

TITLE III.

General Organization of the State, Except the Judicial Department.

CHAPTER 13.

LEGISLATURE.

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13.01 Number of legislators. The senate consists of thirty-three and the assembly of one hundred members.

13.02 Regular sessions. The regular session of the legislature shall commence at twelve o'clock M. on the second Wednesday of January in each odd-numbered year.

13.03 Oaths of members. The speaker of the assembly, president of the senate, the governor, secretary of state, attorney-general, any court of record or the clerk thereof, or any justice of the supreme court may administer the oath of office to the members and officers of the legislature. Such oath shall be filed with the secretary of state.

13.04 Compensation certificate. The presiding officer of each house, immediately after the commencement of each regular or extra session of the legislature, shall certify to the secretary of state the names of all qualified members of the house over which he presides; also the number of miles of travel for which each member is entitled to compensation. However, when any seat is contested, and notice of such contest has been filed as provided in section 13.16, no certificate with respect to such seat, or any claimant thereof, shall be issued until the question of the right thereto is finally determined. All such certificates shall be countersigned by the chief clerk.

13.05 Standing committee. A joint standing committee, to be called the committee on finance and to consist of 14 members, 5 from the senate and 9 from the assembly, shall be appointed at the commencement of each session of the legislature. The method of appointment of members in each house shall be governed by the rules thereof. The committee may employ a clerk. The chairmen may appoint a subcommittee on small appropriations and claims consisting of members chosen from the committee membership. The subcommittee shall meet and hold hearings at the direction of the committee and report its recommendations to the committee. The subcommittee may act on bills not exceeding \$10,000 and claims not exceeding \$2,500.

History: 1953 c. 49.

13.055 Funeral committee. A joint committee consisting of one member of the senate and two members of the assembly shall be appointed by the governor as representatives of the legislature to attend the funeral of any member of the legislature who dies

during the interim of the legislative sessions, and the necessary expenses of the members of such joint committee shall be paid from the general fund.

13.057 Committee to visit state institutions. (1) A committee consisting of 3 senators and 4 assemblymen, the members of which shall be appointed as are committees in each house, is hereby created. It shall be the duty of this committee to visit state institutions either in groups or individually. The committee shall inspect buildings, equipment, lands and management of the institutions; it shall have access to all parts of the institutions and to all inmates thereof; it shall make such examination as it may see fit of any condition found, and report in writing to the legislature such suggestions as to the needs of any institution as it may deem proper. The members of the committee shall be reimbursed their expenses as provided in section 20.01 (1) (cm). The committee shall elect one of its members as chairman and one as secretary. It shall be the duty of the chairman to have the provisions of this section carried out by the members of the committee.

(2) All departments, officers and employes in charge of the institutions or in possession of books, records or other information of the institutions shall comply with any request of and co-operate with the committee so that it may make full examination of such institutions and books, records and other information.

(2a) In addition to the workshop for the blind in the division for the blind, state department of public welfare, the committee shall also inspect other buildings, places, equipment, lands and management in said division and all the provisions of subsections (1), (2) and (3), unless clearly inapplicable, shall apply to the functions of the committee under this subsection.

(3) Expenditures made under this section shall be made upon vouchers approved by the chairman and secretary of the committee.

13.06 Reference of bills to committee on finance. All bills introduced in either house for the appropriation of money by the legislature; all accounts or claims presented in either house; and all bills providing for revenue or relating to taxation, shall be referred to the committee on finance before being passed or allowed.

13.07 Records of committee on finance. The finance committee shall keep a complete record of all bills, accounts, and claims referred to it, and of its proceedings thereon. Such record shall be deposited with the secretary of state by the chairman of the committee at the close of the session. The secretary of state, upon request therefor, shall deliver any or all such records of previous sessions to the committee on finance. Records so delivered shall be returned to the secretary of state by the chairman of the committee upon or before the close of the session.

13.08 Committees on contingent expenditures. Each house of the legislature, at the commencement of each session, shall designate a committee of its members to act as a committee on its contingent expenditures, and, by a standing rule, prescribe the duties of such committee.

13.09 Committeeman may administer oaths. Any senator or member of the assembly, while acting as a member of a committee of the legislature or of either house thereof, may administer oaths to persons to be examined before such committee.

