

CHAPTER 14

CONSTITUTIONAL OFFICES AND INTERSTATE BODIES

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SUBCHAPTER I

OFFICE OF THE GOVERNOR

14.01 Office of the governor; creation. There is created an office of the governor under the direction and supervision of the governor.

History: 1977 c. 29 s. 1649.

14.011 Same; program responsibilities. The office of the governor shall have the program responsibilities specified for the office under this subchapter and chs. 1, 15 and 21 and ss. 7.23 (2), 7.70 (5), 11.60 (4), 11.61 (2), 13.03, 13.101, 14.015, 14.06, 14.58 (7), 15.165 (2), 16.40 (4) and (17), 16.405 (2), 16.42 (1) (e), 16.44 to 16.48, 16.50, 16.52 (6) (c), 16.53 (1) (c) 7, 16.54, 16.548 (1), 16.75 (6), 16.82 (4) (b), 16.843 (3) (c), 16.87 (2), 17.025 (4), 17.05, 17.07, 17.08, 17.09 (5), 17.10 (1), 17.11 (1) and (2), 17.16, 17.19 (2) and (4), 17.20, 17.21, 17.27 (1m) and (4), 18.07 (2), 19.11, 20.865 (4) (a), (g) and (u), 20.906 (1), 20.914, 20.915 (1), 20.916 (3), 20.918, 20.921 (1) (a) 4, 20.928 (2), 25.29 (7) (b), 30.03 (2), 30.11 (5) (c), 32.02 (2), 32.21, 35.095, 35.265, 35.29 (2), 35.50 (1), 35.53 (2), 36.06 (6) (b) 4, 1971 stats., 45.38 (2) (a) 4, 46.035 (2) (a) 4, 46.16 (6), 48.34 (11), 48.993 (1), 51.62 (2), 51.81 to 51.85, 53.185, 57.071, 57.08 to 57.13, 58.05 (6), 59.031 (7), 59.11 (3), 59.29 (1), 66.048 (2), 66.296 (3), 66.94, 66.945, 84.06, 84.07 (1b), 84.09, 84.40 (2) (f), 85.097 (3) (b), 87.12, 87.18, 93.03, 93.06 (3), 93.09 (6), 93.22 (2), 101.25, 101.55, 102.64 (3), 103.50 (5), 108.161 (9), 108.162 (5) and (6), 114.33, 137.01 (1), 137.02 (1), 140.055 (2), 144.21 (6) (b), 149.07 (1) (c), 165.08, 165.25, 182.220, 182.33, 182.47 (2), 198.08 (6), 199.11 (1), 234.03 (16), 234.165 (2) (b), 341.12 (2), 341.41, 347.05, 560.095 (3) (c), 601.17 (2), 655.465 (2) (a), 758.13, 767.65, 776.15, 776.32 (6), 945.041 (8), 973.013 (2) and 976.03. In addition:

(2) DISABILITY BOARD. The disability board shall have the program responsibilities specified for the board under s. 17.025.

History: 1971 c. 40; 1971 c. 125 s. 520 (1); 1971 c. 185 s. 7; 1971 c. 211; 1971 c. 215 s. 142; 1971 c. 254 s. 19; 1971 c. 260 s. 91 (1); 1971 c. 307 ss. 3 to 5; 1973 c. 90 s. 559; 1973 c. 117 s. 12 (1); 1973 c. 334 s. 59; 1973 c. 335 ss. 13, 14; 1973 c. 336; 1975 c. 39 ss. 729 (2), 734; 1975 c. 41 s. 52; 1975 c. 198; 1975 c. 394 s. 26; 1975 c. 422; 1975 c. 413 s. 18; 1977 c. 9; 1977 c. 29 ss. 1643 (15), 1649; 1977 c. 187 s. 136; 1977 c. 196 s. 131; 1977 c. 203; 1977 c. 427 s. 131; 1979 c. 32 s. 92 (6); 1979 c. 34 ss. 13, 2101 (17) (a); 1979 c. 72 s. 2; 1979 c. 221 s. 2201 (17); 1979 c. 310 s. 11; 1981 c. 20 s. 2201 (17) (a), (d), (e); 1981 c. 27 s. 13; 1981 c. 29 s. 3; 1981 c. 96 s. 66; 1981 c. 282 s. 46; 1981 c. 291 s. 70; 1981 c. 349 s. 31; 1983 a. 3 s. 15; 1983 a. 27 ss. 20, 21, 2201 (18); 1983 a. 371 s. 17; 1983 a. 388 s. 10; 1983 a. 484 s. 173 (1); 1985 a. 29 ss. 36, 3201 (22); 1985 a. 127 s. 13; 1985 a. 304 s. 155m; 1985 a. 340 s. 74p.

14.015 Same; attached boards. (1) DISABILITY BOARD. There is created a disability board which is attached to the office of the governor under s. 15.03. Where not in conflict with s. 17.025, s. 15.07 applies to the disability board. The disability board shall consist of the governor, the chief justice of the supreme court, the speaker of the assembly, the president of the senate, the minority leader of the assembly, the minority leader of the senate, and the dean of the university of Wisconsin medical school. In case of the absence or disability of any of the members to serve for a particular meeting of the board, the lieutenant governor, a justice of the supreme court designated by the chief justice, the deputy speaker of the assembly, the majority leader of the senate, the assistant minority leader of the assembly, the assistant minority leader of the senate, or an associate dean of the university of Wisconsin medical school designated by the dean shall serve, respectively, in place of the officers.

History: 1977 c. 9; 1977 c. 29 s. 1649; 1977 c. 203; 1979 c. 34, 110, 221, 361; 1981 c. 256; 1983 a. 27; 1985 a. 29.

14.017 Same; councils. (2) STATE COUNCIL ON ALCOHOL AND OTHER DRUG ABUSE. There is created in the office of the governor a state council on alcohol and other drug abuse consisting of the governor, the attorney general, the state superintendent of public instruction, the secretary of health

and social services and the chairperson of the pharmacy examining board, or their designees; a representative of the controlled substances board; a consumer representing the public at large, who shall be elected by the citizens council on alcohol and other drug abuse under s. 14.245 (6); a representative of an organization or agency which is a direct provider of services to alcoholics and other drug abusers; and 2 members of each house of the legislature, representing the majority party and the minority party in each house, chosen as are the members of standing committees in their respective houses. Section 15.09 applies to the council.

