

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

1995 SENATE BILL 637

March 19, 1996 - Introduced by Senators Rude and Panzer, cosponsored by Representatives Prosser and Nass. Referred to Joint committee on Information Policy.

AN ACT to repeal 35.012, 35.015 (2), 35.03, 35.05 (5) (b), 35.35 (2), the unnumbered subchapter title preceding 35.50, 35.50 to 35.55, 35.57 to 35.60, the unnumbered subchapter title preceding 35.61, 35.61 to 35.64, the unnumbered subchapter title preceding 35.65 and 35.65; to renumber and amend 13.92 (1) (b) 5., 16.971 (6) and 35.91 (1); to amend 13.093 (2) (a), 13.096 (2) (b), 13.096 (2) (c), 13.097 (2) (c), 13.097 (2) (d), 13.17, 13.50 (6) (b), 13.52 (6), 13.92 (1) (a) 5., 13.92 (1) (b) 2., 13.92 (1) (b) 3. a., 13.92 (1) (b) 3. c., 13.92 (1) (b) 4., 13.92 (1) (e) 1. and 2., 13.92 (2) (c), 13.93 (1) (intro.), 13.93 (1) (a), (c) and (p), 13.93 (1m) of the statutes, 13.93 (2) (c) and (h), 13.93 (2m) (a), 13.93 (3) (title), 13.93 (3) (a), 13.93 (3) (b), 13.93 (3) (c), 13.93 (3) (d), 13.94 (1) (c), 16.82 (4) (a), (d) and (g), 19.35 (1) (g), 20.004 (1), 20.908, chapter 35 (title), subchapter I (title) of chapter 35 [precedes 35.001], 35.01 (intro.) and (1), 35.01 (2), 35.01 (7), 35.01 (8), 35.015 (3), 35.035 (title) and (1) to (3), the unnumbered subchapter title preceding 35.05, 35.05 (title) and (1) to (4) and (5) (a), 35.05 (5) (c) to (e) and (6), 35.15 (1) (a), (c) and (e), 35.17, the unnumbered subchapter title preceding 35.18, 35.18 (title) and (1), 35.19, 35.20, 35.23, the unnumbered subchapter title preceding 35.24, 35.24 (1) (intro.), 35.24 (1) (a), 35.24 (1) (b) and (c), 35.24

 $\mathbf{2}$

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

(3), the unnumbered subchapter title preceding 35.26, the unnumbered subchapter title preceding 35.29, 35.29 (1), 35.35 (1), 35.35 (3), 35.36 (1), the unnumbered subchapter title preceding 35.43, 35.43, 35.44, the unnumbered subchapter title preceding 35.56, 35.56 (1), 35.56 (5), subchapter II (title) of chapter 35 [precedes 35.78], 35.84 (figure) (symbols), 35.84 (figure) column A (title), 35.84 (figure) column B (title), 35.84 (figure) column C (title), 35.84 (figure) column E (title), 35.84 (figure) column N (title), 35.85 (intro.), 35.85 (2), 35.85 (3) and (5), 35.87 (1), 35.89, 35.91 (2), 35.91 (3), 35.93 (title) and (1), 35.93 (3), 35.93 (4), 35.93 (5), 35.93 (8), 227.14 (2) (a), 227.19 (6) (a) (intro.), 227.22 (2) (d), 227.24 (1) (e) 1., 227.26 (2) (g) (intro.), 601.423 (2), 889.01 and 985.08 (2) (b); to repeal and recreate 35.001 (4); and to create 13.92 (1) (e) 4m., 13.92 (2) (i), 13.93 (3) (e), 16.971 (6) (b), 35.001 (2g) and (2r), 35.001 (5), 35.18 (4), 35.185, 35.24 (4), 35.25, 35.56 (6), 35.84 (figure) column O, 35.84 (figure) column P, 35.91 (1) (b) and (c), 35.91 (1g), 35.91 (1m) and 35.91 (1r) of the statutes; relating to: various changes in the laws regulating state printing: legislative document production and distribution; production, maintenance, distribution and sale of WisLaw; production, maintenance, distribution and sale of the Blue Book and other publications of the legislative reference bureau in computer-readable format; retitling of the Wisconsin Statutes; copyrighting of editorial material in the Wisconsin Statutes and Annotations, WisLaw and the Blue Book; computer data bases containing the Wisconsin Statutes and Annotations and the Blue Book; the price of the Wisconsin Statutes and Annotations; information concerning corrections to the Wisconsin Statutes and

2

WisLaw; and access to certain public records in electronic format and computer data bases used to produce such records.

Analysis by the Legislative Reference Bureau

This bill makes various changes in the laws regulating state printing. The bill also authorizes certain state publications to be produced, distributed and sold in computer-readable format. In addition, the bill changes and clarifies laws governing access to certain public records in electronic format and computer data bases used to produce such records. Significant provisions include:

STATE PRINTING CHANGES

This bill deletes a number of specific procedures and requirements for state printing procurement in favor of utilizing general state procurement laws for printing procurement. In most cases, the effect is to permit the department of administration (DOA) to continue to adhere to these procedures or requirements administratively or to substitute other procedures or requirements.

Among the requirements deleted by the bill are: 1) a requirement for DOA to promulgate rules concerning the conduct of state printing business; 2) a requirement for DOA to make annual reports to the joint committee on finance concerning state printing; 3) a requirement for state agencies that publish legal notices to furnish printer's copy to DOA; 4) a requirement for DOA to ensure, whenever possible, that certain state publications are produced in specified minimum and maximum size formats; 5) a requirement that contract printers for state publications submit proofs; 6) a requirement for requisitioning state agencies to supply title pages and printer's copy for their publications (but prohibiting the words "compliments of" followed by the name of the author or words to similar effect from appearing on the copy); 7) a requirement for base prices and specifications to be established for certain classes of state printing for 2-year periods; 8) a requirement for DOA to keep specified printing records, including records of paper deliveries; 9) requirements imposed upon contract printers concerning delivery and billing procedures; 10) a requirement for legislative publications to be printed and bound in the same manner as previous editions of the same publications unless otherwise determined by the publishing agency; and 11) a requirement for DOA to consult with the revisor or the chief of the legislative reference bureau before establishing base prices for the Wisconsin Administrative Code and Register or the Laws of Wisconsin, respectively.

The bill deletes authorization for DOA to determine specifications for most legislative printing, with the advice and approval of the joint committee on legislative organization. (Under the bill, specifications for legislative printing are determined by joint rules of the legislature, or by the publishing house or agency.) The bill also deletes specific authority for the governor to withdraw state printing requisitions and deletes specified liability of contract printers for nonperformance and specified procedures to be followed by DOA for printing procurement in the event of nonperformance of a contract printer.

The bill permits DOA to enter into local contracts to meet specialized printing needs of state agencies in the Madison metropolitan area. Currently, these needs are addressed under statewide contracts for the class of printing required by the agencies.

The bill also repeals a requirement for state printing to be done in this state but that permits printing to be done in another state if the laws of that state permit printing contracted for under its laws to be done in this state. Under the repeal, current law governing in–state preference in state purchasing applies to printing orders. Under that law, if a printing vendor is not a Wisconsin producer, distributor, supplier or retailer, and the jurisdiction in which the vendor is located does not give preference to vendors of that jurisdiction when making governmental purchases, DOA must give preference to Wisconsin producers, distributors, suppliers or retailers in procuring state printing orders.

In addition, the bill revises the definition of "state agency" under laws governing state printing, document reproduction and distribution, which authorize and regulate certain actions by state agencies, and entitle them to take certain actions, to broaden the scope of coverage of these laws.

LEGISLATIVE DOCUMENT PRODUCTION AND DISTRIBUTION

Currently, many legislative publications are authorized or directed to be printed, including bills, amendments, resolutions, legislative journals, joint committee reports, fiscal estimates, individual copies of acts (slip laws), the Wisconsin Administrative Code and Register and the Wisconsin Town Law Forms.

This bill eliminates all requirements for printing of legislative publications other than those that are currently printed in hardbound volumes [Wisconsin Statutes, Wisconsin Annotations, Laws of Wisconsin (session laws) and the Blue Book]. Under the bill, for any publication for which printing is not required, the clerk, committee or agency responsible for the publication may substitute another form of reproduction.

Currently, the format and quantities of most legislative documents are determined by rule of the house requisitioning them, or by the committee on organization of that house. The bill permits, in addition, the chief clerk of each house to make such determinations.

Under current law, the clerk or agency responsible for preparation of copy for certain legislative documents must submit camera–ready copy to DOA or to the printer. The bill allows all such copy to be transmitted electronically to DOA or to the person with whom DOA contracts for reproduction of the documents.

Under current law, the complete Wisconsin Administrative Register is published monthly, but a notice section is published semimonthly. The bill permits the revisor of statutes to publish the complete register on a semimonthly basis.

Currently, the legislative reference bureau, in cooperation with the revisor of statutes, prepares a biennial list of numerical cross-references in the statutes to other parts of the statutes. The bill gives the revisor sole responsibility for this function.

The bill also makes other minor changes to laws concerning printing procedures that affect legislative documents.

