

CHAPTER 14.

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14.01 Time of choosing. A governor, lieutenant governor, secretary of state, treasurer and an attorney-general shall be elected at the general election in each even-numbered year. A state superintendent shall be elected on the first Tuesday in April in the year 1917 and quadrennially thereafter.

14.02 Terms. The regular full term of office of the state superintendent commences on the first Monday of July, and the regular full term of each other officer enumerated in section 14.01 commences on the first Monday of January, next succeeding his election.

14.03 Oaths. Each of the officers enumerated in section 14.01 shall take and subscribe the oath of office prescribed by the constitution, as follows: The governor and lieutenant governor, before entering upon the duties of his office; the secretary of state, treasurer, attorney-general and state superintendent, within twenty days after receiving notice of his election and before entering upon the duties of his office.

Term of office of state superintendent starts when he qualifies and assumes duties of office. State superintendent elect, who fails to take oath required by sec. 28, art. IV, and 14.03, and assume duties at the time required by sec. 1, art. X, and 14.02, causes a vacancy in the office. Governor's appointment of the same person for the unexpired term is valid, and since he qualified under this appointment and assumed the duties of the office after ch. 405, Laws 1949, amended 20.21 (1) by raising the salary incident to the office, he is entitled to increased salary. 38 Atty. Gen. 445.

14.04 Official bonds. (1) The secretary of state, treasurer and attorney-general shall each furnish a bond to the state, at the time he takes and subscribes his oath of office, conditioned for the faithful discharge of the duties of his office, and his duties as a member of the board of commissioners of the public lands, and in the investment of the funds arising therefrom. The bond of each of said officers shall be further conditioned for the faithful performance by all persons appointed or employed by him in his office of their

duties and trusts therein, and for the delivery over to his successor in office, or to any person authorized by law to receive the same, of all moneys, books, records, deeds, bonds, securities and other property and effects of whatsoever nature belonging to his said offices.

(2) Each of said bonds shall be subject to the approval of the governor and shall be guaranteed by resident freeholders of this state, or by a surety company as provided in section 204.07. The amount of each such bond, and the number of sureties thereon if guaranteed by resident freeholders, shall be as follows: Secretary of state, \$25,000, with sufficient sureties; treasurer, \$100,000, with not less than 6 sureties; and the attorney-general, \$10,000, with not less than 3 sureties.

14.05 Treasurer's bond; extends to; cost of. The bond of the treasurer shall extend to the faithful execution of the duties of the office of treasurer until his successor is elected and fully qualified; and, if he elects to give bond guaranteed by a surety company, the cost thereof and of any additional bond required of and furnished by him and so guaranteed shall be borne by the state and shall be paid out of the appropriation to the treasury department, if the cost thereof does not exceed one-fourth of one per cent, per annum, of the amount of said bond.

14.06 Additional bonds. The attorney-general shall renew his bond in a larger amount and with additional security, and the treasurer shall give an additional bond, when required by the governor.

14.07 Official oaths and bonds; where filed. The official oaths of the governor, lieutenant governor and the state superintendent shall be filed in the office of the secretary of state. The official oaths and bonds of the secretary of state, treasurer and attorney-general shall be filed in the executive office.

14.08 Offices in capitol. The governor, secretary of state, treasurer, attorney-general and the state superintendent shall each keep his office in the state capitol.

14.09 Governor's office; appointees. The governor may appoint and fix the compensation of such employes as he may deem necessary for the execution of the functions of the executive office. He may at pleasure remove any of said appointees.

14.10 Records and documents; custodian of. The private secretary to the governor, for purposes of authentication, is custodian of the public records and documents in the executive office.

14.11 Executive privy seal. The executive privy seal, a written description of which is deposited in the office of the secretary of state, is the seal of the private secretary to the governor, with which all his official certificates shall be authenticated.

14.12 State property; legal protection of. The governor, whenever in his opinion the rights, interests or property of the state have been or are liable to be injuriously affected, may require the attorney-general to institute and prosecute any proper action or proceeding for the redress or prevention thereof; and whenever he receives notice of any action or proceeding between other parties by which the rights, interests or property of the state are liable to be injuriously affected, he shall inform the attorney-general thereof and require him to take such steps as may be necessary to protect such rights, interests, or property.

14.13 Employment of special counsel. (1) The governor, if in his opinion the public interest requires such action, may employ special counsel in the following cases:

- (a) To assist the attorney-general in any action or proceeding;
- (b) To act instead of the attorney-general in any action or proceeding, if the attorney-general is in any way interested adversely to the state;
- (c) To defend any action instituted by the attorney-general against any officer of the state;
- (d) To institute and prosecute an action or proceeding which the attorney-general, by reason of his opinion as to the validity of any law, or for any other reason, deems it his duty to defend rather than prosecute.

(2) When special counsel is employed, a contract in writing shall be entered into between the state and such counsel, in which shall be fixed the compensation to be paid such counsel by the state. The contract shall be executed in behalf of the state by the governor, and shall be filed in the office of the secretary of state. Such compensation shall be charged to the legal expense appropriation provided in subsection (2) of section 20.08.

[14.14 Stats. 1929 renumbered section 20.84 by 1931 c. 67 s. 148]

14.14 Execution of releases and satisfactions. Unless otherwise provided by law, the governor and attorney-general may release or satisfy any lien or other obligation in

favor of the state, upon payment by the obligor of the full amount due thereon or of the amount provided in any compromise settlement duly entered into and approved as provided by law. When such release or satisfaction is required to be under seal, the secretary of state shall affix the great seal of the state and authenticate the signatures of said officers.

History: 1951 c. 19.

14.15 Inspection and investigation of institutions. The governor may visit and inspect at any time any public institution of this state which is supported in whole or in part by appropriations by the state; and, in the case of state institutions, he may also cause an investigation to be made of any thereof, or of any matter connected with or of any employe in any such institution, and may appoint a suitable person therefor, and shall require a written report thereof. Such investigator shall be paid not to exceed six dollars and fifty cents a day for each day actually and necessarily required in performing the duties imposed, and shall be reimbursed all actual expenses thereby incurred. The cost of any such investigation shall be charged to the appropriation for the state institution under investigation.

14.16 Require additional bond of treasurer. The governor shall require the treasurer to give additional bond, within such time, in such reasonable amount not exceeding the funds in the treasury, and with such security as he shall direct and approve, whenever the funds in the treasury exceed the amount of the treasurer's bond; or whenever the governor deems the treasurer's bond insufficient by reason of the insolvency, death or removal from the state of any of the sureties, or from any other cause.

14.17 Reports to legislature. The governor shall communicate to the legislature at the commencement of each regular session the reports of all state officers, commissions, boards, and departments required by law to report to him, including the reports of state officers whose terms of office have expired covering the transactions in their respective offices from the thirtieth day of June in the last year of their terms, and, at the time of communicating said reports, shall render to the legislature a statement of all expenditures made by him out of any contingent fund appropriated for the contingent expenses of the executive office. He shall report biennially to the legislature the condition of each of the public institutions of this state which are supported in whole or in part by appropriations by the state with such recommendations as he deems proper.

14.18 Deposit of acts; notice. The governor shall cause all legislative acts which have become laws by his approval or otherwise to be deposited in the office of the secretary of state without delay, and shall inform thereof the house in which the respective acts originated.

14.19 Rewards. Whenever any person convicted of or charged with any felony escapes, or whenever any heinous crime has been committed, the governor may offer a reward of not to exceed five hundred dollars for the apprehension and delivery of such person or the conviction of the perpetrator of such crime. If such reward is claimed, whether by one or more persons, the governor shall finally determine to whom the same shall be paid, and, if to more than one person what portion to each, and shall certify his determination to the secretary of state. No such offer of a reward by the governor shall impose any actionable liability on the state.

14.20 Land claims against United States; receipt of payment. The governor is authorized to receive from the United States treasury department, from time to time, as he sees fit to draw for the same, the five per centum of the net proceeds of sales of the public lands to which this state is or shall be entitled, pursuant to the act of congress approved August sixth, eighteen hundred and forty-six, and to execute the proper vouchers therefor. When received he shall pay the same into the state treasury to the credit of the school fund.

14.205 Acceptance of federal funds. (1) Whenever the United States government shall make available funds for the education, the promotion of health, the relief of indigency, the promotion of agriculture or for any other purpose other than the administration of the tribal or any individual funds of Wisconsin Indians, the governor on behalf of the state is authorized to accept the funds so made available. In exercising the authority herein conferred, the governor may stipulate as a condition of the acceptance of the act of congress by this state such conditions as in his discretion may be necessary to safeguard the interests of the state of Wisconsin.

(2) Whenever funds shall be made available to the state of Wisconsin through an act of congress and acceptance thereof as provided in subsection (1), the governor shall designate the state board, commission or department to administer any of such funds, and the

board, commission or department so designated by the governor is hereby authorized and directed to administer such fund for the purpose designated by the act of congress making an appropriation of such funds, or by the department of the United States government making such funds available to the state of Wisconsin.

(3) Any and all funds which may be paid to the state of Wisconsin under the authority of this section, shall, upon receipt, be paid into the state treasury, and the same shall be and hereby are appropriated to the state board, commission or department designated by the governor to administer the same. Expenditures of such funds shall be made in the same manner and subject to the laws, rules and regulations governing payments made by the state treasury, and further such expenditures shall be made in accord with federal rules and regulations. If funds made available be retained by the government of the United States, then the officers and employes of the state of Wisconsin designated to administer same shall be governed by the act of congress and the rules and regulations of the federal government.

