

No. 458, A.]

[Published July 3, 1945.]

CHAPTER 383.

AN ACT to repeal and recreate 48.30 (Introductory paragraph) and to create 48.315 and 58.50 to 58.56, relating to county children's boards, and county departments of public welfare in counties of a population of less than 500,000.

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

SECTION 1. 48.30 (Introductory paragraph) of the statutes is repealed and recreated to read:

48.30 COUNTY CHILDREN'S BOARDS; POWERS AND DUTIES. (Introductory paragraph) County children's boards shall have and exercise all such powers and duties as are authorized for licensed child welfare agencies under sections 48.35 to 48.38, except that such county children's board may not assume permanent care, custody or guardianship of any child. Such county children's board shall not be required to have a license to function as an authorized child welfare agency, provided that the state department of public welfare shall have certified to such county children's board that the board is in all respects qualified to receive children for the purpose of providing them with care and maintenance or of placing them in foster homes, other than adoptive homes. Such county children's board shall be subject to the conditions and provisions imposed upon child welfare agencies by section 48.37 (4). Such certification of qualification as a public child welfare agency shall be subject to revocation in accordance with the provisions of 48.39. Such county children's board shall have the following additional powers and duties:

SECTION 2. 48.315 of the statutes is created to read:

48.315 COUNTY PUBLIC WELFARE DEPARTMENT AUTHORIZED AS CHILD WELFARE AGENCY. If the county board of supervisors of any county shall decide to have child welfare services administered by the county public welfare department under provisions of section 58.55 (10), then such county department shall have all of the powers and duties given to county children's boards under sections 48.29 to 48.31 and be subject to all provisions thereof.

SECTION 3. 58.50 to 58.56 of the statutes are created to read:

58.50 COUNTY DEPARTMENTS OF PUBLIC WELFARE. There may be established in each county of a population of less than 500,000 a county department of public welfare for the efficient performance of the welfare services of the county. The department shall consist of a county board of public welfare, a county director of public welfare and necessary personnel.

58.51 COUNTY BOARDS OF PUBLIC WELFARE. The county board of public welfare shall consist of 5 residents of the county appointed by the county board of supervisors, 3 of them may be from the board membership and at least 2 of them shall be from the county at large. They shall have a demonstrated and recognized knowledge of and interest in public welfare. They shall serve for such terms and receive such compensation as shall be fixed by the county board of supervisors.

58.52 COUNTY DIRECTOR OF PUBLIC WELFARE. It shall be the duty of the county board of public welfare to appoint a county director of public welfare whose qualifications, appointment and tenure, and the salary shall be fixed for him by the county board of public welfare.

58.53 DUTIES OF THE COUNTY DIRECTOR. The county director shall serve as the executive and administrative officer of the county department of public welfare. In consultation and agreement with the county board of public welfare he shall prepare and submit to the county board of supervisors an annual budget of all funds necessary for the county department, and shall prepare annually a full report of the operations and administration of the department. He shall, after consultation and agreement with the county board of public welfare appoint such employes as may be necessary to administer the functions of the department.

58.54 DUTIES AND RESPONSIBILITIES OF THE COUNTY BOARD OF PUBLIC WELFARE. The county board of public welfare shall supervise the working of the department and shall be a policy-making body, determining the outlines and principles of the administration of the functions assigned to it by the county board of supervisors pursuant to section 58.55. The county board of public welfare may provide for committees which shall advise with the board on any matters for which it was created. The board may appoint any resident of the county to serve on such committees but members shall serve without compensation.

58.55 FUNCTIONS, DUTIES AND POWERS OF COUNTY DEPARTMENTS OF PUBLIC WELFARE. The county board of supervisors may provide that the county department of public welfare shall have any or all of the following functions, duties and powers and such other welfare functions as may be delegated to it:

(1) To make investigations relating to relief or welfare administration and admissions to state and county institutions upon request of court, superintendent, district attorney, soldiers and sailors relief commission or any other county official.

(2) Furnishing services to families or persons other than the granting of financial or material aid where such services may prevent such families or persons from becoming public charges or restore them to a condition of self-support.

(3) To make certification or referral of eligibles for state or federal works or other assistance programs, eligibility for which is based on need, when designated to perform such certification or referral services, and to certify eligibility for and distribute surplus commodities and foodstuffs.

(4) Making investigations which relate to welfare services upon request by the state department of public welfare.

(5) The maintenance of administrative and reporting relationships with all pertinent state departments.

(6) The administration of relief under section 49.15 in the event that the county administers relief under that section.

(7) The administration of aid to dependent children under section 48.33 and aid under section 48.331.

(8) The administration of aid to the needy blind under section 47.08.

(9) The administration of old-age assistance under sections 49.20 to 49.38.

(10) To administer child welfare service under and subject to the provisions of sections 48.29 and 48.30 and 48.315, thereby administering the functions otherwise administered by children's boards.

(11) To make such investigations which are provided for under section 322.02 (1) if the court having jurisdiction so directs.

(12) To perform the duties and functions of a juvenile probation department as defined in 48.03 when requested to do so by the juvenile judge of the county.

58.56 APPLICATION OF TERMS. In the event that the county department of public welfare administers aid to dependent children, old-age assistance or blind pensions, section 49.50 (2) shall then be applicable to said department and the term "county department of public welfare" shall be deemed to have the same relationship to the words "county court", "county judge" or "juvenile judge" in any statute relating to such forms of assistance as the term "county pension department" has to said words as provided in section 49.51 (5).

Approved June 25, 1945.

No. 514, A.]

[Published July 3, 1945.

CHAPTER 384.

AN ACT to amend 141.01 (1), (3), (4) and (9) of the statutes, relating to local boards of health.

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

141.01 (1), (3), (4) and (9) of the statutes are amended to read:

141.01 (1) The board or council of every town, village and city * * * *in which the appointment of a health officer is not otherwise provided for* shall within 30 days after each * * * election of officers or at such other time as may be provided for by statute, organize as a board of health or appoint wholly or partially from its own members, a suitable number of competent persons as a board of health for such town, village or city.

* * * (4) Whenever any * * * *previously mentioned* health official shall fail to perform the duties of his office and assist the state board of health, the *appointing* board or council, either upon its own initiative or upon recommendation of the state board of health, shall discharge such official and immediately select a new official.

* * * (3) The board of health shall elect a chairman, a clerk and a health officer who shall be ex officio a member of such board with voting power and its executive officer and take the oath of office. The health officer shall hold office for 2 years. If a vacancy occurs the board of health shall immediately fill the same. Such local board shall immediately report to the secretary