(2m) CITIZENS COUNCIL ON ALCOHOL AND OTHER DRUG ABUSE. There is created in the office of the governor a citizens council on alcohol and other drug abuse consisting of 20 to 30 members appointed by the governor for staggered 4-year terms. The council membership shall consist of residents with a demonstrated professional, research or personal interest in alcohol and other drug abuse problems. Section 15.09 applies to the council.

(3) HEALTH POLICY COUNCIL. (a) There is created in the office of the governor a health policy council. The council is also the statewide health coordinating council under 42 USC 300k to 300n-5, in effect on April 30, 1980. There shall be 2 categories of members of the council, agency representatives and members-at-large. In addition, a representative designated by the U.S. veterans administration chief medical director serves as a nonvoting member of the council.

(b) Agency representatives shall represent health systems agencies designated by the United States under 42 USC 300k to 300n-5, in effect on April 30, 1980. Except as provided for bistate agencies under 42 USC 300m-3 (b) (1) (A) (ii), in effect on April 30, 1980, each agency within the state shall be equally represented on the council and shall be entitled to at least 2 representatives.

(c) Agency representatives shall be chosen by the governor from among states of 5 nominees for each vacancy. Agency representatives shall constitute 60% of the total membership of the council.

(d) The members-at-large of the council shall be appointed by the governor from among citizens of the state, including state officials, publicly elected and appointed officials, and other representatives of government within the state. Members-at-large shall constitute 40% of the membership of the council.

(e) At least 50% of the members of the council shall be consumers of health care but not providers of health services, holders of public elective or appointive offices, spouses of providers of health services or former providers of health services. Consumer members shall include persons who represent rural and urban medically underserved populations in the state.

(f) The chairperson shall be selected as provided in 42 USC 300m-3 (b) (2), in effect on April 30, 1980.

(g) The chief executive officer of the state health planning and development agency designated under 42 USC 300k to 300n-5, in effect on April 30, 1980, or his or her designee, is the nonvoting secretary of the council.

(h) Committees required to perform the functions of the council shall include members of the council and other persons appointed by the chairperson. In the case where advisory councils are mandated in federal or state health and health-related legislation, such advisory councils shall be committees of the health policy council, and shall be so constituted as to meet the requirements of the appropriate laws, rules and regulations, except that the governor may

specifically exempt any mandated advisory committee from this requirement.

History: 1971 c. 219 s. 4; 1973 c. 90; 1975 c. 39, 370; 1977 c. 29 s. 1649; 1977 c. 325, 418; 1979 c. 34 s. 16; 1979 c. 221; 1983 a. 27

14.019 Governor's nonstatutory committees. (1) CREATION; TENURE; ABOLITION. Under the general powers of the office of the governor the governor may, by executive order, create nonstatutory committees in such number and with such membership as desired, to conduct such studies and to advise the governor in such matters as directed.

(a) Persons appointed to a nonstatutory committee may be removed or replaced, or the committee may be abolished, by the governor at his pleasure.

(b) Any nonstatutory committee shall expire on the 4th Monday of January of the year in which a new gubernatorial term of office begins unless the new governor, by executive order, provides for its continued existence and in that case persons then serving on such committee remain members until they resign or until they are removed or replaced by action of the new governor.

(2) EFFECT OF APPROPRIATION. Subsection (1) continues to apply to any nonstatutory committee created by the governor even if a part of its expenses is later defrayed from state funds, whether under the general appropriation of s. 20.505 (3) (a) or under an appropriation enacted specifically for the purposes of such committee.

(3) COORDINATION. The governor shall designate an employe of the office of the governor or of the department of administration to serve as coordinator for the activities of the nonstatutory committees created by the governor. The coordinator shall keep a record of all appointments to, or resignations or removals from, such committees. The coordinator shall also provide for the retention and preservation of the records and reports of such committees and shall, when appropriate, cause the duplication of such reports for public distribution.

(4) PROGRAM FEES. The governor may authorize any committee created under this section to charge a fee for materials and services provided by it in the course of carrying out its responsibilities. The fee may not exceed the actual cost of the materials or services provided. All fees shall be deposited in the account for the appropriation made under s. 20.505 (3) (h).

(5) FINAL REPORT; DEPOSIT. Any nonstatutory committee created by the governor and in existence at the time of the general election for a new gubernatorial term shall prepare a final written report on its activities to be submitted to the governor and, if the incumbent governor is not reelected, to the governor-elect prior to the first Monday of January of the year in which the new gubernatorial term begins. The number of copies prepared of such final reports shall be determined by the coordinator under sub. (3) but 3 copies each of every final report required under this subsection, and 3 copies each of any other report by any such committee duplicated for public distribution, shall be deposited with the historical society, the legislative reference bureau, and the general reference and loan library in the department of public instruction.

History: 1977 c. 29 s. 1649; 1977 c. 273; 1979 c. 34; 1981 c. 20 s. 2202 (1) (b).

14.02 Governor may appoint employes. The governor may appoint and fix the compensation of such employes as he or she deems necessary for the execution of the functions of the office of the governor and for the domestic service of the executive residence. The governor may remove any of the appointees at pleasure.

History: 1977 c. 29 s. 1649; 1977 c. 273; 1979 c. 221.

14.03 Governor to coordinate state services. The governor is directed to coordinate and insure the provision of services required by more than one state agency, including without limitation because of enumeration, the use of state communication facilities, business equipment and related personnel so as to permit more efficient and economical operation of state agencies. The cost of such services shall be charged according to s. 20.904.

14.04 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 the governor, including the reports of state officers whose terms of office have expired covering the transactions in their respective offices from June 30 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 the governor out of any contingent fund appropriated for the contingent expenses of the office of the governor. The governor 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 deemed proper.

History: 1977 c. 29 s. 1649; 1977 c. 273.

14.05 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 \$6.50 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.

14.06 Change in private activity bond limits. Annually from September 1 to the bonding year deadline, as defined in s. 66.522 (1) (am), the governor, by executive order, may authorize a change in the bond limits specified under ss. 39.37 (4m), 66.522 (2) (a) 2, 231.03 (6w) and 234.18 (2m). The annual aggregate of such changes may not exceed \$100,000,000.