(4) Any board, commission or department of the state government designated to administer any such fund, shall, in the administration of such fund, comply with the requirements of the act of congress making such appropriation and with the rules and regulations which may be prescribed by the United States government or by the department of the federal government making such funds available.

14.21 Patents to railroad lands. Whenever the governor shall have executed and delivered to any railway or other corporation a patent from this state of any land inuring to such corporation under or through any grant from the United States and the laws of this state, and subsequent to the delivery of any such patent the United States shall patent or certify said land or any part thereof to this state as inuring under such grant, he may in his discretion execute and deliver to such corporation a new patent of said land by way of further assurance of title to the same, reciting the fact of the execution and delivery of said prior patent and the subsequent issue by the United States of a patent or certified list of the said land, and that the said new patent is made by virtue of the provisions of this section and for the purposes aforesaid; and the additional patent shall be entitled to the same force and effect as a conveyance and as evidence as other state patents have by law.

14.22 Appointments subject to confirmation. Whenever the governor is authorized to make any appointment to office by and with the advice and consent of the senate, and the legislature is not in session at the time such office should be filled, he may make appointment thereto, subject to the approval of the senate at the next succeeding session of the legislature, and all such appointments shall be as valid and effectual from the time when so made until twenty days after such meeting of the legislature as if he possessed the absolute power of appointment.

14.225 Review of certain rules by governor. After August 7, 1951, any general code covering a particular subject adopted by the state department of agriculture or by the state board of health shall be submitted to the governor 30 days in advance of the proposed effective date. If any taxpayer complains in writing to the governor, the governor may suspend the effective date of such code until such time as the proposed code is approved by the legislature. If the governor does so suspend the code, he shall send the proposed code with his certificate of suspension to the secretary of state for transmittal to the legislature at its next session. If the governor finds an emergency exists, he may waive the 30-day period herein provided, and the code shall go into effect at a date designated by him. This section shall not affect requirements of other statutes as to notice, hearing, publication and filing of copies of codes.

History: 1951 c. 653.

14.23 Holiday proclamations. The governor, by proclamation, may set apart one day each year to be designated as arbor and bird day, and may request its observance by all schools, colleges and other institutions by the planting of trees, the adornment of school and public grounds, and by suitable exercises having for their object the advancement of the study of arboriculture, the promotion of a spirit of protection to birds and trees, and the cultivation of an appreciative sentiment concerning them. He may also set aside in said manner, the third Sunday in May in each year to be designated as citizenship day, and shall request its observance by all circuit court judges, county boards, municipalities, colleges and other institutions, and by suitable exercises for all those persons who have recently become enfranchised either by naturalization or by reaching their majority with the necessity of exercising responsible, vigilant and intelligent citizenship to safeguard and maintain our inalienable American liberties, freedom of person, stability, strength, endurance of our democratic institutions, ideals and leadership. He may also set apart, in said manner, one day in each year to be observed as labor day.

The governor shall annually issue a proclamation calling attention to the fact that the eleventh day of November is the anniversary of armistice day, and requesting the people throughout the state to observe by appropriate exercises the hour at which the armistice was concluded. The governor is authorized to annually proclaim the second Sunday in May as mother's day and to urge the people and organizations to display the American flag as a public expression of love and reverence for the mothers of our state and as a symbol of a united effort to inspire better homes and closer union between the state, its homes and its sons and daughters.

14.24 Conferences of governors. The governor is authorized to attend and represent the state at all conferences of governors, and to make such arrangements as he may deem necessary for this state to bear its share of the expenses of such conferences. All expenses incurred under this section shall be charged to the proper appropriation for the executive department.

14.25 Secretary of state; assistant secretary. The secretary of state may appoint, in writing, an assistant secretary of state who may perform and execute any of the duties of the secretary of state, except as commissioner of the public lands. The assistant secretary shall take and subscribe the oath of office prescribed by the constitution and shall give bond to the secretary of state, in such sum and with such conditions as the said secretary prescribes, conditioned for the faithful discharge of his duties. Such oath shall be filed and preserved in the executive office.

14.26 Great and lesser seals. (1) The state shall have a great seal and a lesser seal both of which shall be kept in the office of the secretary of state.

(2) The great seal of the state consists of a metallic disc, two and three-eighths inches in diameter, containing, within an ornamental border, the following devices and legend: The coat of arms of the state, as in section 1.07 described; above the arms, in a line parallel with the border, the words, "Great Seal of the State of Wisconsin;" in the exergue, in a curved line, thirteen stars.

(3) A lesser seal, one and three-fourths inches in diameter, engraved with the device of the great seal, with the words, "Seal of the Secretary of State," in a curved line above, and the words, "State of Wisconsin," in a curved line below such device, is the seal of the secretary of state, and may be used to authenticate all papers and documents issued by him, except the official acts of the governor, and such copies of the laws and records in the office of said secretary as may be required for use as evidence in any other state, territory or country.

14.27 Custodian of deeds, securities, oaths and bonds. All deeds, conveyances, abstracts of title, options and leases of land; and, unless otherwise directed by law, all bonds, mortgages and other securities, for money, belonging to this state, and all official oaths and bonds shall be deposited and preserved in the office of the secretary of state and be open to public inspection.

[14.28 Stats. 1947 repealed by 1949 c. 52]

14.29 Secretary of state, duties. The secretary of state shall:

(1) **RECORD EXECUTIVE ACTS.** Keep a record of the official acts of the executive department and, when required, lay the same and all matters relative thereto before either branch of the legislature.

(2) **AFFIX GREAT SEAL; REGISTER COMMISSIONS.** Affix the great seal to and countersign all commissions issued and other official acts done by the governor, his approbation of the laws excepted; and make a register of such commissions in a book provided by him therefor, specifying the person to whom issued, the office conferred, and the date and term of the commission.

(3) **HAVE CUSTODY OF BOOKS, RECORDS, ETC.** Have the custody of all books, records, deeds, bonds, parchments, maps, papers and other articles and effects belonging to the state, deposited or kept in his office, and, from time to time, make such provision for the arrangement and preservation thereof as is necessary, and keep the same, together with all accounts and transactions of his office open at all times to the inspection and examination of the governor or any committee of either or both houses of the legislature.

(4) **REPORT TO GOVERNOR.** Report biennially to the governor, within 60 days after June 30 in each even-numbered year any matters pertaining to his office as secretary and, when required, furnish the governor or either branch of the legislature, in writing, any information relative to the performance of the duties of his office.

(5) **KEEP ENROLLED LAWS, ETC.** Safely keep all enrolled laws and resolutions, and not permit any of them to be taken out of his office or inspected except in his presence, unless by order of the governor or by resolution of one or both houses of the legislature. For any violation of this subsection he shall forfeit the sum of one hundred dollars.

(6) **CAUSE ENROLLED LAWS TO BE BOUND.** Cause the original enrolled laws and joint resolutions passed at each session of the legislature, together with the index containing the titles of the same, to be bound in suitable volumes in a substantial manner, and in the order in which they are received from the governor, and the title thereof, with the session at which the same were passed, to be written or printed on the back of such volumes; and no other or further record of the official acts of the legislature, so far as relates to acts and joint resolutions, shall be required of said secretary.

(8) **KEEP AND REPORT STATEMENT OF FEES.** Keep a detailed statement of all fees, received by him and include a summary of such statement, in his biennial report.

(9) **FURNISH CERTIFIED COPIES.** Make a copy of any law, resolution, deed, bond, record, document or paper deposited or kept in his office, upon request therefor, attach thereto his certificate, with the great or lesser seal affixed, and collect therefor twelve cents per folio and twenty-five cents for such certificate; also to record any document authorized or required by law to be recorded in his office, and to charge therefor a fee of twelve cents per folio. The fee for certified copies of appointments, certificates of incorporations or amendments, licenses of foreign corporations, or similar certificates, and for certificates as to results of search of the records and files of his office, when a printed form is used, shall be one dollar, but when a specially prepared form is required the fee shall be one dollar and fifty cents. The minimum fee for any certificate under his hand and seal shall be fifty cents.

(10) **PUBLISH PROPOSED CONSTITUTIONAL AMENDMENTS AND LAWS.** Publish the laws as provided by section 35.64 and to publish in the official state paper once a week for 3 months immediately preceding any general election, such proposed constitutional amendments as were approved for the first time by the legislature preceding such election.

(11) **OTHER DUTIES.** Perform such other duties as are imposed upon him by the constitution or by law.

(12) **DOMESTIC CORPORATIONS.** If a complaint shall be made to him that any corporation authorized to do business in this state is guilty of unfair discrimination within the terms of sections 100.22 and 100.23, refer the matter to the attorney-general, who shall, if the facts justify it in his judgment, co-operate with the district attorney and cause proceedings to be commenced in the proper court against such corporation and its officers and members.

History: 1951 c. 33.

[14.30 Stats. 1945 repealed by 1947 c. 9]

[14.31 to 14.39 Stats. 1947 renumbered section 15.18 (1) to (9) by 1949 c. 397]

[14.40 Stats. 1947 renumbered section 15.16 (9) by 1949 c. 397]

14.405 State suit tax; notice of default. If the director of budget and accounts does not receive from the clerk of the circuit court the statement relative to suit tax required by section 59.39 (11) together with a receipt for the sum required by law to be paid on the actions so entered during the preceding quarter, on or before the first day of the next succeeding month, he shall forthwith notify the judge of the circuit court of the county of the failure to transmit such statement or receipt or both; and such judge shall thereupon notify the clerk to show cause why he should not be removed from office in the manner provided by law.

