

CHAPTER 642

AN ACT to amend 20.260 (1), 20.265 (1), 66.901 (16), 66.905 (8), as amended by chapter 281, laws of 1961, 252.017, as last amended by chapter 495, laws of 1961, 252.073, as repealed and recreated by chapter 495, laws of 1961, 253.02 (6) (a), as amended by chapter 495, laws of 1961, 253.07 (1), as created by chapter 315, laws of 1959, and (2), as amended by chapter 541, laws of 1961, 253.08 (2), (3) and (4), as created by chapter 495, laws of 1961; and 253.35 (4), as amended by chapter 495, laws of 1961, and to create 66.89, 66.904 (1) (a) 14 and 256.54 (7) and (8) of the statutes, relating to the implementation and revision of the court reorganization plan enacted by the 1959 legislature.

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

SECTION 1. 20.260 (1) of the statutes is amended to read:

20.260 (1) There are appropriated to the administrative director of courts from the general fund, annually, such sums as may be necessary, for salaries and expenses of the judges, reporters and assistant reporters of the circuit courts, upon vouchers duly verified and certified by * * * the administrative director of courts, and filed with the department of administration.

SECTION 2. 20.265 (1) of the statutes is amended to read:

20.265 (1) There are appropriated from the general fund to the administrative director of courts, annually, such sums as may be necessary, for salaries and expenses of the judges, reporters and assistant reporters of the county courts, and for employer contributions under ss. 66.89 and 253.07 (1), upon vouchers duly verified and certified by * * * the administrative director of courts, and filed with the department of administration.

SECTION 2a. 66.89 of the statutes is created to read:

66.89 County judges and county court reporters, except in counties having a population of 500,000 or more, shall be included under retirement, group insurance and social security pursuant to ss. 66.901 to 66.918, 66.919 and 66.99, respectively, for salaries paid pursuant to s. 20.930 (1) (a) upon the same basis as state officers and employees, with the employer cost thereunder being paid by the state.

SECTION 3. 66.901 (16) of the statutes is amended to read:

66.901 (16) The council or common council in cities, village board in villages, county board in counties, school boards in common school districts or high school districts, joint county-city hospital board, joint sewerage commission, or metropolitan sewerage commission, or town board, or the board or commission having the final authority for any other unit of government or for any agency or instrumentality of 2 or more units of government, or any agent duly appointed by any such body and designated in a written notice filed with the board as being authorized to act for any such body in matters pertaining to the fund. For the state there shall be a governing body for each department, board or commission thereof which governing body shall be, for each such department, board or commission, the respective head thereof, who shall be certified in writing to the board of trustees by the director of the bureau of personnel for

the state, except * * * *as provided in s. 256.54 (7)*. The head of each state department may, in a written designation filed with the board, name a departmental employe to act for him in all matters pertaining to the fund.

SECTION 6. 66.904 (1) (a) 14 of the statutes is created to read:

66.904 (1) (a) 14. Each person who is a county court reporter on the first Monday in January, 1962 and who on December 31, 1961, occupied a county position qualifying under s. 66.901 (4) but who was not a participating employe shall as of January 1, 1962, receive prior service credit for all service for such county subject to the provisions of s. 66.901 (4), as an obligation of the state.

SECTION 7. 66.905 (8) of the statutes, as amended by chapter 281, laws of 1961, is amended to read:

66.905 (8) Notwithstanding any other provision, the cost of all prior service credits and municipality current service credits granted on and after January 1, 1954, to county judges and on and after January 1, 1956, to full-time judges of courts of record, municipal or inferior (other than a county court) for such service shall be paid by the state. * * * *Effective January 1, 1962, the state shall make municipality current service contributions only on salaries of judges and reporters who are paid pursuant to ss. 253.07 (1) and 253.35 (3) in counties of less than 500,000 population.*

SECTION 7m. 252.017 of the statutes, as created by chapter 315, laws of 1959, and as amended by chapters 660 and 685, laws of 1959, and chapters 33 and 495, laws of 1961, is amended to read:

252.017 In circuits in which there are 2 or more branches, the judges may provide for the distribution of the work and assignment of cases among branches except that in the second circuit, branches 11 and 12 shall be designated as the criminal court branches and all cases specified in s. 252.015 for the second circuit criminal branch jurisdiction including all appeals from convictions in criminal actions and from ordinances and traffic forfeiture violations from the county court of Milwaukee county, and all commitments and transfers for trial in case of crimes and misdemeanors not triable in said county court branches shall be assigned by the clerk to those branches and shall be reassigned to another branch only in case of disqualification, illness or vacation of the judges or congestion or vacancies in branches 11 and 12. The * * * *judges* of said second circuit criminal court branches 11 and 12 shall allocate the work of said branches and all assignments of work to said branches by the clerk shall be subject to *the approval * * * of said * * * judges*. No grand jury shall hereafter be drawn or summoned for the circuit court of Milwaukee county unless * * * *either* judge of the criminal court branches thereof shall make and file with the clerk an order in writing directing a grand jury to be summoned, and specifying the time at which such grand jury shall appear before the court.

