

**2013 DRAFTING REQUEST**

**Assembly Substitute Amendment (ASA-SB565)**

Received:	3/3/2014	Received By:	tdodge
Wanted:	As time permits	Same as LRB:	
For:	Frederick Kessler (608) 266-5813	By/Representing:	Christina Tenuta
May Contact:		Drafter:	tdodge
Subject:	Mental Health - miscellaneous	Addl. Drafters:	jkreye

Extra Copies:

Submit via email: YES  
 Requester's email: Rep.Kessler@legis.wisconsin.gov  
 Carbon copy (CC) to: tamara.dodge@legis.wisconsin.gov

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Create independent, elected district with taxing authority to oversee Milwaukee County mental health

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**Instructions:**

See attached

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**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>
/?	tdodge 3/14/2014	jdye 3/17/2014	jfrantze 3/17/2014	_____			
/1				_____	sbasford 3/17/2014	sbasford 3/17/2014	

FE Sent For:

<END>

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Create independent, elected district with taxing authority to oversee Milwaukee County mental health ✓

Instructions:

See attached

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/?	tdodge	1 3/17 jld					

FE Sent For:

<END>

## Dodge, Tamara

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**From:** Tenuta, Christina  
**Sent:** Wednesday, March 12, 2014 3:32 PM  
**To:** Dodge, Tamara  
**Subject:** RE: Sub Amendment to AB 718

Tami,

Thank you for the email outlining your questions. After speaking with Rep. Kessler, here are his answers:

- Ok to draft the independent board as a district board, like the baseball park district.
- Yes, include this audit in Rep. Kessler's substitute amendment.
- Yes, the independent district board would have the same oversight functions as the Milwaukee County mental health board in AB 718/SB 565.
- Yes, confine the elections to the Milwaukee suburbs.
- Re: tax – the district board should tax like a school board by adding a levy to the property tax bill.

I will also do my best to make sure Rep. Kessler understand your timeline on the drafting – thank you for all of this work and research.

-Christina

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Christina M. Tenuta, J.D.  
Office of Wisconsin State Representative Frederick P. Kessler, 12<sup>th</sup> Assembly District  
608-266-5813

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**From:** Dodge, Tamara  
**Sent:** Wednesday, March 12, 2014 11:19 AM  
**To:** Tenuta, Christina  
**Subject:** RE: Sub Amendment to AB 718

Christina,

I'm starting on the amendment to AB 718. I assume that the representative would now like the amendment to the Senate version which passed yesterday.

I'm planning to draft the independent board as a district board like the baseball park district, but with some aspects of a school board.

Do you want to use the bill or the substitute amendment as amended by Senate amendment to be the basis of your substitute amendment for the district board's duties as they pertain to mental health? For example, the substitute, as amended, contains an audit to be conducted by DHS. Do you want to include this audit in your substitute amendment?

To confirm, this independent district board would be doing the same oversight functions as the Milwaukee County mental health board would in AB 718/SB 565. Correct?

I assume the elections from the Milwaukee suburbs will be confined to those suburbs within Milwaukee County since mental health services are distributed on a county basis.

For the taxation, I assume that you want to do a sales tax add-on for Milwaukee County just as Miller Park has. Correct? Or do you want the district board, like a school board, to be able to add its levy to the property tax bill? I will have to discuss this with a tax drafter.

I just realized from your instructions that there may be extensive drafting in election law, which will probably involve an elections drafter. I will try to have this amendment completed by the end of this week but it may not be completed until next week considering its complexity.

Tami

**Tamara J. Dodge**

Attorney  
Wisconsin Legislative Reference Bureau  
P.O. Box 2037  
Madison, WI 53701-2037  
(608) 267 - 7380  
[tamara.dodge@legis.wisconsin.gov](mailto:tamara.dodge@legis.wisconsin.gov)

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**From:** Tenuta, Christina  
**Sent:** Monday, March 03, 2014 2:45 PM  
**To:** Dodge, Tamara  
**Subject:** Sub Amendment to AB 718

Dear Attorney Dodge:

Rep. Kessler is proposing a substitute amendment to AB 781, which would require the Board to be elected by the electors of Milwaukee. Please see below for detail and feel free to call or email if you need any further information.

Thank you,

Christina

The Board Members would be elected as follows:

- Four (4) board members must be elected from a combination of Milwaukee Aldermanic Districts: 1, 2, 3, 4, 5, 6, 7, 9, 10, and 15. Two members from these districts must be a mental health professional which is defined as an individual with at least a Master's degree in a mental health discipline.
- Two (2) board members must be elected from a combination of Milwaukee Aldermanic Districts: 8, 11, 12, 13, and 14. One member from these districts must be a mental health professional which is defined as an individual with at least a Master's degree in a mental health discipline.
- Four (4) board members must be elected from the Milwaukee suburbs.
- One (1) board member must be elected from the voting public at large and must be a mental health professional which is defined as an individual with at least a Master's degree in a mental health discipline.
- Board members are required to be a resident of the district in which they are running.

- Elections for the Board will occur in the spring of 2016 for a four year term on a non-partisan ballot. Initially, the entire board will be elected at the same time, but thereafter, the four year terms will be staggered so that the entire board is not completely reelected at the same time every four years.
- The number of signatures required to get on the ballot should mirror the state Senate requirement.
- Campaign contribution limits on campaign for a Board position are similar to that of a State Senator, with the same limit on individual donations.
- The board should be able to tax and develop their own budget – which would require that Milwaukee County Board would not be allocating money to the new mental health. The new mental health board should have the ability to set their own initial salaries at \$1,000 per person, per year. Thereafter, as the board develops their own budget, they can vote on any additional salary changes.

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Christina M. Tenuta, J.D.

Office of Wisconsin State Representative Frederick P. Kessler, 12<sup>th</sup> Assembly District

608-266-5813



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRBs0360  
TJD&JK:.....

RMNR

Handwritten notes: "Ld", "CS", "WLI" with arrows pointing to the text above.

In: 3/14

Due Monday  
3/17 by end of  
business

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**  
**ASSEMBLY SUBSTITUTE AMENDMENT,**  
**TO SENATE BILL 565**

X

Gen

1 AN ACT ...; relating to: Milwaukee County mental health and creation of the  
2 Milwaukee County mental health district. ✓

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

3 SECTION 1. 5.02 (21) of the statutes is renumbered 5.02 (21) (intro.) and  
4 amended to read: (intro.)

5 5.02 (21) "Spring election" means the election held on the first Tuesday in April  
6 to elect judicial, educational and municipal officers, nonpartisan county officers and  
7 sewerage commissioners all of the following and to express preferences for the person  
8 to be the presidential candidate for each party in a year in which electors for  
9 president and vice president are to be elected. ✓

History: 1971 c. 211; 1971 c. 304 ss. 2, 29 (2); 1973 c. 280, 334; 1975 c. 93; 1977 c. 107, 187, 394; 1977 c. 427 ss. 3 to 14; 1977 c. 449; 1979 c. 32, 89, 221; 1979 c. 260 ss. 1m, 73 to 75; 1979 c. 311, 328; 1981 c. 4, 391; 1983 a. 484 ss. 5, 5c, 124m, 128; 1985 a. 303; 1985 a. 304 ss. 1m, 2, 155; 1987 a. 391 ss. 1 to 1r, 66w; 1989 a. 31; 1991 a. 5; 1993 a. 140, 184; 1995 a. 16 s. 2; 1995 a. 27 s. 9145 (1); 1995 a. 219; 1997 a. 35; 2001 a. 16, 109; 2003 a. 24, 265; 2005 a. 177, 451; 2007 a. 1; 2009 a. 397; 2011 a. 23, 32, 45, 75.

1           **SECTION 2.** 5.02 (21) (a) to (d) of the statutes is created to read:

2           5.02 (21) (a) Judicial, educational, and municipal officers.

3           (b) Nonpartisan county officers.

4           (c) Sewerage commissioners.

5           (d) Milwaukee County mental health district board members.

6           **SECTION 3.** 5.58 (2n) of the statutes is created to read:

7           5.58 (2n) MENTAL HEALTH DISTRICT. Except as authorized in s. 5.655, there shall  
8           be a separate ballot for Milwaukee County mental health district board members,  
9           with candidates for different seats listed in separate columns or rows if more than  
10          one seat is contested at any election. The government accountability board shall  
11          determine the arrangement of the names on the ballot.

12          **SECTION 4.** 5.60 (1) (b) of the statutes is amended to read:

13          5.60 (1) (b) The board shall certify the candidates' names and designate the  
14          official ballot arrangement for candidates for state superintendent, justice, court of  
15          appeals judge, circuit judge, Milwaukee County mental health district board  
16          member, and, if commissioners are elected under s. 200.09 (11) (am), the  
17          metropolitan sewerage commission. The arrangement of names of all candidates on  
18          the ballot whose nomination papers are filed with the board shall be determined by  
19          the board by the drawing of lots not later than the 2nd Tuesday in January, or the  
20          next day if the first Tuesday is a holiday. Whenever a primary is held for an office,  
21          a 2nd drawing of all candidates for that office shall be held by or under the  
22          supervision of the board not later than the 3rd day following the completion of the  
23          primary canvass to determine the arrangement of candidates on the election ballot.

History: 1971 c. 304 ss. 9 to 11, 29 (2); 1971 c. 336; 1973 c. 134; 1973 c. 334 s. 57; 1975 c. 93; 1977 c. 187, 427, 445, 449; 1979 c. 221, 260, 355; 1981 c. 377; 1983 a. 484; 1983 a. 532 s. 36; 1985 a. 29 s. 3202 (56); 1985 a. 89, 225; 1985 a. 304 ss. 28, 155; 1987 a. 391; 1989 a. 192, 290; 1993 a. 266; 1995 a. 16 s. 2; 1995 a. 201; 1999 a. 150 s. 672; 1999 a. 182; 2003 a. 24; 2005 a. 149; 2011 a. 45, 62.

24          **SECTION 5.** 5.60 (4n) of the statutes is created to read:

1           **5.60 (4n) MENTAL HEALTH DISTRICT.** Except as authorized in s. 5.655, a separate  
2 ballot shall list the names of all candidates for Milwaukee County mental health  
3 district board member seats. The names for the different seats shall be placed in  
4 separate columns or rows if more than one seat is contested at any election.

5           **SECTION 6.** 7.10 (1) (a) of the statutes is amended to read:

6           7.10 (1) (a) Each county clerk shall provide ballots for every election in the  
7 county for all national, state and county offices, including metropolitan sewerage  
8 commission elections under s. 200.09 (11) (am) and Milwaukee County mental health  
9 district board elections under s. 51.408, for municipal judges elected under s. 755.01  
10 (4), and for state and county referenda. The official and sample ballots shall be  
11 prepared in substantially the same form as those prescribed by the board under s.  
12 7.08 (1) (a).

History: 1971 c. 304 s. 29 (2); 1973 c. 280; 1973 c. 334 s. 57; 1977 c. 394 s. 53; 1977 c. 427; 1979 c. 221, 260, 311, 355; 1981 c. 377; 1983 a. 484; 1985 a. 89, 304; 1991 a. 316; 1999 a. 150 s. 672; 1999 a. 182; 2001 a. 107; 2003 a. 265; 2005 a. 451; 2011 a. 45, 75; s. 13.92 (2) (i).

13           **SECTION 7.** 7.70 (3) (d) of the statutes is amended to read:

14           7.70 (3) (d) When the certified statements and returns are received, the  
15 chairperson of the board or the chairperson's designee shall proceed to examine and  
16 make a statement of the total number of votes cast at any election for the offices  
17 involved in the election for president and vice president; a statement for each of the  
18 offices of governor, lieutenant governor, if a primary, and a joint statement for the  
19 offices of governor and lieutenant governor, if a general election; a statement for each  
20 of the offices of secretary of state, state treasurer, attorney general, and state  
21 superintendent; for U.S. senator; representative in congress for each congressional  
22 district; the state legislature; justice; court of appeals judge; circuit judge; district  
23 attorney; metropolitan sewerage commission, if the commissioners are elected under



1 s. 200.09 (11) (am); Milwaukee County mental health district board; and for any  
2 referenda questions submitted by the legislature.

History: 1971 c. 304 s. 29 (2); 1973 c. 334 ss. 15, 57; 1975 c. 93, 199; 1977 c. 107, 187, 427, 449; 1979 c. 221, 260, 328; 1983 a. 484; 1985 a. 89, 304; 1987 a. 391; 1989 a. 31, 192; 1995 a. 16 s. 2; 1997 a. 27; 1999 a. 150 s. 672; 1999 a. 182; 2005 a. 451; 2007 a. 1; 2011 a. 32, 75.

3 **SECTION 8.** 8.10 (3) (hn) of the statutes is created to read:

4 8.10 (3) (hn) For Milwaukee County mental health district board members, not  
5 less than 400 nor more than 800 electors.

6 **SECTION 9.** 11.26 (1) (d) (intro.) of the statutes is amended to read:

7 11.26 (1) (d) (intro.) Candidates Except as provided in par. (e), candidates for  
8 local offices, an amount equal to the greater of the following:

History: 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109; 2005 a. 177; 2009 a. 89, 216; 2011 a. 32, 75; s. 35.17 correction in (1) (d) 1.