14.41 Assistant treasurer; oath; bond; powers. The treasurer may appoint, in writing, an assistant state treasurer who may perform and execute any of the duties of the treasurer, except as commissioner of the public lands. The assistant treasurer shall take and subscribe the oath of office prescribed by the constitution and shall give bond to the treasurer, in such sum and with such conditions as the treasurer prescribes, conditioned for the faithful discharge of his duties. The oath of the assistant treasurer and the certificate of his appointment shall be filed and preserved in the office of the secretary of state. Such employes as the treasurer may require shall give bond to the state of Wisconsin in such sum and with such conditions as the treasurer prescribes, conditioned for the faithful discharge of their duties; the cost thereof to be charged to the appropriations made by section 20.05.

History: 1951 c. 319 s. 1; 1951 c. 734.

14.42 Duties of treasurer. The treasurer shall:

(1) **HAVE CUSTODY OF MONEYS.** Receive and have charge of all money paid into the treasury, and pay out the same as directed by law. Checks on depositories in which moneys may be deposited shall be signed in one of the following methods:

(a) by the treasurer personally;

(b) by an assistant state treasurer, appointed as provided in section 14.41 of the statutes, in the name of the treasurer;

(c) by any clerk in his department designated by him in the name of the treasurer; or

(d) by placing on a check the facsimile signature of the treasurer adopted by him as a facsimile signature. Any depository shall be fully warranted and protected in making payment on any check bearing such facsimile notwithstanding that the same may have been placed thereon without the treasurer's authority.

(2) **ISSUE COUNTERSIGNED RECEIPTS.** Issue receipts for all money paid to him, which, before their delivery, shall be countersigned by the director of budget and accounts; and no receipt, unless so countersigned, shall be evidence of the payment of any money into the treasury.

(3) **PAY CLAIMS AS PRESENTED.** Pay all claims authorized to be paid out of the treasury in the order in which they are presented, giving a preference to no one.

(4) **PAY ON WARRANTS SUMS AUTHORIZED BY LAW.** Pay out of the treasury, on demand, upon the warrants of the director of budget and accounts and not otherwise such sums only as are authorized by law to be so paid, if there be appropriate funds therein to pay the same, and, when any sum is required to be paid out of a particular fund, pay it out of such fund only; and upon each such warrant, when payment is made in currency, take the receipt, indorsed on or annexed thereto, of the payee therein named or his authorized agent or assignee.

(5) **ACCOUNT FOR INTEREST.** Pay into the treasury and account for all sums directly or indirectly received by him by virtue of his office, or as interest or compensation for the use, deposit or forbearance of any state moneys in his hands or under his control.

(6) **KEEP CASH AND FUND ACCOUNTS.** Keep records showing the number, date and amount of each cash receipt issued by his office and classifying said receipts by state funds; keep also records showing the check number, date, payee and amount of each cash disbursement and classifying said disbursements by state funds; verify at the end of each week the amounts shown by his records to represent total cash balance and cash balances of individual state funds by comparing said amounts with corresponding balances appearing on records maintained by the department of budget and accounts.

(7) **PERMIT EXAMINATION OF BOOKS.** Permit at all times inspection and examination of the books, papers and transactions of his office by the governor, secretary of state, attorney-general, department of budget and accounts, department of state audit, or by the legislature, or any committee thereof, or of either branch thereof.

(8) **REPORT TO GOVERNOR QUARTERLY.** Report to the governor quarterly, or oftener if required, the total amount of funds in the treasury, specifying in what kind of currency they consist, the amount of each kind, and the amount belonging to each separate fund, and also what amounts are in each of the state depositories, together with the interest earned thereon, and also all defalcations and neglect of duty of any disbursing or collecting officer or agent of the state, and any information pertaining to the duties of his office he may think proper or the governor may require.

(9) **REPORT TO GOVERNOR BIENNIALY.** Report to the governor, within 20 days after June 30 in each even-numbered year, a statement showing for each of the 2 preceding fiscal years the cash balance in each state fund at the beginning of the year, the aggregate amount of receipts credited and the aggregate amount of disbursements charged to each said fund during the year and the resultant cash balance in each state fund at the end of the year. This statement shall further show as of the end of each said 2 years, at par, the aggregate value of securities held for each state fund and the aggregate value of securities held in trust or deposited for safekeeping, and shall show the manner in which the total cash balance was accounted for by listing the balances on deposit in each bank account, deducting from the total of such bank balances the aggregate amount of checks outstanding and adding thereto the aggregate amount of cash and cash items in office.

(10) **REPORT CERTAIN PAYMENTS.** Whenever the state treasurer or any state department shall remit to any county, city, town or village any sum in payment of a state aid, locally shared tax or other item, he shall transmit a statement of the amount and purpose thereof to the clerk of such municipality. After the receipt thereof, the clerk of such municipality shall present such statement at the next regular meeting of the governing body and shall thereafter file and keep such statement for 6 years.

(11) **MAKE CERTIFIED COPIES.** Make a certified copy of any deed, bond, document or paper filed in his office, and transcripts from the books and records kept therein, when required by any person so to do; and collect therefor twelve cents per folio, and twenty-five cents for such certificate.

(12) **STAMP CHECKS AND DRAFTS.** Cause to be plainly printed or stamped upon all checks and drafts issued by him, the words "Void if not presented for payment within one year." Any check or draft not presented for payment within the aforesaid period of

one year shall be properly canceled by the state treasurer on his records and the amount thereof credited to the fund upon which it was drawn. Notice of such cancellation and credit shall be immediately submitted by the state treasurer to the director of budget and accounts.

(13) **SERVICES IN CONNECTION WITH SECURITIES HELD IN TRUST.** Upon request therefor from any company, corporation, society, order or association which has securities on deposit with him, in trust, mail to its address from time to time not to exceed sixty days before the same become due, any or all interest coupons; return to it any or all bonds, notes or other deposits as they become due and are replaced by other securities; cut all interest coupons, make any indorsement of interest or otherwise on any such securities; and collect therefor from the company, corporation, society, order or association making the request, a fee of twenty-five cents for a single coupon cut, or for each entry of interest indorsed on a note or return of a bond, note or other security, and a fee of ten cents for each additional coupon cut, or entry of interest indorsed on a note, bond or other security, and may withhold any and all coupons cut or refuse indorsement of interest on securities until such fee shall have been paid. Such fees shall be paid into the state treasury as a part of the general fund, and no extra charge shall be required for postage or registered mail.

(14) **OTHER DUTIES.** Perform all other duties imposed upon him by law.

(15) **ADVERTISE RECEIPT OF MONEY UNDER SECTION 318.03.** The state treasurer, upon receipt of any money under section 318.03, shall forthwith advertise the fact in the state paper by giving the name of the decedent, the time and place of his death, the amount paid into the treasury, the personal representative paying the same, the county in which the estate is probated, and that the money will be paid to the heirs or legatees without interest, on proof of ownership, if applied for within 7 years from the date of publication in the manner provided in section 318.03. The cost of such advertising shall be charged to the appropriation for the treasury department.

(16) **ANNUAL STATEMENT.** The state treasurer shall render a statement annually to the state annuity and investment board of the costs of services rendered to said board. Upon receipt of such statement, the director of investments shall certify the amount thereof to the director of budget and accounts to be paid into the general fund of the state treasury out of the appropriation for the state annuity and investment board for the cost of making its investments.

(17) **SAFEKEEPING RECEIPTS FOR FEDERAL SECURITIES.** Whenever any federal securities are purchased under authority of any law and the state treasurer is custodian thereof he may accept and hold safekeeping receipts of a federal reserve bank for such securities. Each such receipt shall be identified on its face with the name of the fund to which the securities described in the receipt belong.

History: 1951 c. 319 s. 2.

If state treasurer desires to destroy old records he must apply to committee on public records for permission to do so. He may rely on such committee's permission without incurring any liability in consequence of acting within the limits of the committee's permission. 39 Atty. Gen. 599.

[14.425 Stats. 1947 repealed by 1949 c. 52, 197]

[14.426 Stats. 1947 renumbered section 73.035 by 1949 c. 17]

[14.43 Stats. 1933 renumbered section 34.02 by 1935 c. 55]

14.44 Banks, foreign control, ineligibility as depository. Whenever the ownership, control or power to vote a majority interest in the stock of any state or national bank doing business in Wisconsin shall be held or in any manner exercised by any foreign corporation, association or trust which shall not have filed its articles of incorporation and obtained authority to do business in this state as provided in sections 180.801, 180.813 to 180.821 and 180.845, such bank shall not be qualified to act as depository for any public funds of the state of Wisconsin or of any subdivision thereof, nor as a depository for reserve funds of state banks until the provisions of said sections shall be complied with by such foreign corporation, association or trust.

[14.445 Stats. 1945 repealed by 1947 c. 469]

14.45 Interest. The state of Wisconsin investment board shall from time to time fix the rates of interest to be paid by depositories on active and inactive deposits and cause notice thereof to be published in the official state paper. The rate of interest on inactive deposits, until changed by said board, shall be 2½ per centum per annum on deposit actually received and held by the depositories.

History: 1951 c. 511.

[14.46 Stats. 1931 repealed by Spl. S. 1931 c. 1 s. 1]

14.47 Cashier in secretary of state's office bonded. The cashier and assistant cashiers in the office of the secretary of state shall give bonds to the secretary of state in such sum and with such conditions as he may prescribe, conditioned for the faithful discharge of their duties. Said bonds shall be furnished by a surety company authorized to do business in this state and the cost thereof shall not exceed one-fourth of one per cent per annum on the amount of said bond or obligation by said surety executed and shall be payable from the appropriation to the secretary of state.