RESPONSIBILITIES OF REVISOR OF STATUES

Under current law, the revisor of statutes publishes the Wisconsin Statutes on a biennial basis. The Wisconsin Statutes consist of the current text of the statutes, annotations to the statutes prepared since the latest edition of the publication "Wisconsin Annotations" and certain other editorial matter. This bill retitles this publication the "Wisconsin Statutes and Annotations". Currently, the revisor prepares annotations to keep the volume "Wisconsin Annotations" up-to-date. Under this bill, the revisor prepares annotations to keep the volume "Wisconsin Annotations 1970" up-to-date and inserts the continuations in the Wisconsin Statutes and Annotations.

The bill also authorizes the revisor of statutes to produce, maintain and license computer-readable materials to be known as "WisLaw". Under the bill, WisLaw consists of the Wisconsin Statutes and Annotations (except certain figures, forms and maps which the revisor determines are not feasible to accurately reproduce), the Wisconsin and U.S. constitutions, the Wisconsin supreme court rules, the opinions of the attorney general, revisions of Wisconsin Annotations and an alphabetical index. It must also include the Wisconsin Administrative Code, the Laws of Wisconsin (session laws) and the Wisconsin Town Law Forms if the revisor determines that inclusion of these documents is feasible, and it may also include other public documents which the revisor determines are desirable and appropriate. WisLaw is to be issued on a biennial basis concurrently with the publication of the Wisconsin Statutes and Annotations, with interim releases issued at intervals determined by the revisor. Under the bill, WisLaw is produced in the electronic or optical medium or mediums that the revisor considers to be desirable and appropriate.

The bill directs the revisor and DOA to license WisLaw to members of the public at a price determined in accordance with certain standards specified in the bill. The bill provides for DOA to distribute specified quantities of WisLaw to judicial officers and libraries at state expense, and further directs DOA to make WisLaw available to other state officers and agencies at the expense of the officers and agencies. In order to receive WisLaw, a recipient must enter into a license agreement. The bill permits DOA to license the computer data bases used in producing WisLaw (subject to copyright interests of software vendors) to persons wishing to reproduce their contents at a price determined by DOA, subject to approval of the revisor, in accordance with the same standards used to determine the price of individual licenses. All license revenue collected under the bill is deposited in the state general fund.

The bill directs the revisor, in accordance with current practice, to prepare and maintain computer data bases for the production of the Wisconsin Statutes and Annotations and Wisconsin Administrative Code, as well as for WisLaw.

Currently, the Wisconsin Statutes are sold at a price fixed by DOA which is based on the cost of production of all copies (including free copies distributed according to law) plus 75% of the cost of operation of the revisor of statutes bureau. Under the bill, the amount collected by DOA during the preceding fiscal biennium from sales of and licensing fees for WisLaw and the computer data bases containing

WisLaw is subtracted in determining the cost of production of the Wisconsin Statutes and Annotations. The bill directs DOA to maintain a list of recipients of the Wisconsin Statutes and Annotations and WisLaw and to mail them any corrections to the statutes issued by the revisor and notice of publication or issuance of new editions and releases.

In addition, the bill permits the revisor to register, in the name of the state, the state's copyright in all editorial material subject to copyright in the Wisconsin Statutes and Annotations and WisLaw. Currently, no general express statutory authority exists for state officers and agencies to register copyrights to their publications.

RESPONSIBILITIES OF LEGISLATIVE REFERENCE BUREAU

Under current law, the legislative reference bureau publishes the Wisconsin Blue Book on a biennial basis. This bill authorizes the bureau to produce and maintain the Blue Book or any other publication of the bureau in computer-readable format. Under the bill, if the Blue Book is produced in computer-readable format, it is to be issued at times determined by the chief of the legislative reference bureau. The Blue Book is produced in the electronic or optical medium or mediums that the chief of the legislative reference bureau determines to be desirable and appropriate.

If the Blue Book or any other publication of the legislative reference bureau is produced in computer-readable format, the bill directs DOA to license the publication to members of the public upon such terms as may be determined by the chief of the legislative reference bureau and at a price determined by the chief, with the approval of DOA. In such case, the bill provides for DOA to distribute, upon request, one copy of the Blue Book in computer-readable format, at state expense, to each person, agency or institution who or which is entitled to receive at least one copy of the Blue Book at state expense under current law. In order to receive the Blue Book in computer-readable format, a recipient must enter into a license agreement. All license revenue collected under the bill is deposited in the state general fund.

The bill permits the legislative reference bureau, in accordance with current practice, to prepare and maintain computer data bases for the production of the Blue Book.

The bill permits the legislative reference bureau to register, in the name of the state, the state's copyright in all editorial material subject to copyright in the Blue Book. Currently, no general express statutory authority exists for state officers and agencies to register copyrights to their publications.

Currently, current copies of the printed Blue Book and the Laws of Wisconsin are sold at prices determined by DOA. Under the bill, current copies of these publications are sold at prices determined by the chief of the legislative reference bureau, with the approval of DOA.

Currently, the legislative reference bureau is directed, insofar as possible, to make the Blue Book useful for civics classes in schools. The bill instead directs the bureau, insofar as possible, to make the Blue Book useful for teaching about Wisconsin state government.

2

3

4

5

6

7

8

9

10

11

12

13

14

ACCESS TO CERTAIN PUBLIC RECORDS

Under current law, with certain exceptions, any public record may be inspected, or copied at a cost not exceeding the cost of reproduction, by any person unless the record has been or will be promptly published with copies offered for sale or distribution. The bill clarifies that "publication", as used in this exception to the right of access, includes distribution in electronic format; that "record" includes the computer data bases, and contents thereof, that are produced and maintained by the custodian of any such record to produce the record; and that "sale" includes the licensing of any such record in a computer-readable format. Under these changes, a person may be precluded from obtaining a copy of these kinds of records for the cost of reproduction alone.

OTHER

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

Section 1. 13.093 (2) (a) of the statutes is amended to read:

13.093 (2) (a) Any bill making an appropriation and any bill increasing or decreasing existing appropriations or state or general local government fiscal liability or revenues shall, before any vote is taken thereon by either house of the legislature if the bill is not referred to a standing committee, or before any public hearing is held before any standing committee or, if no public hearing is held, before any vote is taken by the committee, incorporate a reliable estimate of the anticipated change in appropriation authority or state or general local government fiscal liability or revenues under the bill, including to the extent possible a projection of such changes in future biennia. For purposes of this paragraph, a bill increasing or decreasing the liability or revenues of the unemployment reserve fund is considered to increase or decrease state fiscal liability or revenues. Except as otherwise provided by joint rules of the legislature, such estimates shall be made by the department or agency administering the appropriation or fund or collecting the

revenue. The joint survey committee on retirement systems shall prepare the fiscal estimate with respect to the provisions of any bill referred to it which create or modify any system for, or make any provision for, the retirement of or payment of pensions to public officers or employes. When a fiscal estimate is prepared after the bill has been introduced, it shall be printed reproduced and distributed as are amendments.

SECTION 2. 13.096 (2) (b) of the statutes is amended to read:

13.096 (2) (b) A bill that requires a report by the department under this section shall have that requirement noted <u>displayed</u> on its jacket when the jacket is prepared. When a bill that requires a report under this section is introduced, the legislative reference bureau shall submit a copy of the bill to the department.

Section 3. 13.096 (2) (c) of the statutes is amended to read:

13.096 (2) (c) The report prepared under this section shall be printed reproduced as an appendix to that applicable bill and shall be distributed in the same manner as amendments. The report shall be distributed before any vote is taken on the bill by either house of the legislature if the bill is not referred to a standing committee, or before any public hearing is held before any standing committee or, if no public hearing is held, before any vote is taken by the committee.

SECTION 4. 13.097 (2) (c) of the statutes is amended to read:

13.097 (2) (c) Legislation that requires a report by the department under this section shall have that requirement noted <u>displayed</u> on its jacket when the jacket is prepared. When legislation that requires a report under this section receives a jacket to be introduced or offered, the legislative reference bureau shall submit a copy of the legislation to the department.

Section 5. 13.097 (2) (d) of the statutes is amended to read:

13.097 (2) (d) The report shall be <u>printed reproduced</u> as an appendix to that applicable bill and shall be distributed in the same manner as amendments.

Section 6. 13.17 of the statutes is amended to read:

13.17 Journals. A journal of the senate and assembly shall be prepared under the direction of the chief clerks of the respective houses. When completed, each journal shall be <u>printed reproduced</u> as provided by law. The chief clerk of each house shall certify one copy of such journal to the secretary of state for deposit. The <u>printed</u> journals shall be the official record of each house of the legislature.

Section 7. 13.50 (6) (b) of the statutes is amended to read:

13.50 (6) (b) No bill or amendment thereto creating or modifying any system for the retirement of public employes shall be considered by either house until the written report required by par. (a) and the actuarial opinion ordered under par. (am), if any, have been submitted to the chief clerk. Each such bill or amendment shall then be referred to a standing committee of the house in which introduced. The report of the joint survey committee and actuarial opinion, if any, shall be printed reproduced as an appendix to the bill and attached thereto as are amendments.

