

LEGISLATIVE BILL 43

Approved by the Governor February 11, 1971

Introduced by Leslie A. Stull, 49th District; Sam Klaver, 9th District; Irving F. Wiltse, 1st District; Harold D. Simpson, 46th District; J. W. Burbach, 19th District; William F. Swanson, 27th District; Donald Elrod, 35th District

AN ACT to amend section 71-501, Reissue Revised Statutes of Nebraska, 1943, and section 71-1630, Revised Statutes Supplement, 1969, relating to public health and welfare; to provide that the county clerk or the county superintendent shall serve on county and district health boards; and to repeal the original sections. Be it enacted by the people of the State of Nebraska,

Section 1. That section 71-501, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-501. The county boards of the several counties shall make and enforce regulations to prevent the introduction and spread of contagious, infectious and malignant diseases in their respective counties. To that end a board of health shall be created, consisting of three members: The sheriff, who shall be chairman and quarantine officer; a physician who resides permanently in the county, but if the county has no resident physician, then one conveniently situated, who shall be medical adviser, and who shall be chosen by the board of county commissioners or supervisors; and the county ~~superintendent of public instruction~~ clerk or superintendent, to be appointed by the county board of commissioners or supervisors, who shall be secretary. The county board may pay the chairman of the board of health a salary for such services not to exceed fifty dollars per month, as fixed by the county board. The board shall make rules and regulations to safeguard the health of the people, prevent nuisances and insanitary conditions, and enforce the same throughout all the territory comprising such county, except incorporated cities and villages, and provide penalties for the violation thereof. Should the board of health fail to enact rules and regulations as herein provided, it shall enforce the rules and regulations promulgated by the Department of Health.

Sec. 2. That section 71-1630, Revised Statutes Supplement, 1969, be amended to read as follows:

71-1630. (1) When a health department has been established by the county board of such a county and approved by the Department of Health of the State of Nebraska as a county health department, the county board of such county shall appoint a board of health, which shall consist of the following members: (a) One member of the county board, (b) the county ~~superintendent or a city or village superintendent of schools clerk or superintendent, who shall be appointed by the county board of commissioners or supervisors,~~ (c) a representative of the county medical society, chosen from a list of three names submitted by the county medical society, and (d) two public-spirited men or women interested in the health of the community. The representative of the county medical society shall be appointed for a period of three years and one of the two said public-spirited men or women interested in the health of the community for a period of two years and the other for a period of three years. After their terms of office expire, each new appointment shall be for a period of three years. No person shall be reappointed to said board of health until two years or more have elapsed from the expiration of a prior term on said board. Appointments to fill any vacancies shall be for the unexpired term of the member whose term is being filled by such appointment.

(2) By a joint resolution of the county boards of each county in the district health department, the county ~~board boards~~ of such ~~districts district~~ shall meet and establish a district board of health with due consideration for a fair and equitable representation from the entire area to be served. The district board of health shall consist of the following members: (a) One member of each county board in the district, (b) one physician from each county chosen from a list of three names submitted by the medical society of each county in the district, or if any county does not have a medical society, a physician chosen from a list of three physicians residing and practicing in such district, submitted by the district medical society, (c) the county superintendent or ~~a city superintendent of public schools clerk~~ from each county in the district, and (d) one or more public-spirited men or women interested in the health of the community from each county in the district; one-third of whom shall be appointed for a term of one year, one-third for a period of two years and one-third for a period of three years, and after their terms of office shall expire, each new appointment

shall be for a period of three years. No person shall be reappointed to said board of health until two years or more have elapsed from expiration of a prior term on said board. Appointments to fill any vacancies shall be for the unexpired terms.

(3) When the county board of any such county and the city council of any city located therein, except a city of the primary class, have drawn up an agreement, approved by the Department of Health, for maintaining a city-county health department, the city and county shall establish a city-county board of health. It shall consist of the following members, with due consideration to be given in an endeavor to secure a fair and equitable representation from the entire area to be served: (a) One representative of the county board to be chosen by the county board, (b) one representative from the city council to be chosen by the city council, (c) one representative from the county medical society, chosen from a list of three names submitted by the county medical society to the city council and county board and selected by a majority vote of the city council and county board, (d) one representative from the county dental society, chosen from a list of three names submitted by the county dental society to the city council and county board and selected by a majority vote of the city council and county board, and (e) three public-spirited men or women interested in the health of the community, to be chosen by the majority vote of the city council and county board. One-third of its members shall be appointed for a term of one year, one-third for a period of two years and one-third for a period of three years. After their terms of office shall expire, each new appointment shall be for a period of three years. No person shall be reappointed to the board of health until two years or more have elapsed from the expiration of a prior term on said board. Appointments to fill any vacancies shall be for the unexpired term of the member whose term is being filled by such appointment.

Sec. 3. That original section 71-501, Reissue Revised Statutes of Nebraska, 1943, and section 71-1630, Revised Statutes Supplement, 1969, are repealed.