14.48 Reports of depositories. Every state depository shall, on the first day of each month, and oftener when required, file with the director of budget and accounts a sworn statement of the amount of public moneys deposited with it, and, within 10 days after the first day of each January, April, July and October, shall make a full statement of all deposits and payments of state moneys during the preceding quarter, together with a computation and statement of the interest earned thereon, computed upon the daily balance on deposit, which interest shall thereupon be added to and become part of the deposit balance, such statement shall be accompanied by an affidavit of the president and cashier of such depository to the effect that it is in all respects true and correct, and that, except for the interest therein credited, neither said depository nor any officer, agent or employe thereof, nor any person in its behalf, has in any way whatsoever given, paid or rendered, or promised to give, pay or render to the state treasurer or to any other person any money, credit, service or benefit whatsoever by reason or in consideration of the deposit with it of any portion of the state moneys. Any person who shall make any false statement in any affidavit required by this section shall be guilty of perjury.

14.49 Apportionment of interest. (1) The total interest earned on state moneys in all depositories shall be apportioned quarterly or oftener by the state treasurer among; added to and become a part of the several funds.

(2) On June 6, 1925, interest shall be apportioned on the above basis to the life fund created under section 210.05 from the date of the establishment of this fund.

14.50 Checks, drafts or warrants may be canceled; reissue. (1) If any check or draft drawn and issued by the state treasurer upon the funds of the state in any state depositories is not delivered or called for within one year after issue and remains in or is returned to the hands of the state treasurer without being paid, the state treasurer is hereby authorized to receipt for the same, credit the amount thereof to the fund on which it is drawn and deposit such check or draft in the same manner that other state collections are deposited.

(3) When the payee or person entitled to any check or draft so canceled by the state treasurer, or the payee or person entitled to any warrant so canceled by the director of budget and accounts, demands such check, draft or warrant or payment thereof, the director of budget and accounts shall, and he is hereby authorized to, issue a new warrant therefor, to be paid out of the proper fund by the state treasurer.

(4) When the bank on which any check or draft is drawn by the state treasurer shall before payment of such check or draft become insolvent or shall be taken over by the commissioner of banks or comptroller of the currency, the state treasurer shall on the demand of the person in whose favor such check or draft was drawn and upon the return to the treasurer of such check or draft issue a duplicate for the same amount. This subsection shall apply to checks or drafts heretofore issued and not paid.

(5) If any check or draft drawn and issued by the state treasurer is lost or destroyed and the bank on which such check or draft is drawn has been notified to stop payment thereon, the state treasurer may, after the expiration of seven days from the date of notice to stop payment, issue a duplicate check or draft and thereafter the state treasurer shall be relieved from all liability thereon.

[14.51 Stats. 1947 repealed by 1949 c. 197]

14.52 Deputy and assistant attorneys-general. The attorney-general may appoint a deputy attorney-general and assistants each of whom shall be an attorney at law admitted to practice in this state. The deputy attorney-general shall give a bond to the state in the sum of five thousand dollars, with good and sufficient sureties, to be approved by the governor, conditioned for the faithful performance of his duties, and in the absence or disability of the attorney-general, he may do and perform all the acts provided by statute to be performed by the attorney-general, and the attorney-general shall be responsible for all acts of his deputy. The said appointees shall perform such duties as the attorney-general prescribes. Such appointments shall be made by writing filed in the office of the secretary of state, and such appointees shall take and subscribe the constitutional oath of office, which shall also be so filed.

14.525 Anti-trust; duty of attorney-general's office. (1) Of the assistant attorneys-general appointed under the provisions of section 14.52, one shall be assigned to the investigation and prosecution of violations arising under the provisions of chapter 133 and shall carry out the duties imposed on the attorney-general by said chapter. It shall be the duty of all officers, departments, bureaus and commissions of the state government to report to the assistant attorney-general in charge of anti-trust prosecutions all violations of chapter 133 which shall come to their attention and they shall co-operate with and assist him in the investigation and prosecution of such violations.

(2) The assistant attorney-general in charge of anti-trust investigations and prosecutions is to co-operate actively with the anti-trust division of the United States department of justice in everything that concerns monopolistic practices in Wisconsin, and also to co-operate actively with the state department of agriculture in the work which this agency is carrying on under section 100.20 of the marketing law with regard to monopolistic practices in the field of agriculture.

14.53 Duties of attorney-general. The attorney-general shall:

(1) **REPRESENT STATE.** Appear for the state and prosecute or defend all actions and proceedings, civil or criminal, in the supreme court, in which the state is interested or a party, and attend to and prosecute or defend all civil cases sent or remanded by the supreme court to any circuit court in which the state is a party; and, when requested by the governor or either branch of the legislature, appear for the state and prosecute or defend in any court or before any officer, any cause or matter, civil or criminal, in which the state or the people thereof may be in anywise interested.

(2) **PROSECUTE BREACHES OF BONDS AND CONTRACTS.** Prosecute, at the request of the governor, or of the head of any department of the state government any official bond or any contract in which the state is interested, deposited with any of them, upon a breach thereof, and prosecute or defend for the state all actions, civil or criminal, relating to any matter connected with any of their departments except in those cases where other provision is made.

(3) **ADVISE DISTRICT ATTORNEYS.** Consult and advise with the district attorneys when requested by them in all matters pertaining to the duties of their office.

(4) **GIVE OPINION TO OFFICERS.** Give his opinion in writing, when required, without fee, upon all questions of law submitted to him by the legislature or either branch thereof, or by the head of any department of the state government.

(5) **PROTECT TRUST FUNDS.** Examine all applications for loans from any of the trust funds, and furnish to the commissioners of public lands his opinion in writing as to the regularity of each such application, and also of the validity of any bonds or other securities purchased for the benefit of such funds.

(5a) **EXAMINATION OF BONDS, CERTIFICATE OF ATTORNEY-GENERAL.** Examine a certified copy of all proceedings preliminary to any issue of state bonds, and, if found regular and valid, indorse on each bond his certificate of such examination and validity, and that said bond is incontestable, except for constitutional reasons, unless an action making such contest shall be brought in a court having jurisdiction of the action within thirty days from the date of said certificate, and make similar examinations and certificates respecting municipal bonds in the cases specified in subsection (3) of section 67.02, except that the thirty days' limitation shall commence to run upon the recording of the attorney-general's certificate in the office of the clerk of the municipality issuing the bonds, and the certificate shall so state.

(5m) **LEGAL SERVICE; APPROPRIATION.** It shall be the duty of the attorney-general to furnish all legal services required by the state of Wisconsin investment board, the highway commission, the conservation commission, and the department of veterans' affairs, together with such other services, including stenographic and investigational, as are necessarily connected with such legal work. The attorney-general shall at the end of each fiscal year render to the respective departments herein enumerated a statement of the total cost of such legal and other services including travel expenses and legal expenses enumerated in section 20.08 (1a). Upon receipt of such statement, the respective department head shall certify the amount thereof to the department of budget and accounts to be paid into the general fund of the state treasury out of his proper appropriation.

(6) **PREPARE FORMS.** Prepare, whenever requested by the head of any department of the state government, proper drafts of forms for contracts and other writings which may be wanted for the use of the state.

(7) **TURN STATE MONEYS INTO TREASURY.** Pay into the state treasury all money received by him belonging to the state, immediately upon receipt thereof.

(8) **KEEP REGISTRY OF ACTIONS.** Keep in proper books, to be provided for that purpose at the expense of the state, a register of all actions and demands prosecuted or defended by him on behalf of the state and of all proceedings had in relation thereto.

(9) **KEEP STATEMENT OF FEES.** Keep a detailed statement of all fees, including his fees as commissioner of public lands, received by him during the preceding year, and file such statement with the director of budget and accounts on or before the thirtieth day of June in each year.

(10) **REPORT TO LEGISLATURE.** Report to the legislature or either branch thereof, when requested, upon any matters pertaining to the duties of his office.

(11) **GENERAL.** Perform all other duties imposed upon him by law.

(12) **ATTORNEY FOR STATE EMPLOYEES.** The attorney-general shall, at the request of the head of any department of state government approved by the governor, appear for and defend, in any court of the state where an action may have been brought, or may be tried, any agent, inspector or employe of such department charged with the enforcement of law, or the custody of inmates of state institutions or prosecution for violation of law, in any tort action except malpractice against him, based upon any act done or incurred in, or arising out of the lawful discharge of the duties of such agent, inspector or employe. Witness fees incurred in the defense of any case under this section shall be paid as provided for in section 325.07.

History: 1951 c. 319 s. 3; 1951 c. 511, 735.

Requests for opinion of attorney-general for action is combined with an ambiguity in made under (4) should be confined to ques- the law requiring clarification by interpreta- tions involving state superintendent's tion or construction. 39 Atty. Gen. 41. powers and duties when a present necessity

14.531. Attorney-general, powers. Any civil action prosecuted by the attorney-general by direction of any officer, department, board or commission, shall be compromised or discontinued when so directed by such officer, department, board or commission. Any civil action prosecuted by the attorney-general on his initiative, or at the request of any individual may, in his discretion, on approval of the governor, be compromised or discontinued. In any criminal action prosecuted by the attorney-general, he and the deputy and assistant attorneys-general shall have the same powers with reference to such action as are vested in district attorneys.

14.54 State superintendent, qualifications. No person is eligible to the office of state superintendent of public instruction, unless at the time of his election thereto he has taught or supervised teaching in this state for a period not less than five years and, at such time, holds the highest grade of certificate which the state superintendent is by law empowered to issue.

[14.55, 14.56 Stats. 1925 renumbered section 14.57 by 1927 c. 425 s. 1]

14.57 State superintendent; powers and duties. (1) **GENERAL SUPERVISION.** The state superintendent shall ascertain the conditions of the public schools, stimulate interest in education, spread as widely as possible a knowledge of the means and methods which may be employed to improve the schools.