Section 8. 13.52 (6) of the statutes is amended to read:

13.52 (6) Report. Upon the introduction in either house of the legislature of any proposal which affects any existing statute or creates any new statute relating to the exemption of any property or person from any state or local taxes or special assessments, such proposal shall at once be referred to the joint survey committee on tax exemptions by the presiding officer instead of to a standing committee, and such proposal shall not be considered further by either house until the joint survey committee on tax exemptions has submitted a report, in writing, setting forth an opinion on the legality of the proposal, the fiscal effect upon the state and its

subdivisions and its desirability as a matter of public policy and such report has been printed reproduced as an appendix to the bill and attached thereto as are amendments. Such printing reproduction shall be in lieu of inclusion in the daily journal of the house in which the bill was introduced.

SECTION 9. 13.92 (1) (a) 5. of the statutes is amended to read:

13.92 (1) (a) 5. Prepare copy for the biennial Wisconsin Blue Book <u>under s.</u>
35.24 and, if the Blue Book is produced in computer-readable format under s. 35.25
(1), prepare and maintain computer data bases containing the Wisconsin Blue Book under s. 35.25.

SECTION 10. 13.92 (1) (b) 2. of the statutes is amended to read:

13.92 (1) (b) 2. Prepare in plain language an analysis of each original measure, to be <u>printed reproduced</u> with the measure when it is introduced. On the <u>printed</u> measure, the analysis shall be displayed single-spaced between the title and the enacting clause.

Section 11. 13.92 (1) (b) 3. a. of the statutes is amended to read:

13.92 (1) (b) 3. a. Promptly after the passage of any bill, any joint resolution amending the constitution, or any other resolution determined by the chief clerks to require enrollment and, in the case of a bill, before it is presented to the governor for approval, the chief clerk of the house in which the measure originated shall deliver the jacket to the bureau which shall enroll the proposal and return the jacket and the required number of copies, including a eamera-ready copy of any proposed constitutional amendment and each resolution requiring newspaper publication in a format suitable for such publication, to the chief clerk. The eamera-ready original copy of the each enrolled proposal shall be retained in the bureau.

Section 12. 13.92 (1) (b) 3. c. of the statutes is amended to read:

13.92 (1) (b) 3. c. Each enrolled proposal, or <u>printed reproduced</u> copy thereof, shall carry a heading "State of Wisconsin" as do bills and joint resolutions.

SECTION 13. 13.92 (1) (b) 4. of the statutes is amended to read:

13.92 (1) (b) 4. Publish each act on its date of publication. Upon receipt of notice from the secretary of state under s. 14.38 (10) (a), the bureau shall enter the act number, date of enactment and date of publication of each act on the camera-ready a copy of the act prepared in a format suitable for publication and deliver it or transmit the copy to the contract-printer department of administration for reproduction. The copy shall identify material deleted from existing law by stricken type, and material inserted into existing law by underscored type. In any act published "vetoed in part", the material subject to the veto shall be displayed in full but shall be identified by distinguishing marks. The bureau shall make copies available on or before the date of publication of the act. The number of copies printed, and the reproduced shall be as provided in the joint rules and as further determined by the chief clerk of the house in which the act originated. The quality of paper used, shall be as provided in the joint rules and as further determined by the joint committee on legislative organization.

SECTION 14. 13.92 (1) (b) 5. of the statutes is renumbered 13.93 (1) (q) and amended to read:

13.93 (1) (q) In cooperation with the revisor of statutes, Shall prepare a biennial list of numerical cross-references in the statutes to other parts of the statutes.

SECTION 15. 13.92 (1) (e) 1. and 2. of the statutes are amended to read:

13.92 (1) (e) 1. Providing printing and duplicating document reproduction services to the legislature and its service agencies.

1	2. Printing Reproduction of legislative proposals or amendments and, when so
2	ordered by either house, engrossed or enrolled proposals, under s. 35.05.
3	Section 16. 13.92 (1) (e) 4m. of the statutes is created to read:
4	13.92 (1) (e) 4m. Production of the Wisconsin Blue Book and other publications
5	of the bureau in computer-readable format under s. 35.25.
6	SECTION 17. 13.92 (2) (c) of the statutes is amended to read:
7	13.92 (2) (c) Serve as editor of the biennial Wisconsin Blue Book.
8	Section 18. 13.92 (2) (i) of the statutes is created to read:
9	13.92 (2) (i) Approve specifications and scheduling for computer data bases
10	containing the Blue Book and the materials to be provided to state agencies under
11	s. 35.25 (9), and for the printing of the Blue Book as prescribed in ss. 16.971 (6) (b)
12	and 35.24.
13	Section 19. 13.93 (1) (intro.) of the statutes is amended to read:
14	13.93 (1) Duties of the bureau. (intro.) The revisor of statutes bureau shall
15	prepare and maintain computer data bases and prepare copy for the biennial
16	Wisconsin statutes Statutes and Annotations and the production of WisLaw under
17	s. 35.185, and for this purpose these purposes it:
18	Section 20. 13.93 (1) (a), (c) and (p) of the statutes are amended to read:
19	13.93 (1) (a) Shall formulate and prepare a definite plan for the order,
20	classification, arrangement, printing and binding of the statutes Wisconsin Statutes
21	and Annotations, and prepare and at each session of the legislature present bills to
22	the law revision committee of the joint legislative council containing such
23	consolidation, revision and other matter relating to the statutes as time permits.
24	(c) May, where the application or effect of a statute, by its terms, depends on
25	the time when the act creating the statute took effect, substitute the actual effective

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

date for the various forms of expression which mean that date, such as "when this act (or chapter, or section) takes effect", or "after (or before) the effective date of this act (or chapter, or section)", in preparing copy for the biennial printing of the Wisconsin statutes Statutes and Annotations.

(p) Shall include an index of statutes of limitation and statutes establishing procedures for assertion of claims against governmental units or their employes in ch. 893 of each biennial edition of the Wisconsin statutes Statutes and Annotations.

Section 21. 13.93 (1m) of the statutes is amended to read:

13.93 (1m) (title) 1970 Wisconsin annotations 1970. The revisor of statutes shall prepare and deliver to the department of administration, as soon as practicable after the end of the regular legislative session of 1969, a printer's copy for a volume to be designated "Wisconsin Annotations 1970" and to contain the Wisconsin constitution, notes of the legislative history of the sections of the statutes and annotations of court decisions interpreting the Wisconsin constitution and statutes, and such other matter as the revisor deems important. The department shall order printed, and the contract printer shall print and deliver, the number of copies This edition of the annotations shall be printed and published as ordered. supplement to the 1969 Wisconsin statutes Statutes; and the laws and the contract governing the printing and distribution of those statutes shall, as far as applicable, govern the printing and sale of the annotations, except that the annotations shall be sold at a price fixed by the department at approximately the cost thereof and there shall be no free distribution thereof except as provided in ss. 35.84 and 35.85 (5). The department shall designate the type, and shall determine the number of copies to be printed.

SECTION 22. 13.93 (2) (c) and (h) of the statutes are amended to read:

13.93 (2) (c) Serve as editor of the biennial Wisconsin statutes Statutes and
Annotations. In preparing each edition, if 2 or more acts of a legislative session affect
the same statutory unit without taking cognizance of the effect thereon of the other
acts and if the revisor finds that there is no mutual inconsistency in the changes
made by each such act, the revisor shall incorporate the changes made by each act
into the text of the statutory unit and document the incorporation in a note to the
section. For each such incorporation, the revisor shall include in a correction bill a
provision formally validating the incorporation. Section 990.07 is not affected by
printing decisions made by the revisor under this paragraph.

(h) Approve specifications and scheduling for computer data bases containing the Wisconsin statutes Statutes and Annotations and the materials to be provided to state agencies under s. 35.91 (1r), and for the printing of the Wisconsin statutes Statutes and Annotations as prescribed in ss. 16.971 (6) (a) and 35.56 (5).

SECTION 23. 13.93 (2m) (a) of the statutes is amended to read:

13.93 (2m) (a) The revisor of statutes bureau shall prepare and maintain computer data bases and prepare copy for publication in the Wisconsin administrative code Administrative Code and, if the revisor determines it is feasible, for inclusion in WisLaw under s. 35.185.

SECTION 24. 13.93 (3) (title) of the statutes is amended to read:

13.93 (3) (title) Printing Reproduction and Production Costs.

Section 25. 13.93 (3) (a) of the statutes is amended to read:

13.93 (3) (a) Printing of the Wisconsin statutes Statutes and Annotations under s. 35.18.

SECTION 26. 13.93 (3) (b) of the statutes is amended to read:

1	13.93 (3) (b) Printing Reproduction of the Wisconsin town law forms Town Law
2	Forms under s. 35.20.
3	SECTION 27. 13.93 (3) (c) of the statutes is amended to read:
4	13.93 (3) (c) Printing of the Wisconsin annotations Annotations 1970 under s.
5	35.23.
6	Section 28. 13.93 (3) (d) of the statutes is amended to read:
7	13.93 (3) (d) Printing Reproduction of the administrative code and register
8	under s. 35.93.
9	Section 29. 13.93 (3) (e) of the statutes is created to read:
10	13.93 (3) (e) Production of WisLaw under s. 35.185.
11	Section 30. 13.94 (1) (c) of the statutes is amended to read:
12	13.94 (1) (c) Audit the central accounting records of the department of
13	administration at least once every 2 years. A detailed report of such audit shall be
14	filed as provided by par. (b), and copies shall be provided to each member or
15	member-elect of the legislature and shall be available in limited number to the
16	public. The bureau shall also prepare a summary of such audit report, for
17	distribution in the same manner as the Wisconsin <u>printed</u> Blue Book under s. 35.84.
18	Section 31. 16.82 (4) (a), (d) and (g) of the statutes are amended to read:
19	16.82 (4) (a) May produce or contract to have produced, printing or other
20	reproduction of classes 1, 3 and 4 materials, and excerpts from the statutes
21	Wisconsin Statutes and Annotations under class 2, and all materials offered by state
22	agencies for production.
23	(d) May, during a period when a contract for any class or subclass of public
24	printing has expired and a new contract for the following biennium has not been
25	entered into under ch. 35, obtain public printing from private printers at prevailing

commercial rates, or other reproduction of any state document by contract under ch.