9 **SECTION 10.** 11.26 (1) (e) of the statutes is created to read:

10 11.26 (1) (e) Candidates for Milwaukee County mental health district board  
11 member, \$1,000.

12 **SECTION 11.** 11.26 (2) (e) (intro.) of the statutes is amended to read:

13 11.26 (2) (e) (intro.) Candidates Except as provided in par. (f), candidates for  
14 local offices, an amount equal to the greater of the following:

History: 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109; 2005 a. 177; 2009 a. 89, 216; 2011 a. 32, 75; s. 35.17 correction in (1) (d) 1.

15 **SECTION 12.** 11.26 (2) (f) of the statutes is created to read:

16 11.26 (2) (f) Candidates for Milwaukee County mental health district board  
17 member, \$1,000.

18 **SECTION 13.** 13.94 (4) (a) 1. of the statutes is amended to read:

19 13.94 (4) (a) 1. Every state department, board, examining board, affiliated  
20 credentialing board, commission, independent agency, council or office in the  
21 executive branch of state government; all bodies created by the legislature in the  
22 legislative or judicial branch of state government; any public body corporate and

Insert  
5363-4-17

1 politic created by the legislature including specifically the Fox River Navigational  
 2 System Authority, the Lower Fox River Remediation Authority, the Wisconsin  
 3 Aerospace Authority, and the Wisconsin Economic Development Corporation, the  
 4 Milwaukee County mental health district, a professional baseball park district, a  
 5 local professional football stadium district, a local cultural arts district and a  
 6 long-term care district under s. 46.2895; every Wisconsin works agency under subch.  
 7 III of ch. 49; every provider of medical assistance under subch. IV of ch. 49; technical  
 8 college district boards; every county department under s. 51.42 or 51.437; every  
 9 nonprofit corporation or cooperative or unincorporated cooperative association to  
 10 which moneys are specifically appropriated by state law; and every corporation,  
 11 institution, association or other organization which receives more than 50% of its  
 12 annual budget from appropriations made by state law, including subgrantee or  
 13 subcontractor recipients of such funds.

**History:** 1971 c. 270 s. 104; 1971 c. 307; 1973 c. 334; 1975 c. 39, 199, 224, 421; 1977 c. 26, 29; 1977 c. 196 s. 131; 1977 c. 418; 1979 c. 34, 314, 324; 1981 c. 20, 335; 1983  
 a. 27, 36, 96, 381; 1985 a. 29, 57, 120, 176; 1987 a. 27, 119, 186, 320, 328, 354, 399, 403; 1989 a. 31, 122; 1991 a. 39, 269, 316; 1993 a. 16, 27, 107, 263, 399, 491; 1995 a.  
 27 ss. 43g to 47n, 9116 (5); 1995 a. 56, 216, 225, 274, 289; 1997 a. 27, 252; 1999 a. 9, 65, 105, 167, 197; 2001 a. 16, 105; 2003 a. 33, 111; 2005 a. 25, 74, 142, 335, 441; 2007  
 a. 1, 20, 96, 125, 126; 2009 a. 2, 28; 2011 a. 7, 10, 32, 166; 2013 a. 3, 20.

14 **SECTION 14. 16.70 (14)** of the statutes is amended to read:

15 16.70 (14) “State” does not include a district created under subch. II, III, IV, or  
 16 V of ch. 229 or the Milwaukee County mental health district created under s. 51.407.

**History:** 1971 c. 164; 1975 c. 41 s. 52; 1977 c. 29; 1979 c. 34, 221; 1983 a. 27, 106; 1985 a. 29 ss. 122a to 122f, 3200 (1); 1987 a. 292, 399; 1989 a. 335; 1991 a. 39, 189;  
 1993 a. 263, 399; 1995 a. 27, 56; 1997 a. 27; 1999 a. 65, 167; 2001 a. 16, 38; 2003 a. 33; 2005 a. 74, 89, 335; 2007 a. 20, 97; 2009 a. 28; 2011 a. 10, 229; 2013 a. 20; s. 13.92  
 (2) (i).

17 **SECTION 15. 19.42 (7w) (a)** of the statutes is amended to read:

18 19.42 (7w) (a) An elective office of a local governmental unit, including an  
 19 elected office of the Milwaukee County mental health district.

**History:** 1973 c. 90; Stats. 1973 s. 11.02; 1973 c. 333; 1973 c. 334 ss. 33, 57; Stats. 1973 s. 19.42; 1977 c. 29, 223, 277; 1977 c. 447 ss. 35, 209; 1979 c. 34, 177, 221; 1981  
 c. 20, 269, 349, 391; 1983 a. 27; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 166 ss. 1 to 4, 16; 1983 a. 484, 538; 1985 a. 26; 1985 a. 29 s. 3202 (46); 1985 a. 304; 1987 a. 72, 119;  
 1987 a. 312 s. 17; 1987 a. 340, 365, 399, 403; 1989 a. 31, 338; 1991 a. 39, 189, 221, 269; 1993 a. 16, 263, 399; 1995 a. 27, 56, 274; 1997 a. 27; 1997 a. 237 ss. 19m, 722q; 1997  
 a. 298; 1999 a. 42, 65; 2001 a. 16, 104, 109; 2003 a. 39; 2005 a. 335; 2007 a. 1, 20, 196; 2009 a. 28; 2011 a. 7, 10, 32, 229; 2013 a. 20.

20 **SECTION 16. 25.50 (1) (d)** of the statutes is amended to read:

21 25.50 (1) (d) “Local government” means any county, town, village, city, power  
 22 district, sewerage district, drainage district, town sanitary district, public inland

1 lake protection and rehabilitation district, local professional baseball park district  
 2 created under subch. III of ch. 229, long-term care district under s. 46.2895, local  
 3 professional football stadium district created under subch. IV of ch. 229, local  
 4 cultural arts district created under subch. V of ch. 229, Milwaukee County mental  
 5 health district created under s. 51.407, public library system, school district or  
 6 technical college district in this state, any commission, committee, board or officer  
 7 of any governmental subdivision of this state, any court of this state, other than the  
 8 court of appeals or the supreme court, or any authority created under s. 114.61,  
 9 149.41, 231.02, 233.02 or 234.02.

10 **SECTION 17.** 25.50 (1) (d) of the statutes, as affected by 2013 Wisconsin Acts 20  
 11 and .... (this act), is repealed and recreated to read:

12 25.50 (1) (d) "Local government" means any county, town, village, city, power  
 13 district, sewerage district, drainage district, town sanitary district, public inland  
 14 lake protection and rehabilitation district, local professional baseball park district  
 15 created under subch. III of ch. 229, long-term care district under s. 46.2895, local  
 16 professional football stadium district created under subch. IV of ch. 229, local  
 17 cultural arts district created under subch. V of ch. 229, Milwaukee County mental  
 18 health district created under s. 51.407, public library system, school district or  
 19 technical college district in this state, any commission, committee, board or officer  
 20 of any governmental subdivision of this state, any court of this state, other than the  
 21 court of appeals or the supreme court, or any authority created under s. 114.61,  
 22 231.02, 233.02, or 234.02.

NOTE: NOTE: Par. (d) is shown as amended eff. 1-1-15 by 2013 Wis. Act 20. Prior to 1-1-15 it reads: NOTE:

(d) "Local government" means any county, town, village, city, power district, sewerage district, drainage district, town sanitary district, public inland lake protection and rehabilitation district, local professional baseball park district created under subch. III of ch. 229, long-term care district under s. 46.2895, local professional football stadium district created under subch. IV of ch. 229, local cultural arts district created under subch. V of ch. 229, public library system, school district or technical college district in this state, any commission, committee, board or officer of any governmental subdivision of this state, any court of this state, other than the court of appeals or the supreme court, or any authority created under s. 114.61, 149.41, 231.02, 233.02 or 234.02.

History: 1975 c. 164; 1977 c. 29, 187; 1979 c. 34 s. 2102 (46) (a); 1979 c. 175 s. 53; 1981 a. 20, 93; 1983 a. 27 s. 2207 (45), (49); 1985 a. 29 s. 3202 (46); 1987 a. 27; 1989 a. 31, 151, 336; 1991 a. 33, 39; 1993 a. 16, 399; 1995 a. 27, 56, 274; 1999 a. 9, 65, 83, 167; 2001 a. 38; 2005 a. 25, 335; 2007 a. 20; 2011 a. 32; 2013 a. 20.

Insert  
5363-7 ✓

1 SECTION 18. 46.40 (1) (a) of the statutes is amended to read:

2 46.40 (1) (a) Within the limits of available federal funds and of the  
3 appropriations under s. 20.435 (7) (b) and (o), the department shall distribute funds  
4 for community social, mental health, developmental disabilities, and alcohol and  
5 other drug abuse services and for services under ss. 46.87, 46.985, and 51.421, except  
6 for mental health functions, programs<sup>2</sup> and services in Milwaukee County, to county  
7 departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437 and to county aging  
8 units, as provided in subs. (2), (2m), and (7) to (9). The department shall distribute  
9 the amount determined by the Milwaukee County board of supervisors under s.  
10 51.41 (4) (b) for mental health functions, programs, and services to the Milwaukee  
11 County mental health district.

Insert  
5363-7B ✓

History: 1987 a. 27, 399, 405; 1989 a. 31, 122, 336; 1991 a. 6, 39, 189, 269, 275, 315; 1993 a. 16, 437, 446; 1995 a. 27, 275, 303, 404; 1997 a. 27, 35, 237, 292; 1999 a. 9, 185; 2001 a. 16; 2003 a. 33, 318; 2005 a. 25 ss. 879, 250, 2510; 2007 a. 20 ss. 1096 to 1104g, 9121 (6) (a); 2009 a. 28, 180; 2011 a. 32.

12 SECTION 19. 51.406 of the statutes is created to read:

13 **51.406 Milwaukee County mental health district; definitions.** In ss.  
14 51.407 to 51.413:

15 (1) "District" means the Milwaukee County mental health district created  
16 under s. 51.407.

17 (2) "District board" means the governing board of the Milwaukee County  
18 mental health district.

19 (3) "Supermajority" means not less than 60% of the members of the district  
20 board.

60 percent

21 SECTION 20. 51.407 of the statutes is created to read:

22 **51.407 Milwaukee County mental health district; creation;**  
23 **organization; dissolution.** (1) There is created a special district that is a local  
24 governmental unit, that is a body corporate and politic, that is separate and distinct

1 from, and independent of, the state, that has the powers under<sup>✓</sup>ss. 51.407 to 51.413  
2 and the name of which is "Milwaukee County mental health district".

3 (2) The district<sup>✓</sup> is governed by its district board<sup>✓</sup>. The district board may adopt  
4 bylaws to govern the district's activities, subject to this chapter. The district board  
5 shall consist of the members described under s. 51.408.<sup>✓</sup>

6 (3) The district board<sup>✓</sup> shall elect from its membership a chairperson, a vice  
7 chairperson, a secretary, and a treasurer.<sup>✓</sup> A majority of the current membership of  
8 the district board constitutes a quorum to do business. The district may take action  
9 based on the affirmative vote of a majority of those directors who are present at a  
10 meeting of the district board.<sup>✓</sup>

11 (4) The members of the district board<sup>✓</sup> shall be reimbursed for their actual and  
12 necessary expenses incurred in the performance of their duties. The members of the  
13 district board shall earn an annual salary of \$1000. The district board<sup>✓</sup> may vote to  
14 change the salaries of its members.

15 (5) Upon the election and qualification of a majority of the members of a district  
16 board, the district board may exercise the powers and duties of a district board under  
17 this chapter.<sup>✓</sup> ①

18 (6) Subject to providing for the performance of its contractual obligations, the  
19 Milwaukee County mental health<sup>o</sup> district may be dissolved by the action of the  
20 district board.<sup>✓</sup> If the district is dissolved, the property of the district shall be  
21 transferred to Milwaukee County in the jurisdiction.<sup>✓</sup>

22 SECTION 21. 51.408<sup>x</sup> of the statutes is created to read:

23 51.408 Milwaukee County mental health district board members;<sup>✓</sup>

24 election. NO  
A

1 <sup>20</sup> (1) The district board<sup>✓</sup> shall consist of the following members who are elected  
2 by the electors of Milwaukee County at a spring election, as defined in s. 5.02 (21),  
3 beginning in 2016:

4 (a) Four<sup>✓</sup> individuals, at least 2<sup>✓</sup> of whom have a masters or doctorate degree in  
5 a mental health discipline, who reside in the ~~City~~ of Milwaukee and in aldermanic  
6 districts 1, 2, 3, 4, 5, 6, 7, 9, 10, or 15.<sup>✓</sup>

7 (b) Two individuals,<sup>✓</sup> at least <sup>one</sup> of whom has a masters or doctorate degree in a  
8 mental health discipline, who reside in the ~~City~~ of Milwaukee and in aldermanic  
9 districts 8, 11, 12, 13, or 14.

10 (c) Four<sup>✓</sup> individuals who reside in ~~Milwaukee~~ County, but not in the ~~City~~ of  
11 Milwaukee.