13.10 Chief clerks. Each house, at the commencement of each regular session, shall elect a chief clerk who shall perform all such duties as by custom appertain to his office and all duties imposed by law. In the absence of the chief clerk his duties shall be performed by one of the clerks acting under him, appointed by him in writing.

13.11 Chief clerks' duties. The chief clerk of each house shall be personally responsible for the safe-keeping of every bill, memorial, joint resolution or other document or paper pertaining to legislation, which comes to his hands or to the hands of his deputy or assistant from any member, committee or officer of the legislature or of either branch thereof; and he shall keep a full record thereof, and shall enter in such record the disposition made of the same; and such chief clerks, at the close of each session shall deposit for safe-keeping in the office of the secretary of state all books, bills, documents and papers in the possession of the legislature, correctly labeled, folded and classified. The chief clerk of the house in which a joint resolution originates shall deposit a copy of such resolution in the office of the secretary of state immediately upon its adoption by the legislature.

13.12 Sergeants at arms. Each house, at the commencement of each regular session, shall elect a sergeant at arms who shall perform all such duties as by custom appertain to his office and all duties imposed by law.

13.13 Arrest of officers. No officer of the senate or assembly, while in actual attendance upon the duties of his office, shall be liable to arrest on civil process.

13.14 Legislative employees. Appointment and employment of legislative employees shall be in accordance with the following:

(2) Appointments shall be made from the civil service eligible lists in the manner prescribed by the rules of the house wherein the appointment is made.

(4) The chief clerk shall have supervision over all clerical work for his house and shall assign and reassign such work and his assistants so as to expedite business.

(5) The sergeant at arms shall have supervision over the postmaster, document room attendants, janitors, messengers and his other assistants, and he shall assign and reassign them so as to expedite business. The sergeant at arms of each house may detail subordinates after the close of the session for such work as he may direct.

(6) The chief clerk of each house may detail clerks after the close of the session for mailing, indexing, proof reading, completing the bulletin and for such other work as he may direct.

(7) Any legislative employee whose employment is not expressly authorized by law, shall be paid only by an act of the legislature.

History: 1951 c. 357.

13.145 State departments to co-operate in providing legislative help. (1) Because of the difficulty in securing necessary help to fill legislative positions in regular sessions of the legislature, due to the manpower shortage, each department and agency of the state government and the employes thereof shall co-operate with the legislature to the fullest extent in the transfer to the legislature of such employes, male and female, as are necessary to fill all legislative positions.

(2) In December preceding each regular session the bureau of personnel is directed to determine the approximate total number of transfers required, in view of the number of applicants for examination, and to ascertain the number and names of employes who will be made available for transfer to the legislature for employment in legislative positions. If necessary, the bureau of personnel with the approval of the legislative council, shall allot to the several departments and agencies upon such equitable and practical basis as the bureau may determine a proportionate number of employes to be made available for transfer and the departments and agencies shall fulfill such allotment.

(3) All employes so transferred shall receive such compensation as may be prescribed by law for such legislative positions. Such employes shall retain uninterrupted their civil service rating, sick leave, vacation and other rights under chapter 16 and after termination of their employment in such legislative positions shall be returned to the respective departments and agencies from which they were transferred for resumption of their regular employment.

13.146 Printing of bills before the session. (1) Bills and resolutions by individual members of the legislature, or prepared by the legislative council and submitted with its report to the governor and the legislature or to any special session with recommendation for introduction in accordance with s. 13.35 (9) may, upon request of the council, or individual member be ordered printed by the legislative reference library when the legislature is not in session. Bills and resolutions printed pursuant to such order shall be charged to the appropriation for the legislature and shall be delivered to the care of the legislative reference library at the respective document rooms of the 2 houses. Distribution of such printed bills and resolutions shall not be made until the session convenes.

(2) Upon request of any interim legislative group, when approved by a vote of at least two-thirds of the membership thereof, not to exceed an additional 1,000 copies of bills (identifying the same) resulting from major research studies prepared by such legislative group shall also be ordered printed and may be distributed by such group prior to the convening of the legislature.

History: 1951 c. 734; 1953 c. 589.

13.15 Pay roll legislative employees. The chief clerk and sergeant at arms of each house shall certify to the director of budget and accounts the pay rolls for legislative employees which shall set forth the names of all persons employed in their respective departments, the capacity in which employed, and the amounts respectively due them, and such certificates shall be approved by the presiding officer of the house in which they are employed.

