

# State of Wisconsin



2017 Senate Bill 680

Date of enactment: April 3, 2018  
Date of publication\*: April 4, 2018

## 2017 WISCONSIN ACT 205

AN ACT *to repeal* 51.41 (9) (c) 2.; *to renumber and amend* 51.41 (9) (c) 1.; *to amend* 46.18 (1); *to create* 51.41 (1d) (em) of the statutes; and *to affect* 2015 Wisconsin Act 60, section 115 (1); **relating to:** repealing the required transfer of a certain property in the city of Milwaukee to the Wisconsin Center District, trustees of Milwaukee County mental health facilities, Milwaukee County Mental Health Board vacancies, and the administrator of the behavioral health division.

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

**SECTION 1e.** 46.18 (1) of the statutes is amended to read:

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

person 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.~~

**SECTION 1g.** 51.41 (1d) (em) of the statutes is created to read:

51.41 (1d) (em) If a vacancy occurs in a board member position described under par. (b) 1., 2., 3., 4., or 8., the Milwaukee County board of supervisors shall submit to the Milwaukee County executive suggested individuals to fill the vacancy in that position within 60 days after the vacancy occurs. If the Milwaukee County board of supervisors does not submit suggested individuals to fill a vacancy under par. (b) 1., 2., 3., 4., or 8. within 60 days, the Milwaukee County executive may appoint an individual meeting the criteria in accordance with the applicable board member position description under par. (b) 1., 2., 3., 4., or 8. to fill the vacancy without suggestion by the Milwaukee County board of supervisors.

**SECTION 1k.** 51.41 (9) (c) 1. of the statutes is renumbered 51.41 (9) (c) and amended to read:

\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

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51.41 (9) (c) The administrator under this subsection may be removed by the Milwaukee County mental health board by a vote of 8 members of that board, the director of a county department under s. 46.21 in Milwaukee County, or the county executive of Milwaukee County.

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**SECTION 1m.** 51.41 (9) (c) 2. of the statutes is repealed.

**SECTION 1s.** 2015 Wisconsin Act 60, section 115 (1) is repealed.