12 (d) One individual<sup>✓</sup> who has a masters or doctorate degree in a mental health  
13 discipline.<sup>✓</sup>

14 (2) Each board member shall hold office for a 4-year<sup>✓</sup> term and until a successor  
15 is elected and qualified. Any board member elected for a regular or unexpired term  
16 shall take office after filing the official oath on the 4th Monday in April.<sup>✓</sup>

17 SECTION 22. 51.409<sup>✓</sup> of the statutes is created to read:

18 **51.409 Milwaukee County mental health district; jurisdiction; powers.**

19 (1) JURISDICTION.<sup>✓</sup> The district's jurisdiction is Milwaukee County.<sup>✓</sup>

20 (2) POWERS.<sup>✓</sup> The Milwaukee County mental health district<sup>✓</sup> has all of the powers  
21 necessary or convenient to carry out the purposes and provisions of ss. 51.407 to  
22 51.413<sup>✓</sup> and other assigned duties. In addition to all other powers granted by the  
23 statutes, a district may do all of the following: <sup>De</sup>

24 (a) Adopt and alter an official seal.<sup>✓</sup>

25 (b) Sue and be sued in its own name, plead and be impleaded.

1 (c) Maintain an office.✓

2 (d) Employ personnel, and fix and regulate their compensation; and provide,  
3 either directly or subject to an agreement under s. 66.0301✓ as a participant in a  
4 benefit plan of another governmental entity, any employee benefits, including an  
5 employee pension plan.✓

6 (e) Purchase insurance, establish and administer a plan of self-insurance or,  
7 subject to an agreement with another governmental entity under s.✓66.0301,  
8 participate in a governmental plan of insurance or self-insurance.✓

9 (f) Mortgage, pledge or otherwise encumber the district's property or funds.✓

10 (g) Maintain funds and invest the funds in any investment that the district  
11 board considers appropriate.✓

12 (h) Promote, advertise, and publicize its mental health functions, services, and  
13 programs and related activities.

14 (i) Establish and collect fees, and establish shared revenue arrangements or  
15 other charges for the use services rendered by the Milwaukee County mental health  
16 district.✓

17 (j) Enter into partnerships, joint ventures, common ownership, or other  
18 arrangements with other persons to further the district's purposes.

19 (k) By vote of a supermajority, annually levy the taxes imposed under✓ ch. 70  
20 on the full value of the taxable property located in Milwaukee County for the  
21 purposes described under s. 51.413 (1).✓ If the district board✓ levies the tax under this  
22 paragraph✓, it shall notify the taxation district of the amount of the levy by October  
23 31, or 10 days after receiving the equalized valuations from the department of  
24 revenue, whichever is later.✓

25 (l) Accept gifts, loans and other aid.

Insert s 363-11

1 (m) Administer the receipt of revenues by the district.

2 SECTION 23. 51.412 of the statutes is created to read:

3 51.412 Powers granted to a city or a county in the Milwaukee County

4 mental health district. In addition to any powers that it may otherwise have, a

5 city or a county within the Milwaukee County mental health district's jurisdiction

6 may do any of the following:

7 (1) Make grants or loans to a district upon terms that the city or county  
8 considers appropriate.

9 (2) Expend public funds to subsidize a district.

10 (3) Borrow money under ss. 67.04 and 67.12 (12) to fund grants, loans or  
11 subsidies to a district.

12 SECTION 24. 51.413 of the statutes is created to read:

13 51.413 Milwaukee County mental health district; generally.

14 (1) SPECIAL FUND. The district board shall maintain a special fund into which  
15 it deposits only the revenue derived from the taxes imposed under s. 51.409 (2) (k).

16 If the district board determines that the revenues in the special fund under this  
17 subsection exceed current operating expenses for mental health functions, services,  
18 and programs in Milwaukee County, the district board shall apply the excess to  
19 maintenance costs and capital improvements.

20 (2) DEBT. The Milwaukee County mental health district may not create a debt  
21 of the state or a county in the district's jurisdiction.

22 (3) STATE PLEDGE. The state pledges to and agrees with persons that enter into  
23 contracts with the Milwaukee County mental health district that the state will not  
24 limit or alter the rights and powers vested in a district before the district has fully

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1 performed its contracts, unless adequate provision is made by law for the protection  
2 of those entering into contracts with a district.

3 (4) TRUST FUNDS. All moneys received under ss. 51.407 to 51.413 are trust funds  
4 to be held and applied solely as provided in ss. 51.407 to 51.413. Any officer with  
5 whom, or any bank or trust company with which, those moneys are deposited shall  
6 act as trustee of those moneys and shall hold and apply the moneys for the purposes  
7 of and in accordance with ss. 51.407 to 51.413.

8 (5) BUDGETS; RATES AND CHARGES; AUDIT. A district shall adopt a calendar year  
9 as its fiscal year for accounting purposes. The district board shall annually prepare  
10 a budget for the district. Rates and other charges received by the district shall be  
11 used for the general expenses and capital expenditures of the district and to pay  
12 interest, amortization, and retirement charges on bonds. A district shall maintain  
13 an accounting system in accordance with generally accepted accounting principles  
14 and shall have its financial statements and debt covenants audited annually by an  
15 independent certified public accountant.

Insert  
5303-12

16 SECTION 25. 66.0301 (1) (a) of the statutes is amended to read:

17 66.0301 (1) (a) Except as provided in pars. (b) and (c), in this section  
18 "municipality" means the state or any department or agency thereof, or any city,  
19 village, town, county, school district, public library system, public inland lake  
20 protection and rehabilitation district, sanitary district, farm drainage district,  
21 metropolitan sewerage district, sewer utility district, solid waste management  
22 system created under s. 59.70 (2), local exposition district created under subch. II of  
23 ch. 229, local professional baseball park district created under subch. III of ch. 229,  
24 local professional football stadium district created under subch. IV of ch. 229, local  
25 cultural arts district created under subch. V of ch. 229, long-term care district under

1 s. 46.2895, the Milwaukee County mental health district created under s. 51.407,  
2 water utility district, mosquito control district, municipal electric company, county  
3 or city transit commission, commission created by contract under this section,  
4 taxation district, regional planning commission, housing authority created under s.  
5 66.1201, redevelopment authority created under s. 66.1333, community  
6 development authority created under s. 66.1335, or city–county health department.

7 **History:** 1999 a. 150 ss. 348, 349, 352, 353; 1999 a. 167 s. 38; 2001 a. 16, 30; 2007 a. 20, 43; 2009 a. 28, 112; 2011 a. 32; 2013 a. 14.

7 **SECTION 26.** 66.0621 (1) (a) of the statutes is amended to read:

8 66.0621 (1) (a) “Municipality” means a city, village, town, county, commission  
9 created by contract under s. 66.0301, public inland lake protection and rehabilitation  
10 district established under s. 33.23, 33.235 or 33.24, metropolitan sewerage district  
11 created under ss. 200.01 to 200.15 and 200.21 to 200.65, town sanitary district under  
12 subch. IX of ch. 60, a local professional baseball park district created under subch.  
13 III of ch. 229, a local professional football stadium district created under subch. IV  
14 of ch. 229, a local cultural arts district created under subch. V of ch. 229, the  
15 Milwaukee County mental health district, or a municipal water district or power  
16 district under ch. 198 and any other public or quasi–public corporation, officer, board  
17 or other public body empowered to borrow money and issue obligations to repay the  
18 money and obligations out of revenues. “Municipality” does not include the state or  
19 a local exposition district created under subch. II of ch. 229.

20 **History:** 1973 c. 172; 1979 c. 268; 1981 c. 282; 1983 a. 24; 1983 a. 207 ss. 9 to 21, 93 (1), (3); 1987 a. 197; 1991 a. 316; 1993 a. 263; 1995 a. 56, 216, 225, 378; 1997 a.  
35; 1999 a. 65; 1999 a. 150 ss. 175, 177; Stats. 1999 s. 66.0621; 1999 a. 167 ss. 33 to 36; 1999 a. 186 s. 45; 2001 a. 30, 105; 2005 a. 148; 2011 a. 239.

20 **SECTION 27.** 66.0621 (1) (c) of the statutes is amended to read:

21 66.0621 (1) (c) “Revenue” means all moneys received from any source by a  
22 public utility and all rentals and fees and, in the case of a local professional baseball  
23 park district created under subch. III of ch. 229 includes tax revenues deposited into  
24 a special fund under s. 229.685 and payments made into a special debt service

1 reserve fund under s. 229.74, in the case of the Milwaukee County mental health  
 2 district created under s. 51.407 ✓ includes tax revenues deposited into a special fund  
 3 under s. 51.413, ✓ and, in the case of a local professional football stadium district  
 4 created under subch. IV of ch. 229 includes tax revenues deposited into a special fund  
 5 under s. 229.825 and payments made into a special debt service reserve fund under  
 6 s. 229.830.

History: 1973 c. 172; 1979 c. 268; 1981 c. 282; 1983 a. 24; 1983 a. 207 ss. 9 to 21, 93 (1), (3); 1987 a. 197; 1991 a. 316; 1993 a. 263; 1995 a. 56, 216, 225, 378; 1997 a. 35; 1999 a. 65; 1999 a. 150 ss. 175, 177; Stats. 1999 s. 66.0621; 1999 a. 167 ss. 33 to 36; 1999 a. 186 s. 45; 2001 a. 30, 105; 2005 a. 148; 2011 a. 239.

7 **SECTION 28. Nonstatutory provisions.**

8 (1) STAGGERED TERMS. Notwithstanding section 51.408 (2) ✓ of the statutes, as  
 9 created by this act, the initial term of <sup>one</sup> ① individual elected under section ✓ 51.408 (1)  
 10 (a) of the statutes, as created by this act, <sup>one</sup> ① individual elected under section ✓ 51.408  
 11 (1) (b) of the statutes, as created by this act, and <sup>one</sup> ① individual elected under section  
 12 51.408 (1) (c) ✓ of the statutes, as created by this act, is 2 years and the initial term of  
 13 <sup>one</sup> ① individual elected under section 51.408 (1) (a) ✓ of the statutes, as created by this act,  
 14 <sup>one</sup> ① individual elected under section 51.408 (1) (c) ✓ of the statutes, as created by this act,  
 15 and the individual elected under section 51.408 (1) (d) ✓ of the statutes, as created by  
 16 this act, is 3 years. ✓

17 **SECTION 29. Effective dates.** This act takes effect on the day after publication,

18 except as follows:

19 (1) The repeal and recreation of section 25.50 (1) (d) ✓ of the statutes takes effect  
 20 on January 1, 2015.

21 (END)

Insert 5363-NS ✓

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

Insert s363-4-17

1 SECTION 1. 13.94 (1) (mg) of the statutes is created to read:

2 13.94 (1) (mg) No later than January 1, 2017, and biennially thereafter,  
3 perform a financial and performance evaluation audit of the Milwaukee County  
4 mental health <sup>district</sup> board and of mental health functions, programs, and services in  
5 Milwaukee County including a review of the effectiveness of the Milwaukee County  
6 mental health <sup>district</sup> board and new policies implemented under that board in providing  
7 mental health services, a review of the expenditures of the Milwaukee County  
8 mental health <sup>district</sup> board, a review of Milwaukee County's expenditures for mental health  
9 functions, programs, and services and the outcomes of those programs and services  
10 in the period after the formation of the Milwaukee County mental health <sup>district</sup> board. The  
11 legislative audit bureau shall file a copy of the audit report under this paragraph  
12 with the distributees specified in par. (b) and the Milwaukee County executive and  
13 the Milwaukee County board of supervisors. ~~The audit under this paragraph does~~ (END Insert s363-4-17)

~~not count toward the limit of audits of a county in a calendar year in par. (m).~~

SECTION 2. 15.07 (1) (b) 24. of the statutes is created to read:

15.07 (1) (b) 24. The Milwaukee County mental health board, subject to s. 15.195 (9).

SECTION 3. 15.07 (1) (cm) of the statutes is amended to read:

15.07 (1) (cm) The term of one member of the government accountability board shall expire on each May 1. The terms of the 3 members of the land and water conservation board appointed under s. 15.135 (4) (b) 2. shall expire on January 1. The term of the member of the land and water conservation board appointed under s. 15.135 (4) (b) 2m. shall expire on May 1 of an even-numbered year. The terms of

1 failure to attend 2 board meetings within one year without providing advance notice  
2 to the chairperson of the board.

3 (b) Notwithstanding sub. (3), a member of the Milwaukee County mental  
4 health board shall be removed by the governor for engaging in an activity under s.  
5 15.495 (9) (d) that disqualifies an individual from board membership.

6 SECTION 7. 20.435 (5) (kf) of the statutes is created to read:

7 20.435 (5) (kf) *Milwaukee County mental health board; audit.* All moneys  
8 received under s. 51.41 (6) (b) for the general program operations of the Milwaukee  
9 County mental health board and for the performance of the audit and the completion  
10 of the report under 2013 Wisconsin Act .... (this act), section 53 (4).

11 SECTION 8. 46.031 (2) of the statutes is amended to read:

12 46.031 (2) ASSESSMENT OF NEEDS. Before developing and submitting a proposed  
13 budget to the county executive or county administrator or the county board or the  
14 Milwaukee County mental health board, <sup>district</sup> the county departments listed in sub. (1)  
15 shall assess needs and inventory resources and services, using an open public  
16 participation process.