13.16 Election contests; notice. Any person wishing to contest the election of any senator or member of the assembly shall, within thirty days after the decision of the board of canvassers, serve a notice in writing on the person whose election he intends to contest, stating briefly that his election will be contested and the cause of such contest; and

shall file a copy thereof in the office of the secretary of state at least ten days before the day fixed by law for the meeting of the legislature. If any contestant fails to so file a copy of such notice, he shall not be entitled to any mileage or salary in case payment has been made therefor to the sitting member.

13.17 Testimony in election contests. (1) After the service of the notice required by section 13.16 either party may proceed to take the depositions of witnesses before any judge, court commissioner or justice of the peace in the district where the contest is pending, upon giving ten days' notice in writing to the opposite party of the time and place at which and the officer before whom such depositions will be taken; but no deposition shall be taken after the last Monday preceding the day fixed by law for the meeting of the legislature, except in case of sickness or unavoidable absence of witnesses.

(2) The officer before whom such depositions are taken shall carefully envelope and seal up the same, indorse on the envelope the names of the contestant and contestee, and direct the depositions so indorsed to the presiding officer of the branch of the legislature by which the contest is to be determined.

(3) The depositions so taken may be used and read in evidence by either party upon the hearing of such contest, and no other depositions than those so taken shall be used or heard, nor shall such branch of the legislature, by its committees or otherwise, hear or seek to procure other testimony, but shall proceed forthwith to determine the contest upon the depositions so furnished.

13.18 Expenses of election contest; limitation. No sum in excess of three hundred dollars shall be allowed by the legislature to any contestant or contestee for any fees or expenses of any kind incurred in a contest over a seat in either branch of the legislature.

13.19 Contempt. Each house may punish as a contempt, by imprisonment, a breach of its privileges or the privileges of its members; but only for one or more of the following offenses:

(1) Arresting a member or officer of the house, or procuring such member or officer to be arrested in violation of his privilege from arrest.

(2) Disorderly conduct in the immediate view of the house and directly tending to interrupt its proceedings.

(3) Refusing to attend or be examined as a witness, either before the house or a committee, or before any person authorized to take testimony in legislative proceedings, or to produce any books, records, documents, papers or keys according to the exigency of any subpoena.

(4) Giving or offering a bribe to a member, or attempting by menace or other corrupt means or device, directly or indirectly, to control or influence a member in giving his vote or to prevent his giving the same; but the term of imprisonment such house may impose for any contempt specified in this section shall not extend beyond the same session of the legislature.

13.20 Punishment for contempt. Whenever either house of the legislature orders the imprisonment of any person for contempt under the provisions of section 13.19, such person shall be committed to the common jail of the county of Dane, and the jailer shall receive such person and detain him in close confinement for the term specified in the order of imprisonment, unless he shall be sooner discharged by the order of such house of the legislature or by due course of law.

13.21 Claims against the state for past services. The chief clerk of each house shall transmit to the attorney-general, immediately after the filing of the original at his desk, a copy of every petition, memorial or bill for the payment of money by the state to any person for past services. The chairman of the committee to which any such petition, memorial or bill is referred shall immediately notify the attorney-general of the time and place the same will be considered by said committee. The attorney-general shall appear in person or by his assistant before said committee at such time and place, and from time to time thereafter if required by the committee, and give counsel in relation to the liability of the state thereon, and act for the state in all things connected therewith.

13.22 Journals. A journal of the senate and assembly shall be kept under the direction of the chief clerks of the respective houses, which, when completed, shall be printed as provided by law. After the index is completed the chief clerk of each house shall cause one copy of the journal of his house to be printed on bond paper and to be bound and lettered properly; shall attach thereto his certificate in writing that the same is the journal of such house, and shall deliver such journal to the secretary of state to be deposited in his office. Such printed journals shall be the official record of each house of the legislature.

13.23 Interpellation of officers. (1) Upon the petition of six members of the senate, not more than four of whom shall belong to the same political party, or of seventeen members of the assembly, not more than nine of whom shall belong to the same political party, any appointive state officer shall appear before that branch of the legislature to which the petitioning members belong, to answer written and oral interrogatories relative to any matter, function, or work of such officer, or relative to any act or omission, or other matter pertaining to the powers or privileges exercised or duties performed by him or by any employe or subordinate of such officer, or in any way relating to the manner, conditions or terms of his appointment, or of any appointment made by him; or in relation to any act, omission or conduct unbecoming the position of any such officer. Such petition shall be in writing, shall be accompanied by written interrogatories, shall be signed by the petitioning members, and shall be filed with the presiding officer of that branch of the legislature to which such petitioning members belong.