(2) **SECTARIANISM.** He shall exclude all sectarian books and instruction from the public schools.

(3) **EDUCATIONAL MEETINGS.** He shall attend such educational meetings and make such investigations as he may deem important, and such as will acquaint him with the different systems of common schools in the United States.

(5) **SUPERVISION OF SCHOOLS.** He shall supervise and inspect the common schools, graded schools, high schools, county schools of agriculture and domestic science, manual training schools, county normal schools, and the day schools for the deaf and blind, and those of defective speech; and shall advise with the principals and local authorities thereof, and give assistance in organizing such school.

(5a) **STATE SCHOOLS FOR THE VISUALLY HANDICAPPED AND DEAF.** He shall maintain and govern the Wisconsin school for the visually handicapped and the Wisconsin school for the deaf.

(6) **PUBLIC INFORMATION.** He shall by reports, bulletins, circulars, correspondence and public addresses give the public information bearing upon the different methods of school organization and management and the subject of education generally.

(7) **APPEALS.** He shall examine and determine all appeals, which by law may be made to him, and prescribe rules of practice in respect thereto, not inconsistent with law.

(8) EDUCATIONAL LITERATURE. He shall collect in his office such schoolbooks, apparatus, maps and charts as may be obtained without expense to the state, and he shall purchase at an expense not exceeding two hundred and fifty dollars, in any one year, books and periodicals bearing upon the different phases of education.

(9) FORMS FOR SCHOOL OFFICERS. He shall prepare for the use of school officers suitable forms for making reports and suitable outlines as aids in conducting school meetings.

(10) COURSES OF STUDY; PHYSICAL TRAINING. (a) He shall prepare and publish, from time to time, courses of study for the common, graded and high schools, and the other schools under his supervision, and shall furnish copies thereof to the school board.

(b) He shall prescribe a course in physical education and training adapted to the common schools, and shall have general supervision of physical education in the public schools.

(11) SPECIAL PROGRAM. He shall compile and distribute annually to the schools, in pamphlet form, matter suitable for the observance of Memorial day and Arbor day.

(12) SCHOOL FUND INCOME. He shall apportion the school fund income as provided by law.

(13) COPIES OF RECORDS. He shall make certified copies, when required, of any papers deposited or filed or records kept in his office, and of any act or decision made by him, and his fees therefor shall be twelve cents per folio.

(14) REPORT TO GOVERNOR. He shall report to the governor, during the last half of each even-numbered year:

(a) The condition of all schools under his supervision and of the state university and teachers colleges.

(b) An abstract of the common school reports made to him by school superintendents.

(c) His visits to educational institutions.

(d) The work done by the assistants, inspectors and others in the performance of the duties of his office.

(e) Plans for improving the schools and advancing education.

(f) The receipts and disbursements of all school incomes.

(g) Such other matters as he shall deem expedient.

(15) TEACHERS' INSTITUTES. He shall supervise the public school teachers' institutes.

(16) ANNUAL CONVENTIONS. He shall annually hold conventions of county superintendents, of city superintendents, and of supervising teachers.

(17) MUSICAL EDUCATION. He shall promote and supervise musical education in the elementary and high schools and to enable him to perform the duties prescribed by this subsection he shall appoint, as a member of his department, a supervisor of musical education, and he shall fix the duties and salary of such supervisor and direct his work.

(18) REPORTS TO SUPERINTENDENT. He shall require from school officers, superintendents, principals and teachers, and they shall make to him such reports as will enable him to distribute and award the state school fund appropriations and the several state educational appropriations to the various schools and persons entitled thereto, and to properly discharge the other duties of his office.

(19) FORMS FOR REPORTS. He shall prepare, print and distribute blank forms upon which superintendents, clerks, principals, teachers and other officers and persons shall make the school returns and reports required of them.

(21) RECORD OF EXAMINATIONS AND CERTIFICATES. He shall file in his office all papers relating to examinations for state certificates and shall register each state certificate.

(22) LICENSING AND CERTIFICATION OF TEACHERS. He shall license all teachers for the public schools of the state, and make rules and regulations and prescribe standards of attainment for the examination, licensing and certification of teachers, except as provided in section 39.05.

(23) SCHOOL LUNCH PROGRAM. The state superintendent is authorized to enter into contracts with school districts, municipalities, persons, companies or corporations providing for the operation and maintenance of school lunch programs, and for the distribution, transportation, warehousing, processing and insuring of food products provided by the federal government. The form and specifications of such contracts shall be determined by the state superintendent, and the funds received under the terms and conditions of such contracts shall be deposited within one week of receipt thereof in the state general fund. Amounts remaining unpaid for 60 days or more after they become payable under

the terms of such contracts shall be deemed past due and shall be certified to the director of budget and accounts on October 1 of each year and included in the next apportionment of state special charges to local units of government as special charges against the school districts and municipalities charged therewith.

History: 1951 c. 570.

14.58 Fiscal year. The fiscal year of the state commences on the first day of July in each year and closes on the thirtieth day of June next succeeding. All books and accounts of the director of budget and accounts and of the state treasurer shall be kept, and all their duties shall be performed with reference to the beginning and ending of the fiscal year. All officers and persons required to render annual accounts to the director of budget and accounts and treasurer shall close such accounts on the thirtieth day of June in each year, and shall render such accounts as soon thereafter as may be practicable, and the fiscal year of all departments, boards and bodies connected with the state government in any manner shall commence and close on the same dates as the fiscal year of the state. A fiscal year ending in an even-numbered calendar year may be designated as an even-numbered fiscal year, and a fiscal year ending in an odd-numbered calendar year may be designated as an odd-numbered fiscal year.

14.59 State office hours; standard work week; leaves of absence. (1) The offices of the departments of state government shall be kept open on all days of the year except Saturdays, Sundays and holidays. Monday to Friday office hours shall begin at 8 a. m. and close at 5 p. m. with intermissions from 12 noon to 1 p. m.; provided, however, that during the summer months from May 1 to October 1, and at other times, departments may, in the discretion of the governor adjust opening and closing hours and intermission periods as the needs of the service require consistent with the principle of the 8-hour day herein established. During a proclaimed national emergency or a limited national emergency, the governor may extend the work week and adjust the working hours to use the available manpower of any or all departments as it is deemed essential. Compensation for such extended work week or adjusted working hours shall be adjusted as provided for in the state's compensation plan. Heads of departments shall grant to each clerk or other person in their employ, noncumulative leave of absence without loss of pay at the rate of 3 weeks for a full year's service.

(2) The standard basis of employment for the state service shall be 40 hours per week divided into 5 days of 8 hours each, except that where the conditions of employment cannot be fulfilled by adhering to the standard week, deviations may be permitted upon recommendation of the appointing authority and subsequent approval of the bureau of personnel.

History: 1951 c. 586.

(1) applies only to offices and office workers, as distinguished from museums, libraries and similar services. Its application is not limited to a single office for each department, nor to offices in the state capitol and office building. An office conducted in an institution, or in connection with a field service, is not excluded from the application of (1) unless the characteristics of its operation otherwise identify it with institutional or field service operation rather than with administration. 38 Atty. Gen. 497.

14.60 Official reports. The several officers, boards and commissions from whom annual or biennial reports are required to be made to the governor, and whose reports cover a period ending on the thirtieth day of June, shall make out and deposit with the governor, on or before the first day of January of each odd-numbered year, a report of the transactions in their respective offices from the thirtieth day of June last preceding. Such reports shall be published with the next annual or biennial reports of the same officers, boards or commissions, respectively, or of their successors.

14.61 Reports of receipts and disbursements to governor. The respective state officers, heads or chiefs of bureaus and departments of the state service and the several boards having control of the charitable and penal and educational institutions of the state, including the teachers' colleges and state university shall, on or before the tenth day of January in each odd-numbered year, make and deliver to the governor a brief succinct, detailed report of all receipts and expenditures in their respective offices, boards, bureaus or departments for the biennial term ending the first Monday of January.

14.62 Report of expenses of departments. The respective state officers and chiefs or heads of all bureaus and departments and regents of state university and teachers' colleges shall in each odd-numbered year, on or before the tenth day of January make and deliver to the governor in tabular form a complete, concise and detailed report of the expenses of conducting such office, bureau or department, teachers' colleges and state university for each year of the biennial term ending on the first Monday in January preceding the date of such report, and shall accompany such report with a like detailed statement

or report of the receipts and expenses of conducting such office, bureau or department for the corresponding years of the 2 preceding biennial terms.

14.63 State aid recipients' accounting. Every association, society, institute or other organization, that receives aid in any form through appropriations from the state shall make report to the director of budget and accounts on or before the first day of September in each year. Such annual report shall contain a detailed statement of all receipts and expenditures of such association, society, institute or organization for each year ending June thirtieth and such portions as are of special importance may be published in the biennial report of the director of budget and accounts.

14.64 Mail service. In case a regular mail service is established and maintained among the various offices in and about the capitol, by the postal authorities or by the director of purchases, none of the state officers receiving such service shall thereafter rent post-office boxes in the city of Madison at the expense of the state. The director of budget and accounts shall not draw his warrant and the treasurer of state shall not allow payment for such claims.

14.65 Co-operation of functions. (1) The several state officers, commissions and boards shall co-operate in the performance and execution of state work and shall interchange such data, reports and other information, and, by proper arrangements between the officers, commissions and boards directly interested, shall interchange such services of employes, or shall so jointly employ or make such assignments of employes as the best interests of the public service require. All interchanges of services and joint employments and assignments of employes for particular work shall be consistent with the qualifications and principal duties of such employes.