17 SECTION 9. 46.031 (2g) (a) of the statutes is amended to read:

18 46.031 (2g) (a) The department shall annually submit to the county board of  
19 supervisors in a county with a single-county department, the Milwaukee County  
20 mental health board <sup>district</sup> in Milwaukee County for matters related to mental health, or  
21 the county boards of supervisors in counties with a multicounty department a  
22 proposed written contract containing the allocation of funds and such administrative  
23 requirements as necessary. The contract as approved may contain conditions of  
24 participation consistent with federal and state law. The contract may also include  
25 provisions necessary to ensure uniform cost accounting of services. Any changes to

Insert  
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1 the proposed contract shall be mutually agreed upon. The county board of  
 2 supervisors in a county with a single-county department, the Milwaukee County  
 3 mental health board in Milwaukee County for matters related to mental health, or  
 4 the county boards of supervisors in counties with a multicounty department shall  
 5 approve the contract before January 1 of the year in which it takes effect unless the  
 6 department grants an extension. The county board of supervisors in a county with  
 7 a single-county department, the Milwaukee County mental health board in  
 8 Milwaukee County, or the county boards of supervisors in counties with a  
 9 multicounty department may designate an agent to approve addenda to any contract  
 10 after the contract has been approved.

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11 SECTION 10. 46.031 (2g) (b) of the statutes is amended to read:

12 46.031 (2g) (b) The department may not approve contracts for amounts in  
 13 excess of available revenues. The county board of supervisors in a county with a  
 14 single-county department, the Milwaukee County mental health board in  
 15 Milwaukee County for matters related to mental health, or the county boards of  
 16 supervisors in counties with a multicounty department may appropriate funds not  
 17 used to match state funds under ss. 46.495 (1) (d) and 51.423. Actual expenditure  
 18 of county funds shall be reported in compliance with procedures developed by the  
 19 department, and shall comply with standards guaranteeing quality of care  
 20 comparable to similar facilities.

21 SECTION 11. 46.031 (2r) (b) of the statutes is amended to read:

22 46.031 (2r) (b) If the department withholds a portion of the allocable  
 23 appropriation under par. (a), the county department affected by the action of the  
 24 department may submit to the county board of supervisors in a county with a  
 25 single-county department or to its designated agent, to the Milwaukee County



1 mental health <sup>district</sup> board if related to mental health in Milwaukee County, or to the  
 2 county boards of supervisors in counties with a multicounty department or their  
 3 designated agents a plan to rectify the deficiency found by the department. The  
 4 county board of supervisors or its designated agent in a county with a single-county  
 5 department, the Milwaukee County mental health <sup>district</sup> board if related to mental health,  
 6 or the county boards of supervisors in counties with a multicounty department or  
 7 their designated agents may approve or amend the plan and may submit for  
 8 departmental approval the plan as adopted. If a multicounty department is  
 9 administering a program, the plan may not be submitted unless each county board  
 10 of supervisors which participated in the establishment of the multicounty  
 11 department, or its designated agent, adopts it.

SECTION 12. 46.031 (3) (a) of the statutes is amended to read:

13 46.031 (3) (a) *Citizen advisory committee.* Except as provided in par. (b), the <sup>district</sup>  
 14 county board of supervisors of each county, the Milwaukee County mental health  
 15 board, as applicable, or the county boards of supervisors of 2 or more counties jointly  
 16 shall establish a citizen advisory committee to the county departments under ss.  
 17 46.215, 46.22, 46.23, 51.42, and 51.437. The citizen advisory committee shall advise  
 18 in the formulation of the budget under sub. (1). Membership on the committee shall  
 19 be determined by the county board of supervisors in a county with a single-county  
 20 committee, the Milwaukee County mental health <sup>district</sup> board, as applicable, or by the  
 21 county boards of supervisors in counties with a multicounty committee and shall  
 22 include representatives of those persons receiving services, providers of service and  
 23 citizens. A majority of the members of the committee shall be citizen and service  
 24 consumers. The committee's membership may not consist of more than 25% county  
 25 supervisors, nor of more than 20% service providers. The chairperson of the



1 committee shall be appointed by the county board of supervisors establishing it or  
 2 by the Milwaukee County mental health board, if it establishes the committee. In  
 3 the case of a multicounty committee, the chairperson shall be nominated by the  
 4 committee and approved by the county boards of supervisors establishing it. The  
 5 county board of supervisors in a county with a single-county committee or the county  
 6 boards of supervisors in counties with a multicounty committee may designate an  
 7 agent to determine the membership of the committee and to appoint the committee  
 8 chairperson or approve the nominee.

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9 SECTION 13. 46.031 (3) (b) of the statutes is amended to read:

10 46.031 (3) (b) *Alternate process.* The county board of supervisors, the  
 11 Milwaukee County mental health board, as applicable, or the boards of 2 or more  
 12 counties acting jointly may submit a report to the department on the open public  
 13 participation process used under sub. (2). The county board of supervisors or the  
 14 Milwaukee County mental health board may designate an agent, or the boards of 2  
 15 or more counties acting jointly may designate an agent, to submit the report. If the  
 16 department approves the report, establishment of a citizen advisory committee  
 17 under par. (a) is not required.

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18 SECTION 14. 46.031 (3) (c) of the statutes is amended to read:

19 46.031 (3) (c) *Yearly report.* The county board of supervisors or its designated  
 20 agent, the Milwaukee County mental health board, as applicable, or the boards of 2  
 21 or more counties acting jointly or their designated agent, shall submit to the  
 22 department a list of members of the citizen advisory committee under par. (a) or a  
 23 report on the open public participation process under par. (b) on or before July 1 of  
 24 each year.

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25 SECTION 15. 46.034 (3) of the statutes is amended to read:



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1           46.034 (3) With the agreement of the affected county board of supervisors in  
2           a county with a single-county department, the Milwaukee County mental health  
3           board, as applicable, or boards of supervisors in counties with a multicounty  
4           department, effective for the contract period beginning January 1, 1980, the  
5           department may approve a county with a single-county department or counties  
6           participating in a multicounty department to administer a single consolidated aid  
7           consisting of the state and federal financial aid available to that county or those  
8           counties from appropriations under s. 20.435 (7) (b) and (o) for services provided and  
9           purchased by county departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437.  
10          Under such an agreement, in the interest of improved service coordination and  
11          effectiveness, the county board of supervisors in a county with a single-county  
12          department, the Milwaukee County mental health board, as applicable, or county  
13          boards of supervisors in counties with a multicounty department may reallocate  
14          among county departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437 funds  
15          that otherwise would be specified for use by a single county department. The budget  
16          under s. 46.031 (1) shall be the vehicle for expressing the proposed use of the single  
17          consolidated fund by the county board of supervisors in a county with a single-county  
18          department, the Milwaukee County mental health board, as applicable, or county  
19          boards of supervisors in counties with a multicounty department. Approval by the  
20          department of this use of the fund shall be in the contract under s. 46.031 (2g).  
21          Counties that were selected by the department to pilot test consolidated aids for  
22          contract periods beginning January 1, 1978, may continue or terminate  
23          consolidation with the agreement of the affected county board of supervisors in a  
24          county with a single-county department, the Milwaukee County mental health  
25          board, or county boards of supervisors in counties with a multicounty department.

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1 SECTION 16. 46.175 of the statutes is amended to read:

2 46.175 **County institutions; minimum standards.** Notwithstanding any  
 3 other provision of law, any county currently operating an institution established  
 4 under s. 49.70, 49.71, 49.72, 51.08, or 51.09 may, by resolution of the county board  
 5 or, in Milwaukee County for institutions providing mental health treatment, the  
 6 Milwaukee County mental health board, designate such institution or distinct part  
 7 of such institution as a facility to be operated under s. 50.02, 50.03 or 50.33. Any  
 8 county institution or part thereof, where so designated, shall be required to meet  
 9 those licensure standards established by the department for the type of facility  
 10 designated by the county. Any designation under this section may be made only if  
 11 such designation will not result in any additional cost to the state.

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12 SECTION 17. 46.18 (1) of the statutes is amended to read:

13 46.18 (1) TRUSTEES. Every county home, infirmary, hospital, or similar  
 14 institution, shall, subject to regulations approved by the county board except in  
 15 Milwaukee County for county homes, infirmaries, hospitals, or institutions  
 16 providing mental health treatment, be managed by a board of trustees, electors of the  
 17 county, chosen by ballot by the county board. In Milwaukee County, every county  
 18 home, infirmary, hospital, or similar institution that provides mental health  
 19 treatment shall, subject to standards and procedures adopted by the Milwaukee  
 20 County mental health board, be managed by a board of trustees, electors of the  
 21 county, chosen by ballot by the Milwaukee County mental health board. At its  
 22 annual meeting, the county board or the Milwaukee County mental health board, if  
 23 applicable, shall appoint an uneven number of trustees, from 3 to 9 at the option of  
 24 the board, for staggered 3-year terms ending the first Monday in January. Any  
 25 vacancy shall be filled for the unexpired term by the county board or the Milwaukee

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County mental health board, as applicable; but the chairperson of the county board may appoint a trustee to fill the vacancy until the county board acts except for boards of trustees appointed by the Milwaukee County mental health board for which the chairperson of the Milwaukee County mental health board may appoint a trustee to fill the vacancy until the entire Milwaukee County mental health board acts.

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SECTION 18. 46.18 (3) of the statutes is amended to read:

46.18 (3) REMOVAL OF TRUSTEE. Any trustee may be removed from office for misconduct or neglect, by a two-thirds vote of the county board or of the Milwaukee County mental health board, as applicable, on due notice in writing and hearing of the charges against the trustee.

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SECTION 19. 46.18 (4) of the statutes is amended to read:

46.18 (4) OATH OF OFFICE, BOND, EXPENSES, PAY. Each trustee shall take and file the official oath and execute and file an official bond to the county, in the amount determined by the county board, or the Milwaukee County mental health board, as applicable, and the sufficiency of the sureties shall be approved by the chairperson of the board. Each trustee shall be reimbursed for traveling expenses necessarily incurred in the discharge of the duties, and shall receive the compensation fixed by the county board or the Milwaukee County mental health board, as applicable, unless otherwise provided by law.

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SECTION 20. 46.18 (11) of the statutes is amended to read:

46.18 (11) COUNTY APPROPRIATION. The county board or, in Milwaukee County, the Milwaukee County mental health board, as applicable, shall annually appropriate for operation and maintenance of each such institution not less than the amount of state aid estimated by the trustees to accrue to said institution; or such



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1 lesser sum as may be estimated by the trustees to be necessary for operation and  
2 maintenance.

3 SECTION 21. 46.18 (12) of the statutes is amended to read:

4 46.18 (12) ADDITIONAL DUTIES. The county board or the Milwaukee County  
5 mental health board, as applicable, may provide that the trustees and  
6 superintendent of any institution shall be the trustees and superintendent of any  
7 other institution.

8 SECTION 22. 46.18 (13) of the statutes is amended to read:

9 46.18 (13) BUILDING RESERVE FUND. The Except in Milwaukee County, the  
10 county board shall maintain as a segregated cash reserve an annual charge of 2% of  
11 the original cost of new construction or purchase or of the appraised value of existing  
12 infirmary structures and equipment. In Milwaukee County, the Milwaukee County  
13 mental health board, for mental health infirmary structures and equipment, shall  
14 ensure the maintenance, as a segregated cash reserve, of an annual charge of 2  
15 percent of the original cost of new construction or purchase or of the appraised value  
16 of existing mental health infirmary structures and equipment. If the infirmary or  
17 any of its equipment is replaced, any net cost of replacement in excess of the original  
18 cost is subject to an annual charge of 2%. No contributions to the cash reserve in  
19 excess of the amount required under this subsection may be included in the  
20 calculation under s. 49.726 (1). The county board, except the Milwaukee County  
21 board, may from time to time appropriate from such reserve sums to be expended  
22 solely for the enlargement, modernization or replacement of such infirmary and its  
23 equipment. In Milwaukee County, the Milwaukee County mental health board may  
24 require to be appropriated from reserve sums for mental health infirmaries to be

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1 expended for the enlargement, modernization, or replacement of a mental health  
2 infirmery and its equipment.

