

to the operating costs of such airport borne by each municipality. Taxes apportioned to privately owned airports shall be distributed in the same manner as provided in section 76.28 (1).

SECTION 12. This act shall take effect January 1, 1946.

Approved July 26, 1945.

No. 458, S.]

[Published July 30, 1945.

CHAPTER 513.

AN ACT to amend 14.71 (1) and to create 20.053 and 114.30 to 114.33 of the statutes, relating to aeronautics, and making an appropriation.

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 amended to read:

14.71 GENERAL DEPARTMENTAL POWERS. (1) APPOINTMENT OF SUBORDINATES. Except as expressly provided by law, the governor, secretary of state, state treasurer, attorney-general, state superintendent, commissioner of insurance, state fire marshal, director of purchases, public service commission, industrial commission, adjutant general, grain and warehouse commission, director of personnel, department of taxation, board of tax appeals, commissioners of public lands, state conservation commission, state supervisor of inspectors, banking commission, banking review board, free library commission, state chief engineer, director of agriculture, director of the budget, geological and natural history survey, state board of health, state highway commission, state planning board, state board of medical examiners, state board of dental examiners, state board of pharmacy, Wisconsin real estate brokers board, state board of vocational and adult education, Wisconsin employment relations board, commissioner of the motor vehicle department, director of public welfare, *state aeronautics commission*, and state athletic commission are each authorized to appoint such deputies, assistants, experts, clerks, stenographers or other employes as shall be necessary for the execution of their 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.

SECTION 2. 20.053 of the statutes is created to read:

20.053 AERONAUTICS COMMISSION. (1) There is appropriated from the general fund to the state aeronautics commission on July 1, 1945 and on July 1, 1946 \$20,000 for the purpose of carrying out its functions under chapter 114.

(2) All moneys received by the state from the United States for the promotion of aeronautics or for airports or other aeronautical facilities, or from any unit of local government for such purposes, shall be paid within one week after receipt into the general fund to be held in trust, and are hereby appropriated therefrom to the state aeronautics commission for expenditures as provided by section 114.32.

SECTION 3. 114.30 to 114.33 of the statutes are created to read:

114.30 AERONAUTICS COMMISSION. (1) MEMBERSHIP. There is hereby created a state aeronautics commission consisting of 5 members to be appointed by the governor with the advice and consent of the senate. The members of the said commission shall be men qualified by their knowledge of, experience in or interest in aeronautics. Of the members first appointed, 2 shall serve for terms ending April 30, 1947; 2 for terms ending on April 30, 1949; and one for a term ending on April 30, 1951. Successive members shall be appointed for terms of 6 years each. Members shall continue to serve until their successor is appointed and qualified. Members of the commission shall receive no pay for their services as such members, but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties.

(2) ORGANIZATION, MEETING, REPORT. The commission shall, within 30 days after its appointment, meet, organize, adopt a seal, and make such rules and regulations for its administration, not inconsistent herewith, as it may deem expedient and may from time to time amend such rules and regulations. At such organization meeting it shall elect from among its members a chairman, a vice chairman, and a secretary, to serve for one year, and annually thereafter shall elect such officers; all to serve until their successors are appointed and qualified. Meetings may be called by the chairman and shall be called on the request of 2 members, and may be held as often as necessary, and may be at places other than the state capitol.

Three members shall constitute a quorum for the transaction of business. All regular and special commission meetings shall be open to the public. It shall report in writing to the governor on or about December 1 of each year. Said report shall contain a summary of its proceedings during the preceding fiscal year, a detailed and itemized statement of all revenue and of all expenditures made by or in behalf of the commission, such other information as it may deem necessary or useful and any additional information which may be requested by the governor.

(3) DIRECTOR; SALARY, QUALIFICATIONS, DUTIES.

The commission shall employ a director of aeronautics who shall continue in office at the pleasure of the commission and whose salary shall be fixed by the commission, but not to exceed \$5,000 per year, and shall be reimbursed for all traveling and other expenses incurred by him in the discharge of his official duties. Said director shall be a person having executive ability and experience in aeronautics, and shall not be subject to the provisions of chapter 16 governing the competitive division of the classified service. He shall be administrative head of the commission, shall be responsible to the commission for the execution of its policies; and shall exercise the powers of the commission in the interim of its meetings but subordinate thereto. He shall not have any pecuniary interest in or any stock in or any bonds of any civil aeronautics enterprise.

114.31 POWERS AND DUTIES OF COMMISSION. (1) GENERAL. The commission shall have general supervision of aeronautics in the state and promote and foster a sound development of aviation in this state, promote aviation education and training programs, assist in the development of aviation and aviation facilities, safeguard the interests of those engaged in all phases of aviation, formulate and recommend and promote reasonable regulations in the interests of safety, and coordinate state aviation activities with those of other states and the federal government and in general prepare for the generally expected extensive expansion of aviation following the termination of World War II. The commission shall have all powers that are necessary to carry out its policies. The commission is especially charged with the duty of informing itself regarding all federal laws that affect aeronautics in this state, all regulations pursuant to such laws, and all pending legislation providing for a national airport system, in order that it may recommend to the governor and the legisla-

ture such measures as will best enable this state to derive the maximum benefits from such legislation if and when it shall become effective. It shall be the duty of all other state boards, commissions, departments and institutions, especially the appropriate educational institutions to cooperate with the aeronautics commission.