35, or by special contract if no contract is in effect for the class or subclass of which the document is a part, or may produce public printing reproduce any state document directly.

(g) This subsection and s. 35.015 (3) shall be liberally construed so as to effectuate the legislature's intent to vest broad discretion in the department to determine what public printing or other reproduction in the classes covered and what materials offered by state agencies for production shall be done by the state itself, and what shall be contracted. Such liberal construction shall extend to the department's determination to use the power conferred, to the determination of what work is to be included in the classes covered, and to the determination of whether a given process is similar to those enumerated.

SECTION 32. 16.971 (6) of the statutes, as affected by 1995 Wisconsin Act 27, is renumbered 16.971 (6) (a) and amended to read:

16.971 (6) (a) Notwithstanding subs. (1m) and (2), the revisor of statutes shall approve the specifications for preparation and schedule for delivery of computer data bases containing the Wisconsin statutes Statutes and Annotations and the materials to be provided to state agencies under s. 35.91 (1r) are subject to approval of the revisor of statutes.

Section 33. 16.971 (6) (b) of the statutes is created to read:

16.971 **(6)** (b) Notwithstanding subs. (1m) and (2), the specifications for preparation and schedule for delivery of computer data bases containing the Blue Book and the materials to be provided to state agencies under s. 35.25 (9) are subject to approval of the chief of the legislative reference bureau.

SECTION 34. 19.35 (1) (g) of the statutes is amended to read:

19.35 (1) (g) Paragraphs (a) to (c), (e) and (f) do not apply to a record which has been or will be promptly published with copies offered for sale or distribution. In this subsection, a "published" record includes a record that is or will be promptly distributed in electronic format and the computer data bases, and contents thereof, that are produced and maintained by an authority to produce such a record, and "sale" includes the licensing of such a record in computer-readable electronic format.

Section 35. 20.004 (1) of the statutes is amended to read:

20.004 (1) If the legislative reference bureau, in consultation with the cochairpersons of the joint committee on finance, determines that any bill introduced into either house of the legislature is a major fiscal bill because it would have a significant effect upon state revenues or expenditures, the legislative reference bureau shall have printed reproduced, as an appendix to the bill, a revised s. 20.005 (1), incorporating the changes in the general fund summary and in the summary of appropriations that would occur as a result of enactment of the bill. The department of administration shall provide the legislative reference bureau with the revised summaries.

Section 36. 20.908 of the statutes is amended to read:

20.908 (title) Charges for printed reproduced material. Except where distribution to or exchange with specified persons, officers or agencies is provided by law, or where the <u>a</u> state agency determines that distribution is to be free of charge, any state agency may make such charge for printed booklets and pamphlets prepared or compiled by it as is fixed by it. Such charge may not exceed <u>the</u> cost <u>of</u> <u>printing or other reproduction</u>, including distribution cost as determined under s. 35.80, unless a specific price or method of price calculation is provided by law. Such booklets or pamphlets may be retained by the state agency publishing preparing

1	them or may be delivered to the department of administration for sale and
2	distribution.
3	Section 37. Chapter 35 (title) of the statutes is amended to read:
4	CHAPTER 35
5	PUBLIC PRINTING; AND OTHER
6	REPRODUCTION AND DISTRIBUTION OF
7	LAWS AND PUBLIC STATE DOCUMENTS
8	Section 38. Subchapter I (title) of chapter 35 [precedes 35.001] of the statutes
9	is amended to read:
10	CHAPTER 35
11	SUBCHAPTER I
12	STATE PRINTING AND OTHER
13	REPRODUCTION CONTRACTS
14	Section 39. 35.001 (2g) and (2r) of the statutes are created to read:
15	35.001 (2g) "Judicial branch agency" has the meaning given under s. 16.70 (5).
16	(2r) "Legislative service agency" has the meaning given under s. 16.70 (6).
17	Section 40. 35.001 (4) of the statutes is repealed and recreated to read:
18	35.001 (4) "State agency" means any department or independent agency
19	created or continued under ch. 15 or any body attached thereto, any office created
20	under ch. 14 or body attached thereto, any state institution, the legislature, the
21	courts and any legislative service agency or judicial branch agency.
22	Section 41. 35.001 (5) of the statutes is created to read:
23	35.001 (5) "WisLaw" means computer readable statutes and other public
24	documents produced under s. 35.185.
25	Section 42. 35.01 (intro.) and (1) of the statutes are amended to read:

35.01 (title) Public printing and other reproduction; definition and
classification. (intro) Public printing and other reproduction includes all graphic
reproduction by whatever process and the necessary material and binding. Public
printing and other reproduction is divided into 7 classes:
(1) Class 1—All Reproduction of all legislative printing documents to be
performed for either house of the legislature and the Laws of Wisconsin.
Section 43. 35.01 (2) of the statutes is amended to read:
35.01 (2) Class 2—Wisconsin statutes, annotations Statutes and Annotations,
Wisconsin Annotations 1970 and Blue Book.
Section 44. 35.01 (7) of the statutes is amended to read:
35.01 (7) Class 7—Printing Local service printing for state agencies located
outside the city of Madison.
Section 45. 35.01 (8) of the statutes is amended to read:
35.01 (8) Class 8—Specialty printing as defined in s. 35.64 (2), yearbooks, and
similar student publications not funded by student fees or student organization
income and book printing excluded from class 3 under sub. (3) not included in classes
<u>1 to 7</u> .
Section 46. 35.012 of the statutes is repealed.
Section 47. 35.015 (2) of the statutes is repealed.
Section 48. 35.015 (3) of the statutes is amended to read:
35.015 (3) Printing or other reproduction is exempt from this chapter when the
department exercises the discretion vested in s. 16.82 (4) to determine what printing
or other reproduction shall be done by the state itself and what shall be contracted
and when printing of forms is done by prison industries, as created under s. 303.01
(1) .

1	Section 49. 35.03 of the statutes, as affected by 1995 Wisconsin Act 27, is
2	repealed.
3	Section 50. 35.035 (title) and (1) to (3) of the statutes are amended to read:
4	35.035 (title) Printing and other reproduction costs and charges. (1)
5	Unless otherwise provided, the department shall charge the cost of printing and
6	other reproduction of state documents, including related materials and printing or
7	other reproduction services, of all publications authorized or directed by law to be
8	published to the state agencies responsible for submitting the publications.
9	(2) The department may contract with state agencies for the printing of agency
10	or other reproduction of the publications of state agencies, for which publication is
11	not required by law, on the basis of the cost of such printing reproduction.
12	(3) The department shall receive full payment for the cost of printing or other
13	reproduction of publications of state agencies from the appropriate agencies.
14	Section 51. The unnumbered subchapter title preceding 35.05 of the statutes
15	is amended to read:
16	LEGISLATIVE; CLASS 1 PRINTING
17	Section 52. 35.05 (title) and (1) to (4) and (5) (a) of the statutes are amended
18	to read:
19	35.05 (title) Printing in general, and other reproduction; how ordered
20	and executed. (1) All printing for the legislature reproduction of legislative
21	documents, except reproduction for legislative service agencies, shall be in such form
22	and printed in such manner and amount format and quantity as may be determined
23	by the joint rules of the legislature, or in the case of printing of a nature that is the
24	concern of reproduction of documents for one house only, then as determined by that

- house except as provided for the statutes, the Laws of Wisconsin and the Wisconsin administrative code and register under s. 35.50 (2).
- (2) (a) When the senate or the assembly determines the form or amount of printing format or quantity of any document to be reproduced for its own use, such determination or such regulations as may be considered appropriate governing such printing, reproduction may be made by the rules of the house or by resolution or by the senate committee on organization or senate chief clerk for the senate or the assembly committee on organization or assembly chief clerk for the assembly, subject to final decision by their respective houses.
- (b) When printing a legislative document concerns both houses the form or amount format or quantity of such printing document to be reproduced may be determined by the joint rules or, by joint resolution or, by the joint committee on legislative organization or by the chief clerks of the senate and assembly acting jointly, subject to any provisions of the joint rules or joint resolutions, except as provided for the statutes, the Laws of Wisconsin and the Wisconsin administrative code and register under s. 35.50 (2) legislative service agencies under sub. (1).
- (3) All printing <u>or other reproduction of documents</u> that <u>has have</u> a customary form, number of copies or other features shall continue to conform to such form or other requirements until changed by or under authority of statute, joint rule or rule of either house, except as provided for the statutes, the <u>Laws of Wisconsin and the Wisconsin administrative code and register under s. 35.50 (2) legislative service agencies under sub. (1).</u>
- (4) When legislative proposals, legislative publications or other printing is reproduced documents are required for the legislature, including revision or correction bills for the revisor of statutes, bills or reports for the joint legislative

council or legislative proposals of members intended for introduction by them, such printing reproduction of the documents may be ordered by the chief clerk of either house or by other authorized persons during any session of the legislature or recess thereof, pursuant to such regulations as either house shall establish.

