 6.** 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 (3m) ~~or, (3r), or (3t)~~ shall assure that its local

ASSEMBLY BILL 664**SECTION 6**

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

3 **SECTION 7.** 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 (3m) ~~or~~, 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 8.** 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 (3r) or (3t) shall be appointed
14 by the local board of health.

15 **SECTION 9.** 251.12 of the statutes is amended to read:

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

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) or (3m) or if a multiple municipal local
24 health department is established under s. 251.02 (3r) or (3t) by the governing body

ASSEMBLY BILL 664

1 of a village in concert with the governing body of another village or a city or town the
2 village board shall appropriate funds for the operation of the department.

3 **SECTION 11.** 251.15 (title) of the statutes is amended to read:

4 **251.15 (title) Withdrawal of counties and, cities, villages, or towns.**

5 **SECTION 12.** 251.15 (2m) of the statutes is created to read:

6 251.15 **(2m)** After establishing a multiple municipal local health department
7 under s. 251.02 (3r) or (3t), the governing body of any city, village, or town
8 participating in the multiple municipal local health department may withdraw by
9 giving written notice to the local board of health and to the governing bodies of all
10 other participating cities, villages, and towns.

11 **SECTION 13.** 251.15 (3) of the statutes is amended to read:

12 251.15 **(3)** The notice under sub. (1) ~~or~~, (2), or (2m) shall be given at least one
13 year prior to commencement of the fiscal year at which the withdrawal takes effect.
14 Whenever the withdrawal of ~~any county or city from a city-county or multiple county~~
15 ~~health department~~ takes effect, all relevant provisions of law relating to local boards
16 of health and local health officers shall immediately become applicable within the
17 withdrawing county or, city, village, or town.

18

(END)