3 SECTION 23. 46.18 (14) of the statutes is amended to read:

4 46.18 (14) INCENTIVE PAYMENTS TO PATIENTS IN MENTAL HOSPITALS. The county  
5 board or, in Milwaukee County, the Milwaukee County mental health board may  
6 authorize the board of trustees of any county mental hospital to establish a program  
7 of incentive payments so as to provide incentive and encouragement to patients by  
8 the disbursement of small weekly payments but not restricted to work allowances.  
9 Incentive payments paid to inmates shall not be included as costs in arriving at the  
10 per capita rate for state aids or charges to other counties and the state for care of  
11 inmates. ~~In counties having a population of 500,000 or more the county board of~~  
12 ~~supervisors may establish a similar program.~~

district

The county

13 SECTION 24. 46.18 (15) of the statutes is amended to read:

14 46.18 (15) JOINT OPERATION OF HEALTH-RELATED SERVICE. If the county board of  
15 supervisors, or the Milwaukee County mental health board, as applicable, so  
16 authorizes, the trustees of the county hospital may, together with a private or public  
17 organization or affiliation, organize, establish and participate in the governance and  
18 operation of an entity to operate, wholly or in part, any health-related service, may  
19 participate in the financing of the entity and may provide administrative and  
20 financial services or resources for its operation on terms prescribed by the county  
21 board of supervisors or the Milwaukee County mental health board, as applicable.

district

district

22 SECTION 25. 46.19 (4) of the statutes is amended to read:

23 46.19 (4) The salaries of the superintendent, visiting physician and all  
24 necessary additional officers and employees shall be fixed by the county board. In  
25 Milwaukee County, the salaries of any superintendent of a mental health institution



1 and the salaries of any visiting physician and necessary additional officers and  
2 employees whose duties are related to mental health shall be fixed by the county  
3 executive.

4 SECTION 26. 46.21 (2) (a), (j), (k), (m) and (q), (2m) (a) and (b) 1. (intro.), (3), (3g),  
5 (3r), (4), (4m) (a) and (b) and (6) of the statutes are amended to read:

6 46.21 (2) (a) Shall adopt policies for the management, operation, maintenance  
7 and improvement of the county hospital; the detention center; the probation section  
8 of the children's court center; the provision and maintenance of the physical facilities  
9 for the children's court and its intake section under the supervision and operation  
10 of the judges assigned to exercise jurisdiction under chs. 48 and 938 and as provided  
11 in s. 938.06 (1); ~~the mental health complex~~; the county department of human  
12 services; the central service departments; and all buildings and land used in  
13 connection with any institution under this section except a mental health  
14 institution. The powers and duties of the county board of supervisors are policy  
15 forming only, and not administrative or executive. The county board of supervisors  
16 may not form policies regarding mental health or mental health institutions,  
17 programs, or services. The Milwaukee County mental health board shall adopt the  
18 policies under this paragraph regarding mental health and mental health  
19 institutions, programs, and services.

20 (j) May exercise approval or disapproval power over contracts and purchases  
21 of the director that are for \$50,000 or more, except that the county board of  
22 supervisors may not exercise approval or disapproval power over any personal  
23 service contract or over any contract or purchase of the director that relates to  
24 community living arrangements, adult family homes, or foster homes and that was  
25 entered into pursuant to a contract under s. 46.031 (2g) or 301.031 (2g), regardless


District



1 of whether the contract mentions the provider, except as provided in par. (m). The  
2 county board of supervisors may not exercise approval or disapproval power over any  
3 contract relating to mental health or mental health institutions, programs, or  
4 services. This paragraph does not preclude the county board of supervisors from  
5 creating a central purchasing department for all county purchases that are not  
6 related to mental health.

7 (k) Shall make sufficient appropriation annually for the support, maintenance,  
8 salaries, repairs and improvements to the county department of human services and  
9 the institutions, except for mental health institutions. The appropriations shall be  
10 used subject to the order of the director or administrator and as the policies adopted  
11 by the county board of supervisors provide. The director or administrator may not  
12 incur any expense or contract for new buildings, additions to present buildings or the  
13 purchase of land until the county board of supervisors, or the Milwaukee County  
14 mental health board, as applicable, has appropriated or provided for the money to  
15 defray such expense. district

16 (m) May establish and maintain in connection with such county hospital, an  
17 emergency unit or department for the treatment, subject to such rules as may be  
18 prescribed by the county board of supervisors, of persons in the county who may meet  
19 with accidents or be suddenly afflicted with illness not contagious; provided that  
20 medical care and treatment shall only be furnished in such unit or department until  
21 such time as the patient may be safely removed to another hospital or to his or her  
22 place of abode, or regularly admitted to the county hospital. The county board of  
23 supervisors may also contract with any private hospital or nonprofit hospital within  
24 the county for the use of its facilities and for medical service to be furnished by a  
25 licensed physician or physicians to patients who require emergency medical



1 treatment or first aid as a result of any accident, injury or sudden affliction of illness  
 2 occurring within the county, except that reasonable compensation may only be  
 3 authorized until the patient is regularly admitted as an inpatient or safely removed  
 4 to another hospital or to his place of abode. In this paragraph, "hospital" includes,  
 5 without limitation due to enumeration, public health centers, medical facilities and  
 6 general, tuberculosis, mental, chronic disease and other types of hospitals and  
 7 related facilities, such as laboratories, outpatient departments, nurses' home and  
 8 training facilities, and central service facilities operated in connection with  
 9 hospitals. In this paragraph, "hospital" does not include any hospital furnishing  
 10 primarily domiciliary care. In this paragraph "nonprofit hospital" means any  
 11 hospital owned and operated by a corporation or association, no part of the net  
 12 earnings of which inures, or may lawfully inure, to the benefit of any private  
 13 shareholder or individual.

14 (q) May, together with a private or public organization or affiliation, organize,  
 15 establish and participate in the governance and operation of an entity to operate,  
 16 wholly or in part, any health-related service except a mental health-related service,  
 17 may participate in the financing of the entity and may provide administrative and  
 18 financial services or resources for its operation on terms prescribed by the county  
 19 board of supervisors. The Milwaukee County mental health board may, together  
 20 with a private or public organization or affiliation, organize, establish, and  
 21 participate in the governance and operation of an entity to operate, wholly or in part,  
 22 any mental health-related service, may participate in the financing of the entity, and  
 23 may provide administrative and financial services or resources for its operation.

24 (2m) (a) *Creation.* The management, operation, maintenance and  
 25 improvement of human services in a county with a population of 500,000 750,000 or

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1 more is vested in a county department of human services under the jurisdiction, as  
2 to policy, of the county board of supervisors or, as to mental health policy, the  
3 Milwaukee County mental health board. The county department of human services  
4 shall consist of the director appointed under sub. (1m), any division administrator  
5 appointed under sub. (4) or s. 51.41 (9), and necessary personnel appointed by the  
6 director or appointed by a division administrator and approved by the director.

district

7 (b) 1. (intro.) The county board of supervisors or, in matters related to mental  
8 health, the Milwaukee County mental health board may transfer the powers and  
9 duties of any human services program under the control of the county and shall  
10 transfer all of the following to the county department of human services:

11 (3) POWERS AND DUTIES OF THE DIRECTOR. All of the administrative and executive  
12 powers and duties of managing, operating, maintaining and improving the county  
13 department of human services and other institutions and departments that the  
14 county board of supervisors or, in matters of mental health, the Milwaukee County

district

15 mental health board may place under the jurisdiction of the director are vested in the  
16 director, subject to the policies and in accordance with the principles adopted by the  
17 county board of supervisors or, in matters of mental health, the Milwaukee County

mental

18 health board.

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19 (3g) POWERS AND DUTIES OF THE ADMINISTRATOR. All of the administrative and  
20 executive powers and duties of managing, operating, maintaining and improving the  
21 county hospital and other institutions and departments that the county board of

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22 supervisors or, in matters of mental health, the Milwaukee County mental health  
23 board may place under the jurisdiction of the administrator are vested in the  
24 administrator, subject to the policies and in accordance with the principles adopted



1 by the county board of supervisors or, in matters of mental health, the Milwaukee  
2 County mental health board. *district*

3 (3r) OTHER POWERS AND DUTIES. The county board of supervisors or, in matters  
4 of mental health, the Milwaukee County mental health board may place under the *district*  
5 jurisdiction of county entities not specified under this section the administrative and  
6 executive powers and duties of managing, operating, maintaining and improving  
7 institutions and departments or other responsibilities that are specified in sub. (2),  
8 including functions related to the central service departments and buildings and  
9 land used in connection with any institution under sub. (2).

10 (4) MANAGEMENT PERSONNEL. The Except as provided in s. 51.41 (9), the director  
11 may appoint personnel to manage the county department of human services and the  
12 administrator may appoint personnel to manage the county hospital, in accordance  
13 with ordinances of the county board of supervisors.

14 (4m) (a) The county hospitals and county sanatoriums of a county with a  
15 population of 500,000 750,000 or more shall be devoted to hospital service and the  
16 treatment of patients upon such terms and conditions as the county board of  
17 supervisors or, in matters of mental health, the Milwaukee County mental health  
18 board establishes. The hospitals and sanatoriums may be utilized for instruction of  
19 medical students, physicians and nurses and for scientific and clinical research that  
20 will promote the welfare of the patients and assist the application of science to the  
21 alleviation of human suffering.

22 (b) Professional staff responsible for the care of patients under this subsection  
23 may submit bills for professional services under policies adopted by the county board  
24 of supervisors or under mental health policies adopted by the Milwaukee County  
25 mental health board. *district*



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1 (6) REPORTS; EXPENDITURES. The director and the administrator shall submit  
 2 annually to the county board of supervisors, or to the Milwaukee County mental  
 3 health board in matters of mental health, reports, including itemized statements of  
 4 receipts and disbursements, at the times and in the manner that the county board  
 5 of supervisors or Milwaukee County mental health board specifies and as are district  
 6 required to comply with applicable federal statutes and regulations and state  
 7 statutes and rules. Disbursements shall be made in the manner that the county  
 8 board of supervisors or Milwaukee County mental health board, as applicable, district  
 9 adopts, consistent with sound accounting and auditing procedure and with  
 10 applicable federal statutes and regulations, state statutes and rules and  
 11 requirements of the county auditor and county department of administration. (End Insert s363-7)

Insert  
s363-7B

12 SECTION 27. 46.56 (1) (a) of the statutes is amended to read:

13 46.56 (1) (a) "Administering agency" means a department designated by a  
 14 county board of supervisors, by the Milwaukee County mental health board in  
 15 Milwaukee County, or by a tribe to administer an initiative.

16 SECTION 28. 46.56 (2) (a) of the statutes, as affected by 2013 Wisconsin Act 20,  
 17 is amended to read:

18 46.56 (2) (a) Except as provided in par. (b), if a county board of supervisors or  
 19 the Milwaukee County mental health board establishes an initiative under s. 59.53  
 20 (7) or if a tribe establishes an initiative, the county board, Milwaukee County mental  
 21 health board, or tribe shall appoint a coordinating committee and designate an  
 22 administering agency. The initiative may be funded by the county or tribe or the  
 23 county board of supervisors, Milwaukee County mental health board, or tribe may  
 24 apply for funding by the state in accordance with sub. (15). district

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1 SECTION 29. 46.56 (2) (b) of the statutes, as created by 2013 Wisconsin Act 20,  
2 is amended to read:

3 46.56 (2) (b) A county may enter into an agreement with one or more other  
4 counties or tribes to establish an initiative and a tribe may enter into an agreement  
5 with one or more counties or tribes to establish an initiative. The parties to the  
6 agreement shall designate in the agreement a single lead administrative county or  
7 lead administrative tribe. The county board of the lead administrative county, the  
8 Milwaukee County mental health board, if Milwaukee County is the lead  
9 administrative county, or the lead administrative tribe shall appoint a coordinating  
10 committee and designate an administering agency. The initiative may be funded by  
11 the participating entities, or the county board of supervisors of the lead  
12 administrative county, the Milwaukee County mental health board, if Milwaukee  
13 County is the lead administrative county, or the lead administrative tribe may apply  
14 for funding by the state in accordance with sub. (15).

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15 SECTION 30. 46.56 (3) (b) 11. of the statutes is amended to read:

16 46.56 (3) (b) 11. Representatives of the county board or, in Milwaukee County,  
17 the Milwaukee County mental health board or, for an initiative established by a  
18 tribe, representatives of the elected governing body of the tribe.

19 SECTION 31. 46.56 (4) (d) of the statutes, as affected by 2013 Wisconsin Act 20,  
20 is amended to read:

21 46.56 (4) (d) If the county board of supervisors, Milwaukee County mental  
22 health board, or tribe or a multi-entity initiative decides to seek state funding under  
23 sub. (15), develop the application in cooperation with the coordinating committee.

24 SECTION 32. 46.56 (15) (b) (intro.) of the statutes, as affected by 2013 Wisconsin  
25 Act 20, is amended to read:



5363-7B continued  
& Insert 5363-11

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46.56 (15) (b) (intro.) In order to apply for funds under this subsection, the county board of supervisors, Milwaukee County mental health board, or tribe or, for a multi-entity initiative, the county board of the lead administrative county, the Milwaukee County mental health board, if Milwaukee County is the lead administrative county, or the lead administrative tribe shall do all of the following:

**SECTION 33.** 51.08 of the statutes is amended to read:

**51.08 Milwaukee County Mental Health Complex.** Any county having a population of 500,000 or more may, pursuant to s. 46.17, establish and maintain a county mental health complex. The county mental health complex shall be a hospital devoted to the detention and care of drug addicts, alcoholics, chronic patients and mentally ill persons whose mental illness is acute. Such hospital shall be governed pursuant to s. 46.21. Treatment of alcoholics at the county mental health complex is subject to approval by the department under s. 51.45 (8). The county mental health complex established pursuant to this section is subject to rules promulgated by the department concerning hospital standards. The county board may not sell the county mental health complex under this section without approval of the Milwaukee County mental health board.