History: 1985 a. 29.

14.07 Records and documents; executive privy seal. (1) The private secretary to the governor, for purposes of authentication, is custodian of the public records and documents in the office of the governor.

(2) 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.

History: 1977 c. 29 s. 1649.

14.08 Deposit of acts; notice. The governor shall deposit each legislative act enacted by the governor's approval in the office of the secretary of state under s. 35.095 (2) (b), and shall so inform the house of origin.

History: 1981 c. 372.

14.09 Executive orders. The governor shall cause all executive orders issued to be deposited in the office of the secretary of state.

History: 1975 c. 252, 421.

Executive orders of the Wisconsin governor. 1980 WLR 333.

14.11 Legal actions and proceedings. (1) 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.

(2) EMPLOYMENT OF SPECIAL COUNSEL. (a) The governor, if in his opinion the public interest requires such action, may employ special counsel in the following cases:

1. To assist the attorney general in any action or proceeding;

2. 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;

3. To defend any action instituted by the attorney general against any officer of the state;

4. 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.

(b) 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 special counsel appropriation in s. 20.455 (1) (b).

(c) Upon employment of special counsel, the governor shall certify the maximum amount provided in the employment contract to the secretary of administration, and direct the department to pay special counsel bills related to that case within the certified figure.

History: 1971 c. 164; 1981 c. 20 s. 2202 (17) (a); 1985 a. 332 s. 253.

14.12 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.

14.13 Land claims against United States; receipt of payment. The governor may receive from the U.S. treasury department, from time to time, as he sees fit to draw for the same, the 5% 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 6, 1846, and execute the proper vouchers therefor. When received he shall pay the same into the state treasury to the credit of the school fund.

14.14 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 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.

14.15 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 \$500 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.

14.16 Holiday proclamations. (1) ARBOR AND BIRD DAY. 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.

(2) CITIZENSHIP DAY. The governor may also set aside, by proclamation, the 3rd 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, by suitable exercises for all those persons who have recently become enfranchised either by naturalization or by reaching their majority on 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.

(3) LABOR DAY. The governor may also set apart, by proclamation, one day in each year to be observed as Labor Day.

(4) ARMISTICE DAY. The governor shall annually issue a proclamation calling attention to the fact that November 11 is the anniversary of Armistice Day, and requesting the people throughout the state to observe by appropriate exercises the hour at which the armistice following World War I was concluded.

(5) MOTHER'S DAY. The governor may annually proclaim the 2nd Sunday in May as Mother's Day and 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.

(6) GOLD STAR MOTHER'S DAY. The governor may annually proclaim the last Sunday in September as Gold Star Mother's Day and call upon the people and organizations to display the American flag and hold appropriate meetings in their homes, churches and other suitable places as a public

expression of love, sorrow and reverence for the gold star mothers of our state.

(7) AMERICAN HISTORY MONTH. To emphasize the spirit of America and Americanism and to remind the citizens of this state of the history of our nation and its free institutions, the month of February in each year is designated "American History Month" and the governor is directed to annually issue a suitable proclamation for the observance thereof.

(8) WONDERFUL WISCONSIN WEEK. To emphasize this state's great assets which make it such a desirable place to live and work, to give all citizens a greater knowledge and appreciation of this state and to salute every important activity of the state, from agriculture to industry to tourism, from business to labor to recreation and from education to good government to the state's varied products, the 3rd week in September of each year is designated "Wonderful Wisconsin Week". The governor shall issue annually a suitable proclamation for the observance of "Wonderful Wisconsin Week".

History: 1971 c. 307; 1973 c. 140; 1979 c. 23.

14.17 Conferences of governors. The governor may attend and represent the state at all conferences of governors, and make such arrangements as deemed 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 office of the governor.

History: 1977 c. 29 s. 1649; 1977 c. 273.

14.19 Advocacy activities. (1) The governor may authorize advocacy activities to be conducted in the office of the governor concerning problems of members of ethnic minority groups, women and the family.

(3) Advocacy activities may include investigation of complaints, service as an adviser or a mediator in resolving disputes or promotion of public education and planning to resolve problems.

History: 1979 c. 221; 1981 c. 20.

14.24 State council on alcohol and other drug abuse. (2) The state council on alcohol and other drug abuse shall:

(a) Consider all question and matters relating to abuse prevention.

(b) Coordinate and review efforts by state agencies to prevent and control alcohol and other drug abuse and make recommendations to such agencies.

(c) In any report submitted by the council under s. 15.09 (7), review state activities in the area of alcohol and other drug abuse prevention and control, including the effects of 1985 Wisconsin Act 328, and make recommendations for further legislation.

(3) The state council may:

(a) Determine the effectiveness of existing state alcohol and other drug abuse prevention and control programs and recommend new or improved programming.

(b) Make public reports to educate and inform the people as to the dangers and problems of alcohol and other drug abuse, together with recommended measures to combat alcohol and other drug abuse.

(c) Define responsibility among state agencies for various alcohol and other drug abuse prevention and control programs and direct cooperation between state agencies.

(4) The state council on alcohol and other drug abuse shall cooperate with agencies of the federal government and receive and use federal funds for the purposes of this section.

History: 1971 c. 219; 1975 c. 370; 1979 c. 221; 1983 a. 27; 1985 a. 328.

14.245 Citizens council on alcohol and other drug abuse.

(1) The citizens council on alcohol and other drug abuse shall:

- (a) Meet at least once every 3 months.
- (b) Advise the governor, legislature and all governmental agencies on the plans, budgets and operations of all state alcohol and other drug abuse programs and on other matters referred to the council.
- (c) Encourage public understanding and support of alcoholism and other drug abuse programs.
- (d) Make recommendations at least once a year under par. (b) to the council on alcohol and other drug abuse, the state health planning agency under s. 140.82 (1), and the single state agencies under P.L. 91-616, P.L. 92-255, P.L. 91-513 as amended on April 30, 1980 and 21 CFR 310.505 on April 30, 1980.
- (e) Monitor programs that address the needs of state victims of alcohol and other drug abuse and their families.
- (f) Elect one member to serve as the consumer member of the council on alcohol and other drug abuse under s. 14.017 (2).

