

An Act relating to Printing.

Chap 504

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The secretary of state shall within four weeks after the close of the present session of the legislature, and within four weeks after the close of every second regular session thereafter, advertise for four weeks successively in four different papers published in different sections of the state, for sealed proposals for doing at the seat of government, all printing authorized and required by the legislature for their use or for the state in all the several departments thereof.

To advertise for proposals.

SEC. 2. Said advertisement shall divide the printing required to be done, into three classes: the first to comprise all printing incident to the business of the two houses while in session, the second class to comprise the journals and documents of the two houses, and all laws passed by the legislature, and the third class, the printing of the several state departments of all kinds and descriptions whatsoever. All of said classes to be offered in one bid, and provided for by one contract.

Classes of printing.

SEC. 3. The advertisement shall require specifications in said bid as follows: for all classes, except blanks, the price of composition per 1000 ems; the price per token of press work; the price per quire of all paper used, specifying the size and quality thereof, and the price of folding, stitching, covering, and binding the same in paper covers or in boards, should the legislature specially authorize the same; and for blanks, the price per quire, the contractor furnishing the paper for the same.

Specifications.

SEC. 4. The secretary of state shall keep in his office for inspection, a specimen of each kind, style, and quality of the work required to be done and material to be used in the several cases.

Specimens of work.

SEC. 5. The bids shall be delivered at the office of the secretary of state, endorsed, "Proposals for State Printing," and shall be and remain sealed up until the hour specified in the advertisement for such letting for opening the same, and no bid shall be received by said secretary after said hour,

Time for depositing bid.

SEC. 6. The secretary of state shall consider no bid which is not accompanied by a sufficient guarantee that the person making the same, will, if successful, execute the necessary bond for the fulfillment of his contract.

What bids not to be considered

SEC. 7. At the hour specified for opening said bids, the secretary of state, in presence of the state treasurer, attorney general, and in the absence of either, of the governor and of such bidders as may choose to attend, shall open the same, and proceed to determine who is the lowest and best bidder therefor; and after due examination and the determining of the same, said secretary shall immediately notify the successful bidder of his appointment to execute the work, who, thereupon, within four weeks after receiving said notice, shall execute a bond to the governor in the sum of twenty thousand dollars, conditioned for the faithful performance of the duties assigned him, which bond shall be approved by the governor, and deposited in the office of secretary of state; and in case said lowest bidder shall fail to fulfill his contract and execute said bond, he and his guarantees shall be liable for all additional costs which may accrue to the state by reason thereof; and the secretary of state shall, in case of such default, immediately award the contract to the bidder next lowest, who shall execute a bond, in the sum aforesaid, within two weeks after he is notified of said award.

SEC. 8. The person to whom said award has been made and who has given the required bond, shall execute the said printing at the seat of government for the term of two years from the first Monday of January thereafter.

SEC. 9. The person so appointed to do said work shall deposit with the secretary of state, from time to time, copies of all work by him executed, to which shall be annexed an affidavit, either of said contractors, or printers employed upon said work, showing the number of copies printed and delivered, the amount of composition in the same, and cost under said contract, and the number of quires of blanks; and such affidavit shall be *prima facie* evidence of the truth of the facts therein contained; but no compensation shall be allowed to any person for any work until after a compliance with the provisions of this section.

SEC. 10. The secretary of state shall receive, file, and preserve for inspection in his office, all copies of work so furnished, when presented to him for that purpose.

SEC. 11. The chief clerk of each house shall deliver to the printer aforesaid a copy of every document or other matter ordered printed incident to the business of the two houses, on the same day such orders are made, and the same shall be printed with the least possible delay; and the chief clerk of each house shall, within ten days after the

In whose presence bids to be opened.

Duration of contract.

To deposit copies of work.

Copies to be preserved.

Chief clerk to deliver copies of documents.

close of each session, furnish to said printer a correct copy of the journals of their respective houses, together with a copy of all reports made to the same.

SEC. 12. The secretary of state shall, within one week after the passage of any law or joint resolution, furnish such printer with a correct copy of the same, and whenever in his opinion it is expedient for public convenience, may direct said printer to divide the documents from the journals of the two houses and print and bind the same in a separate volume or volumes.

Secretary of state to furnish copy of laws.

SEC. 13. The laws passed at each session of the legislature shall be divided, by the secretary of state and attorney general, into two classes, which shall be published and bound in separate volumes. The first class shall include the laws of a general nature, joint resolutions and memorials; but no law incorporating a rail road, plank road, or other company, shall be published therewith, unless such law specially requires that it be so published. The second class shall include all laws required to be published which are not embraced in and published with the laws composing the first class. The title pages of the respective volumes shall express whether they contain the "acts of a general nature," or the "private and local acts and charters of incorporated companies."

How laws to be divided.