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**SECTION 34.** 51.20 (18) (a) of the statutes is amended to read:

51.20 (18) (a) Unless previously fixed by the county board of supervisors or the Milwaukee County mental health board in the county in which the examination is held, the examiners shall receive a fee as fixed by the court for participation in commitment proceedings, and reasonable reimbursement for travel expenses.

**SECTION 35.** 51.41 of the statutes is created to read:

(End Insert 5363-7B)

**51.41 Milwaukee County mental health; Milwaukee County mental health board.**

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(1) DUTIES OF THE BOARD. The Milwaukee County mental health board shall do

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all of the following:

(a) Oversee the provision of mental health programs and services in Milwaukee County. ✓

(b) Allocate moneys for mental health functions, programs, and services in Milwaukee County within the budget amount set in sub. (4) (a). ✓

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The Milwaukee County mental health district's

(c) Make the final determination on mental health policy in Milwaukee County.

(d) Replace the Milwaukee County board of supervisors in all mental health functions that are typically performed by a county board of supervisors. ✓

(e) Facilitate delivery of mental health services in an efficient and effective manner by making a commitment to all of the following:

1. Community-based, person-centered, recovery-oriented, mental health systems. ✓

2. Maximizing comprehensive community-based services. ✓

3. Prioritizing access to community-based services and reducing reliance on institutional and inpatient care. ✓

4. Protecting the personal liberty of individuals experiencing mental illness so that they may be treated in the least restrictive environment to the greatest extent possible. ✓

5. Providing early intervention to minimize the length and depth of psychotic and other mental health episodes. ✓

6. Diverting people experiencing mental illness from the corrections system when appropriate. ✓

7. Maximizing use of mobile crisis units and crisis intervention training. ✓



1 (f) Attempt to achieve costs savings in the provision of mental health programs  
2 and services in Milwaukee County. ✓

3 (g) Cooperate and consult with the department on recommendations for and  
4 establishing policy for inpatient mental health treatment facilities and related  
5 programs in Milwaukee County. ✓

6 ~~(2) POWERS OF THE BOARD; LIMITATIONS.~~ <sup>district ✓</sup> (a) The Milwaukee County mental  
7 health board <sup>stet</sup> may request information from the Milwaukee Mental Health Complex,  
8 a county department under s. 46.21 or 51.42 or any other Milwaukee County  
9 governmental unit that possesses mental health information in order to fulfill its  
10 duties of overseeing mental health functions, programs, and services in Milwaukee  
11 County.

~~(b) The Milwaukee County mental health board may not establish policies that  
12 change general audit, bill paying, payroll, and human resource procedures for  
13 Milwaukee County government or for the county department under s. 46.21 for  
14 divisions, branches, or functions other than those related to mental health. The  
15 Milwaukee County mental health board may change payroll and human resource  
16 procedures for the divisions, branches, and functions of the county department under  
17 s. 46.21 that relate to mental health only as authorized in this section and ss. 46.18,  
18 46.21, and 51.42.~~

20 (3) PUBLIC HEARING. Annually, the Milwaukee County mental health board  
21 shall hold a public hearing in Milwaukee County as one of its required meetings.

LPS-keep

22 (4) MILWAUKEE COUNTY MENTAL HEALTH BUDGET. (a) In this subsection: <sup>NO</sup>  
23 1. "Community aids amount" means the amount of the mental health budget  
24 that is funded from the community aids allocation received under s. 46.40.



1 ~~2~~ 2. "Mental health budget" means the part of the budget for Milwaukee County  
2 for a fiscal year that covers mental health functions, programs, and services in  
3 Milwaukee County.

4 3. "Tax levy amount" means the amount of the mental health budget that is  
5 funded from revenues from the tax levy.

6 (b) 1. The Milwaukee County mental health board shall propose to the  
7 Milwaukee County executive the total amount of the mental health budget, the  
8 community aids amount, and the tax levy amount. The Milwaukee County mental  
9 health board may not propose a tax levy amount that is less than \$53,000,000 or more  
10 than \$65,000,000, except as provided in subds. 5. and 6.

11 2. The county executive, in his or her proposed budget for Milwaukee County  
12 for a fiscal year, may include a tax levy amount that is different than the tax levy  
13 amount proposed under subd. 1., but the county executive may not include a tax levy  
14 amount that is less than \$53,000,000 or more than \$65,000,000, except as provided  
15 in subds. 5. and 6.

16 ~~(b)~~ 3. The county board of supervisors shall <sup>determine an amount to</sup> allocate to mental health functions,  
17 programs, and services an amount from the county's community aids allocation  
18 received under s. 46.40<sup>✓</sup> that maintains or increases the expenditures for mental  
19 health functions, programs, and services paid from the county's community aids  
20 allocation in the previous fiscal year to the extent of the availability of community  
21 aids funds from the state. <sup>g</sup>

22 4. Except as provided in subds. 5. and 6., the county board of supervisors shall  
23 incorporate into the budget for Milwaukee County for a fiscal year all of the  
24 following:

MOVE

25 ~~4~~ The county board of supervisors shall report the amount  
determined to the department for distribution under  
s. 46.40<sup>✓</sup> to the Milwaukee County mental health district. <sup>✓</sup>



1 a. The tax levy amount as proposed by the county executive under subd. 2. and  
2 the amount of the community aids allocation determined under subd. 3.

3 b. An amount equal to the total amount of the mental health budget proposed  
4 under subd. 1., less the community aids amount proposed under subd. 1 and the tax  
5 levy amount proposed under subd. 1.

6 5. If the Milwaukee County mental health board transfers to itself jurisdiction  
7 of a function, service, or program under sub. (5) (b) that it did not have jurisdiction  
8 over on the effective date of this subdivision ... [LRB inserts date], the tax levy  
9 amount proposed under subd. 2. is increased by an amount equal to the amount  
10 derived from revenue from the tax levy that was expended by Milwaukee County for  
11 the transferred function, service, or program in the fiscal year before the fiscal year  
12 in which the function, program, or service is transferred. The \$65,000,000 limit  
13 imposed under subds. 1. and 2. upon the tax levy amount may be exceeded by the  
14 amount of the increase under this subdivision in any fiscal year in which the  
15 Milwaukee County mental health board has jurisdiction over the transferred  
16 function, service or program.

17 6. If a majority of the Milwaukee County mental health board and a majority  
18 of the Milwaukee County board of supervisors approves and the Milwaukee County  
19 executive agrees the tax levy amount may be less than \$53,000,000 or more than  
20 \$65,000,000 for a fiscal year.

21 (c) Except as allowed under pars. (b) 2., 3., 4., 5., and 6. and (d),<sup>T ✓</sup> the Milwaukee  
22 County board of supervisors may not in a fiscal year provide funding, and the  
23 Milwaukee County executive may not in a fiscal year approve funding for mental  
24 health functions, services, and programs that is less than or more than the total

include in the Milwaukee County budget an amount  
for the mental health budget.



1 amount of the mental health budget proposed under par. (b) 1. for that fiscal year for  
2 those mental health functions, services, and programs.

3 (d) The treasurer in Milwaukee County shall hold any moneys that at the end  
4 of a fiscal year have not been expended or encumbered from the amount budgeted  
5 for mental health functions, programs, and services in a mental health reserve fund.  
6 Moneys in the reserve fund may be used at any time to cover deficits in the  
7 Milwaukee County mental health budget. If the amount in the reserve fund exceeds  
8 \$10,000,000, the amount exceeding \$10,000,000 may be used at any time for any  
9 mental health function, program, or service in Milwaukee County. Moneys in the  
10 reserve fund may be used only for the purposes described in this paragraph.

11 (5) JURISDICTION OF MILWAUKEE COUNTY BOARD. (a) The Milwaukee County  
12 board of supervisors has no jurisdiction over any mental health policy, functions,  
13 programs, or services. The Milwaukee County board of supervisors may not create  
14 new mental health functions, programs, or services that are under the jurisdiction  
15 of the board of supervisors. Any dispute between the Milwaukee County board of  
16 supervisors and the Milwaukee County mental health board over whether a  
17 function, program, or service is a mental health function, program, or service under  
18 the jurisdiction of the Milwaukee County mental health board shall be resolved by  
19 the secretary of health services Milwaukee County executive district  
20

21 (b) The Milwaukee County mental health board may transfer jurisdiction over  
22 a Milwaukee County function, service, or program to itself that pertains to mental  
23 health or is highly integrated with mental health services and that is not under its  
24 jurisdiction by statute or by agreement with the Milwaukee County board of  
25 health board members if the secretary of health services approves the transfer.

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Milwaukee County executive



1 (6) PAYMENT OF BOARD EXPENDITURES. (a) The Milwaukee County board of  
 2 supervisors and the department shall enter an agreement for the payment of  
 3 expenses of the Milwaukee County mental health board and for the performance of  
 4 the audit and the completion of the report under 2013 Wisconsin Act .... (this act),  
 5 section 53 (4).

6 (b) The Milwaukee County board of supervisors shall arrange for the payment  
 7 of expenses from the mental health budget, as defined in sub. (4) (a) 2., according to  
 8 the agreement under par. (a). All payments shall be credited to the appropriation  
 9 account under s. 20.435 (5) (kf).

10 (7) COUNTY DEPARTMENT REQUIREMENTS. (a) A county department under s. 46.21  
 11 or 51.42 in Milwaukee County may not impede the Milwaukee County mental health  
 12 board in performing its duties under this section or exercising its powers under this  
 13 section.

14 (b) A county department under s. 46.21 or 51.42 in Milwaukee County shall  
 15 respond to any requests for information from the Milwaukee County mental health  
 16 board.

17 (8) REPORTS; STUDIES. (a) By March 1, 2015, and annually by March 1  
 18 thereafter, the Milwaukee County mental health board shall submit to the  
 19 Milwaukee County executive, the Milwaukee County board of supervisors, and the  
 20 department a report including a description of the funding allocations for Milwaukee  
 21 County's mental health functions, services, and programs and a description of any  
 22 improvements and efficiencies in those mental health functions, programs, and  
 23 services. The department shall provide access to the report under this subsection to

24 the public including posting the report on the department's Internet site.

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(b) The Milwaukee County mental health board shall arrange for a study to be conducted on alternate funding sources for mental health services and programs including fee-for-service models, managed care models that integrate mental health services into the contracts with an increased offset through basic county allocation reduction, and other funding models. By March 1, 2016, the Milwaukee County mental health board shall submit to the Milwaukee County board of supervisors, the Milwaukee County executive, and the department a report of the results of the study.

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(9) ADMINISTRATOR. (a) The Milwaukee County executive shall nominate an individual to be the administrator of any division or branch of the department under s. 46.21 that administers behavioral health for Milwaukee County. The nominated individual may be hired as the administrator only upon approval of the Milwaukee County mental health board. If the county executive does not nominate an individual by June 1, 2015, the Milwaukee County mental health board may hire an individual to be the administrator. Upon a vacancy in the position of administrator, if the county executive does not nominate an individual within 12 months of the date the position becomes vacant, the Milwaukee County mental health board may hire an individual to be the administrator.

(b) The Milwaukee County executive shall determine the salary and benefits and the job duties of the administrator. The county executive may not assign the administrator any duties that are not related to mental health functions, programs, and services in Milwaukee County.

(c) 1. The administrator under this subsection may be removed by the Milwaukee County mental health board by a vote of 8 members of that board.



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1           2. The Milwaukee County executive may recommend removal of the  
 2 administrator under this subsection to the Milwaukee County mental health board.  
 3 If the county executive recommends removal under this subdivision, the Milwaukee  
 4 County mental health board may remove the administrator upon a vote of 6 members  
 5 of that board.

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6           (d) The Milwaukee County board of supervisors may not hire, remove, or  
 7 discipline; set the salary or benefits of, or assign or remove any job duties of the  
 8 administrator under this subsection.

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9           (10) MENTAL HEALTH CONTRACTS. Any contract related to mental health with a  
 10 value of at least \$100,000, to which Milwaukee County is a party may take effect only  
 11 if the Milwaukee County mental health board votes to approve, or does not vote to  
 12 reject, the contract within 28 days after the contract is signed or countersigned by  
 13 the county executive.

and to ensure there is no interruption of mental health services ✓

14           (11) TRANSITION LIAISON POSITION. (a) The Milwaukee County executive shall  
 15 nominate an individual who has knowledge of the services provided by and the  
 16 mental health systems of Milwaukee County to be a transition liaison to assist the  
 17 Milwaukee County mental health board in the transition of oversight functions. The  
 18 transition liaison shall be assigned or hired to that position only upon approval of the  
 19 Milwaukee County mental health board. The transition liaison shall be assigned to  
 20 or employed in that position for no longer than 12 months, except that the county  
 21 executive may grant extensions to the term of that position.

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22           (b) 1. The Milwaukee County executive shall determine the salary and benefits  
 23 and the job duties of the transition liaison assigned or hired under par. (a).

24           2. The Milwaukee County executive may remove the transition liaison  
 25 assigned or hired under par. (a). If the Milwaukee County executive removes the



1 transition liaison assigned or hired under par. (a) before the 12 months following the  
2 date of the assignment or hiring of the initial transition liaison have expired, the  
3 Milwaukee County executive shall nominate another transition liaison to serve for  
4 at least the remainder of the 12 months following the date of the assignment or hiring  
5 of the initial transition liaison.

