

No. 179, A.]

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CHAPTER 53.

AN ACT to amend 67.04 (1) (q) and (2) (w); and to create 66.47 of the statutes, relating to joint county-city hospitals.

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

SECTION 1. 66.47 of the statutes is created to read:

66.47 COUNTY-CITY HOSPITALS. (1) DEFINITIONS. "Ordinance" as used in this section, unless the context requires or specifies otherwise, means an ordinance adopted by the governing body of a city or county and concurred in by the other governing body or bodies, and "Board" means the joint county-city hospital board established pursuant to this section.

(2) COUNTY-CITY HOSPITALS. Any county and city or cities partly or wholly within the county, may by ordinance jointly construct or otherwise acquire, equip, furnish, operate and maintain a general county-city hospital.

(3) FINANCING. The governing bodies of the respective county and city or cities shall have the power to borrow money, appropriate funds, and levy taxes needed to carry out the purposes of this section. Funds to be used for the purposes specified in this section may be provided by the respective county, city or cities by general obligation bonds issued under chapter 67 or by revenue bonds issued under section 66.51. Any bonds issued pursuant to this section shall be executed on behalf of the county by the county board chairman and the county clerk and on behalf of a city by the mayor or other chief executive officer thereof and by the city clerk.

(4) COST SHARING. The ordinance shall provide for a sharing of all of the cost of construction or other acquisition, equipment, furnishing, operation and maintenance of such hospital on an agreed percentage basis.

(5) HOSPITAL BOARD. The ordinance shall provide for the establishment of a joint county-city hospital board to be composed as follows: 2 to be appointed by the county board chairman and confirmed by the county board, one for a one-year and one

for a 2-year term; 2 by the mayor or other chief executive officer and confirmed by the city council, one for a one-year and one for a 2-year term; and one jointly by the county board chairman and the mayor or other chief executive officer of the city or cities, for a term of 3 years, confirmed by the county board and the city council or councils. Their respective successors shall be appointed and confirmed in like manner for terms of 3 years. All appointees shall serve until their successors are appointed and qualified. Terms shall begin as specified in the ordinance. Vacancies shall be filled for the unexpired term in the manner in which the original appointment was made.

(6) **VALIDATION OF PRIOR ACTIONS.** The actions of any county and city or cities taken before the effective date of this section in the construction or other acquisition, equipment, furnishing, operation and maintenance of a joint county-city hospital which would have been valid if this section had been in effect when such actions were taken, are hereby validated.

(7) **ORGANIZATION OF BOARDS; OFFICERS; COMPENSATION; OATHS; BONDS.** (a) When all members have qualified the board shall meet at the place designated in the ordinance and organize by electing from its membership a president, a vice president, a secretary and a treasurer, each to hold office for one year. The offices of secretary and treasurer may be combined if the board so decides. Members shall receive such compensation as shall be provided in the ordinance, and shall be reimbursed their actual and necessary expenses. With the approval of the board, the treasurer may appoint an assistant treasurer, who need not be a member of the board, to perform such services as shall be specified by the board.

(b) Members, and any assistant treasurer, shall qualify by taking the official oath, and the treasurer and any assistant treasurer shall furnish a bond in such sum as shall be specified by the board and be in the form and conditioned as provided in section 19.01 (2) and (3). The oaths and bonds shall be filed with the county clerk. The cost of the bond shall be paid by the board.

(8) **POWERS OF THE BOARD.** The board shall have power subject to provisions of the ordinance:

(a) To contract for the construction or other acquisition, equipment or furnishing of a general county-city hospital.

(b) To contract for the construction or other acquisition of additions or improvements to, or alterations in, such hospital and the equipment or furnishing of any such addition.

(c) To employ a manager of the hospital and other necessary personnel and fix their compensation.

(d) To enact, amend and repeal rules and regulations, not inconsistent with law, for the admission to, and government of patients at, the hospital, for the regulation of the board's meetings and deliberations, and for the government, operation and maintenance of the hospital and the employes thereof.

(e) To contract for and purchase all fuel, food, equipment, furnishings and supplies reasonably necessary for the proper operation and maintenance of the hospital.

(f) To audit all accounts and claims against the hospital or against the board, and, if approved, pay the same from the fund specified in subsection (10). All expenditures made pursuant to this section shall be within the limits of the ordinance.

(g) To sue and be sued, and to collect or compromise any and all obligations due to the hospital; all money received shall be paid into the joint hospital fund.

(h) To make such studies and recommendations to the county board and city council or city councils relating to the operation of the hospital or the building of facilities therefor as the board may deem advisable or said governing bodies request.

(i) To employ counsel on either a temporary or permanent basis.

(9) **BUDGET.** The board shall annually, prior to the time of the preparation of either the county or city budget under section 65.90, prepare a budget of its anticipated receipts and expenditures for the ensuing fiscal year and determine the proportionate cost to the county and the participating city or cities pursuant to the terms of the ordinance. A certified copy of the budget, which shall include a statement of the net amount required from the county and city or cities, shall be delivered to the clerks of the respective municipalities. It shall be the duty of the county board and the common council of the city or cities to consider such budget, and determine the amount to be raised by the respective municipalities in the proportions determined by the ordinance. Thereupon the county and city or cities respectively shall levy a tax sufficient to produce the amount to be raised by said county and city or cities.

(10) **HOSPITAL FUND.** A joint county-city hospital fund shall be created and established in a public depository to be specified in the ordinance. The treasurer of the

respective county and city or cities shall pay or cause to be paid into such fund the respective amounts to be paid thereto by such county and city or cities as specified by the ordinance and resolutions of the respective municipalities when such amounts have been collected. All of the monies which shall come into said fund are hereby appropriated to the board for the execution of its functions as provided by the ordinance and the resolutions of the respective municipalities. The monies in the fund shall be paid out by the treasurer of the hospital board only upon the approval or direction of the board.

(11) CORRELATION OF LAWS. (a) In any case where a bid is a prerequisite to contract in connection with a county or city hospital under section 66.29, it shall also be a prerequisite to a valid contract by the board; and for such purpose the board shall be deemed a municipality and the contract a public contract under section 66.29.

(b) All statutory requirements, not inconsistent with the provision of this section, applicable to general county or city hospitals shall apply to hospitals referred to in this section.

(12) REPORTS. The board shall report its activities to the county board and the city council or councils annually, or oftener as either of said municipalities may require.

SECTION 2. 67.04 (1) (q) and (2) (w) of the statutes are amended to read:

67.04 (1) (q) To provide for the erection, construction * * * or other acquisition, equipment or furnishing of joint county and city buildings for a courthouse, city hall, hospital, armory, library, auditorium or music center, municipal center, or any combination thereof; to acquire the site therefor; and to execute, authorize, and do all things necessary to secure financial aid and co-operation of the federal government in the undertaking, construction, maintenance and operation of any such project.

(2) (w) To provide for the erection, construction * * * or other acquisition, equipment, or furnishing of joint city and county buildings for a courthouse, city hall, hospital, armory, library, auditorium and music center, municipal center, or any combination thereof; to acquire the site therefor; and to execute, authorize, and do all things necessary to secure financial aid and co-operation of the federal government in the undertaking, construction, maintenance and operation of any such project.

SECTION 3. It is the intent of the legislature that the provisions of this act are separable and if any provision shall be held unconstitutional, such decision shall not affect the remainder of this act.

Approved April 14, 1949.