(2) Whenever the employe of any state officer, commission or board is assigned or required hereunder to perform services for any other such officer, commission or board, such employe is vested with all powers and may enjoy all privileges necessary to perform the duties and execute the functions imposed upon and delegated to him and may perform such services and exercise such powers in the same manner, to the same extent and with like effect as though regularly appointed therefor.

(4) Each officer, commission and board shall keep a record of all work done for or in co-operation with other officers, commissions and boards under this section.

14.66 State officers may require searches, etc., without fees. The secretary of state, treasurer and attorney-general, respectively, are authorized to require searches in the respective offices of each other and in the offices of the clerk of the supreme court, of the several circuit courts, of the county courts or registers of deeds for any papers, records or documents necessary to the discharge of the duties of their respective offices, and to require copies thereof and extracts therefrom without the payment of any fee or charge whatever.

[14.67 Stats. 1945 repealed by 1947 c. 469]

14.68 Receipts and deposits of money; procedure; penalties. (1) Unless otherwise provided by law, all moneys collected or received by each and every officer, board, commission, society, or association for or in behalf of the state, or which is required by law to be turned into the state treasury, shall be deposited in or transmitted to the state treasury at least once a week and also whenever required by the governor, and shall be accompanied by a statement in such form as the treasurer may prescribe showing the amount of such collection, and from whom and for what purpose or on what account the same was received. All moneys paid into the treasury shall be credited to the general fund unless otherwise specifically provided by law.

(2) The director of budget and accounts shall prescribe a form of official blank receipts to be issued by or for each officer, board, commission, society or association who or which collects or receives any money for or on behalf of the state, or who or which collects any money that is required by law to be turned into the state treasury, and such officer, board, commission, society or association shall issue such official receipts or cause the same to be issued to each person from whom money is received. All such official receipts shall be prenumbered consecutively.

(3) Any person who shall issue or deliver such official receipt or pass or utter the same except in the manner required by law shall be deemed guilty of a misdemeanor.

(4) In case any officer, board, commission, society, or association included within the provisions of this section neglects or refuses to make such deposits of money, or to make such reports as are required by this section, the director of budget and accounts, with the approval of the governor, shall withhold all moneys due such officer, board, commission, society or association until the provisions of this section are complied with; and provided

further that upon such failure to make such deposits of money, the officer or official so failing shall be liable to the state treasurer for an amount equal to the interest upon the moneys so withheld from deposit at the same rate as that received by the state upon state deposits, for the period for which such deposit is withheld; and such interest shall be a charge against said officer or official and shall be deducted from his compensation.

(5) The motor vehicle department shall have power to receive checks in payment of motor vehicle license fees and such checks shall be deposited to the credit of the state of Wisconsin in a duly qualified state depository selected by the state treasurer. Amounts so deposited shall be receipted for by the state treasurer upon proper notification from the depository bank and shall be credited to the state highway fund. Any overpayment on account of any license fees shall be refunded by the state treasurer from the state highway fund on the certificate and audit of the motor vehicle department. All excess payments not so refunded shall be placed in the revolving fund created in section 20.052 (2) from which revolving fund there shall be paid the amount of any check which shall be returned unpaid. It shall be the duty of the motor vehicle department to immediately demand payment of any such unpaid check, and in the event the same is not paid within 5 days to cancel any motor vehicle license issued in consideration of such check, and to forward the same to the district attorney of the county where such check was issued for prosecution according to law.

14.681 Disposition of abandoned, lost or escheated property. (1) Any personal property lost or abandoned in any building or on any lands belonging to the state and unclaimed for a period of 60 days may be returned to the person finding the same or may be sold at private or public sale by the board, commission, officer, agency, society or association having charge of the place where such personal property is found. All receipts from such sales, after deducting the necessary expenses of keeping such property and selling the same, shall be paid promptly into the state treasury and credited to the school fund.

(2) The state treasurer is authorized to sell either at public or private sale any personal property turned over to him as an escheat under section 220.25 or section 318.03, or otherwise. The proceeds of any such sale shall become a part of the state school fund, and shall be subject to refund as specified by the provision of law pursuant to which the property escheated.

14.69 Record of appointed officers of boards and commissions. All boards, commissions and societies, supported in whole or in part from state funds, and which are authorized to elect or appoint their own officers, or to appoint officers, or members of other state organizations, departments or commissions, whether judicial, military or civil, shall report such elections or appointments to the secretary of state who shall either record or file such appointments for information of the public.

14.70 Payments to state, protested check. (1) Payments to the state may be made in legal tender, postal money order, express money order, bank draft or certified check. Payments to the state may also be made by personal check or individual check drawn in the ordinary course of business unless otherwise required by individual state departments and agencies. If any such personal or individual check is not paid by the bank on which it is drawn, the person by whom such check has been tendered shall remain liable for the payment of the amount for which such check was tendered and for all legal penalties and additions, and in such case the officer to whom such check was tendered shall lay the facts before the district attorney of the proper county for prosecution as provided by law. In case any license shall have been granted upon any such check, such license shall be subject to cancellation for the nonpayment of such check.

14.71 General departmental powers. (1) **DEFINITION OF DEPARTMENT.** Any officer whose office is created by constitution or statute, or any agency so created, is a department of state government, except legislative and judicial officers and agencies, and offices and agencies created within departments as herein defined.

(2) **APPOINTMENT OF SUBORDINATES.** Unless otherwise provided by statute, each department is authorized to appoint such deputies, assistants, experts, clerks, stenographers or other employes as are necessary for the execution of its functions, and to designate the titles, prescribe the duties, and fix the compensation of such subordinates, but these powers shall be exercised subject to the state civil service law, unless the position filled by any such subordinate has been expressly exempted from the operation of chapter 16 and subject, also, to the approval of such other officer or body as may be prescribed by law. If a department contains a board or commission which is authorized to appoint an executive officer by whatever name called, the appointing power resides in the executive officer and the board or commission has no further appointing power except as it is specifically given such power.

(3) SALARY INCREASE. It is the declared public policy that, consistent with section 16.105 (2), salaries of employes in the competitive division of the classified service, as defined in section 16.09, shall be increased from year to year, in recognition of meritorious service, until the maximum of the range for the position has been reached. Except as otherwise provided herein and in section 16.105, such merit increases shall be made only at the beginning of a fiscal year. Appointing officers, as defined in chapter 16, shall on or before July 1 each year file with the director of personnel and the director of budget and accounts a list of employes showing their then existing salaries and their proposed new salaries. Merit increases may be allowed at other periods in the fiscal year only upon approval of the personnel board and the emergency board. No salary increase shall take effect unless the resulting salary is certifiable under section 16.105.

(4) MONTHLY BONUS PAYMENTS. (a) As the state has been greatly handicapped in a competitive labor market in retaining and securing satisfactory and properly qualified personnel, and in maintaining a proper morale, an efficient and economic administration because of excessive personnel turnover, it has been found essential to grant a monthly bonus to the employes.

(b) Each employe in the competitive division of the classified service, except employes paid on a prevailing rate or a per diem basis, shall be paid a basic cost of living bonus as hereinafter provided, in addition to the salary currently payable to such employe pursuant to sections 14.71 (3) and 16.105 (2) and (4), without restriction or limitation by reason of the maximum salary of the range established for his classification or other statutory limitation thereof.

(c) 1. An initial basic cost of living bonus shall be paid monthly to each such employe as follows:

Present Monthly Basic Salary Rate	Initial Basic Cost of Living Bonus
\$110 or less	\$49
\$115 or more	\$47

2. Such initial basic cost of living bonus shall be deemed compensation for living conditions prevailing as of November 15, 1950, which together with such further adjustments as may be made in accordance with this subsection shall be applicable on the effective date of this section.

3. The basic cost of living bonus shall be adjusted quarterly each year, on January 1, April 1, July 1, and October 1, if the index has changed one or more points from the index of November 15, 1950 which shall be the base index for the first adjustment made, and thereafter such cost of living bonus shall be based on the index on which the last previous adjustment was based. If this section takes effect after April 1, 1951 the April 1, 1951 adjustment shall be made on the first day of the month next succeeding the effective date of this section.

5. The "Consumers' Price Index for Moderate Income Families in Large Cities, All Items, (average 1935-1939=100)," established by the Bureau of Labor Statistics of the United States Department of Labor for Milwaukee as printed in the Monthly Labor Review, or as otherwise released, shall be used for computing increases and decreases in the cost of living.

6. The base reports to be used shall be the November 15, February 15, May 15, and the August 15 reports respectively or the reports of the dates nearest thereto in each quarterly period respectively.

7. The governor, personnel board and the emergency board as soon after such index material for such applicable quarterly periods of each year is made available by the director of personnel, shall meet in joint conference, from time to time, to compute such change in the cost of living indices and determine therefrom if such initial basic (or the then applicable) cost of living bonus shall be changed as provided herein.

8. If it is found that the index number has increased or decreased one or more points, quarterly, the initial basic cost of living bonus shall be increased or decreased at the rate of \$1 for each such full point of increase or decrease in the cost of living index. Such initial basic cost of living bonus and the adjustments thereof shall be made pursuant to rules adopted by the personnel board and approved by the governor as provided in section 16.05 (1).

(d) Such basic cost of living bonus payment shall not be deemed or construed to constitute a change in classification, rank, promotion or compensation and the civil service status of such employe shall be determined without reference thereto.

(e) All employes employed on a part-time basis shall be paid such portion of the basic cost of living bonus payment as their actual time employed shall bear to full-time employment.