(2) The citizens council on alcohol and other drug abuse may appoint task committees.

History: 1979 c. 221; 1983 a. 27 s. 2202 (20).

14.25 Health policy council. The health policy council shall:

(1) Perform the functions of a statewide health coordinating council as required under 42 USC 300k to 300n-5, in effect on April 30, 1980, including:

(a) Establish in consultation with the state health planning and development agency designated under s. 140.82 (1) and with health systems agencies a uniform format for health systems plans.

(b) Review health systems plans.

(c) Prepare, review at least triennially and revise as necessary for the approval of the governor a state health plan to coordinate services and resources or deal more effectively with statewide health needs. The plan shall describe the institutional health services needed for the well-being of persons receiving care, describe the number and type of resources including facilities, personnel, major medical equipment and other resources required to meet the goals of the plan, state the extent to which existing health care facilities require modernization, conversion to other uses or closing and state the extent to which new health facilities need to be constructed or acquired.

(d) Review annually the budget of and applications submitted by health systems agencies.

(e) Advise the state health planning and development agency on the performance of its functions under s. 140.82.

(f) Review annually and recommend approval or disapproval of:

1. Any state health or health-related plan submitted to the federal government as a condition to the receipt of any federal funds; and

2. Any application or revision of an application for funding of projects in more than one health service area, as required under 42 USC 300m-3 (c) (6), in effect on April 30, 1980.

(2) Advise the office of the governor on matters relating to health policy, planning and program development.

(3) Advise and consult with the designated state agencies which carry out plans approved under sub. (1).

(4) Review and make recommendations to public and private agencies regarding their health and health-related programs and planning proposals where necessary to assure a coordinated state health plan.

(5) Inform the public of its work.

History: 1973 c. 90; 1975 c. 39; 1977 c. 29 ss. 17g, 17r, 1649; 1979 c. 221 ss. 25 to 27, 2202 (20).

SUBCHAPTER II

OFFICE OF THE LIEUTENANT GOVERNOR

14.31 Office of lieutenant governor; creation. There is created an office of the lieutenant governor under the direction and supervision of the lieutenant governor.

14.311 Same; program responsibilities. The office of the lieutenant governor shall have the program responsibilities specified for the office under this subchapter.

14.32 Service as acting governor. (1) When acting as governor because of the temporary absence or temporary disability of the governor, the lieutenant governor shall be reimbursed for his actual and necessary expenses as acting governor and shall receive \$25 per day in addition to his salary as lieutenant governor.

(2) When acting as governor because of a vacancy in the office of governor created by the happening of any contingency specified in s. 17.03, the lieutenant governor shall receive the annual salary and all other rights, privileges and emoluments of the office of governor. The annual salary paid in such instance shall be in lieu of all other compensation provided for the lieutenant governor.

(3) Compensation for service by the lieutenant governor under this section shall be paid from the appropriation in s. 20.525 (1) (a).

History: 1971 c. 42; 1971 c. 125 s. 522 (1); 1975 c. 39 s. 734; 1977 c. 29 s. 1656 (15).

14.33 Employes. The lieutenant governor may employ within the limits of the appropriation under s. 20.525 (3) such staff as he or she deems necessary outside the classified service for such period and upon such terms as the lieutenant governor determines.

History: 1971 c. 125; 1977 c. 196 s. 131; 1977 c. 273; 1979 c. 34.

14.34 Additional executive duties. As the second ranking executive officer of the state, the lieutenant governor shall have such additional duties as are assigned to him by the governor in writing. These may include:

(1) The designation by the governor of the lieutenant governor as his representative on any statutory commission, board or committee on which the governor is entitled to membership. Under such designation, the lieutenant governor shall perform in the place of the governor and shall have all authority and responsibility granted by law to the governor with regard to such membership.

(2) The designation by the governor of the lieutenant governor as his representative on any nonstatutory committee created by the governor under s. 14.019.

(3) The designation by the governor of the lieutenant governor to coordinate state services and programs under s. 14.03 and such other statutory responsibility of the governor for this purpose. The governor shall specify in writing to state agencies the nature, areas and extent of such designated authority.

(4) The designation by the governor of the lieutenant governor as his representative on any intergovernmental body created for the purpose of maintaining relationships with the federal government, state government, regional agencies or local government.

History: 1973 c. 90.

SUBCHAPTER III

OFFICE OF THE SECRETARY OF STATE

14.36 Office of secretary of state; creation. There is created an office of the secretary of state under the direction and supervision of the secretary of state.

14.361 Same; program responsibilities. The office of the secretary of state shall have the program responsibilities specified for the office under this subchapter, chs. 35, 137, 179, 180, 181 and 185, subch. III of ch. 13 and ss. 7.70 (3) (h) and (5) (a), 11.07, 13.03, 13.11, 13.17, 14.12, 19.25, 59.03, 62.075 (5), 66.01 (3), 66.018 (5), 69.68, 70.24, 71.13 (6), 76.38 (12), 96.17 (6), 100.14 (2), 132.11, 134.45 (3) (b), 180.769 (3), 182.031, 182.34 (7), 185.72 (3), 188.26, 190.01, 198.06 (5) and (7), 198.20, 227.20, 409.410, 601.72, 601.73, 704.22, 758.171 and 779.97.

History: 1971 c. 40; 1971 c. 125 s. 520 (1m); 1971 c. 260 s. 91 (2); 1973 c. 90 s. 557 (7); 1973 c. 118 s. 7; 1973 c. 334 ss. 37, 59; 1973 c. 336; 1975 c. 41; 1975 c. 93 s. 118; 1975 c. 295 s. 9; 1977 c. 29 s. 1643 (40); 1977 c. 173 s. 167; 1977 c. 272 s. 98; 1977 c. 277 s. 44; 1977 c. 427 s. 131; 1979 c. 312 s. 4; 1981 c. 283 s. 46; 1981 c. 300 s. 4; 1983 a. 173 s. 3; 1983 a. 433 s. 4; 1985 a. 29 s. 3201 (48); 1985 a. 182 s. 56; 1985 a. 303 s. 87.