SECTION 8. 252.073 of the statutes, as repealed and recreated by chapter 495, laws of 1961, is amended to read:

252.073 A circuit judge shall be reimbursed by the state for his actual and necessary itemized expenses incurred in the discharge of judicial duty outside his county of residence, *and in attending meetings of the board of criminal court judges*, and as an officer or member of the board of circuit judges and of committees of such boards, and as the judge designated to serve on the administrative committee under s. 251.183.

SECTION 8a. 253.02 (6) (a) of the statutes, as amended by chapter 495, laws of 1961, is amended to read:

253.02 (6) (a) The cost of operation of such county court, except for the salaries of the judge and court reporter provided to be paid by the state, *and except for the cost assumed by the state pursuant to s. 66.89, and except as otherwise provided*, shall be paid by the county.

SECTION 9m. 253.07 (1) of the statutes, as created by chapter 315, laws of 1959, is amended to read:

253.07 (1) Every county judge shall receive from the state the salary specified for him in s. 20.930, provided that in counties having a population of 500,000 or more, such salary shall be paid by the county and the state shall * * * *monthly* reimburse the county for * * * *one-half of his salary specified in s. 20.930. In counties having a population of 500,000 or more the state shall monthly reimburse the county for the employer contributions of the county judges and county court reporters who are members of the retirement system created by chapter 201, laws of 1937, as amended, to the extent of the salary specified in s. 20.930 for each county judge and county court reporter and for all employer social security contributions for such judges and court reporters. The county auditor in such counties shall certify said amounts each month to the department of administration which shall audit these charges and within 30 days certify the same for payment.* The county for which each judge is elected, except in counties having a population of 500,000 or more, shall reimburse the state for one-half of his salary. If 2 counties share a single judge, each shall reimburse the state for one-quarter of his salary. On July 1 of each year the department of administration shall certify to the secretary of state a statement of the amount due from each county under this section and mail a duplicate of that statement to the county clerk. These amounts shall then be certified by the secretary of state and levied, collected and paid into the state treasury as a special charge, at the same time as the state taxes.

SECTION 9. 253.07 (2) of the statutes, as amended by chapter 541, laws of 1961, is amended to read:

253.07 (2) The county may pay each county judge * * * *compensation* in addition to that specified in s. 20.930 but *such additional compensation shall be the same for each such judge and the total salary of the county judge cannot be more than the total salary of the highest paid circuit judge for the county.*

SECTION 10. 253.08 (2), (3) and (4) of the statutes, as created by chapter 495, laws of 1961, are amended to read:

253.08 (2) The judge *and court reporter* for the Forest and Florence county courts shall be reimbursed, one-half by each county, for the actual and necessary expenses incurred by * * * *them* in the discharge of *their* judicial * * * *and reportorial duties, respectively*, away from the county seat of the county of * * * *their* residence but within the district specified in s. 253.05 (1).

(3) WHEN SERVING IN ANOTHER COUNTY OR ATTENDING MEETINGS. A county judge shall be reimbursed by the state, *upon approval by the administrative director of courts*, for his actual and necessary expenses incurred in the discharge of judicial duty in a county other than the one for which he is elected, and incurred when attending meetings of the * * * *boards of criminal court judges and county judges * * * and of committees* thereof.

(4) The county judge who is acting as chairman of the board of county judges shall be reimbursed by state, *upon approval by the administrative director of courts*, for his actual and necessary expenses, incurred

in the performance of his duties as chairman * * * *and* the county judge who is designated by the board of county judges to serve on the administrative committee under s. 251.182 shall be reimbursed by the state for his actual and necessary expenses, incurred in the performance of his duties on this committee.

SECTION 11m. 253.35 (4) of the statutes, as amended by chapter 495, laws of 1961, is amended to read:

253.35 (4) In counties having a population of 500,000 or more every reporter appointed under sub. (1) shall receive the salary specified for him by s. 20.930, directly from the county. The state shall * * * *monthly* reimburse the county for * * * *one-half of his salary specified in s. 20.930.* The county may pay each county court reporter compensation in addition to that specified in s. 20.930, but such additional compensation shall be the same for each such reporter. All reporters of the district, civil, county and children's court of such county who have civil service status in such county on December 31, 1961, shall retain such status as reporter in the county court. Such reporters who are members of the county employes' retirement system on said date shall remain as members subject to all provisions of the retirement system law included in chapter 201, laws of 1937, as amended, and all such reporters thereafter appointed shall likewise be members of said system. In no event shall any of the aforesaid reporters be considered members of the Wisconsin retirement system.

SECTION 11. 256.54 (7) and (8) of the statutes are created to read:

256.54 (7) The administrative director shall pursuant to s. 66.901 (16) act as the governing body for the supreme court and for circuit court judges and reporters and county court judges and reporters.

(8) The administrative director may require each judge to verify and certify vouchers for salaries and expenses of himself, his reporter and any assistant reporters and, in certifying such salaries and expenses to the department of administration, may rely on the certifications received from the several judges.

SECTION 12. This act shall take effect on the first Monday in January 1962.

Approved January 17, 1962.