(2) Upon the joint petition of six members of the senate, not more than four of whom shall belong to the same political party, and seventeen members of the assembly, not more than nine of whom shall belong to the same political party, filed with the presiding officer of the senate, requesting an examination of any appointive state officer made subject thereto by subsection (1) before a joint session of the two branches of the legislature, such officer shall appear before such joint session and answer written and oral interrogatories as to any matters included in subsection (1).

13.24 Time for interpellation and procedure. (1) Upon the filing of any petition, as prescribed by section 13.23, the presiding officer with whom the same is filed, shall forthwith fix a time not later than twenty days after the filing of the petition, for the meeting of that branch of the legislature, or the joint session of the legislature, as the case may be, before which such interrogation and examination shall be held. A notice of such meeting, together with a copy of the written interrogatories, shall be forthwith delivered to the officer named therein.

(2) The legislature may adopt rules and regulations to govern such examinations. All proceedings, including all questions and answers, shall be fully recorded and a copy thereof shall be transmitted to the governor within thirty days after the close of the examination.

13.245 State officers, removed by legislature. Any appointive state officer after being examined as provided in sections 13.23 and 13.24 may be removed by the legislature by joint resolution adopted in each house by a majority of the members elected to such house. The power to remove appointive state officers provided in this section is additional to and shall not be construed as destroying the right of removal by other persons.

13.25 Witnesses; how subpoenaed. The attendance of witnesses before any committee of the legislature, or of either house thereof, appointed to investigate any subject matter, may be procured by subpoenas signed by the presiding officer and chief clerk of the senate or assembly. Such subpoenas shall state when and where, and before whom, the witness is required to appear, and may require such attendance forthwith or on a future day named, and the production of books, records, documents and papers therein to be designated; and may also require any officer of any corporation or other person having the custody of the keys, books, records, documents or papers of any such corporation to produce the same before such committee. Such subpoenas may be served by any person and shall be returned to the chief clerk of the house which issued the same in the manner in which subpoenas from the circuit court are served and returned.

13.26 Summary process; custody of witness. (1) Upon the return of a subpoena issued under section 13.25, duly served, and upon filing with the presiding officer of the house from which the subpoena issued a certificate of the chairman of the committee certifying that any person named therein failed or neglected to appear before the committee in obedience to the mandate of such subpoena, summary process to compel the attendance of such person shall be issued.

(2) Such summary process shall be signed by the presiding officer and chief clerk of the house which issued the subpoena, and shall be directed to the sergeant at arms thereof commanding him "in the name of the state of Wisconsin" to take the body of the person so failing to attend, naming him, and bring him forthwith before the house whose subpoena he disobeyed; and when so arrested he shall be taken before the committee desiring to examine him as a witness, or to obtain from him books, records, documents, or papers for their use as evidence, and when before such committee such person shall testify as to the matters concerning which he is interrogated.

(3) When such person is not on examination before such committee he shall remain in the custody of the sergeant at arms or in the custody of some person specially deputed for that purpose; and the officer having charge of him shall from time to time take him

before such committee until the chairman of the committee certifies that the committee do not wish to examine such person further. Thereupon such witness shall be taken before the house which issued the summary process and that house shall order his release, or may proceed to punish him for any contempt of such house in not complying with the requirements of this chapter or of any writ issued or served as herein provided.

13.27 Service of process. Either house ordering any summary process may also direct the sergeant at arms to specially depute some competent person to execute the same, and such deputation shall be indorsed on such process in writing over the signature of the sergeant at arms to whom the same is directed, and the person so deputed shall have the same power as said sergeant at arms in respect thereto, and shall execute the same according to the mandate thereof, and for that purpose said sergeant at arms or his deputy may call to his aid the power of the county wherein such writ is to be executed the same as the sheriff of such county could do for the purpose of arresting a person charged with crime under process issued by a court of competent jurisdiction; and any sergeant at arms having any person in custody by virtue of any such summary process may depute any other person to have charge of the person so in his custody, and the person so deputed shall have the same power over such person as is conferred upon the sergeant at arms.