14.367 Same; council. (1) UNIFORM COMMERCIAL CODE STATEWIDE LIEN SYSTEM COUNCIL. (a) There is created in the office of the secretary of state a uniform commercial code statewide lien system council. The council shall consist of the director of the Wilson street regional data processing service center or the director's designee and the following members appointed by the secretary of state for 6-year terms:

1. Two members appointed from persons nominated by the Wisconsin registers of deeds association.
2. One member appointed from persons nominated by the Wisconsin federation of cooperatives.
3. One member to represent the legal community of this state.
4. One member to represent the business community of this state.
5. One member to represent the financial services community of this state.

(b) The council shall advise the secretary of state on the uniform commercial code statewide lien system under s. 409.410.

History: 1985 a. 29.

14.38 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 house 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 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) **BIENNIAL REPORT.** Report biennially in accordance with s. 15.04 (1) (d) all matters pertaining to the office and, when required, furnish the governor or either house of the legislature, in writing, any information relative to the performance of the duties of the 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 \$100.

(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) **RECORD FEES.** Keep a record of all fees received by the office and include a summary of such record in the biennial report under s. 15.04 (1) (d).

(9) **FURNISH CERTIFIED COPIES.** Make a copy of any law, resolution, deed, bond, record, document or paper deposited or kept in his or her office, upon request therefor, attach thereto his or her certificate, with the greater or lesser seal affixed, and collect therefor 50 cents per page and \$5 for such certificate; if a copy is not to be certified and if the reproduction is performed by the office of the secretary of state, then collect a fee to cover the actual and necessary cost of reproduction and actual and necessary cost of transcription required to produce the copy or \$2, whichever is greater; also to record any document authorized or required by law to be recorded in his or her office, and to charge therefor a fee of \$1 per page. 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 or her office, when a printed form is used, shall be \$5, but when a specially prepared form is required the fee shall be \$10. Telegraphic reports as to results of record searches shall be \$5 plus the cost of the telegram. The secretary of state shall charge and collect for preparing any record or certificate under this subsection in an expeditious manner, \$25 in addition to the fee otherwise required under this subsection.

(10) **PUBLICATION OF ACTS AND PROPOSED CONSTITUTIONAL AMENDMENTS.** (a) Publish the acts under s. 35.095 (3) (a) and the Wisconsin session laws under s. 35.15.

(b) Publish in the official state paper, on the first Tuesday of August, September and October immediately preceding any general election, such proposed constitutional amendments as were approved for the first time by the legislature preceding the election.

(c) Publish in the official state newspaper within 10 days after the date of publication of an act a notice certifying the number of each act, the number of the bill from which it originated, the date of publication and the relating clause. Each certificate shall also contain a notice of where the full text of each act can be obtained. Costs under this paragraph shall be charged to the appropriation under s. 20.765 (1) (d).

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

(12) **DISCRIMINATION BY CORPORATIONS.** If a complaint is made to the secretary of state that any corporation authorized to do business in this state is guilty of discrimination

under s. 100.22, refer the matter to the department of agriculture, trade and consumer protection, which shall, if the facts justify it in its judgment, cause appropriate administrative or judicial proceedings to be commenced against the corporation and its officers and members.

(13) UNIFORM COMMERCIAL CODE STATEWIDE LIEN SYSTEM. Establish and maintain, in consultation with the uniform commercial code statewide lien system council, computer and any other services necessary to support the uniform commercial code statewide lien system under s. 409.410.

(14) NAME OF DRAFTSMAN ON DOCUMENTS. No articles of incorporation, articles of amendment, articles of merger or consolidation, statement of intention to dissolve, articles of dissolution, restated articles of incorporation, certificate of abandonment, or statement of revocation of voluntary dissolution, provided for pursuant to ch. 180, 181, 185 or 187 and no certificate of limited partnership, certificate of amendment, restated certificate of limited partnership or certificate of cancellation, provided for pursuant to ch. 179, shall be filed by the secretary of state unless the name of the individual who, or the governmental agency which, drafted such document is printed, typewritten, stamped or written thereon in a legible manner. A document complies with this subsection if it contains a statement in the following form: "This document was drafted by (Name)". This subsection shall not apply to a document executed prior to December 1, 1967, or to:

- (a) A decree, order, judgment or writ of any court;
- (b) A document executed or acknowledged outside this state.

History: 1975 c. 93, 198, 224, 421; 1977 c. 29; 1977 c. 196 s. 131; 1979 c. 328; 1981 c. 124, 372; 1983 a. 27; 1983 a. 36 s. 96 (2); 1985 a. 29, 303, 338.

14.39 Conditional acceptance of filing fees. Before actually filing any document by making an endorsement on that document, the secretary of state may accept and deposit the filing fee submitted with that document upon the condition that if subsequent examination of the document establishes that it does not meet the requirements for filing, the fee may be refunded and upon the condition that if a discrepancy in the amount of the fee is subsequently discovered the secretary of state may then demand further payment of a shortage or refund an overpayment subject to s. 20.905 (3).

History: 1977 c. 418.

14.40 Record of positions, appointments. (1) Annually not later than July 1, each legislative, administrative and judicial agency of the state government shall submit to the secretary of state a list of all positions within that agency outside the classified service and above the clerical level, excluding the faculties under the jurisdiction of the board of regents of the university of Wisconsin system and the department of public instruction, which are filled by appointment, and the term if there is one, together with the name of the incumbent and the date of his or her appointment.

(2) The secretary of state shall keep a record of all positions reported under sub. (1), the names of the incumbents and the dates of their appointments.

(3) The appointment officer shall promptly notify the secretary of state of any vacancy occurring in any such position because of resignation, disability or death as well as any appointments made to fill such vacancies.

(4) Any officer or agency of the state authorized to select any officer of the state or member of a board, commission or committee outside the classified service, whether judicial, military or civil, shall report such selection to the secretary of state who shall record and file such selection for information of the public. The department of administration shall not approve any payroll or expense voucher for such position

until the notice of appointment has been filed with the secretary of state.

History: 1971 c. 100 s. 23; 1979 c. 34.

14.43 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.

14.45 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, 2 3/8 inches in diameter, containing, within an ornamental border, the following devices and legend: The coat of arms of the state, as in s. 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, 13 stars.

(3) A lesser seal, 1 3/4 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.