SEC. 14. No law appropriating money, and containing no other provisions, shall be published, unless the law expressly requires it; but instead thereof, the secretary of state shall make out and certify to a full statement or list of all appropriations of money made by law at any session, and the purposes for which made, and cause the same to be published with the general laws passed at such session. The signatures of the speaker of the assembly, and president of the senate, and governor, shall not be printed at the end of each law or chapter, but only at the end of the volume; but the date of approval by the governor shall be affixed to each law.

What laws not to be published

SEC. 15. The public printer shall hereafter print eight thousand copies of the laws of the first class, and three thousand copies of the laws of the second class, and five hundred copies of the journals of each house of the legislature. A copy of the laws of the first class shall be distributed to each person and officer now entitled to the laws passed at each session, and also to the chairman of the board of supervisors of each town; and a copy of the laws of the second class shall be distributed to each such person and officer, other than a town officer, and to the town

What number of laws, &c. to be printed.

clerk and chairman of the board of supervisors of each town.

All documents to be of same size.

SEC. 16. The laws and journals, messages of the governor, reports of the state officers and school commissioners, reports of committees of the legislature, and all other documents required by the legislature or any department of the state, to be printed, shall be of uniform size, so as to admit of their being bound together in a compact form.

No constructive charges allowed.

SEC. 17. In computing the amount of paper, press work, composition, folding, stitching, or any other work or material embraced in a contract for printing, no "constructive charges" shall be allowed, and no work or material paid for unless it appears to have been actually performed or furnished and accepted by the proper state officer.

Fees for publishing.

SEC. 18. The fees to be allowed hereafter for publishing in a newspaper any law, notice, or other matter required to be published for the state by proper authority, shall be the same as are prescribed for publishing legal advertisements and notices.

Secretary to audit account.

SEC. 19. The secretary of state shall audit all accounts of the printer, for the laws, journals, documents, and printing of the state departments, whenever the same shall exceed two hundred dollars, upon the evidence in his office, when satisfied of the truth thereof, and may draw an order on the state treasurer for the same, not exceeding four thousand dollars in any one year on the amount of the accounts so allowed by him; and the treasurer shall pay said orders out of any money in the treasury not otherwise appropriated: *Provided*, That the sum of twenty-five per cent. on the total cost of said work shall be withheld by said secretary, who shall report the amounts thus audited by him to the governor in his annual report, and the legislature at its next session shall have power to examine said work and account, and allow or disallow the said twenty-five per cent. of the sum so retained as may be settled in accordance with justice.

Proviso.

Annual reports to be printed speedily.

SEC. 20. Immediately after the annual reports of the several departments have been placed in the hands of the governor, he shall put them, with a copy of his annual message, into the hands of the state printer, who shall proceed to print, stitch, and cover them in the usual manner as speedily as possible, in one volume; the number of such volumes shall be one hundred copies for the use of the state departments, and one thousand copies for the use of the two houses of the legislature.

SEC. 21. At the commencement of every session of the

legislature, there shall be appointed by their respective houses, a committee consisting of two members of the senate, and three members of the assembly, which shall constitute the committee on printing.

Committee on printing.

SEC. 22. The committee on printing shall have power to examine all bids and other papers on file in the office of the secretary of state, to give directions to the contractor when and in what order to execute the work for the two houses; to decide upon questions of delay and neglect; to make deductions in the prices or refuse work, if inferior to the standard or improperly delayed in the execution; to audit and pass all accounts for printing, when the evidences of such work shall have been deposited in the office of the secretary of state, according to the provisions of this act; and generally to investigate all matters relating to the printing of the state. The committee shall make a report by bill or joint resolution to the legislature of all its actions, and the same shall be approved or rejected.

Powers of committee.

SEC. 23. The legislature, and during the recess of the legislature, the governor, secretary, and treasurer may annul any contract for printing for an unreasonable delay in the execution of the work, or for doing it in an inferior or improper manner. The annulling of the contract shall not release the security from their obligation upon the bond of such contractor.

Contract may be annulled.

SEC. 24. When any contract shall be declared null for any cause, the secretary of state shall immediately proceed as if such contractor had refused to give security.

How secretary to proceed when contract annulled.

SEC. 25. Should any bidder feel himself aggrieved by the decision of the secretary of state in making the decision and appointment of the lowest bidder, he may appeal to the governor, state treasurer, and attorney general, who shall proceed to hear and determine such appeal without delay, or he may proceed by writ of mandamus against the secretary in any circuit court of this state, and shall have the right to try the facts of the case by a jury.

Appeal may be taken.

SEC. 26. If it shall at any time become necessary to publish an extra number of copies of any law or laws of this state, such publication shall be by authority of law, such law to define the number of copies which shall be published: *Provided*, That the printing, folding, stitching, covering, and binding of said extra copies of law or laws shall be done in strict accordance with the provisions of this act.

Extra copies of laws.

When act to
take effect.

SEC. 27. This act shall take effect and be in force from and after its publication, and all acts and parts of acts conflicting with the same are hereby repealed.

J. McM. SHAFER,

Speaker of the Assembly.

E. B. DEAN, JR.

President pro tem. of the Senate.

Approved, April 19, 1852.

LEONARD J. FARWELL.

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