13.28 Refusal to testify. Every refusal to testify or answer any question, or to produce keys, books, records, documents or papers before any committee included within the provisions of section 13.25 shall be forthwith certified to the proper house by the chairman of such committee. Such certificate shall be transmitted, and the person so refusing taken, by the sergeant at arms or one of his assistants, before such house to be dealt with according to law.

13.29 Liability of witnesses. No person who is required to testify before either house of the legislature or a committee thereof, or joint committee of the two houses, and is examined and so testifies, shall be held to answer criminally in any court or be subject to any penalty or forfeiture for any fact or act touching which he is required to testify and as to which he has been examined and has testified, and no testimony so given nor any paper, document or record produced by any such person before either house of the legislature or any such committee shall be competent testimony or be used in any trial or criminal proceeding against such person in any court, except upon a prosecution for perjury committed in giving such testimony; and no witness shall be allowed to refuse to testify to any fact, or to produce any papers, documents or records touching which he is examined before either house or any such committee, for the reason that the testimony touching such fact, or the production of such papers, documents or records may tend to disgrace him or otherwise render him infamous.

13.30 Witness fees. The compensation of all witnesses who are subpoenaed and appear pursuant to section 13.25 shall be \$2 for each day's attendance and 10 cents per mile, one way, for travel to attend as such witness. The director of budget and accounts shall audit the accounts of such witnesses upon the certificate of the chairman of the committee before which any such witness has attended, stating the number of days' attendance and the distance he has traveled, and the accounts so audited shall be paid out of the state treasury, and charged to the appropriation for the legislature.

13.35 Joint legislative council. (1) There is created a joint legislative council, consisting of 6 senators and 9 assemblymen, one of whom shall be the president pro tempore of the senate and one of whom shall be the speaker of the assembly, and the remainder to be appointed as are standing committees in the respective houses, and at least one shall be appointed from each congressional district; and the remaining 5 from the state at large. The terms of all members shall expire on May 1 in each odd-numbered year. The council shall elect from its membership a chairman and a secretary.

(2) The council may appoint committees consisting of members of the legislature and such citizens having special knowledge on a particular subject as the council may determine, to study and report on assigned subjects. The members of such committees shall be certified to the secretary of state. One member of the council shall be ex officio a member of each committee. A vacancy on such council shall be filled by the speaker of the house in case of members of the assembly and by the president of the senate in case of the senate members. A vacancy on any committee shall be filled as in the case of original appointment.

(3) The council shall make such surveys and studies, and compile such data, information and records on any question which may be referred to it for interim study and investigation or on such other matters as in its judgment will be beneficial to the general welfare of our state. To this end the council shall:

(a) Maintain liaison with federal, state and local officials and agencies concerned with planning, housing, veterans' administration and the public welfare.

(b) Prepare studies of the methods of financing education, veterans' benefits and planning projects, including, if necessary, the acquisition of additional revenue therefor.

(c) To conduct research and secure information or data on any subject concerning the government and general welfare of the state and of its political subdivisions.

(d) To make recommendations for legislative or administrative action on any subject or question it has considered, including the introduction of such bills as may be deemed advisable.

(e) The enumeration of specific powers, duties or functions herein shall not be deemed a limitation of the functions of the council, but the council may make such studies and surveys and prepare and compile such data and information as it may deem advisable on any phase of any problem referred to it or which it may determine to investigate.

(4) The council or any committee thereof when so authorized by the council is empowered to hold public hearings at such times and places within the state as may be determined, and to make such investigations and surveys as deemed advisable or necessary to accomplish the purposes and intent of this section. Any member of the council or of any committee shall have the power to administer oaths to persons testifying before the council or any committee. By subpoena, issued over the signature of its chairman, or acting chairman, and served in the manner in which circuit court subpoenas are served, the council, or any committee when authorized by the council, may summon and compel the attendance of witnesses. If any witness subpoenaed to appear before said council, or any committee thereof, shall refuse to appear or to answer inquiries propounded, the council or committee shall report the facts to the circuit court of Dane county, and it shall be the duty of such court to compel obedience to such subpoena by attachment proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein.

(5) Any subject proposed for study or investigation during the interim between legislative sessions shall be referred to and considered by the legislative council. If the council determines that proposed study or investigation is feasible and is not within a subject already assigned, the council shall appoint a committee to conduct such study or investigation.