14.46 Assistant secretary of state. 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 a member of the board of commissioners of public lands. The assistant secretary shall take and subscribe the oath of office prescribed by article IV, section 28, of the constitution and shall give bond to the secretary of state in the sum and with the conditions as the secretary of state prescribes, conditioned for the faithful discharge of the duties. The oath shall be filed and preserved in the office of the governor.

History: 1977 c. 29 s. 1649; 1977 c. 273; 1983 a. 192.

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 year on the amount of said bond or obligation by said surety executed and shall be payable from the appropriation to the secretary of state.

History: 1979 c. 110 s. 60 (13).

SUBCHAPTER IV

OFFICE OF THE STATE TREASURER

14.56 Office of state treasurer; creation. There is created an office of the state treasurer under the direction and supervision of the state treasurer.

14.561 Same; program responsibilities. The office of the state treasurer shall have the program responsibilities specified for the office under this subchapter and chs. 20 and 177 and ss. 11.50, 15.105 (3), 18.07 (2), 18.10, 18.57 (1), 19.25, 19.43 (7), 23.49, 25.50, 40.03 (4), 40.06 (1), 66.98 (1), 72.34 (1)

(b), 74.27, 74.73 (2), 76.13 (2), 76.15 (2), 76.22 (3), 76.38, 76.39, 76.48, 78.69, 85.14, 87.13, 101.573, 102.63, 108.15, 108.16, 108.20, 139.10, 139.12, 139.39, 146.13 (1), 146.14, 180.785, 181.64, 185.75, 215.56, 215.76, 223.02, 601.13, 604.04 (4), 604.06 (1), 604.07, 646.12, 646.21, 708.07, 863.39 and 973.045 (3) and (4).

History: 1971 c. 40; 1971 c. 125 s. 520 (2); 1971 c. 260 s. 91 (3); 1973 c. 117 s. 12 (2); 1975 c. 164 s. 12; 1975 c. 200; 1975 c. 270 s. 7; 1975 c. 359 s. 51; 1975 c. 372 s. 41; 1975 c. 394 ss. 26, 27; 1977 c. 29 s. 1643 (6), (44); 1977 c. 107 s. 52; 1977 c. 277 s. 44; 1977 c. 339 s. 42; 1977 c. 418 s. 925 (49); 1979 c. 109 s. 16; 1979 c. 221 s. 2201 (53); 1981 c. 20 s. 2201 (52) (b); 1981 c. 96 s. 66; 1983 a. 27 s. 2201 (52); 1985 a. 29 s. 3201 (52).

14.58 Duties of state treasurer. The state treasurer shall:

(1) **HAVE CUSTODY OF MONEYS.** Receive and have charge of all moneys paid into the treasury and any other moneys received by officers and employes of state agencies, and pay out the moneys as directed by law, except as provided in ss. 16.52 (7), 20.907 (5) (b), 20.920 and 20.929. Checks, share drafts or other drafts on depositories in which moneys may be deposited shall be signed in one of the following methods:

(a) By the state treasurer personally;

(b) By an assistant state treasurer, appointed as provided in s. 14.62, in the name of the state treasurer;

(c) In the name of the state treasurer, by any clerk in his office designated by him; or

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

(2) **ISSUE RECEIPTS.** Issue receipts for all money paid to him.

(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.** (a) Pay out of the treasury, on demand, upon the warrants of the department of administration, except as provided in s. 20.929, such sums only as are authorized by law to be so paid, if there are 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 an authorized agent or assignee. The state treasurer shall accept telephone advice believed by the treasurer to be genuine from any public depository, as defined in s. 34.01 (5), stating that a specified amount of money has been deposited with such public depository for the credit of the state treasurer, and shall act upon such telephone advice as though it had been in writing.

(b) When in the judgment of the state treasurer balances in state public depository accounts are temporarily in excess of that required under par. (a), the treasurer, with the concurrence of the secretary of administration, may authorize the preparation of a warrant in excess of the funds contained in the investment fund for the purpose of investment only. The earnings attributable to the investment of temporary excess balances shall be distributed as provided in sub. (19).

(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

the treasurer's office and classify said receipts by state funds; submit a summary statement of collections by fund together with a copy of each remittance advice in support thereof; keep also records showing the check, share draft or other draft number, date, payee and amount of each cash disbursement and classify said disbursements by state funds; keep a record of the date, payee and amount of each disbursement made by a money transfer technique other than a check or draft and classify the disbursement by state fund; and verify at the end of each week the amounts shown by the treasurer's 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 administration.

(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 administration or state auditor, or by the legislature, any committee thereof or either house thereof.

(7m) **BIENNIAL REPORT.** Report biennially in accordance with s. 15.04 (1) (d) all matters pertaining to the office.

(8) **REPORT TO GOVERNOR MONTHLY.** Report to the governor monthly, or oftener if the governor so requires, on:

(a) 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.

(b) The amounts in each of the state depositories, together with the interest earned thereon.

(c) Any defalcation or neglect of duty of any disbursing or collecting officer or agent of the state.

(d) Any other information pertaining to the duties of the state treasurer, as determined by the state treasurer or required by the governor.

(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 state account in a public depository, deducting from the total of such balances the aggregate amount of checks, share drafts or other drafts 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 25 cents per folio, and \$1 for such certificate.

(12) **STAMP CHECKS AND DRAFTS.** Cause to be plainly printed or stamped upon all checks, share drafts and other drafts issued by the state treasurer, the words "Void if not

presented for payment within one year". Any check, share draft or other draft not presented for payment within the aforesaid period of one year shall be properly canceled by the state treasurer on his or her 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 department of administration.

(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 not to exceed 60 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 25-cent fee 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 10-cent fee 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 is paid. Such fees shall be paid into the state treasury as a part of the general fund, and an extra charge may be required for postage or registered mail.

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

(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.

(18) SALE OF INVESTMENTS. Whenever the department of administration draws a check, share draft or other draft dated the next following business day upon a fund whose investment and collection is under the exclusive control of the investment board pursuant to s. 25.17 (1), and the receipts of the state treasurer are insufficient to permit a disbursement from said fund in the amount of such check, share draft or other draft, the investment board shall sell investments owned by such fund for delivery in time to provide sufficient money to cover such check, share draft or other draft on the date which it bears.