(f) Such basic cost of living bonus payment and from time to time the adjustments thereof shall not prevent the department head or officer from granting any employe intermediate salary merit increases during such period.

(g) Upon certification of the department head or officer to the director of budget and accounts, such director shall forthwith determine the sum of money necessary from the appropriation provided in section 20.07 (16) for the payment of the basic cost of living bonus and from time to time the adjustments thereof of employes of such board, department, commission or institution, and the director of budget and accounts shall thereupon extend a credit in like sum therefor, to all appropriations and including those in which the receipts are appropriated or reappropriated wherein the director shall determine whether a supplementary appropriation is necessary therefor.

(h) The payment of such initial basic cost of living bonus shall commence in the first full calendar month and for the first regular pay roll period occurring therein following June 30, 1947.

(5) TRAVELING EXPENSES. (a) State officers and employes shall be reimbursed for actual and necessary traveling expenses incurred in the discharge of their duties. The officers and employes of any department shall when, for reasons of economy or efficiency, they are stationed at any other place than the official location of such department, receive their actual and necessary traveling and other expenses when called to such official location for temporary service. The members of departments who are entitled to expenses but not compensation, the members of departments who are entitled to a per diem for time actually spent in state service, and the members of departments who receive an honorarium, shall be entitled to travel and other expenses while attending meetings of such department held at the city of Madison; provided, that no such traveling or other expenses shall be allowed to any such member of any department who actually resides in the city of Madison while attending any such meeting at said city.

(b) The payment of travel expenses not authorized by statute is prohibited. Any unauthorized payment made shall be recoverable as for debt from the person to whom made.

(6) NOTARY PUBLIC. Each department is authorized to expend from its proper appropriation a sum sufficient to pay all fees and expenses necessarily incurred in qualifying an employe as a notary public, and securing a notarial seal; but such notary shall receive no fees for notarial services rendered to the state.

(7) PURCHASE OF MOTOR VEHICLES AND AIRCRAFT. Each department, board or commission, upon written approval of the governor, may purchase necessary aircraft, trucks and automobiles for its general use, of such style and make as it may determine. Such aircraft, trucks and automobiles shall be purchased through the director of purchases, pursuant to sections 15.54 to 15.67.

(9) ALLOWANCE FOR USE OF AUTOMOBILES. (a) Whenever any department determines that the duties of any employe require the use of an automobile, it may authorize such employe to use his personal automobile in his work for the state, and reimburse him for such use at a rate of 6 cents per mile for the first 2,000 miles per month and 5 cents per mile for each mile over 2,000 miles per month.

(f) As a limitation on state reimbursement, the provisions of this section relating to the allowance for the use of a personal automobile shall apply to county employes, any part of whose salary or expenses is paid, directly or indirectly, by the state.

(ff) For travel between points convenient to be reached by railroad or bus without unreasonable loss of time the allowance for the use of a personal automobile shall not exceed the railroad or bus fare between such points.

(g) All allowances for the use of a personal automobile shall be paid upon the certification of the amounts payable by the head of the department to the director of budget and accounts.

(10) USE OF AIRPLANES. (a) Whenever any department determines that the duties of any member or employe require the use of an airplane, it may authorize him to charter such airplane with or without a pilot; and it may authorize any member or employe to use his personal airplane and reimburse him for such use at the rate of 10 cents per mile for airplanes capable of carrying 2 passengers, 20 cents per mile for airplanes capable of carrying 3 or 4 passengers, and 30 cents per mile for airplanes capable of carrying 5 or 6 passengers; except that such reimbursement shall not exceed 10 cents per mile for each passenger carried. Such reimbursement shall be made upon the certification of the amount by the chief officer of the department to the director of budget and accounts.

(b) The chief officer of every department whose members or employes are authorized to use their own airplanes in their work for the state shall file with the director of budget and accounts a list of all persons so authorized and the airplanes so to be used with a statement of the passenger capacity of each such airplane.

(11) DEDUCTIONS FROM SALARIES. (a) Whenever it shall become necessary, in pursuance of any federal or state law, to make deductions from the salaries of state officers or employes for any purpose, each department is responsible for making such deductions and paying over the total thereof for the purposes provided by the laws under which they were made. Each such department shall indicate on its pay rolls the amount or amounts to be deducted from the salary of each officer and employe, the reason for each such deduction, the net amount due each officer or employe, the total amount due for each purpose for which deductions have been made, and the person or officer or department in each case entitled to receive such deductions. The director of budget and accounts shall then issue warrants for the respective amounts due the persons listed on each pay roll, including the person or officer or department designated to receive the amounts deducted from the salaries listed therein, and the checks for such payments when received by the respective departments shall be transmitted to the persons entitled to receive them.

(b) In cases where the law or regulations governing deductions from salaries and the payment of the sums deducted to the person entitled to receive them, require payment at intervals greater than one month, the sums so deducted may be paid to the state treasurer, to be deposited by him in the fund from which the salaries were paid. Such sums shall be credited, in each case, to the department which made the deductions, to be paid over at the proper time to the person entitled to receive them.

(c) Circuit court judges and reporters shall be excepted from the provisions of this subsection to the extent that deductions from their salaries shall be made, accounted for and paid over to the person entitled to receive them by the director of budget and accounts.

(d) All action taken prior to April 1, 1943 by departments in connection with deductions of the Victory Tax from salaries of state officers and employes, such action being in substantial compliance with the provisions of this subsection, is hereby legalized and validated to the same extent and with like effect as if specifically authorized by law.

(12) ALLOWANCE FOR MOVING EXPENSE. Whenever any department head or officer shall determine and order that any employe in the classified service shall be relocated or reassigned to another place of employment within the state, and thereby require a change of residence, he shall authorize such employe to be reimbursed for the actual and necessary expense of transporting the immediate members of his family and household effects to such other place of employment. No such reimbursement shall be granted to any employe reporting to his first place of employment. Not more than one allowance not exceeding \$150 for such reimbursement shall be granted to any employe in a calendar year. Such reimbursement for transportation expense shall be allowed and paid in the same manner as other traveling expenses.

History: 1951 c. 29; 1951 c. 97 s. 1 to 3.

See note to 14.02, citing 39 Atty. Gen. 193.

14.715 Transportation of employes. The state department of public welfare and the conservation commission may, with the approval of the governor and the director of personnel, provide group transportation, in the absence of convenient and public scheduled transportation, for employes to and from the Mendota and Winnebago state hospitals, the northern and southern colonies and training schools, the Wisconsin school for girls, the Wisconsin home for women in the case of employes of the state department of public welfare, and to and from its temporary branch offices located at the Nevin fish hatchery grounds in the case of the employes of the conservation commission. Any employe, if injured while being so transported, shall be deemed to have been in the course of his employment.

History: 1951 c. 82.

14.72 Emergency board. (1) There is constituted an emergency board to be composed of the governor, who shall be the chairman of the board, the chairman of the senate finance committee and the chairman of the assembly finance committee. In case of a vacancy in either chairmanship of the finance committee, due to death, resignation, disability or other cause occurring during the interim of the legislature, the next ranking member of the finance committee according to order of appointment shall serve as a member of the board until such vacancy is filled by the legislature. The legislative members shall be paid a per diem of \$10 for each day actually devoted to the discharge of the duties of the board or of any special duties performed at the request of the governor, except while the legislature is in session, and shall be reimbursed their actual and necessary expenses, from the appropriation made in section 20.74. Regular meetings shall be held quarterly, and special meetings shall be held upon call of the governor. The board may employ such assistants as it may deem necessary and fix their compensation, on the same basis as employes of the executive department. The director of budget and accounts shall serve ex officio as secretary of the board. The state auditor shall attend such meetings of the board as the board may request.

(2) The emergency board is authorized to supplement the appropriation of any department, board, commission or agency which is insufficient because of unforeseen emergencies or insufficient to accomplish the purpose for which made, if the board finds:

- (a) That an emergency exists;
- (b) That no funds are available for such purposes in any appropriation; and
- (c) That the purposes for which a supplemental appropriation is requested have been authorized or directed by the legislature.

(3) All requests for supplemental appropriations shall be filed with the board in writing and shall contain a statement of the amount requested, the purposes therefor, the statutory provision authorizing or directing the performance of the function, the nature of the emergency, and such other information as the board may require. All such requests shall be afforded a public hearing for which at least 10 days' advance notice shall be given in the official state paper.

(4) All grants of supplemental appropriations under this section shall be by written order and shall be signed by any 2 members of the board. Such written order shall contain a statement of the findings of fact specified in subsection (2) and that a public hearing was held after the requisite notice. Copies of each such order shall be filed with the director of budget and accounts, the state auditor, and the legislative reference library.

14.73 Insuring state vehicles. The several departments, boards and commissions of the state government are authorized to secure public liability, property damage and fire, theft and windstorm insurance for the protection of state automobiles and trucks. The cost of such insurance by such departments, boards and commissions shall be audited and paid in the same manner as other departmental expense.

14.74 Charges for printed booklets and pamphlets. Except where distribution to or exchange with specified persons, officers or agencies is provided by law, or where the state agency determines that distribution is to be free of charge, any state agency may make such charge for printed booklets and pamphlets prepared or compiled by it as shall be fixed by it, provided a written statement by the state agency to the bureau of purchases justifying the making and the amount of such charge has accompanied the printing requisition or is filed with said bureau before any such charge is made. Such charge shall not exceed the cost of publication and handling, and shall be consistent with any sale price otherwise fixed or provided by law. If the agency so determines such booklets or pamphlets may be retained by or delivered to the bureau of purchases for sale and distribution.