(6) The council may require that any recommendation for legislation to be presented by any department, official or agency of the state government be presented to it for consideration at least 90 days prior to the regular session.

(7) The members of the council or the committees shall receive no compensation for their services but they shall be reimbursed for expenses actually and necessarily incurred in the performance of their duties. The council may employ an executive secretary, stenographers and clerks and such technical assistants as may be necessary within or without the provisions of chapter 16, and determine the qualifications and fix the compensation of such personnel. The council or any committee may call upon any state department, agency or officer, or any agency of any political subdivision for such facilities and data as may be available and such departments and agencies shall co-operate with the council or any committee to the fullest possible extent.

(8) The council, or any committee appointed by it, may meet at such time and place as it may determine, but the council shall meet at least once every 3 months. It shall meet upon call of the chairman or a call signed by 5 members of the council. Eight members shall constitute a quorum and a majority of such quorum may act in any matter within the jurisdiction of the council.

(9) The council shall submit a report of its findings, conclusions and recommendations to the governor and the legislature prior to the opening of the session, and may submit a report to any special session. It may submit with its report and recommend for introduction drafts of only such bills and resolutions as it shall first determine to recommend for introduction and passage by at least a two-thirds vote of its membership.

(10) The council shall be provided with adequate office space in the capitol building, preferably in such rooms as are assigned to legislative committees during regular sessions.

History: 1953 c. 589.

13.351 Long range public building program. (1) **POLICY.** The legislature of 1949 hereby finds and determines that it is necessary to improve the adequacy of the public building facilities that are required by the various state agencies including the educational institutions, for the proper performance of their duties and functions, and that it is in the interest of economy, efficiency and the public welfare that such improvement be accomplished by means of a long-range public building program, with funds to be provided by successive legislatures. Projects in such long-range program shall include the necessary lands, new buildings, and all facilities and equipment required and also the remodeling, reconstruction and re-equipping of existing buildings and facilities, but shall not include ordinary maintenance.

(2) STATE BUILDING COMMISSION; POWERS AND DUTIES. (a) There is created a state building commission which shall consist of the governor, who shall be chairman, and 6 members of the legislature of whom 3 shall be from each house, to be appointed as are standing committees in the respective houses, provided that of the members appointed from either house, one shall be a member of the visiting committee created by section 13.057, and one citizen member to be appointed by the governor who shall serve at the pleasure of the governor as an ex officio member. The terms of all legislative members shall expire on May 1 in each odd-numbered year. The members shall act without liability except for misconduct, and shall receive no compensation for their services but they shall be reimbursed for travel expenses actually and necessarily incurred in the performance of their duties out of the appropriation made in section 20.12 (11).

(b) The commission shall have all the powers that are necessary to carry out its duties and is authorized to accept all donations, gifts and bequests made to the state for public building purposes, including any grants that may be made by the federal government and to apply the same in accordance with the terms of the grant or the wishes of the donors, in so far as such is practicable. In the construction of all new buildings or additions to existing buildings used for housing state offices and constructed for general state purposes and not specially for the use of any particular state agency, the state building commission shall function with respect to such construction in the same manner as other state agencies function with respect to buildings constructed for such agencies. The commission shall have authority to determine what agencies of the state shall at the outset be housed in such buildings, to assign space to such agencies and to fix the rental therefor, and, notwithstanding any other provision of statute, shall have authority to remove to such buildings any departments housed in the state capitol other than the constitutional offices. After the completion of such buildings, they shall be in the charge of the state chief engineer as provided by section 15.77. The commission with respect to any of such buildings shall have all the powers so far as applicable as were conferred by law on the state office building commission with respect to the state office building.

(c) In performing its duties, the commission may be assisted by a technical advisory committee consisting of the director of budget and accounts, the state chief engineer, the state architect, the director of regional planning, and such other state officials and employees as the commission may require.

(d) The commission, for the purpose of carrying out the provisions of s. 36.34 relating to the sale and purchase of agricultural lands of the state university, may authorize the advance of sums from the state building trust fund for the purchase price, including option payments, of agricultural lands to be acquired by the state university and for expenses incurred in selling agricultural lands presently owned by the state university; provided that all such sums advanced shall be repaid to the state building trust fund from the appropriation made by s. 20.41 (6).