(19) APPORTION INTEREST. Apportion at least quarterly the interest earned on state moneys in all depositories among the several funds as provided in s. 25.14 (3), except that earnings attributable to the investment of temporary excess balances under sub. (4) (b) shall be distributed according to a formula prescribed by the depository selection board. To the maximum extent deemed administratively feasible by the depository selection board, the formula shall approximate the distribution of earnings among funds which would occur if earnings were allocated in proportion to each fund's actual contribution to the earnings. Interest so apportioned shall be added to and become a part of such funds.

(20) ELECTION CAMPAIGN FUND. Make disbursements to each candidate certified under s. 7.08 (2) (c) or (cm) by the elections board as eligible to receive moneys from the Wisconsin election campaign fund.

(21) From moneys received under s. 59.20 (8) and (8m), deposit in the general fund an amount necessary for the payment of charges under ss. 23.49 and 85.14.

History: 1971 c. 164 s. 90; 1973 c. 333; 1975 c. 180, 189, 198, 421; 1977 c. 107; 1977 c. 196 s. 131; 1979 c. 34, 221; 1981 c. 20; 1983 a. 27; 1983 a. 36 s. 96 (2); 1983 a. 51; 1983 a. 189 s. 329 (21); 1983 a. 368, 408, 524, 538; 1985 a. 29.

14.60 State treasurer's bond. The bond of the state treasurer shall extend to the faithful execution of the duties of the office of state treasurer until his successor is elected and fully qualified. If he elects to give bond guaranteed by a surety company, the cost thereof and of any additional bond required and furnished by him and so guaranteed shall be borne by the state and shall be paid out of the appropriation to the office of the state treasurer; if the annual cost thereof does not exceed 0.25% of the amount of said bond.

14.62 Assistant state treasurer; oath; bond; powers. The state treasurer may appoint, in writing, an assistant state treasurer to perform any of the duties of the state treasurer, except to serve as a member of the board of commissioners of public lands. The assistant state treasurer shall take and subscribe the oath of office prescribed by article IV, section 28, of the constitution and shall give bond to the state treasurer in the sum and with the conditions the state treasurer prescribes, conditioned for the faithful discharge of the duties. The oath of the assistant state treasurer and the certificate of appointment shall be filed and preserved in the office of the secretary of state. The state treasurer may require any employe to give bond to the state in the amount and with the conditions the state treasurer prescribes, conditioned for the faithful discharge of their duties. The cost of the bonds shall be charged to the appropriations under s. 20.585.

History: 1983 a. 192, 538.

SUBCHAPTER V

INTERSTATE BODIES AND AGREEMENTS

14.76 Interstate compacts. (1) This section shall apply to the establishment of agreements not affecting the sovereignty of the United States.

(2) Any state agency may agree by compact with other states to apply existing standards for residents to nonresidents if the laws or regulations of the states with which such compacts are made are similarly applied to Wisconsin residents. The compact shall be effective when approved by joint resolution adopted by the legislature.

(3) Any state agency may negotiate compacts with similar agencies in other states relating to the treatment of nonresidents on subjects within its delegated powers but on which no legislation providing standards has been enacted. Such compacts shall be submitted to the legislature and shall be effective when approved as are bills.

(4) Each compact shall as nearly as possible set forth:

(a) The statutory authority for the delegated power under which the agency is proceeding.

(b) The legal effect of the compact as shown by the amendments to statutes and rules in the applicable states required to accomplish the objectives of the compact.

(c) The objectives of the compact.

(d) The precise reasons for the compact.

(e) The standards established by the compact.

(f) The procedures contemplated by the compact.

(g) The effective date of the compact.

(h) The effect of the compact upon:

1. Public finances.

2. Public policy.

History: 1971 c. 62; 1983 a. 308.

14.78 Great Lakes compact commission. (1) MEMBERS; TERMS. There is created a Great Lakes compact commission consisting of 3 commissioners appointed by the governor. The commissioners shall be persons having knowledge of and

interest in problems of the Great Lakes basin. One commissioner, appointed for an indefinite term, shall be a state officer or employe and shall serve as secretary of the Great Lakes compact commission. The other commissioners shall be appointed for terms of 4 years. The commissioners shall receive no salaries but shall be reimbursed for actual and necessary expenses.

(2) **DUTIES.** It is the duty of the Wisconsin Great Lakes compact commission:

(a) To represent this state on the Great Lakes commission created by the Great Lakes basin compact ratified and enacted by chapter 275, laws of 1955, and through such representation to perform the functions of the Great Lakes commission in conjunction with the commissioners of other party states. Whenever a vote is required by the terms of the Great Lakes basin compact, each member of the Wisconsin Great Lakes compact commission is authorized to cast the same proportion of the 3 votes to which the state of Wisconsin is entitled under the compact as each of the other members of the Wisconsin Great Lakes compact commission.

(b) To maintain a continuing investigation of the project of connecting the Great Lakes with the Atlantic ocean by means of the Welland canal and the St. Lawrence river and to urge upon congress the enactment of additional appropriate legislation to enable the full development of such waterway, the commission to work in conjunction with similar commissions in other states and with other interested groups and agencies in the promotion of such project.

(c) To direct and execute a program of education in such form as the commission may determine, in support of the projects for development of the St. Lawrence seaway and the deepening of the Great Lakes connecting channels, using not to exceed the amount of funds appropriated for that purpose.

(d) To report biennially in accordance with s. 15.04 (1) (d), and to make such other reports as are requested by the governor or which it deems appropriate.

(3) **FINANCING COMMISSION.** The Great Lakes compact commission may annually contribute to the Great Lakes commission not to exceed the amount appropriated for that purpose.

(4) **STATE OFFICERS TO AID COMMISSION.** It is the policy of the state to carry out the Great Lakes basin compact and to accomplish the purposes thereof, and all officers of the state shall do all things falling within their respective jurisdictions necessary or incidental to carrying out such compact. Officers, agencies and employes of the state government shall, at reasonable times and upon the request of the Great Lakes commission, furnish such commission with information and data within their possession and aid such commission by loan of personnel and other means lying within their respective legal powers.

History: 1975 c. 39, 198; 1977 c. 196 s. 131.