6 (c) The Milwaukee County board of supervisors may not hire, remove, or  
7 discipline; set the salary or benefits of; or assign or remove any job duties of the  
8 transition liaison assigned or hired under this subsection.

(End Insert  
s363-11)

Insert  
s363-12

9 SECTION 36. 51.42 (1) (b) of the statutes is amended to read:

10 51.42 (1) (b) *County liability.* The county board of supervisors except in  
11 Milwaukee County, has the primary responsibility for the well-being, treatment and  
12 care of the mentally ill, developmentally disabled, alcoholic and other drug  
13 dependent citizens residing within its county and for ensuring that those individuals  
14 in need of such emergency services found within its county receive immediate  
15 emergency services. In Milwaukee County, the Milwaukee County mental health  
16 board has the primary responsibility for the well-being, treatment and care of the  
17 mentally ill, alcoholic, and other drug dependent citizens residing within Milwaukee  
18 County and for ensuring that those individuals in need of such emergency services  
19 found within Milwaukee County receive immediate emergency services. The county  
20 board of supervisors of Milwaukee County has the primary responsibility for the  
21 well-being, treatment, and care of the developmentally disabled citizens residing  
22 within Milwaukee County, except where the responsibility is delegated explicitly  
23 under this section to the Milwaukee County mental health board, and for ensuring  
24 that developmentally disabled individuals in need of such emergency services found  
25 within Milwaukee County receive immediate emergency services. This primary

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responsibility is limited to the programs, services and resources that the county board of supervisors, or, as applicable, the Milwaukee County mental health board, is reasonably able to provide within the limits of available state and federal funds and of county funds required to be appropriated to match state funds. County liability for care and services purchased through or provided by a county department of community programs established under this section shall be based upon the client's county of residence except for emergency services for which liability shall be placed with the county in which the individual is found. For the purpose of establishing county liability, "emergency services" includes those services provided under the authority of s. 55.05 (4), 2003 stats., or s. 55.06 (11) (a), 2003 stats., or s. 51.15, 51.45 (11) (a) or (b) or (12), 55.13, or 55.135 for not more than 72 hours. Nothing in this paragraph prevents recovery of liability under s. 46.10 or any other statute creating liability upon the individual receiving a service or any other designated responsible party, or prevents reimbursement by the department of health services for the actual cost of all care and services from the appropriation under s. 20.435 (7) (da), as provided in s. 51.22 (3). district

SECTION 37. 51.42 (3) (a) of the statutes is amended to read:

51.42 (3) (a) *Creation.* Except as provided under s. 46.23 (3) (b), the county board of supervisors of any county except Milwaukee County, the Milwaukee County mental health board, or the county boards of supervisors of 2 or more counties, shall establish a county department of community programs on a single-county or multicounty basis to administer a community mental health, developmental disabilities, alcoholism and drug abuse program, make appropriations to operate the program and authorize the county department of community programs to apply for grants-in-aid under s. 51.423. The county department of community programs shall



1 consist of a county community programs board, a county community programs  
2 director and necessary personnel.

3 SECTION 38. 51.42 (3) (ar) 8. of the statutes is amended to read:

4 51.42 (3) (ar) 8. By September 30, submit for inclusion as part of the proposed  
5 county budget to the Milwaukee County mental health board in Milwaukee County,  
6 to the county executive or county administrator, or, in those counties without a  
7 county executive or county administrator, directly to the county board of supervisors  
8 in a county with a single-county department of community programs or the county  
9 boards of supervisors in counties with a multicounty department of community  
10 programs a proposed budget for the succeeding calendar year covering services,  
11 including active treatment community mental health center services, based on the  
12 plan required under subd. 5. The final budget shall be submitted to the department  
13 of health services.

district

14 SECTION 39. 51.42 (3) (ar) 14. of the statutes is amended to read:

15 51.42 (3) (ar) 14. If the county board of supervisors or, as applicable, the  
16 Milwaukee County mental health board establishes an initiative to provide  
17 coordinated services under s. 59.53 (7), participate in and may administer the  
18 initiative, including entering into any written interagency agreements or contracts.

district

19 SECTION 40. 51.42 (3) (b) of the statutes is amended to read:

20 51.42 (3) (b) *Other powers and duties.* The county board of supervisors of any  
21 county with a single-county department of community programs, the Milwaukee  
22 County mental health board, and the county boards of supervisors of counties with  
23 a multicounty department of community programs may designate the county  
24 department of community programs as the administrator of any other county health

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1 care program or institution, but the operation of such program or institution is not  
2 reimbursable under s. 51.423.

district

3 SECTION 41. 51.42 (4) (a) 2. (intro.) of the statutes is amended to read:

4 51.42 (4) (a) 2. (intro.) In any county with a county executive or county  
5 administrator and which has established a single-county department of community  
6 programs, the county executive or county administrator shall appoint, subject to  
7 confirmation by the Milwaukee County mental health board in Milwaukee County  
8 or the county board of supervisors, the county community programs board, which  
9 shall be only a policy-making body determining the broad outlines and principles  
10 governing the administration of programs under this section. A member of a county  
11 community programs board appointed under this subdivision may be removed by the  
12 county executive or county administrator under the following circumstances:

district

13 SECTION 42. 51.42 (6m) (intro.) of the statutes is amended to read:

14 51.42 (6m) COUNTY COMMUNITY PROGRAMS DIRECTOR IN CERTAIN COUNTIES WITH A  
15 COUNTY EXECUTIVE OR COUNTY ADMINISTRATOR. (intro.) In any county with a county  
16 executive or county administrator in which the county board of supervisors or the  
17 Milwaukee County mental health board has established a single-county department  
18 of community programs, the county executive or county administrator shall appoint  
19 and supervise the county community programs director. In any county with a  
20 population of 500,000 750,000 or more, the county executive or county administrator  
21 shall appoint the director of the county department of human services under s. 46.21  
22 as the county community programs director. The appointment of a county  
23 community programs director under this subsection shall be on the basis of  
24 recognized and demonstrated interest in and knowledge of the problems of mental  
25 health, intellectual disability, alcoholism and drug addiction, with due regard to



1 training, experience, executive and administrative ability, and general qualification  
 2 and fitness for the performance of the duties of the director. The appointment of a  
 3 county community programs director under this subsection is subject to  
 4 confirmation by the county board of supervisors, except in Milwaukee County, unless  
 5 the county board of supervisors, by ordinance, elects to waive confirmation or unless  
 6 the appointment is made under a civil service system competitive examination  
 7 procedure established under s. 59.52 (8) or ch. 63. The county community programs  
 8 director, subject only to the supervision of the county executive or county  
 9 administrator, shall:

10 SECTION 43. 51.42 (6m) (c) of the statutes is amended to read:

11 51.42 (6m) (c) Determine, subject to the approval of the county board of  
 12 supervisors or the Milwaukee County mental health board, as applicable, and with  
 13 the advice of the county community programs board, whether services are to be  
 14 provided directly by the county department of community programs or contracted for  
 15 with other providers and make such contracts. The county board of supervisors,  
 16 except in Milwaukee County, or the Milwaukee County mental health board in  
 17 Milwaukee County may elect to require the approval of any such contract by the  
 18 county board of supervisors or the Milwaukee County mental health board.

19 SECTION 44. 51.42 (6m) (i) of the statutes is amended to read:

20 51.42 (6m) (i) Establish salaries and personnel policies of the programs of the  
 21 county department of community programs subject to approval of the county  
 22 executive or county administrator and county board of supervisors, except in  
 23 Milwaukee County, or the Milwaukee County mental health board in Milwaukee  
 24 County unless the county board of supervisors or the Milwaukee County mental  
 25 health board elects not to review the salaries and personnel policies.

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1 SECTION 45. 51.42 (6m) (m) 3. of the statutes is amended to read:

2 51.42 (6m) (m) 3. Such other reports as are required by the secretary and the  
3 county board of supervisors or, as applicable, the Milwaukee County mental health  
4 board.

5 SECTION 46. 51.423 (11) of the statutes is amended to read:

6 51.423 (11) Each county department under s. 51.42 or 51.437, or both, shall  
7 apply all funds it receives under subs. (1) to (7) to provide the services required under  
8 ss. 51.42, 51.437 and 51.45 (2) (g) to meet the needs for service quality and  
9 accessibility of the persons in its jurisdiction, except that the county department may  
10 pay for inpatient treatment only with funds designated by the department for  
11 inpatient treatment. The county department may expand programs and services  
12 with county funds not used to match state funds under this section subject to the  
13 approval of the county board of supervisors in a county with a single-county

district

14 department, except in Milwaukee County, the Milwaukee County mental health  
15 board in Milwaukee County, or the county boards of supervisors in counties with  
16 multicounty departments and with other local or private funds subject to the  
17 approval of the department and the county board of supervisors in a county with a  
18 single-county department under s. 51.42 or 51.437, the Milwaukee County mental

district

19 health board with a department under s. 51.42, or the county boards of supervisors  
20 in counties with a multicounty department under s. 51.42 or 51.437. The county  
21 board of supervisors in a county with a single-county department under s. 51.42 or  
22 51.437, the Milwaukee County mental health board with a department under s.  
23 51.42, or the county boards of supervisors in counties with a multicounty department  
24 under s. 51.42 or 51.437 may delegate the authority to expand programs and services  
25 to the county department under s. 51.42 or 51.437. The county department under

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1 s. 51.42 or 51.437 shall report to the department all county funds allocated to the  
2 county department under s. 51.42 or 51.437 and the use of such funds. Moneys  
3 collected under s. 46.10 shall be applied to cover the costs of primary services,  
4 exceptional and specialized services or to reimburse supplemental appropriations  
5 funded by counties. County departments under ss. 51.42 and 51.437 shall include  
6 collections made on and after October 1, 1978, by the department that are subject to  
7 s. 46.10 (8m) (a) 3. and 4. and are distributed to county departments under ss. 51.42  
8 and 51.437 from the appropriation account under s. 20.435 (5) (gg), as revenues on  
9 their grant-in-aid expenditure reports to the department.

10 SECTION 47. 51.44 (4) of the statutes is amended to read:

district

11 51.44 (4) Each county board of supervisors, except in Milwaukee County, and  
12 the Milwaukee County mental health board in Milwaukee County shall designate  
13 the appropriate county department under s. 46.21, 46.23 or 51.437, the local health  
14 department of the county or another entity as the local lead agency to provide early  
15 intervention services under the funding specified in sub. (3).

16 SECTION 48. 51.61 (1) (e) of the statutes is amended to read:

district

17 51.61 (1) (e) Except in the case of a patient who is admitted or transferred under  
18 s. 51.35 (3) or 51.37 or under ch. 971 or 975, have the right to the least restrictive  
19 conditions necessary to achieve the purposes of admission, commitment or protective  
20 placement, under programs, services and resources that the county board of  
21 supervisors or the Milwaukee County mental health board, as applicable, is  
22 reasonably able to provide within the limits of available state and federal funds and  
23 of county funds required to be appropriated to match state funds.

24 SECTION 49. 51.61 (1) (f) of the statutes is amended to read:



district

1           51.61 (1) (f) Have a right to receive prompt and adequate treatment,  
 2           rehabilitation and educational services appropriate for his or her condition, under  
 3           programs, services and resources that the county board of supervisors or the  
 4           Milwaukee County mental health board, as applicable, is reasonably able to provide  
 5           within the limits of available state and federal funds and of county funds required  
 6           to be appropriated to match state funds.

7           **SECTION 50.** 55.001 of the statutes is amended to read:

district

8           **55.001 Declaration of policy.** The legislature recognizes that many citizens  
 9           of the state, because of serious and persistent mental illness, degenerative brain  
 10          disorder, developmental disabilities, or other like incapacities, are in need of  
 11          protective services or protective placement. Except as provided in s. 49.45 (30m) (a),  
 12          the protective services or protective placement should, to the maximum degree of  
 13          feasibility under programs, services and resources that the county board of  
 14          supervisors or the Milwaukee County mental health board, as applicable,  
 15          reasonably able to provide within the limits of available state and federal funds and  
 16          of county funds required to be appropriated to match state funds, allow the  
 17          individual the same rights as other citizens, and at the same time protect the  
 18          individual from financial exploitation, abuse, neglect, and self-neglect. This chapter  
 19          is designed to establish those protective services and protective placements, to  
 20          assure their availability to all individuals when in need of them, and to place the  
 21          least possible restriction on personal liberty and exercise of constitutional rights  
 22          consistent with due process and protection from abuse, financial exploitation,  
 23          neglect, and self-neglect.

24          **SECTION 51.** 59.53 (7) of the statutes is amended to read:



1           59.53 (7) INITIATIVE TO PROVIDE COORDINATED SERVICES. The Except in  
2 Milwaukee County, the board may establish an initiative to provide coordinated  
3 services under s. 46.56.