(5) (a) Whenever either house requires any printing the reproduction of any document or document series for its exclusive use and whenever any joint action of both houses is taken requiring any printing the reproduction of any document or document series to be done, the chief clerk of the house where such action originates shall issue a printing requisition to the department, and the department shall procure the printing from the contract printer selected for the printing under article IV, section 25, of the constitution reproduce the necessary documents or contract for their reproduction in accordance with subch. IV of ch. 16.

Section 53. 35.05 (5) (b) of the statutes is repealed.

SECTION 54. 35.05 (5) (c) to (e) and (6) of the statutes are amended to read:

35.05 (5) (c) Any member or officer of the legislature entitled to stationery or other personalized printing may elect to have the printing reproduction performed by a printer person other than the contract printer department or person with whom the department contracts for reproduction of documents under par. (a) if par. (a) is otherwise complied with, but no voucher for printing reproduction to be performed other than by the contract printer selected through department or person with whom the department of administration contracts for reproduction of documents shall be approved unless the cost of the printing reproduction will be the same as, or less than, the cost of obtaining the printing from the contract printer reproduction from the person with whom the department contracts to perform such reproduction.

 $\mathbf{2}$

- (d) Any member or officer of the legislature <u>who is</u> entitled to personalized <u>printing reproduction of legislative materials</u> may specify that his or her personalized <u>printing reproduction</u> shall be produced using paper with best-available recycled content.
- (e) The design of the letterhead and envelope for each member or officer of the legislature shall be approved as provided by the house in which the member or officer serves; provided, that for. For personalized printing reproduction of legislative materials nothing on the finished product may indicate the printer name of the person who performed the work.
- (6) Any provision in the rules of the senate or the assembly or of the joint rules relating to printing reproduction of legislative documents shall continue in effect during any recess or adjournment of the legislature as though the legislature had continued in session and shall likewise continue in effect following the convening and during any other special or regular session until such provision is modified or repealed.

SECTION 55. 35.15 (1) (a), (c) and (e) of the statutes are amended to read:

- 35.15 (1) (a) No later than the end of each session of the legislature, the legislative reference bureau shall prepare camera-ready and deliver or transmit to the department or person under contract with the department copy for one or more volumes denominated "Laws of Wisconsin", and identified by the year in which that session began.
- (c) The copy shall show <u>include</u> the date of enactment of each act, the date of publication of each act and published joint resolution, the number of the proposal from which the act or joint resolution originated and the house in which it originated

and shall be in the form prescribed by the joint rules. The copy shall omit exclude the signature of the officers affixed to the enrolled act or joint resolution.

(e) After making the necessary comparison, the chief of the legislative reference bureau shall issue a certificate, to be filed in the office of the secretary of state as a public record, that he or she has compared the printed acts contained in each volume with the original acts on file in the office of the secretary of state, and that they appear to be correctly printed shown. Each volume of the Laws of Wisconsin shall contain a printed copy of such certificate.

Section 56. 35.17 of the statutes is amended to read:

35.17 Correcting typographical errors. In enrolling under s. 13.92 (1) (b) 3. and for publishing under ss. 35.095, 35.15 and 35.35 (1) (a) the legislative reference bureau shall correct obvious typographical errors. No such correction shall be deemed an alteration of the enrolled copy. Like corrections shall be made by the revisor in printing publishing the Wisconsin statutes and administrative code Statutes and Annotations and the Wisconsin Administrative Code. On questions of orthography the current edition of Webster's new international dictionary shall be taken as the standard.

SECTION 57. The unnumbered subchapter title preceding 35.18 of the statutes is amended to read:

WISCONSIN STATUTES, AND

ANNOTATIONS, WISCONSIN TOWN LAW

FORMS; CLASS 2 PRINTING

Section 58. 35.18 (title) and (1) of the statutes are amended to read:

35.18 (title) Wisconsin statutes Statutes and Annotations. (1)

Publication. Biennially the revisor shall prepare and deliver or transmit to the

department printer's or person under contract with the department copy for the Wisconsin statutes Statutes and Annotations, which shall contain all the general statutes in force, all important joint resolutions adopted since the last preceding general session, an alphabetical index, a list of numerical cross-references in the statutes to other parts of the statutes, and such other matter as the revisor deems desirable and practicable. The department shall determine how many copies shall be printed.

Section 59. 35.18 (4) of the statutes is created to read:

35.18 (4) COPYRIGHT. The revisor is authorized to register, in the name of the state, the state's copyright in all editorial material subject to copyright contained in the Wisconsin Statutes and Annotations or WisLaw.

Section 60. 35.185 of the statutes is created to read:

- 35.185 WisLaw. (1) In addition to publication under s. 35.18 (1), the Wisconsin Statutes and Annotations shall be produced and distributed in a computer-readable format, known as "WisLaw". An updated release of WisLaw shall be issued on a biennial basis concurrently with the publication of the Wisconsin Statutes and Annotations under s. 35.18 (1), with interim updated releases issued at intervals determined by the revisor.
- (2) Each release of WisLaw shall contain all statutes in force, except figures, forms and maps which the revisor determines are not feasible to accurately reproduce, the Wisconsin Constitution, the U.S. Constitution, the Wisconsin Supreme Court Rules, the Opinions of the Attorney General and an alphabetical index. Each release of WisLaw shall also include the Wisconsin Administrative Code, Laws of Wisconsin and Wisconsin Town Law Forms if the revisor determines that inclusion of those documents is feasible. Releases of WisLaw may include

- reproductions of other public documents which the revisor considers desirable and appropriate.
- (3) WisLaw shall be produced in the electronic or optical medium or mediums the revisor considers to be desirable and appropriate. Software required for the production of WisLaw shall be selected by the revisor.
- (4) The revisor, with the assistance of the department, shall arrange for the production of WisLaw. The revisor and department shall determine the number of copies of each release of WisLaw to be produced.
 - **Section 61.** 35.19 of the statutes is amended to read:
- **35.19 Pamphlet laws.** Editions of parts of the statutes <u>Wisconsin Statutes</u> and <u>Annotations</u> in pamphlet form may be produced for official use and for public sale. The department shall charge the cost of pamphlet laws produced for such use or sale to the requisitioning state agencies.
 - **Section 62.** 35.20 of the statutes is amended to read:
- 35.20 Wisconsin Town Law Forms. With each issue of Wisconsin statutes Statutes and Annotations, under the supervision of the revisor, an edition will be printed shall be reproduced as directed by the department for distribution by the department to all town clerks, of a volume to be designated "Wisconsin Town Law Forms" containing suitable forms for use in the administration of laws relating to: common schools; the county board; the powers, duties and liabilities of towns, town officers and the assessment of taxes; highways, bridges and drainage districts; and such other forms as the revisor determines desirable and practicable.
 - **Section 63.** 35.23 of the statutes is amended to read:
- **35.23** (title) **Wisconsin Annotations.** The revisor shall prepare such annotations as that will keep the volume known as "Wisconsin Annotations, 1970"

1	up to date, and to print such reproduce the continuations in each biennial issue of
2	Wisconsin statutes Statutes and Annotations and each release of WisLaw.
3	Section 64. The unnumbered subchapter title preceding 35.24 of the statutes
4	is amended to read:
5	BLUE BOOK AND REPRINTS
6	OTHER REFERENCE
7	BUREAU PUBLICATIONS;
8	CLASS 2 PRINTING
9	Section 65. 35.24 (1) (intro.) of the statutes is amended to read:
10	35.24 (1) (intro.) The legislative reference bureau shall biennially compile,
11	index, prepare and deliver or transmit to the department or person under contract
12	with the department biennially copy for a book to be denominated "Wisconsin Blue
13	Book" and identified by the biennium of its intended use.
14	Section 66. 35.24 (1) (a) of the statutes, as affected by 1995 Wisconsin Act 27,
15	is amended to read:
16	35.24 (1) (a) The Blue Book shall contain the biographies and pictures of state
17	officers, senators and representatives to the assembly and officers of each house,
18	information pertaining to the organization of Wisconsin state government, and
19	statistical and other information of the same general character as that heretofore
20	published, but. The content of the printed Blue Book shall be so selected and
21	condensed as will limit the number of pages to 1,000 or less. In making such selection
22	the legislative reference bureau is directed to consult freely with the secretary of
23	education and the director of the historical society, and insofar. Insofar as possible,
24	the bureau shall make the book Blue Book useful for civics classes in schools teaching
25	about Wisconsin state government.

