

SECTION 5. 361.02 (2) of the statutes is created to read:

361.02 (2) Upon like complaint made to any district attorney, he may in his discretion reduce the complaint to writing and cause it to be subscribed and sworn to by the complainant; and may issue a like warrant returnable before some magistrate of the county. For this purpose the district attorney is authorized to administer an oath to the complainant.

Approved August 16, 1945.

No. 540, A.]

[Published August 22, 1945.

### CHAPTER 559.

AN ACT to amend 41.37, 51.25, 59.87 (9), 59.92 (2) and 92.06 and to repeal and recreate 45.15, 50.06 (3), 59.15 and 83.01 (3) of the statutes, relating to the compensation of certain county officials and employes.

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

SECTION 1. 59.15 of the statutes is repealed and recreated to read:

59.15 COMPENSATION, FEES, SALARIES, AND TRAVELING EXPENSES OF ELECTIVE OFFICIALS, APPOINTIVE OFFICIALS AND EMPLOYEES. (1) ELECTIVE OFFICIALS. (a) The county board shall, prior to the earliest time for filing nomination papers for any elective office to be voted on in the county or part thereof (other than county board members and circuit judges), which officer is paid in whole or part from the county treasury, establish the total annual compensation for services to be paid such officer (exclusive of reimbursements for expenses out-of-pocket provided for in 59.15 (3)). The annual compensation may be established on a basis of straight salary, fees, or part salary and part fees, and if the compensation established by the county board is a salary, or part salary and part fees, such compensation shall be in lieu of all fees except those specifically reserved to the officer by enumeration regardless of the language contained in the particular statute providing for the charging of the fee. The compensation established shall not be increased nor diminished during the officer's term and shall remain for ensuing terms unless changed by the county board by timely action.

(b) Any officer authorized or required to collect fees appertaining to his office shall keep a complete record of all fees received in such form as the county board shall prescribe and shall place a record of the total annual receipts on file in the county clerk's office within 20 days of the close of the calendar year or at such other times as the county board may require. Any officer on a salary basis or part fees and part salary shall collect all fees authorized by law appertaining to his office and shall remit all such fees not specifically reserved to him by enumeration in the compensation established by the county board pursuant to paragraph (a) to the county treasurer at the end of each month unless a shorter period for remittance is otherwise provided by law.

(c) For the duration of the present war and for 6 months after the termination thereof as proclaimed by Congress or the President, the county board may, during the term of office of any county officer, change the basic salary or compensation for such county officer in such amount as the county board may determine will adjust the basic salary to fit any changes in the cost of living during the emergency, notwithstanding any other provision of law to the contrary.

(2) APPOINTIVE OFFICIALS, DEPUTY OFFICERS, AND EMPLOYEES. (a) Notwithstanding the provisions of any general or special law to the contrary the county board shall have the powers set forth in section 59.15 (2) and (3) as to any office, board, commission, committee, position, or employe in county service (other than elective offices included under section 59.15 (1), county board members and circuit judges) created by or pursuant to any special or general provisions of the statutes, the salary or compensation for which is paid in whole or in part by the county, and the jurisdiction and duties of which lie within the county or any portion thereof and the powers conferred by this section shall be in addition to all other grants of power and shall be limited only by express language.

(b) The county board at any regular or special meeting may abolish, create, or reestablish any such office, board, commission, committee, position, or employment, and in furtherance of this authority may transfer the functions, duties, responsibilities and privileges to any other existing or newly created agency including a committee of the county board except as to boards of trustees of county institutions.

(c) The county board at any regular or special meeting may provide, fix, or change the salary or compensation of any such office, board, commission, committee, position, employe, or deputies to elective officers without regard to the tenure of the incumbent (except as provided in paragraph (d)) and also establish the number of employes in any department or office including deputies to elective officers, and may establish rules and regulations of employment for any or all persons paid from the county treasury, but no action of the county board shall be contrary to or in derogation of the rules and regulations of the state department of public welfare pursuant to section 49.50 (2) relating to employes administering old-age assistance, aid to dependent children, and blind pensions or the provisions of section 16.31 to 16.44.

(d) The county board at any regular or special meeting or any board, commission, committee, or any agency to which the county board or statutes has delegated the authority to manage and control any institution or department of the county government may enter into contracts for the services of employes setting up the hours, wages, duties and terms of employment for periods not to exceed 2 years.

(3) The county board may at any regular or special meeting provide for reimbursement to any elective officer, deputy officer, appointive officer, or employe of any expense out-of-pocket incurred in the discharge of that person's duty as such officer or employe in addition to the salary or compensation for such person, including without limitation because of enumeration, traveling expenses within or without the county or state, and in furtherance of this authority the county board may establish standard allowances for room and meals, the purposes for which such allowances may be made, and determine the reasonableness and necessity for any and all such reimbursements, and also establish in advance a fair rate of compensation to be paid to the sheriff for the board and care of prisoners held in custody in the county jail at county expense.

(4) In the event of any conflict between the provisions of this section and any other provisions of the statutes the provisions of this section to the extent of such conflict shall prevail.