(e) 1. The state building commission shall report to the legislature at each regular session, for purposes of legislative review, the progress made from all appropriations including federal aid provided since the adjourned 1943 legislative session to carry out the state's public building program. Such report shall be part of the budget document and shall include for each state agency projects completed, under construction and contemplated from unincumbered and unallocated appropriations and for each project estimated and final costs and such other data as the commission shall determine. The governor shall include in his biennial budget message such additional amounts for projects in the state's public building program as he and the state building commission recommend should be appropriated by the legislature for the succeeding biennium.

2. It is the intent of the legislature that it be given a complete picture of the results of its past decisions regarding the state's building program which will serve as background for making further decisions.

(3) STATE BUILDING TRUST FUND. In the interest of the continuity of the program, there shall be transferred from the general fund to the state building trust fund as a building depreciation reserve, annually on July 1, a sum equal to 2 per cent of the value of all state buildings, structures, utility plants and equipment therein excepting those under the jurisdiction of the highway commission, as appraised by the bureau of engineering in each even-numbered year. Such appraisal shall be an estimate of the cost of reproduction of such buildings, structures and facilities, and shall be certified by the state chief engineer not later than November 20 of each even-numbered year, to the incoming governor, who shall include the sums so to be transferred in his budget. Such sums, together with all donations, gifts, bequests or contributions of money or other property, and any additional appropriations made thereto by the legislature shall constitute the state building trust fund. At such times as the state building commission shall direct, the governor shall release funds from this fund to become available for projects in the long-range building program, and he shall direct the director of budget and accounts to trans-

fer from this fund to the post-war construction and improvement fund provided by section 25.35 such amounts as are needed for these projects. In issuing such directions, the commission shall consider the cash balance in the state building trust fund, the necessity and urgency of the proposed improvement, employment conditions and availability of materials in the locality in which the improvement is to be made.

(4) STATE AGENCIES TO REPORT PROPOSED PROJECTS. Each state agency contemplating a project under this program shall report its proposed projects to the state building commission not later than August 1 of each even-numbered year. Such reports shall be as prescribed by the commission on forms provided by it, and shall show the projects proposed to be carried out within the next 3 succeeding bienniums, the estimated cost of each, and the preferred priority of execution. The first of such reports shall be made in 1950.

(5) BUREAU OF ENGINEERING TO ASSIST. In order to assist the various state agencies in their duties under subsection (4), the bureau of engineering shall, when requested by the agency and approved by the governor, make or cause to be made such preliminary studies with respect to any proposed project as are necessary to provide sound estimates of cost. The costs of such studies shall be paid in the first instance out of the appropriation in 20.12 (11), but shall be a first charge against any funds subsequently made available for the project and the amount thereof shall thereafter be repaid into the general fund and credited to section 20.12 (11).

(6) REVIEW OF PROJECTS. All reports submitted as provided by subsection (4) shall be reviewed by the commission, which shall make its report not later than November 20 next succeeding. Such report shall include specific recommendations with priorities for such project as the commission shall deem essential and shall recommend additional appropriations if necessary for the execution thereof. Copies shall be filed with the governor, the chief clerks of the legislature, and the legislative council.

History: 1951 c. 27, 711; 1953 c. 505, 561.

13.355 Approval of construction projects. All projects including all necessary buildings, improvements, facilities, equipment and other capital items involving the expenditure of \$50,000 or more of public money proposed by the conservation commission shall be approved by the legislature by joint resolution if proposed during the period of a regular session of the legislature or by the state building commission if proposed when the legislature is not in session before any contracts are let or any work begun on such projects.

History: 1953 c. 588.

13.36 Legislator's eligibility to other civil office. Any member of the legislature who, during the term for which he was elected, is appointed or elected to any other civil office, the emoluments of which were increased during his term of office as a member of the legislature, shall be eligible to appointment or election to such office but shall be entitled to compensation only at the rate in effect prior to such increase. Any former member of the legislature, who, after expiration of the legislative term for which he was elected, is appointed or elected to any other civil office, shall be entitled to the full statutory compensation and expenses therefor.

13.40 Joint survey committee on retirement systems. (1) There is created the joint survey committee on retirement systems to be composed of 7 members, as follows:

(a) Two members of the senate and 2 members of the assembly, to be appointed in the manner in which appointments are made to standing committees in the respective houses.

(b) An assistant attorney-general to be appointed by the attorney-general.