4           **SECTION 52.** 59.53 (25)<sup>x</sup> of the statutes is created to read:

5           59.53 (25) MILWAUKEE COUNTY MENTAL HEALTH. The Milwaukee County board  
6 has no jurisdiction and may not take any actions, including under ss. 59.52 (6) and  
7 (31), 66.0301, and 66.0607 (2), related to mental health functions, programs, and  
8 services.

(End Insert s 363-12)

9           ~~SECTION 53. Nonstatutory provisions.~~

10           ~~(1) INITIAL TERMS OF THE MILWAUKEE COUNTY MENTAL HEALTH BOARD.~~  
11           ~~Notwithstanding the length of terms for the members of the Milwaukee County~~  
12           ~~mental health board specified in sections 15.07 (1) (cm) and 15.195 (9) of the statutes~~  
13           ~~the initial members, other than the members approved under section 15.195 (9) (b)~~  
14           ~~10. and 11. of the statutes, as created by this act, shall be appointed for the following~~  
15           ~~terms:~~

16           ~~(a) Three members, as designated by the governor, specified under section~~  
17           ~~15.195 (9) (b) of the statutes, as created by this act, for terms that expire on May 1,~~  
18           ~~2016.~~

19           ~~(b) Three members, as designated by the governor, specified under section~~  
20           ~~15.195 (9) (b) of the statutes, as created by this act, for terms that expire on May 1,~~  
21           ~~2017.~~

22           ~~(c) Three members, as designated by the governor, specified under section~~  
23           ~~15.195 (9) (b) of the statutes, as created by this act, for terms that expire on May 1,~~  
24           ~~2018.~~

1 (d) The members specified under section 15.195 (9) (c) of the statutes, as created  
2 by this act, for terms that expire on May 1, 2017.

3 (2) PROVISIONAL APPOINTMENTS TO THE MILWAUKEE COUNTY MENTAL HEALTH BOARD.

4 (a) Notwithstanding section 15.07 (1) (b) 24. of the statutes, as created by this  
5 act, within 60 days after the effective date of this act, the governor shall provisionally  
6 appoint initial members of the Milwaukee County mental health board under section  
7 15.195 (9) of the statutes, as created by this act. Those provisional appointments  
8 remain in force until withdrawn by the governor or acted upon by the senate, and if  
9 confirmed by the senate shall continue for the remainder of the unexpired term, if  
10 any, of the member and until a successor is chosen and qualifies. A provisional  
11 appointee under this paragraph may exercise all the powers and duties of the office  
12 to which the person is appointed during the time in which the appointee qualifies.

13 (b) A provisional appointment made under paragraph (a) that is withdrawn by  
14 the governor lapses and such withdrawal creates a vacancy for provisional  
15 appointment of a replacement initial member of the Milwaukee County mental  
16 health board. Any provisional appointment made under paragraph (a) that is  
17 rejected by the senate lapses and such rejection creates a vacancy for nomination and  
18 appointment under section 15.07 (1) (b) 24. of the statutes, as created by this act, of  
19 a replacement initial board member.

20 (3) JURISDICTION OF THE MILWAUKEE COUNTY MENTAL HEALTH BOARD. The mental  
21 health functions, programs, and services over which the Milwaukee County mental  
22 health board has jurisdiction upon appointment of the Milwaukee County mental  
23 health board are those functions, programs, and services that Milwaukee County  
24 included in its 2014 budget under the behavioral health division unit 6300 and under  
25 the behavioral health community services branch of unit 8700. ✓

nonstat:sub  
Insert  
5363-NS

DISTRICT (CS)



Insert a2061-45 ✓  
nonstat:sub

nonstat:par

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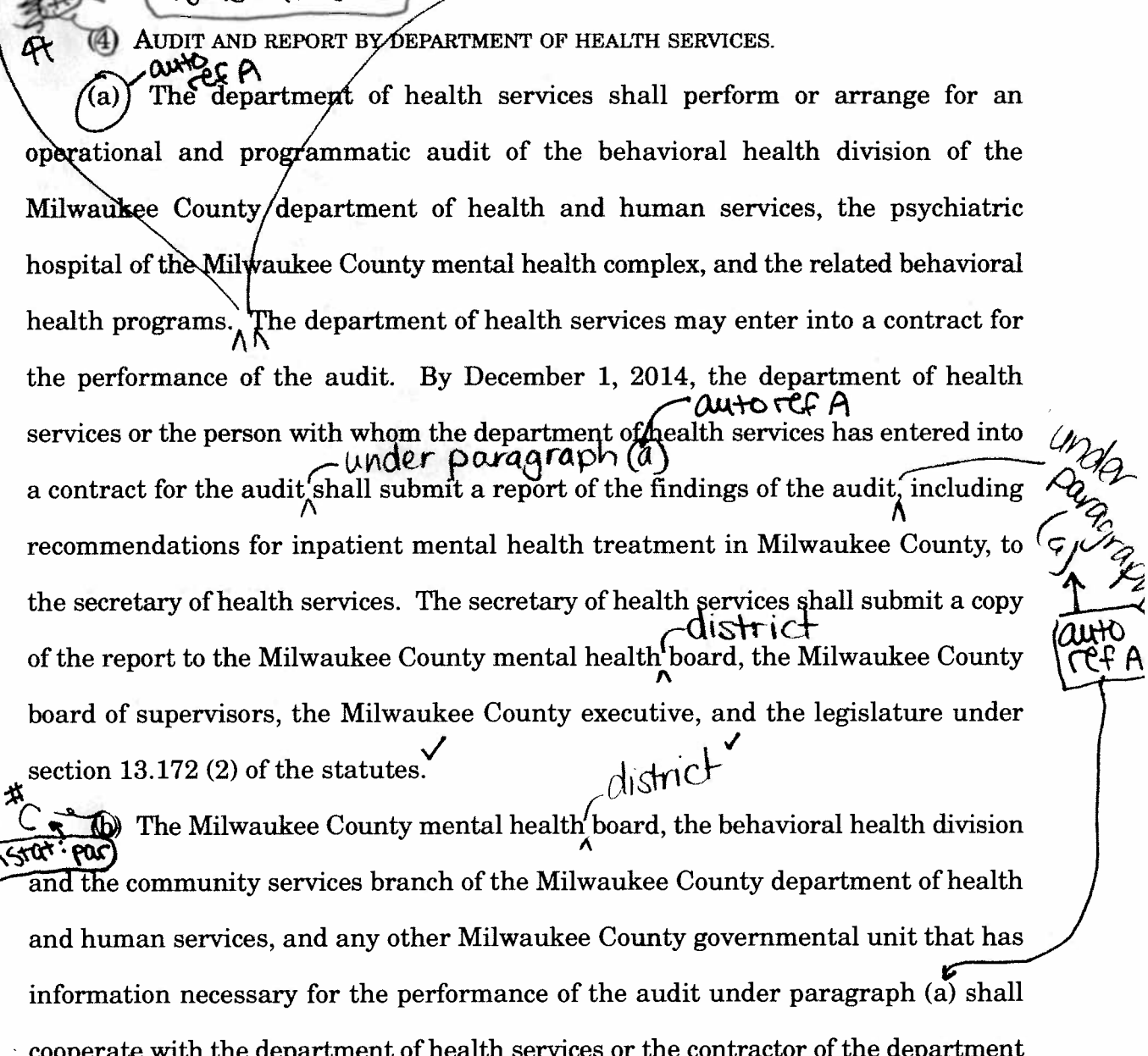
(4) AUDIT AND REPORT BY DEPARTMENT OF HEALTH SERVICES.

(a) The department of health services shall perform or arrange for an operational and programmatic audit of the behavioral health division of the Milwaukee County department of health and human services, the psychiatric hospital of the Milwaukee County mental health complex, and the related behavioral health programs. The department of health services may enter into a contract for the performance of the audit. By December 1, 2014, the department of health services or the person with whom the department of health services has entered into a contract for the audit shall submit a report of the findings of the audit, including recommendations for inpatient mental health treatment in Milwaukee County, to the secretary of health services. The secretary of health services shall submit a copy of the report to the Milwaukee County mental health board, the Milwaukee County board of supervisors, the Milwaukee County executive, and the legislature under section 13.172 (2) of the statutes. ✓

(b) The Milwaukee County mental health board, the behavioral health division and the community services branch of the Milwaukee County department of health and human services, and any other Milwaukee County governmental unit that has information necessary for the performance of the audit under paragraph (a) shall cooperate with the department of health services or the contractor of the department of health services for the performance of the audit.

(End Insert 5363-NS)

END





1 "SECTION 7d. 20.435 (5) (kf) of the statutes, as created by 2013 Wisconsin Act  
2 ... (this act), is repealed.

3 SECTION ~~7d.~~ 46.011 (1s) of the statutes is created to read:  
4 46.011 (1s) "Milwaukee County mental health <sup>district</sup> board" means the Milwaukee  
5 County mental health <sup>district</sup> board created under s. 51.41 (1d). 51.407 ✓

(end ins)

6 9. Page 26, line 25: after "board." insert "(1d) MILWAUKEE COUNTY MENTAL  
7 HEALTH BOARD; APPOINTMENTS; REQUIREMENTS; VACANCIES. (a) Milwaukee County shall  
8 establish the Milwaukee County mental health board.

9 (b) Subject to par. (d), the board shall consist of the following 11 voting members  
10 appointed by the Milwaukee County executive for 4-year terms except for the  
11 members under subs. 10. and 11.:

12 1. A psychiatrist or psychologist who is suggested by the Milwaukee County  
13 board of supervisors. The Milwaukee County board of supervisors shall solicit  
14 suggestions for psychiatrists and psychologists from organizations including the  
15 Wisconsin Medical Society, the Medical Society of Milwaukee, the Wisconsin  
16 Psychological Association, the Wisconsin Psychiatric Association, and the Wisconsin  
17 Association of Family and Children's Agencies for individuals who specialize in a full  
18 continuum of behavioral health services for children. The Milwaukee County board  
19 of supervisors shall suggest to the Milwaukee County executive 4 psychiatrists and  
20 psychologists for this board membership position.

21 2. A psychiatrist or psychologist who is suggested by the Milwaukee County  
22 board of supervisors. The Milwaukee County board of supervisors shall solicit  
23 suggestions for psychiatrists and psychologists from organizations including the  
24 Wisconsin Medical Society, the Medical Society of Milwaukee, the Wisconsin

Insert a2061-45  
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1 Milwaukee County mental health board in accordance with section 51.41(1d) of the  
2 statutes, as created by this act, to fill board vacancies and to fill positions when the  
3 term of a board member expires.”

Insert a2061-45

4 ~~19. Page 45, line 6: after “programs.” insert~~ The audit shall include  
5 recommendations for the state assuming oversight responsibility for emergency  
6 detention services and the psychiatric hospital of the Milwaukee County Mental  
7 Health Complex, developing a plan for closing the Milwaukee County Mental Health  
8 Complex, and developing a plan for state oversight of a regional facility for the  
9 delivery of institutional, inpatient, crisis services, and behavioral health services  
10 using similar state-operated regional facilities as a model. In addition, the audit  
11 shall provide details and specifications on how, after the transitioning of the  
12 county-run institutional model to a state-based regionalized model, the state-based  
13 Milwaukee County mental health board will transition to a county-based board, the  
14 positions on the Milwaukee County mental health board will transition to a  
15 community-based focus, the funding for inpatient services and community-based  
16 services will continue, and mental health services will be delivered in a manner that  
17 reflects all of the following principles:

- 18 **non-stor subs.** Community-based, person-centered, recovery-oriented mental health  
19 systems.
- 20 Maximizing comprehensive community-based services.
- 21 Prioritizing access to community-based services and reducing reliance on  
22 institutional and inpatient care.



nonstat: subd.

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A. Protecting the personal liberty of individuals experiencing mental illness so that they may be treated in the least restrictive environment to the greatest extent possible.

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p. Providing early intervention to minimize the length and depth of psychotic and other mental health episodes.

nonstat: subd.

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R. Diverting people experiencing mental illness from the corrections system when appropriate.

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S. Maximizing use of mobile crisis units and crisis intervention training.

(END INSERT a2061-45 TO INS S 363-NS)

9

20. Page 45, line 6: before "The department" insert "(b)".

10

21. Page 45, line 7: after "audit" insert "under paragraph (a)".

11

22. Page 45, line 9: delete "audit shall" and substitute "audit under paragraph (a) shall".

13

23. Page 45, line 9: delete "audit, including" and substitute "audit under paragraph (a), including".

15

24. Page 45, line 15: delete "(b)" and substitute "(c)".

16

25. Page 45, line 20: after that line insert:

17

"SECTION 54m. Effective dates. This act takes effect on the day after publication, except as follows:

19

(1) TRANSITION TO COUNTY-BASED MILWAUKEE COUNTY MENTAL HEALTH BOARD. The treatment of sections 15.07 (1) (cm) (by SECTION 3d), 19.42 (7w) (e), 46.011 (1s), and 51.41 (1d), (3) (by SECTION 35m), and (5) (a) and (b) (by SECTION 35m) of the statutes and the repeal of sections 15.07 (1) (b) 24. and (3) (bm) 7., 15.195 (9), 17.07 (3r), 20.435 (5) (R), and 51.41 (6) of the statutes take effect on January 1, 2015."

24

(END)