

No. 1, A.]

[Published July 2, 1949.

**CHAPTER 389.**

AN ACT to amend 20.175 (3) of the statutes, relating to a contingent fund for Stout institute and the teachers' colleges, and making an appropriation.

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

20.175 (3) of the statutes is amended to read:

(3) (a) *As used in this subsection, "department" includes the board of normal regents and the trustees of Stout institute; "institution" includes all state teachers' col-*

*leges and Stout institute; "superintendent" means the head of any institution as defined above.*

(b) Out of the appropriations for the operation of *Stout institute*, the several state teachers' colleges and the several institutions under the jurisdiction of the department of public welfare, state board of health and state superintendent of public instruction there is allotted to each institution, subject to the approval of the emergency board, such sums as may be necessary to be used as a contingent fund for the payment of institutional bills of less than \$75, except that no part of the contingent fund shall be used for the payment of the salary or wages of an employe. The amount allotted to each institution shall be deposited in a separate account to be known as the "contingent fund" in a public depository to be designated by the respective departments. Payment of institutional bills of less than \$75 shall be made by check drawn by the superintendent against such account, except as herein otherwise provided, without the necessity of being first submitted to the department and to the director of budget and accounts for approval and audit. From time to time the superintendent shall file claim for reimbursement on a sworn voucher which shall be accompanied by the bills for payment of which reimbursement is claimed. Bills paid by check need not be receipted by the payee, but the number of the check shall be placed on the bill. Bills may be paid by cash if approved by the superintendent and receipted by the payee. After approval of such claim by the department and audit by the director of budget and accounts, the contingent fund shall be reimbursed the total amount lawfully paid therefrom. If the superintendent shall pay any bill which is subsequently disapproved either by the department or the director of budget and accounts as unlawful and unauthorized, he shall, within 10 days after notification by the department, personally make good such unlawful or unauthorized payment. All moneys received in reimbursement for payments made from the contingent fund shall be deposited to the credit of said account and are added to this appropriation. Each respective department, with the approval of the director of budget and accounts, shall make written rules and regulations for carrying out the purposes of this subsection. Each department shall require the superintendent of each institution to execute and file a surety bond in such sum as the emergency board may require, guaranteeing the faithful discharge of his duties and obligations under this section, the premium to be paid out of the proper appropriation for each of said departments. Any check now outstanding or which is hereafter drawn against the contingent fund of an institution which is not paid within 2 years of the date of its drawing because of inability to locate the drawee or his failure to submit same for payment, after the bank has been requested to stop payment, shall be treated as a cancelled check and added to the checking account balance. A check for the amount so added shall be drawn in favor of the state treasurer and deposited in the general fund as a nonappropriated receipt. If the person entitled to a check so cancelled presents a satisfactory claim therefor to the department, said department shall direct the director of budget and accounts to draw a warrant in payment of such claim and charge to a sum sufficient appropriation for the repayment of cancelled checks. In those institutions in which the financial and business affairs are under the jurisdiction of a \* \* \* financial or business officer, the "contingent fund" is to be under said officer's jurisdiction and all of the above provisions applying to the superintendent shall apply to said \* \* \* officer.

(c) *By the procedure provided in (b) the board of trustees of the Stout institute, the board of normal regents and the several institutions under its control may use money in the respective contingent funds to pay bills of \$500 or less which allow the taking of a discount if paid in 30 days or less and for the payment of necessary expenses which must be met by the payment of cash.*

Approved June 27, 1949.