23

1	Section 67. 35.24 (1) (b) and (c) of the statutes are amended to read:
2	35.24 (1) (b) The If the department receives the copy, the department shall
3	deliver camera-ready or transmit the copy to the contract printer, to.
4	(c) The Blue Book shall be printed and delivered as soon as practicable after
5	the spring election of the odd-numbered year.
6	Section 68. 35.24 (3) of the statutes is amended to read:
7	35.24 (3) Reprints Copies of the feature article shall be bound in paper covers
8	reproduced in soft cover and shall be in such quantity as is authorized for each
9	specific reprint article by the joint committee on legislative organization. The cost
10	of reprints such reproductions shall be paid from the appropriation under s. 20.765
11	(1) (d).
12	Section 69. 35.24 (4) of the statutes is created to read:
13	35.24 (4) The legislative reference bureau is authorized to register, in the name
14	of the state, the state's copyright in all editorial material subject to copyright
15	contained in the Blue Book published under this section.
16	Section 70. 35.25 of the statutes is created to read:
17	35.25 Blue Book and other reference bureau publications;
18	computer-readable format. (1) In addition to publication under s. 35.24, the
19	legislative reference bureau may cause the Blue Book to be produced and distributed
20	in a computer-readable format. The content of the Blue Book in computer-readable
21	format may be different than the content of the printed Blue Book. If the Blue Book

is so produced, an updated release of the Blue Book in computer-readable format

may be issued at times determined by the chief of the legislative reference bureau.

- (2) In addition to publication under s. 35.29 (1), the legislative reference bureau may produce and distribute any other publication of the bureau in computer-readable format.
- (3) If the Blue Book or any other publication of the legislative reference bureau is produced in computer-readable format, the publication shall be produced in the electronic or optical medium or mediums the chief of the legislative reference bureau determines to be desirable. Software required for the production of each publication shall be selected by the chief of the legislative reference bureau.
- (4) The chief of the legislative reference bureau, with the assistance of the department, shall arrange for the production of the Blue Book and other publications of the legislative reference bureau under this section. The chief of the legislative reference bureau and the department shall determine the number of copies of each release of the Blue Book and of each other publication to be produced.
- (5) Each release of the Blue Book and each other publication of the legislative reference bureau produced under this section shall be sold at a price determined by the chief of the legislative reference bureau, with the approval of the department.
- (6) The department shall solicit proposals to produce the Blue Book under this section whenever the department solicits proposals for contract printing of the Blue Book under s. 35.24. The department may award the contract for production of the Blue Book under this section to the contract printer or may award the contract separately to another vendor, whichever is most advantageous to the state.
- (7) The legislative reference bureau is authorized to copyright, in the name of the state, all editorial material subject to copyright contained in the Blue Book produced under this section.

 $\mathbf{2}$

- (8) (a) Notwithstanding s. 16.971 (4) (b), if the Blue Book or any other publication of the legislative reference bureau is produced in computer-readable format, the department shall license the Blue Book or any other such publication to members of the public upon such terms as the chief of the legislative reference bureau determines to be appropriate and at a price fixed by the chief, with the approval of the department.
- (b) Releases of the Blue Book in computer-readable format distributed under s. 35.84 shall be licensed to distributees subject to the same terms as releases licensed to members of the public under par. (a). The costs of production and licensing shall be charged to the appropriation under s. 20.765 (1) (d).
- (9) Subject to the copyright interests of computer software vendors in software licensed to the state and to the terms of licensing agreements entered into by the state with software vendors, if the Blue Book is produced in computer-readable format, the department shall provide the Blue Book in that format, or the computer data bases used by the legislative reference bureau in producing the Blue Book in that format, to each state agency, upon request of the agency, for access by each computer work station the agency considers necessary and appropriate, at a price to the agency fixed by the department, with the approval of the chief of the legislative reference bureau.
- **SECTION 71.** The unnumbered subchapter title preceding 35.26 of the statutes is amended to read:

OFFICIAL REPORTS; CLASS 3 PRINTING

Section 72. The unnumbered subchapter title preceding 35.29 of the statutes is amended to read:

BOOK PUBLICATIONS; CLASS 3 PRINTING

Section 73. 35.29 (1) of the statutes is amended to read:

35.29 (1) State agencies may order printed such materials as or otherwise reproduced any documents that may be necessary for the proper administration of their offices, subject to distribution and sales regulations provided in this chapter and determinations of the department under s. 16.82 (4) (b). Unless otherwise provided by law, state agencies may make free distribution of such materials documents or may fix and collect a charge therefor, not to exceed cost, including distribution cost as determined under s. 35.80.

Section 74. 35.35 (1) of the statutes is amended to read:

35.35 (1) (a) The legislative reference bureau shall provide to the secretary of state camera-ready copy in a format suitable for publication, in type not smaller than 5.5 point, for the printing of any reproduction of each enrolled proposed constitutional amendment and of each enrolled resolution ordered to be printed published in the official state newspaper by the president of the senate for resolutions originating in the senate or by the speaker of the assembly for resolutions originating in the assembly. The copy shall identify material deleted from existing law by stricken type, and material inserted into existing law by underscored type.

- (b) The department may contract to sell to any commercial publisher, at a price equal to the cost of composition, camera-ready copy of the laws to any commercial publisher for the acts published under s. 35.095 (3) and the enrolled proposed constitutional amendments and enrolled resolutions.
 - **Section 75.** 35.35 (2) of the statutes is repealed.
- **SECTION 76.** 35.35 (3) of the statutes is amended to read:
- 24 35.35 (3) All such printing reproduction shall be in the English language.
- **SECTION 77.** 35.36 (1) of the statutes is amended to read:

35.36 (1) The compensation to the official state newspaper and other papers
for <u>printing of</u> all legal notices required to be published at the expense of the state
may not exceed the rates specified in s. 985.08 (1), (2) and (3). All expenditures
incidental to such printing shall be absorbed by the newspaper doing the publishing.
Whenever the state elects to provide camera-ready copy for the in a format suitable
for publication of its for any facsimile ballots ballot or other legal notices notice the
maximum chargeable rates shall be adjusted as provided in s. 985.08 (2) (b).
Section 78. The unnumbered subchapter title preceding 35.43 of the statutes

SECTION 78. The unnumbered subchapter title preceding 35.43 of the statutes is amended to read:

LOCAL SERVICE PRINTING

FOR STATE AGENCIES LOCATED

OUTSIDE OF MADISON; CLASS 7

Section 79. 35.43 of the statutes is amended to read:

35.43 (title) Printing Local service printing for out-of-Madison state agencies. Whenever it becomes advantageous to do so, the The department of administration may establish blanket enter into local service printing contracts in out-of-Madison metropolitan areas to serve the needs of state agencies, upon their request. Such contracts shall, whenever practical, follow the basic patterns established for classes 1 to 4.

Section 80. 35.44 of the statutes is amended to read:

35.44 (title) Specialty printing and book printing excluded from class
3. Specialty printing and book printing excluded from class 3 in s. 35.01 (3) shall be procured on Any type of graphic reproduction that is not included within contracts for classes 1 to 7 is considered specialty printing. The department shall procure

1	specialty printing by individual competitive bids and by official state printing
2	purchase order according to specifications determined by the department.
3	SECTION 81. The unnumbered subchapter title preceding 35.50 of the statutes
4	is repealed.
5	Section 82. 35.50 to 35.55 of the statutes are repealed.
6	SECTION 83. The unnumbered subchapter title preceding 35.56 of the statutes
7	is amended to read:
8	BIDS AND CONTRACTS
9	BASE PRICES AND SPECIFICATIONS;
10	CLASSES 1, 2, 3 AND 4
11	Section 84. 35.56 (1) of the statutes is amended to read:
12	35.56 (1) As a basis for bids for public printing state document reproduction
13	in classes 1, 2, 3 and 4, the department shall, before advertising for bids and after
14	consultation with $\underline{\text{state}}$ agencies, establish base prices and specifications for $2-\underline{\text{year}}$
15	time periods unless otherwise determined by the department, except that:
16	(a) As a basis for printing of the statutes and the Wisconsin Statutes and
17	Annotations and reproduction of the Wisconsin administrative code and register
18	Administrative Code and Register, the department shall, before advertising for bids
19	and after consultation with the revisor, establish base prices for 2-year periods and
20	establish specifications subject to approval by the revisor for 2-year time periods
21	determined by the department, subject to approval by the revisor.
22	(b) As a basis for printing of the Laws of Wisconsin, the department shall, before
23	advertising for bids and after consultation with the chief of the legislative reference
24	bureau, establish base prices for 2-year periods and establish specifications subject

1	to approval by the chief for 2-year time periods determined by the department,
2	subject to approval by the chief.
3	Section 85. 35.56 (5) of the statutes is amended to read:
4	35.56 (5) Notwithstanding subs. (1), (3) and (4), the revisor of statutes shall
5	approve specifications and production schedules for the printing and binding of the
6	Wisconsin statutes Statutes and Annotations are subject to the approval of the
7	revisor.
8	Section 86. 35.56 (6) of the statutes is created to read:
9	35.56 (6) Notwithstanding subs. (1), (3) and (4), the specifications and
10	production schedules for the printing and binding of the Blue Book are subject to the
11	approval of the chief of the legislative reference bureau.
12	Section 87. 35.57 to 35.60 of the statutes are repealed.
13	Section 88. The unnumbered subchapter title preceding 35.61 of the statutes
14	is repealed.
15	Section 89. 35.61 to 35.64 of the statutes are repealed.
16	Section 90. The unnumbered subchapter title preceding 35.65 of the statutes
17	is repealed.
18	SECTION 91. 35.65 of the statutes is repealed.
19	Section 92. Subchapter II (title) of chapter 35 [precedes 35.78] of the statutes
20	is amended to read:
21	SUBCHAPTER II
22	PUBLIC DOCUMENTS STATE
23	DOCUMENT DISTRIBUTION AND SALES
24	Section 93. 35.84 (figure) (symbols) of the statutes are amended to read:
25	35.84 (figure) (symbols)

