355

No. 359, S.]   [Published July 2, 1949.

CHAPTER 393.

AN ACT to repeal 46.21 (2) (f) and 59.08 (17); to amend 16.33 (1) (q), 46.21 (2) (a) and (4) (a) and 48.07 (1) (b), and to repeal and recreate 46.21 (2) (c) and 49.51 (2) (a) of the statutes, relating to the administration of social security aids and outdoor relief in counties having a population of 500,000 or more.

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

SECTION 1. 16.33 (1) (q) of the statutes is amended to read:

16.33 (1) (q) * * * Members of the medical staffs of the various hospitals, sanatoriums, and other county institutions who are supplied by a medical school or medical societies without expense to or compensation from the county.

SECTION 2. 46.21 (2) (a) of the statutes is amended to read:

46.21 (2) (a) Such board shall be charged with supervising the operation, maintenance and improvement in each county, by the director of institutions and departments, of the county hospital, dispensary-emergency unit of said hospital, mental hygiene clinic, infirmary, * * * home for dependent children, hospital for chronic insane, hospital for mental diseases, tuberculosis hospital and preventorium, county agent's department, farm, service departments, and all buildings and land used in connection with any or all of such institutions. The powers and duties of the board shall be advisory and policy forming only, and not administrative or executive. Such board shall be without authority to adopt policy changes that would increase expenditures beyond budget limitations for the fiscal year, as fixed by the county board of supervisors. Proposed policy changes shall, in all instances, be presented to the director and the finance committee of the county board at the time the department's budget for the ensuing year is being considered.

SECTION 3. 46.21 (2) (c) of the statutes is repealed and recreated to read:

46.21 (2) (c) The board shall appoint a director of institutions and departments pursuant to sections 16.31 to 16.44. Such appointment shall be made on the basis of recognized and demonstrated public interest in and knowledge of the problems of and institutional management of public welfare, and with due regard to training, experience, executive and administrative ability and efficiency, and general qualifications and fitness for performing the duties of the office. The director of institutions and departments acting at the effective date of this paragraph (1949) shall continue as director during the balance of his legal tenure and be considered as holding office under the provisions of 16.31 to 16.44, without the necessity of examination, either physical or as to qualifications. Such director shall file an official oath and bond in such sum as shall be fixed by the county board of supervisors.

CHAPTER 393

Underscored, stricken, and vetoed text may not be searchable.
356
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SECTION 4. 46.21 (2) (f) of the statutes is repealed.

SECTION 5. 46.21 (4) (a) of the statutes is amended to read:

46.21 (4) (a) The director shall appoint, pursuant to sections 16.31 to 16.44, and subject to the approval of the county welfare board, department heads who shall, under the direction of said director, have the care and management respectively of the several institutions and departments specified in subsection (2) (a) * * * and such others as may be placed under the jurisdiction of said director and board by the county board of supervisors. Upon recommendation of the director, approved by the board, the county board of supervisors may place more than one institution or department under the management and direction of one department head. The board may prefer charges against *the director of institutions and departments or* any officer or employe in any of the county institutions and departments under its jurisdiction and for that purpose shall be deemed an appointing power within the language of section 16.38 * * *.

SECTION 5a. 48.07 (1) (b) of the statutes is amended to read:

48.07 (1) (b) Commit the child to the department of public welfare, *or in counties of 500,000 or more to the county department of public welfare created by section 49.51 (2)*, or to a suitable child welfare agency licensed by the state department of public welfare and authorized to care for children or to place them in suitable family homes. The terms and duration of such commitments, other than to the department of public welfare, *or in counties of 500,000 or more to the county department of public welfare created by section 49.51 (2)*, shall in each case be fixed by the court, subject to modification by the court on its own motion or otherwise; provided that the court upon application before commitment may consider the wishes of the parent, guardian or custodian in the selection of a suitable institution or agency; or,

SECTION 6. 49.51 (2) (a) of the statutes is repealed and recreated to read:

49.51 (2) COUNTY DEPARTMENTS OF PUBLIC WELFARE. (a) *Administration in counties having a population of 500,000.* In counties having a population of 500,000 or more, the administration of welfare services shall be vested in a department of public welfare under the direction of the county judges of such county with the assistance of a director of public welfare and such necessary assistants as may be provided by the county board under the provisions of sections 16.31 to 16.44 and in conformity with the provisions of section 49.50. The powers and duties of the county judges shall be advisory and policy forming only, and not administrative or executive. Such director shall be appointed by said county judges and such director shall appoint his assistants. The civil service status of persons presently appointed to the several welfare services hereinafter listed as of the effective date of this paragraph (1949) is continued. The county department of public welfare shall have 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, veterans' service 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 sections 49.02 and 49.03 in the event that the county administers relief under those sections.

7. The administration of aid to dependent children under section 49.19.

8. The administration of aid to the needy blind under section 49.18.

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

10. The administration of aid to permanently and totally disabled persons under section 49.61.

11. To administer child welfare service under and subject to the provisions of section 48.315, thereby administering the functions otherwise administered by county children's board and licensed child welfare agencies and the authority to accept permanent care and custody and guardianship of any child upon the order of a competent court to this effect and to place children for adoption and to give consent to the adoption of such child pursuant to the statutes regulating adoption proceedings.

12. To make such investigations as are provided for in section 322.02 (1), if the court having jurisdiction so directs.

SECTION 7. 59.08 (17) of the statutes is repealed.

Approved June 27, 1949.

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