14.75 Commission on interstate co-operation. (1) There is created a commission on interstate co-operation to consist of three senators and three assemblymen, who shall be appointed as are standing committees in the respective houses at the commencement of each regular session of the legislature, and three state officials to be designated by the governor. The governor shall serve as an ex officio, nonvoting member of the commission. Vacancies shall be filled in the same manner as original appointments are made, but all vacancies occurring while the legislature is not in session shall be filled by the governor. Members shall continue to serve until their successors are appointed. The commission shall elect one of its members chairman and one secretary.

(2) It shall be the function of the commission on interstate co-operation:

(a) To carry forward the participation of this state as a member of the council of state governments.

(b) To encourage and assist the legislative, executive, administrative, and judicial officials and employes of this state to develop and maintain friendly relations by correspondence, by conference, or otherwise, with officials and employes of other states, the federal government, and local units of government.

(c) To promote co-operation between this state and other units of government whenever it seems advisable to do so by formulating proposals for, and by facilitating the adoption of compacts, the negotiation of uniform or reciprocal agreements, either for administrative rules and regulations or for the co-operation of governmental officials, and any other suitable process, and all such acts as will, in the opinion of this commission, enable this state to do its proper part in forming a more perfect union among the various governments in the union.

(d) To designate by its chairman one or more of its members or other state officials to represent this state in conference with officials of other states or units of government for the purposes set forth in paragraph (c), all such appointments of conferees to be subject to the approval of the governor. Each such conference shall be fully reported to the commission, which shall in turn make reports of such conferences to the governor and to the legislature. The commission shall prepare and submit a report of its activities and recommendations to the governor and to the legislature within fifteen days after the convening of each regular legislative session and at such other times as it deems appropriate.

(3) The members of said commission shall serve without compensation but shall be reimbursed for their actual and necessary expenses in the performance of their duties.

(4) Within the commission there is created a committee of 2, one an Indian, to represent the state on the governors' interstate Indian council. The appointments to the committee shall be made by the governor and for such term as may be fixed by him. The members of the committee shall serve without compensation, except that they shall be paid their actual and necessary expenses from the allotment provided for that purpose in the appropriation made by section 20.67, on vouchers approved by the governor. The committee shall:

- (a) Attend meetings of the council;
- (b) Assist in developing a program for the readjustment of Indian affairs which will be more in keeping with the present-day needs of the Indian;
- (c) Assist in accomplishing the social and economic rehabilitation of Indians with emphasis upon the initiative and self-reliance of the Indian himself;
- (d) Assist in equipping Indians for living with and in our American culture through education and training;
- (e) Assist in encouraging Indians to preserve, as individuals, their best traditions and mores as an integral part of American life;
- (f) Assist in bringing an early end to federal wardship, with adequate federal aid in the interim; and
- (g) Join with representatives of other states having substantial Indian populations and in co-operation with the federal government, in finding a solution to Indian problems.

History: 1951 c. 387.

14.76 Commissioners on uniform state laws. The revisor of statutes and the chief of the legislative reference library shall represent this state in the national conference of commissioners on uniform state laws. They shall examine subjects on which uniformity of legislation in the different states is desirable; ascertain the best means to effect uniformity; co-operate with commissioners of other states in the consideration and drafting of uniform acts for submission to the legislatures of the several states; and prepare bills adapting such uniform acts to our statutes for introduction in the legislature.

[14.77 Stats. 1945 repealed by 1947 c. 483]

[14.77 cr. by 1951 c. 248 renumbered section 45.22 by 45.08 (2)]

14.78 State advertising. The conservation director and the director of the department of agriculture or representatives designated by them respectively, together with a representative from the executive office designated by the governor, shall constitute a committee to review expenditures for promotional advertising under sections 20.20 (3), 20.205 (3), 20.49 (1m) and 93.07 and such committee shall meet at least twice annually to co-ordinate promotional policy.

History: 1951 c. 345.

14.80 War bond purchase plan for state officers and employes. (1) Any state officer or employe may make request through the department in which he is employed that a part of his salary, designating it, shall be paid by the state to a trustee for the purchase of United States war bonds in his behalf. The request shall be made to the department in such form and manner and contain such directions and information as to the name of the beneficiary and other matters as shall be prescribed by each department consistent with United States treasury department regulations. The request may be withdrawn or the amount designated to be paid to the trustee may be changed by notifying the department to that effect, except that no such withdrawal or change shall affect a pay roll certification already prepared.

(2) The department shall designate an officer or employe thereof who shall serve as trustee. The trustee shall serve without compensation as such. The department shall furnish the trustee the necessary files, supplies and clerical and accounting assistance.

(3) Each trustee shall file with the department a bond in such amount as the department shall determine, with a corporation authorized to do surety business in this state as surety, which bond shall be conditioned upon the trustee's faithful execution of his trust. The trustee shall file another or additional bond whenever the department so determines. The cost of any bond required shall be paid out of the appropriation made to the department for its administration.

(4) The written requests shall be filed in the department and shall constitute authority to the department to make certification for each such officer or employe and for payment as follows: The department shall certify for each such officer and employe the salary rate, the requested deduction for war bonds and the net amount due the officer and employe. The director of budget and accounts shall draw his warrant for the payment of

the money for the purchase of war bonds to the person designated in the pay roll certification to receive it.

(5) The trustee shall make purchases of war bonds in the name of the officer or employe (or other beneficiary named in the request) whenever the amount to their credit is sufficient for that purpose and transmit them to the person entitled thereto. In the event that such officer or employe cancels his request, or upon termination of the trust, the amount remaining to a person's credit is not sufficient to purchase a bond the trustee may purchase war savings stamps and transmit them to the person entitled thereto or refund the amount.

(6) No portion of the salary so requested to be used for the purchase of war bonds, not exceeding 10 per cent of the salary, shall be liable to seizure on execution or on any provisional or final process issued from any court or any proceedings in aid thereof, and such exemption shall be in addition to any exemption provided by section 272.18 (15). The provisions of section 241.09 relating to assignments shall not apply to the requests made under subsection (1).

(7) The executive department shall prepare a statement explaining the bond purchase plan and its purpose and transmit copies of such statement to the several departments for distribution to their officers and employes.

[14.84 Stats. 1947 repealed by 1949 c. 643]

14.85 Use of state buildings and facilities. Except as elsewhere expressly prohibited, the managing authority of any building or other facility owned by the state is authorized in its discretion to permit the same to be used by any governmental body or official, any veterans' organization, or any nonprofit association for the purpose of governmental business, public meetings for the free discussion of public questions, or for civic, social, recreational or athletic activities. No such use shall be permitted if it would unduly burden the managing authority or interfere with the prime use of such building or facilities. The applicant for such use shall be liable to the state for any injury done to its property and for any expense arising out of any such use, and for such sum as the managing authority may charge for such use, all such sums to be paid into the general fund and to be credited to the appropriation for the operation of the building or facility used. The managing authority may permit such use notwithstanding the fact that a reasonable admission fee may be charged to the public. "Managing authority" as used in this section shall mean the board, commission, department or officer responsible by law for the management of the particular building or facility.

14.86 State public building corporation. (1) ORGANIZATION. The state building commission is authorized to organize a nonprofit-sharing corporation to be known as the Wisconsin state public building corporation. When so requested by the state building commission, such corporation shall have authority to lease any state-owned land that may be available for the purposes of this section and to construct thereon such building projects, including all necessary buildings, improvements, facilities, equipment and other capital items as are required for the proper use and operation of such building projects after their completion. The corporation may mortgage such interests in land and the building projects thereon to the state annuity and investment board to secure loans of funds borrowed by it from the board for investment.

(2) COMMISSION MAY ACQUIRE AND LEASE LANDS. For the purpose of providing housing for general state purposes and not specially for any particular state agency, including housing for state offices and the completion of the state office building, and to enable the construction, financing and ultimate purchase thereof by the state, the state building commission is authorized and empowered to acquire any necessary lands, and to lease and re-lease any lands owned by the state and available for the purpose to the Wisconsin state public building corporation for terms not exceeding 50 years each, on condition that such corporation shall construct and provide on such leased lands such building projects, including buildings, improvements, facilities or equipment or other capital items, as the commission may require, and shall re-lease the same to the commission upon satisfactory terms as to the rental, maintenance and ultimate purchase by the state as may be in its best interests in the judgment of the commission. After such leases and re-leases are executed and until the projects are acquired by the state, they shall be operated by the commission through the bureau of engineering, which shall have charge of such property as provided in section 15.77. Such operation shall be designed to provide revenues that will pay the costs of operation and maintenance, meet the interest when due, and yield a surplus sufficient to pay the principal amount in not more than 50 years. Revenues derived from such operation shall be placed in the general fund and are appropriated to the state building commission to be used to pay the cost of operation and maintenance and to meet

payments due the Wisconsin state public building corporation on account of such project. After the interest has been paid, any surplus that may accrue shall be applied toward the purchase of the projects or accumulated for subsequent application upon the purchase price. The commission shall annually determine and fix the rate of such annual rental and the share which shall be paid by each state agency occupying such building project. Such share shall be computed on a basis of square feet of floor space occupied or used by each such agency, giving proper weight to the quality of space occupied. Plans for buildings and all contracts and leases and re-leases made pursuant to this section shall, before becoming effective, have the written approval of the state engineer and the governor. Nothing herein contained shall authorize the commission to incur any state debt for the construction of such buildings, improvements, facilities or equipment for general state purposes.

Bill 491 S. (1949) which proposes to finance the construction of buildings to house state agencies by the loan of funds under the control of the state annuity and investment board to the Wisconsin State public building corporation probably is constitutional. 38 Atty. Gen. 433.