(2) **STUDIES AND INVESTIGATIONS.** It shall conduct studies and investigations with reference to the most effective development and operation of airports and all other aeronautical facilities, and issue reports of its findings from time to time.

(3) **AVIATION EDUCATION AND TRAINING.** In cooperation with the appropriate educational institutions of the state, and jointly with them it shall formulate programs of aviation education and training, and disseminate information regarding such programs.

(4) **COOPERATION WITH FEDERAL AERONAUTICAL AGENCY.** It shall cooperate with and assist the federal government, the political subdivisions of this state, and others engaged in aeronautics or the promotion of aeronautics, and shall seek to coordinate the aeronautical activities of these bodies. To this end, the commission is empowered to confer with or to hold joint hearings with any federal aeronautical agency in connection with any matter arising under chapter 114, relating to the sound development of aeronautics, and to avail itself of the cooperation, services, records and facilities of such federal agencies, as fully as may be practicable, in the administration of said sections. It shall furnish to the federal agencies its cooperation, services, records and facilities, in so far as may be practicable.

(5) **AIR MARKING SYSTEM.** It shall cooperate with the federal government in any air marking system and weather information.

(6) **TECHNICAL SERVICES TO MUNICIPALITIES.** It may, insofar as is reasonably possible, offer the engineering or other technical service of the commission, without charge, to any municipality desiring them in connection with the construction, maintenance or operation or proposed construction, maintenance or operation of an airport. Municipalities are authorized to cooperate with the commission in the development of aeronautics and aeronautical facilities in this state. The state planning board and all other agencies are authorized and directed to make available such facilities and services, and to cooperate as far as pos-

sible to promote the best interests of aeronautics of the state.

114.32 FEDERAL AID FOR AIRPORTS. (1) COMMISSION MAY ACCEPT. The commission is authorized to cooperate with the government of the United States, and any agency or department thereof, in the acquisition, construction, improvement, maintenance and operation of airports and other air navigation facilities in this state, and to comply with the laws of the United States and any regulations made thereunder for the expenditure of federal moneys upon such airports and other air navigation facilities, and may enter into any contracts necessary to accomplish such purpose. It is authorized to accept, receive and receipt for federal moneys and other moneys, either public or private, for and in behalf of this state, or any municipality thereof, for training and education programs, for the acquisition, construction, improvement, maintenance and operation of airports and other aeronautical facilities, whether such work is to be done by the state or by such municipalities, or jointly, aided by grants of aid from the United States, upon such terms and conditions as are or may be prescribed by the laws of the United States and any rules or regulations made thereunder, and it is authorized to act as agent of any municipality of this state upon the request of such municipality, in accepting, receiving and receipting for such moneys in its behalf for airports, and in contracting for the acquisition, improvement, maintenance or operation of airports financed either in whole or in part by federal moneys, and the governing body of any such municipality is authorized to designate the commission as its agent for such purposes and to enter into an agreement with it prescribing the terms and conditions of such agency in accordance with federal laws, rules and regulations and with chapter 114. Such moneys as are paid over by the United States government shall be retained by the state or paid over to said municipalities under such terms and conditions as may be imposed by the United States government in making such grants. Nothing in this section shall prohibit any local unit of government from dealing directly with the federal government in any transaction involving federal aid for any airport or aeronautical facility owned by it or hereafter acquired or constructed.

(3) CONTRACTS. All contracts for the acquisition, construction, improvement, maintenance and operation of airports and other aeronautical facilities, made by the commission either as the agent of this state or as the agent of any municipality, shall

be made pursuant to the laws of this state governing the making of like contracts; provided, however, that where the acquisition, construction, improvement, maintenance and operation of any airport or landing strip and other aeronautical facilities is financed or partially financed with federal moneys, the commission, as agent of the state or of any municipality thereof, may let contracts in the manner prescribed by the federal authorities, acting under the laws of the United States, and any rules or regulations made thereunder, notwithstanding any other state law to the contrary.

(4) DISPOSITION OF FEDERAL FUNDS. All moneys accepted for disbursement by the commission pursuant to this section shall be deposited in the state treasury, and, unless otherwise prescribed by the authority from which the money is received, kept in separate funds, designated according to the purpose for which the moneys were made available, and held by the state in trust for such purposes. All such moneys are appropriated for the purposes for which the same were made available to be expended in accordance with federal laws and regulations and with chapter 114. The commission is authorized, whether acting for this state or as the agent of any of its municipalities, or when requested by the United States government or any agency or department thereof, to disburse such moneys for the designated purposes, but this shall not preclude any other authorized method of disbursement.

114.325 REVIEW. Orders of the commission shall be subject to review in the manner provided in chapter 227.

114.33 SEVERABILITY. If any section, subsection, paragraph or other provision contained in chapter 114, or its application to any person or circumstance shall be held unconstitutional, such decision shall not affect the constitutionality of any other section, subsection or paragraph or its application to other persons or circumstances.

SECTION 4. This act shall take effect July 1, 1945, if passed and published by that time, otherwise upon passage and publication.

Approved July 26, 1945.