(c) Any member of the public to be selected by the governor.

(d) The commissioner of insurance who shall serve ex officio, or he may designate an experienced actuary in the department of insurance to serve on the committee in like capacity, which designation may be revoked by him.

(2) Each appointment under subsection (1) (a), (b) and (c) shall be for a period of 4 years, the terms of such members first appointed to begin April 1, 1947. Each member shall serve until his successor is appointed and qualified. Any member shall forthwith cease to be a member of the committee upon losing the status upon which the appointment was based. Vacancies, either for a full term or an unexpired term, shall be filled in the original manner.

(3) The committee members shall receive no compensation for such service, but shall be reimbursed for any actual and necessary expense incurred because of membership on the committee. Membership on the committee shall not be incompatible with any other public office.

(4) The committee shall select a chairman, a vice-chairman and a secretary from its members, and shall adopt such rules as are necessary. It may employ a recording secre-

tary and such personnel as are required for the performance of its duties, at such compensation as shall be in conformity with chapter 16 and section 20.01 (20). It may also contract for actuarial assistance which shall not be subject to the provisions of chapter 16.

(5) The committee shall be furnished adequate quarters in the state capitol building.

(6) The committee shall keep a written record of its proceedings. All actions shall require the approval of a majority of all the members.

(7) The committee shall have the following powers and duties:

(a) No bill creating or modifying any system for the retirement of public employees shall be acted upon by the legislature until it shall have been referred to the joint survey committee on retirement systems and such committee shall have submitted a written report on the proposed bill. Such report shall pertain to the probable costs involved, the effect on the actuarial soundness of the retirement system, and the desirability of such proposal as a matter of public policy.

(b) The committee may investigate and report to the legislature on any retirement system for public employees. The officers and employees of any such system shall co-operate fully with the committee in any such investigation.

(c) The committee may hold hearings and any member shall have the power to administer oaths and examine witnesses. By subpoena, issued over the signature of its chairman and served in the manner in which circuit court subpoenas are served, it may summon and compel the attendance of witnesses and the production of all books, papers, documents or records necessary or convenient to be examined and used by them in carrying out their functions under this section. If any witness so subpoenaed to appear before the committee shall refuse to appear or to answer inquiries propounded or shall fail or refuse to produce books, papers, documents or records within his control when the same are demanded, the committee shall make report thereof to the circuit court of Dane county whose duty it is to compel obedience to any such subpoena by attachment proceedings for contempt as in case of disobedience of the requirements of a subpoena issued from said court or a refusal to testify therein.

(d) The committee may require of officers or employees having charge of, control over or administering any public employee pension or retirement plan financial reports thereof showing the financial condition of such plan and the number, nature and amounts of its investments.

(e) It shall establish and keep current a library of all public employee pension and retirement plans throughout the United States and may study such plans of foreign countries.

(8) No bill creating or modifying any system for the retirement of public employees shall be considered by either house until there has been submitted a written report which completely sets forth the actuarial effect of such bill, and fully discloses the alternate cost of each proposed enactment. Each such bill and accompanying report shall be referred by the chief clerk of the house in which introduced to the joint survey committee on retirement systems prior to reference to a standing committee of that house.

13.50 Committee to study industrial development. (1) **CREATION.** There is created for the biennium, 1953-1955, under the administration of the legislative council, a committee to study industrial development consisting of 2 senators and 2 assemblymen, appointed as are standing committees, and one representative each from the executive branch of the government, industry, agriculture, small business, labor, banking and finance and the university of Wisconsin appointed by the governor. Members of the committee shall receive no compensation, but shall receive their actual and necessary expenses while engaged in the performance of their official duties.

(2) **PURPOSE.** The committee shall:

(a) Inquire into the factors which encourage and discourage industry to locate in this state;

(b) Inquire into the organization, methods and policies needed to promote the industrial development of the state;

(c) Inquire into the problems resulting from industrial expansion as well as the problems resulting from failure to promote the expansion of industry;

(d) Propose a sound program of industrial promotion including the required administrative organization, if any, to develop and maintain a program likely to provide the state with a wholesome development.

(3) **ORGANIZATION.** The committee is empowered to employ staff and to request information and assistance from any agency of state government.

(4) **REPORT.** The committee shall report to the legislative council on or before November 1, 1954, which report shall be transmitted by the legislative council to the legislature upon its convening in 1955.