SECTION 2. 41.37 of the statutes is amended to read:

41.37 A "County Normal School Board" is created, which shall have charge and control of all matters pertaining to the

organization, equipment and maintenance of such schools. Said board shall consist of 3 members, one of whom shall be the county superintendent of schools. The other members shall be elected by the county board at an annual meeting for the term of 3 years from January 1 following their election, and shall within 10 days after the notice of such election take and file the official oath and execute and file an official bond in such sum as may be fixed by the county board. The members thereof shall meet and elect one of their number president. The county superintendent of schools shall be secretary of the said board, and the county treasurer of the county in which the school is located shall be treasurer of said board, but not a member thereof. The said board shall prescribe the duties of its officers. The members of such board shall receive such compensation for their services and reimbursement for traveling expenses necessarily incurred in the discharge of their functions as the county board shall allow

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SECTION 3. 45.15 of the statutes is repealed and recreated to read:

45.15 COMMISSION, COMPENSATION. The county board shall allow the members of the commission a reasonable rate of compensation for services and actual expenses incurred in the performance of their duties to be determined pursuant to section 59.15. The county board may provide for the employment of clerical assistance to the commission.

SECTION 4. 50.06 (3) of the statutes is repealed and recreated to read:

50.06 (3) COMPENSATION OF TRUSTEES. The trustees of the sanitarium shall receive compensation as determined under the provisions of section 59.15.

SECTION 5. 51.25 of the statutes is amended to read:

51.25 Every county may, pursuant to section 46.17, establish a county asylum for the chronic insane for the detention and care of persons adjudged or alleged to be insane pursuant to law; and in connection therewith a separate hospital or pavilion for the care of the chronic insane who are affected by pulmonary tuberculosis. In counties whose population is 250,000 or more such institution shall be governed pursuant to section 46.21. In all other counties it shall be governed pursuant to sections 46.18, 46.19 and 46.20; but the trustees shall, in addition to the superintendent, appoint a visiting physician of said asylum; and they

shall receive \* \* \* compensation \* \* \* *as determined under the provisions of section 59.15.*

SECTION 6. 59.87 (9) of the statutes is amended to read:

59.87 (9) From and after the annual meeting of the county boards in November 1919, the special committee on agriculture shall consist of the chairman of the county board of supervisors, the county superintendent or superintendents of schools, and 3 practical farmers representing the agricultural interests of the county, appointed by the county board of supervisors, one of whom shall be a member of the county board of supervisors. In those counties that have county agricultural schools, the 2 boards shall work in conjunction as one board, provided that in counties having a population of 250,000 or more, the county agricultural representatives shall be appointed pursuant to section 46.21, and the power and duties of his office shall be exercised in connection with and as a department of the county school of agriculture. Such members of the special committee on agriculture, except the county superintendent or superintendents of schools member thereof, shall receive as compensation and expenses the amounts and allowances \* \* \* *as determined under the provisions of section 59.15.*

SECTION 7. 59.92 of the statutes is amended to read:

59.92 (2) Any county board which desires to avail itself of the authority granted by this section may elect 2 persons to serve for a term of 4 years as members of a board to be known as the county reclamation board and may request the governor to appoint a third person to serve with the 2 elected members for a term of 4 years and the governor shall make such appointment within 30 days of the delivery of the request. The 3 persons so chosen shall constitute the reclamation board of the county and shall hold office until their respective successors are qualified. Upon or before the expiration of the terms of the members of the reclamation board first chosen it shall be the duty of the county board and the governor to choose successors to the said members for terms of 4 years and thereafter the county board and the governor shall choose members of the reclamation board every 4 years so long as a reclamation board is necessary to carry out the provisions of this section. One of the members of the reclamation board shall be a competent surveyor. \* \* \* *The compensation of each member of the reclamation board shall be as determined under the provisions of section 59.15.* Claims for such compensa-

tion and expenses shall be submitted by voucher and when audited in the same manner as other claims against the county are audited, shall be paid from the reclamation fund hereinafter provided for, or in case no moneys in the reclamation fund are available for this purpose, from any moneys in the county treasury not otherwise appropriated, but in the latter case the amounts so taken from the county treasury shall be returned to the said treasury from the reclamation fund as soon as any moneys in the said fund become available for the purpose.

SECTION 8. 83.01 (3) of the statutes is repealed and recreated to read:

83.01 (3) SALARY. The salary of the county highway commissioner shall be as determined under the provisions of section 59.15.

SECTION 9. 92.06 of the statutes is amended to read:

92.06 When a county has been declared a soil conservation district, the special committee on agriculture, created pursuant to section 59.87 (9), shall be the supervisors of said district, except as provided in section 92.16 (2). In any county which has been designated a soil conservation district pursuant to the provisions of section 92.05 but which does not have such a special committee on agriculture, the county board shall forthwith create such a special committee on agriculture as provided in section 59.87 (9). The special committee on agriculture shall exercise the powers and duties imposed upon supervisors of soil conservation districts in connection with other powers and duties conferred upon it by law and by the county board. The compensation of the members of the special committee on agriculture for performing services as supervisors of the district shall be governed by and as prescribed under section \* \* \* 59.15.

Approved August 17, 1945.