

CHAPTER 410.

AN ACT to renumber 14.71 (1), (1m), (1n), (2) to (6), (6m), (7) and (8) to be 14.71 (2) to (12); to amend 14.71 (2), (5), (6), (7), (8), (9) (a), (10), (11) (a), (b) and (d) as renumbered and 20.01 (1) (g); and to create 14.71 (1) of the statutes, relating to receipts for expenditures; and definition of department, appointing power and per diem for use of automobiles, and transportation expenses of legislators.

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

SECTION 1. 14.71 (1) of the statutes is renumbered 14.71 (2) and amended to read: 14.71 (2) * * * *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.*

SECTION 2. 14.71 (1) is created to read:

14.71 (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.

SECTION 3. 14.71 (1m), (1n), (2) to (6), (6m), (7) and (8) are renumbered 14.71 (3) to (12) respectively.

SECTION 4. 14.71 (5), (6), (7), (8), (9) (a), (10) and (11) (a), (b) and (d) as renumbered are amended to read:

(5) * * * *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.*

(6) 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) Each department, * * * upon written approval of the governor, may purchase necessary trucks and automobiles for its general use, of such style and make as it may determine. Such trucks and automobiles shall be purchased through the director of purchases, pursuant to sections 15.54 to 15.67.

(8) All state owned passenger automobiles or trucks now in the possession, custody or control of any department, * * * shall, when * * * *no longer useful*, be placed in the custody and control of the director of purchases. * * * *He* shall dispose of such automobiles and trucks in such manner as he sees fit, and the proceeds from the sale or trade thereof shall be credited to the proper department * * * for the subsequent purchase of automotive equipment.

(9) (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

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* * * 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.

(10) (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) (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.

(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.

SECTION 5. 20.01 (1) (g) of the statutes is amended to read:

20.01 (1) (g) All members of the legislature shall be entitled, in addition to the mileage allowed in paragraph (b), to an allowance for transportation expenses incurred in going to and returning from the state capitol once every week during each regular legislative session, at the *same* rate * * * per mile for each traveled in going to and returning from the state capitol on the most usual route *as is provided for transportation for state officers and employes under section 14.71*. Such allowances shall be paid monthly upon presentation to the director of budget and accounts of a verified written statement * * * *containing such information as the director may require*.

SECTION 6. This act shall take effect August 1, 1949.

Approved July 6, 1949.