1		A — Application, written
2		E — Copies to each person or institution in the group
3		DLS — Division for Library Services shall certify list
4		DOE — Department of Education shall certify list
5		L — Upon entering into a license agreement under s. 35.25 (8) (b) or 35.91 (1g)
6	<u>(c)</u>	
7		SECTION 94. 35.84 (figure) column A (title) of the statutes is amended to read:
8		35.84 (figure) Column A (title)
9		Wisconsin Statutes and Annotations, Hard Covers; s. 35.18
10		Section 95. 35.84 (figure) column B (title) of the statutes is amended to read:
11		35.84 (figure) Column B (title)
12		Wisconsin Statutes and Annotations, Soft Covers; s. 35.18
13		Section 96. 35.84 (figure) column C (title) of the statutes is amended to read:
14		35.84 (figure) Column C (title)
15		Wisconsin Annotations 1970; s. 35.23
16		Section 97. 35.84 (figure) column E (title) of the statutes is amended to read:
17		35.84 (figure) Column E (title)
18		Printed Blue Books Book; s. 35.24 (1)
19		Section 98. 35.84 (figure) column N (title) of the statutes is amended to read:
20		35.84 (figure) Column N (title)
21		Wisconsin Town Law Forms; s. 35.20
22		Section 99. 35.84 (figure) column O of the statutes is created to read:
23		35.84 (figure) Column O WisLaw; s. 35.185
24		30. Each Supreme Court Justice
25		31. State Law Library 1L

1	32. Each Court of Appeals Judge
2	33. Milwaukee County Law Library
3	34. Court of Appeals Libraries in Waukesha, Madison, Wausau 1I
4	35. Each Circuit Court Judge
5	36. Each county law library; s. 757.40
6	50. Each public library and branch thereof; s. 43.52
7	56. University of Wisconsin Law Library
8	57. Each library of a law school accredited by the American
9	Bar Association not otherwise provided for in this section 1I
10	Section 100. 35.84 (figure) column P of the statutes is created to read:
11	35.84 (figure) Column P Blue Book; computer-readable format; s. 35.25 (1)
12	1. Governor
13	2. Lieutenant Governor
14	3. Secretary of State
15	4. State Treasurer
16	5. Attorney General
17	6. State Superintendent of Public Instruction
18	10. Each Senator
19	11. Each Representative to the Assembly
20	12. Members of next succeeding legislature not entitled
21	to distribution under lines 10 or 11
22	13. Each Chief Clerk
23	14. Each Sergeant at Arms
24	15. Legislative Audit Bureau
25	16. Legislative Reference Bureau 50 I

1	17.	Legislative Reference Library; s. 35.85 (11m)	. 3 L
2	18.	Revisor of Statutes Bureau	1A, L
3	19.	Legislative Council	1A, L
4	20.	Legislative Fiscal Bureau	1A, L
5	30.	Each Supreme Court Justice	1A, L
6	31.	State Law Library	1A, L
7	32.	Each Court of Appeals Judge	1A, L
8	33.	Milwaukee County Law Library	1A, L
9	34.	Court of Appeals Libraries in Waukesha, Madison, Wausau	1A, L
10	35.	Each Circuit Court Judge	1A, L
11	36.	Each county law library; s. 757.40	1A, L
12	37.	Clerk of each court in lines 30, 32 and 35	1A, L
13	40.	Head of each department and independent agency	
14		listed in ch. 15, subchapters II and III	1A, L
15	41.	Historical Society; s. 35.85 (7)	1A, L
16	42.	Department of Justice	1A, L
L7	43.	Public Defender Board	1A, L
18	44.	Each district attorney	1A, L
19	50.	Each public library and branch thereof; s. 43.52	1A, L
20	51.	Each academic library listed in DLS annual library	
21		directory (DLS)	1A, L
22	52.	Each school library media center listed in DPI annual	
23		public and nonpublic school directories (DLS)	1A, L
24	53.	Each regional state document depository library;	
25		s. 35.82 (3), not to exceed 10	1A, L

1	55. Head librarian of each public library system; s. 43.13 1A, L
2	56. University of Wisconsin Law Library
3	57. Each library of a law school accredited by the American
4	Bar Association not otherwise provided for in this section 1A, L
5	60. Each member and member-elect of Congress from this state 1A, L
6	61. Library of Congress
7	62. Each U. S. Attorney in this state
8	63. Each U.S. Clerk of Court in this state 1A, L
9	64. Each library maintained for a federal court in this state 1A, L
LO	72. Each county clerk
11	73. Each city clerk
12	76. Each sheriff
13	77. Each county corporation counsel 1A, L
L4	85. Each campus of University of Wisconsin System and
15	technical college system administrator's office (DOE) $\ldots $ 1A, L
16	86. Each public or nonpublic elementary and secondary
L 7	school administrator's office (DOE) 1A, L
18	99. Each newspaper as listed in Blue Book 1A, L
19	Section 101. 35.85 (intro.) of the statutes is amended to read:
20	35.85 Other distribution. (intro.) The department shall make the following
21	distribution of public printing state documents in addition to that indicated in s.
22	35.84:
23	Section 102. 35.85 (2) of the statutes is amended to read:
24	35.85 (2) Of parts of official reports, pamphlets and magazines, and pamphlet
25	laws, printed by authority of reproduced under ss. 35.28 and 35.29, one copy to each

to read:

person named in lists filed for the purpose of such distributions by the respective		
state agencies upon whose requisition requisitions the same were printed		
reproduced, except that blocks of such publications may be allotted to the		
requisitioning state agency for official use subject to approval of the department.		
Section 103. 35.85 (3) and (5) of the statutes are amended to read:		
35.85 (3) Each county, town, village and city shall purchase from the		
department for the municipal judges and for other officers of the county or		
municipality such number of copies of the statutes Wisconsin Statutes and		
Annotations and other official documents not distributed under s. 35.84 as are		
needed for its official purposes.		
(5) The department may order such further distribution of the statutes,		
annotations Wisconsin Statutes and Annotations, the Wisconsin Annotations 1970		
and Laws of Wisconsin as may be needed for official use by any justice of the supreme		
court or by any state agency.		
Section 104. 35.87 (1) of the statutes, as affected by 1995 Wisconsin act 27, is		
amended to read:		
35.87 (1) The legislature may provide as a service to paid subscribers routine		
distribution of copies of all bills, joint resolutions, amendments, acts, journals,		
bulletins of proceedings and hearing bulletins printed reproduced for the legislature.		
SECTION 105. 35.89 of the statutes is amended to read:		
35.89 Lists of distributees in counties. Each county clerk shall transmit		
to the department a list of the officers in the county who are entitled to distribution		
of public printing from its office state documents under s. 35.84.		
SECTION 106. 35.91 (1) of the statutes is renumbered 35.91 (1) (a) and amended		

Annotations shall be sold at a price (calculated to the nearest dollar), to be fixed by the department, based on cost plus 75% of the revisor's expenditures under s. 20.765 (3) (a) during the preceding fiscal biennium less the amount collected by the department during the preceding fiscal biennium from licensing fees and sales under subs. (1g), (1m) and (1r). The department may sell noncurrent editions of the Wisconsin statutes Statutes and Annotations and WisLaw, and the Wisconsin annotations Annotations 1970 at reduced prices to be fixed by it the department.

Section 107. 35.91 (1) (b) and (c) of the statutes are created to read:

35.91 (1) (b) The department shall maintain a record of the names and addresses of all purchasers and other recipients of the Wisconsin Statutes and Annotations and WisLaw. In the event the revisor issues a notice correcting the text of the statutes after publication, the revisor shall provide the department with copies of each correction in an amount equal to the number of copies sold or otherwise distributed by the department. The department shall then mail a copy of the notice to each purchaser or other recipient of the Wisconsin Statutes and Annotations or WisLaw at the address shown upon the department's records.

(c) The department shall, upon the determination of the price of the Wisconsin Statutes and Annotations under par. (a), mail a notice to each purchaser of the previous edition, at the address shown upon the department's records maintained under par. (b), stating the approximate date on which the new edition of the Wisconsin Statutes and Annotations will be available for sale, the sale price and how the new edition may be purchased.