14.81 Midwest interstate low-level radioactive waste commission. (1) There is created a midwest low-level radioactive waste commission as specified under s. 16.11 (3) (a). The member of the commission representing this state shall be nominated by the governor, and with the advice and consent of the senate appointed, to serve at the pleasure of the governor. The commission member representing this state shall receive a per diem of \$25, unless he or she is a salaried full-time employe of this state, and shall be reimbursed for actual and necessary expenses incurred in the performance of his or her duties on the commission. Per diem payments and expenses of the commissioner shall be paid from the appropriation under s. 20.505 (1) (g). The commission has the powers and duties granted and imposed under s. 16.11.

(2) In discharging his or her responsibilities under s. 16.11, the commission member representing this state shall:

(a) Designate an alternate commission member and notify the governor and legislature of this designation within 30 days after being appointed.

(b) Request the commission to conduct a public hearing on the draft management plan under s. 16.11 (4) (e).

(c) Notify the governor and legislature if:

1. The commission proposes to designate this state as a host state for a facility, as defined under s. 16.11 (2) (f).

2. The commission proposes to impose any liability on the state under s. 16.11.

3. He or she has reason to believe that the state should withdraw from the midwest interstate low-level radioactive waste compact specified in s. 16.11.

(3) In negotiating and developing the bylaws, management plan and other appropriate documents as a member of the commission, the commission member representing this state shall:

(a) Promote this state's interest in including insurance requirements and an extended care and long-term liability fund as a part of the management plan or other appropriate documents.

(b) Encourage the pursuit of sound low-level radioactive waste management practices including minimizing the dependence on the shallow burial of this type of waste.

(c) Promote this state's interest in an equitable distribution and rotation of responsibilities among member states under the compact.

(d) Encourage, to the fullest extent of his or her influence and authority, actions and procedures which permit and encourage full and meaningful public access and participation in the commission's proceedings including informal meetings and meetings of committees and subcommittees of the commission and full and meaningful public access to commission records and documents.

(e) Encourage the establishment of a fee system which provides for adequate compensation to local units of government which are affected by the siting of a regional low-level radioactive waste disposal facility.

History: 1983 a. 393.

14.82 Boundary area commission. Any boundary area commission created under this section shall constitute the Wisconsin representation on a boundary area commission created jointly by this state and a neighboring state party to the boundary area compact enacted by section 1 of chapter 274, laws of 1965, and shall have all the powers and duties granted or imposed by such compact.

(1) **MINNESOTA-WISCONSIN.** There is created a commission of 5 citizens nominated by the governor, and with the advice and consent of the senate appointed, for staggered 5-year terms, to represent this state on the joint Minnesota-Wisconsin boundary area commission. Any vacancy shall be filled for the balance of the unexpired term. To assist the commission, there is created a legislative advisory committee comprising 4 senators and 6 representatives to the assembly appointed as are the members of standing committees in their respective houses, and a technical advisory committee of 2 members appointed by the governor and one member each appointed by the governing board or head of the following agencies, to represent such agencies: the department of justice, the department of administration, the department of agriculture, trade and consumer protection, the department of natural resources, the department of health and social services, the public service commission and the department of development. The members of the commission and the members of its advisory committees shall serve without

compensation but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties, from the appropriation made by s. 20.315 (1), on vouchers approved by the Wisconsin member of the commission selected to serve as its chairperson or vice chairperson. All other expenses incurred by the commission in the course of exercising its powers and duties, unless met in some other manner specifically provided by statute, shall be paid by the commission out of its own funds.

(a) The commission may appoint subcommittees for the purpose of conducting specific studies under Article III, sec. 3, par. (a) of the compact enacted by section 1 of chapter 274, laws of 1965.

(b) The departments and agencies of this state shall within existing appropriations cooperate with the commission and its advisory committees and subcommittees in the execution of their functions and, upon application by the commission, shall to the best of their respective abilities supply the commission with such staff services as the commission requires.

(bm) Every department or agency of Wisconsin state government, or any political subdivision of this state shall, on application by the boundary area commission, supply the commission with copies of such printed documents, issued by such department, agency or subdivision, as the boundary area commission requires in the performance of its functions. The boundary area commission shall contact each such department, agency or subdivision to inform such department, agency or subdivision of the type of documents which it will require on a routine basis.

(c) The commission may accept on behalf of the state, from the federal government or from any other source, and may receive and use, gifts and grants of furniture, books, equipment, supplies, money or other property used or useful for the execution of its functions. All moneys received under this paragraph shall be deposited in the general fund and, unless prohibited by the terms of the grant or gift, are appropriated to the commission for expenditure by it in accordance with s. 20.315 (1) (g).

History: 1977 c. 29 s. 1650m (4); 1977 c. 325; 1979 c. 361 s. 112.

14.85 Mississippi river parkway commission. (1) The governor shall appoint a state employee or official to serve as the

Mississippi river parkway commission secretary. The secretary or a designee shall:

(a) Be the sole voting representative of this state at meetings of the Mississippi river parkway commission.

(b) Report to the commission on interstate cooperation regarding activities of the Mississippi river parkway commission.

(2) There is created a Mississippi river parkway commission consisting of 10 members chosen as follows:

(a) One member each selected by the county boards of Buffalo, Crawford, Pepin, Pierce, Trempealeau and Vernon counties.

(b) Two members each selected by the county boards of Grant and La Crosse counties.

(3) The commission shall select its own chairman and shall:

(a) Assist in coordinating a program for the development of the great river road in Wisconsin and the necessary embellishments of it, by such items as, but not limited to, scenic easements, roadside parks, scenic overlooks, off-road parks and forests, and water oriented facilities.

(b) Assist other state agencies in all efforts to create a unified development of the great river road in Wisconsin and any of its collateral features.

(c) Cooperate with similar committees or commissions in other states and Canadian provinces in the furtherance of the ultimate development of the great river road from Canada to the gulf of Mexico.

(d) Consult with the appropriate regional planning commissions regarding the Mississippi river parkway.

(4) (a) The operating expenses of the commission and the annual membership dues for the commission shall be paid from the appropriation under s. 20.395 (4) (aq).

(b) The members of the commission and the secretary shall serve without compensation but the secretary shall be paid for actual and necessary expenses from the appropriation under s. 20.395 (4) (aq) on vouchers approved by the governor.

History: 1975 c. 39, 199; 1977 c. 418; 1979 c. 34 s. 2102 (52) (a); 1985 a. 29 s. 3202 (51).