Section 108. 35.91 (1g) of the statutes is created to read:

35.91 (1g) (a) Notwithstanding s. 16.971 (4) (b), the department shall license
the latest release of WisLaw to members of the public at a price fixed by the revisor
and the department on terms that the revisor and the department determine to be
necessary for the following:

- 1. Ensuring the maintenance of the integrity of the data contained in WisLaw.
- 2. Ensuring the equitable distribution of the costs of producing WisLaw, including editorial costs.
- 3. Preventing the use of WisLaw by any party attempting to obtain an unfair commercial advantage.
- 4. Ensuring protection of copyrights in software licensed to the state by computer software vendors and compliance by the state with all licensing agreements entered into with computer software vendors.
- (b) The department shall make WisLaw available on both an individual and subscription basis.
- (c) Releases of WisLaw distributed under s. 35.84 shall be licensed to distributees subject to the same restrictions and nonmonetary terms as releases licensed to members of the public under par. (a). The costs of production and licensing shall be charged to the appropriation under s. 20.765 (1) (d).
- (d) The department shall upon the issuance of each release of WisLaw mail notices to all licensees of the previous release, except subscribers whose subscriptions remain in effect, at the address shown upon the department's records maintained under sub. (1) (b), stating the day which the new release of WisLaw will be available, the price of that release and how a license for that edition may be obtained.

Section 109. 35.91 (1m) of the statutes is created to read:

- 35.91 (1m) Subject to the copyright interests of computer software vendors in software licensed to the state and to the terms of licensing agreements entered into by the state with software vendors, the department may license the computer data bases, or portions thereof, used by the revisor in producing WisLaw to parties wishing to reproduce the contents thereof, for commercial or noncommercial purposes, at a price fixed by the department, with the approval of the revisor, and upon terms as the department and the revisor determine to be necessary for the following:
- (a) Ensuring the maintenance of the integrity of the data contained in the data bases.
- (b) Ensuring pricing which provides all parties equitable access while taking into account the state's costs of production, including editorial costs.
- (c) Preventing the use of the data bases by any party attempting to obtain an unfair commercial advantage.
- (d) Ensuring protection of copyrights in software licensed to the state by computer software vendors and compliance by the state with all licensing agreements entered into with computer software vendors.

Section 110. 35.91 (1r) of the statutes is created to read:

35.91 (1r) Subject to the copyright interests of computer software vendors in software licensed to the state and to the terms of licensing agreements entered into by the state with software vendors, the department shall provide WisLaw, or the computer data bases used by the revisor in producing WisLaw, to each state agency, for access by each computer work station the agency considers necessary and appropriate, at a price to the agency fixed by the department.

SECTION 111. 35.91 (2) of the statutes is amended to read:

35.91 (2) Current copies of the <u>printed</u> Blue Book and the Laws of Wisconsin shall be sold at prices determined by the <u>chief of the legislative reference bureau</u>, with the approval of the department, which. The prices shall include the cost of sale and distribution under s. 35.80 and, as determined by the legislative reference bureau, the proportionate cost per copy of typesetting, purchasing, paper, printing, duplication, collating and binding. Releases of the Blue Book produced in computer-readable format shall be sold at prices determined under s. 35.25 (5).

Section 112. 35.91 (3) of the statutes is amended to read:

35.91 (3) A price list of all printed matter state documents on hand for sale shall be prepared from time to time by the department, which it may have printed and bound. The department may include the list as an advertisement in state publications, and it may circulate such price the list by mail.

SECTION 113. 35.93 (title) and (1) of the statutes are amended to read:

Administrative Code and Register. (1) The Wisconsin administrative code and register Administrative Code and Register shall be published using the format and method of printing reproduction and binding determined by the revisor. The notice section of the register and new rules filed by an agency whose rules have not been compiled and printed pursuant to this section may be duplicated in some other form than printing if the department and revisor determine that it is administratively feasible to do so. The printing or other duplicating The reproduction shall be performed or contracted by the department. The department may purchase and sell suitable binders for the code or parts thereof at a price not exceeding cost. The revisor shall supervise the arrangement of materials in the Wisconsin administrative code and register Administrative Code and Register, including the numbering of pages

 $\mathbf{2}$

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

and sections. No part of the Wisconsin administrative code or register

Administrative Code or Register may be printed reproduced until the revisor has approved the arrangement of materials and numbering of sections therein.

Section 114. 35.93 (3) of the statutes is amended to read:

35.93 (3) The revisor shall compile and deliver or transmit to the department for printing copy for reproduction a register which shall contain all the rules filed since the compilation of rules for the preceding issue of the register was made and those executive orders which are to be in effect for more than 90 days or an informative summary thereof. The complete register shall be compiled and published before the first day of each month and a notice section of the register shall be compiled and published before the 15th day of each month. In lieu of a separate notice section, the revisor may compile and publish the complete register on a semimonthly basis before the first and 15th day of each month. Each issue of the register shall contain a title page with the name "Wisconsin administrative register Administrative Register", the number and date of the register, and a table of contents. Each page of the register shall also contain the date and number of the register of which it is a part in addition to the other necessary code titles and page numbers. The revisor may include in the register such instructions or information as in the revisor's judgment will help the user to correctly make insertions and deletions in the code and to keep the code current.

Section 115. 35.93 (4) of the statutes, as affected by 1995 Wisconsin Act 106, is amended to read:

35.93 (4) Each issue of the Wisconsin administrative register Administrative Register shall contain a notice section in which shall be printed published the notices of hearings on rule making which agencies have transmitted to the revisor for that

purpose, statements of scope of proposed rules under s. 227.135, notices of submittal to joint legislative council staff under s. 227.14 (4m), notices of intent to promulgate rules without a public hearing under s. 227.16 (2) (e), notices of referrals of proposed rules to presiding officers under s. 227.19 (2), notices of emergency rules in effect, fiscal estimates for rule–making orders under s. 227.14 (4) and such other notices as may be required by law or determined by the revisor to be appropriate.

Section 116. 35.93 (5) of the statutes is amended to read:

35.93 (5) The department shall determine, on the basis of the distribution requirements under s. 35.84 and probable sales demands, the number of copies of each part of the code and each issue of the register to be printed reproduced.

Section 117. 35.93 (8) of the statutes is amended to read:

35.93 (8) The revisor shall prepare and the department shall publish a table of contents and an index of all the rules in effect which have been compiled and printed published under this section. The table of contents and index shall be recompiled and reprinted republished annually. They shall be printed reproduced in the same page size as the administrative code. The department shall distribute one copy of the table of contents and index free to each subscriber to the register or parts thereof.

Section 118. 227.14 (2) (a) of the statutes is amended to read:

227.14 (2) (a) An agency shall prepare in plain language an analysis of each proposed rule, which shall be printed published or distributed with the proposed rule when it is published or distributed. The analysis shall include a reference to each statute that the proposed rule interprets, each statute that authorizes its promulgation, each related statute or related rule and a brief summary of the proposed rule.

1	Section 119. 227.19 (6) (a) (intro.) of the statutes is amended to read:
2	227.19 (6) (a) (intro.) The legislature may not consider a bill required by sub.
3	(5) (e) until the joint committee for review of administrative rules has submitted a
4	written report on the bill. The report shall be printed reproduced as an appendix to
5	each bill and shall contain:
6	Section 120. 227.22 (2) (d) of the statutes is amended to read:
7	227.22 (2) (d) The date of publication of the issue of the register in which the
8	rule is printed published occurs after the date designated under s. 35.93 (3) for
9	publication of the register, in which case the rule becomes effective as provided in
10	sub. (4).
11	Section 121. 227.24 (1) (e) 1. of the statutes is amended to read:
12	227.24 (1) (e) 1. Prepare a plain language analysis of the rule in the format
13	prescribed under s. 227.14 (2) and print publish the plain language analysis with the
14	rule when it is published.
15	Section 122. 227.26 (2) (g) (intro.) of the statutes is amended to read:
16	227.26 (2) (g) Committee report required. (intro.) No bill required by this
17	subsection may be considered by the legislature until the committee submits a
18	written report on the proposed bill. The report shall be printed reproduced as an
19	appendix to the bills introduced under par. (f). The report shall contain all of the
20	following:
21	Section 123. 601.423 (2) of the statutes is amended to read:
22	601.423 (2) Preparation of Report. The commissioner shall submit a report
23	on the social and financial impact of any health insurance mandate, contained in any
24	bill affecting an insurance policy, plan or contract, to the presiding officer of that
25	house of the legislature in which the bill is introduced. At the discretion of the

presiding officer, any such report may be printed reproduced and distributed as are amendments.

Section 124. 889.01 of the statutes is amended to read:

889.01 Publication by state as evidence of laws. Books, pamphlets and other documents purporting to be printed reproduced by the state as copies of its statutes, legislative acts and resolutions, senate and assembly journals or orders, rules, regulations or decisions of any of its boards, departments, commissions or agencies, are prima facie evidence that they are such publications as they purport to be, and are correct copies of such statutes, acts, resolutions, journals, orders, rules, regulations and decisions, respectively; and such printed journals of said houses, respectively, are prima facie evidence of their proceedings. This section does not apply to statutes, acts, resolutions, orders, rules or decisions contained in WisLaw.

Section 125. 985.08 (2) (b) of the statutes is amended to read:

985.08 (2) (b) When camera—ready copy in a format suitable for publication for the entire notice or substantial areas thereof is provided, eliminating typesetting, enlargements or reductions, or other changes by the newspaper, the maximum rate is the same as the maximum rate established under sub. (1) for subsequent insertions. To qualify for the subsequent insertion rate for camera—ready copy that is provided in a format suitable for publication, the copy may be no larger than 8-point type and shall comply with the column width certified for each newspaper by the department of administration under par. (a).

22 (END)