

TITLE V.
Public Printing.

CHAPTER 35.

PUBLIC PRINTING AND THE DISTRIBUTION OF LAWS AND PUBLIC DOCUMENTS.

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35.001 Definitions. As used in this chapter:

- (1) "Director" in this chapter means the director of the bureau performing the printing function in the department of administration.
- (2) "Revisor" means the revisor of statutes.
- (3) "Contract printer" is the person under contract to do public printing, other than printing of the fifth, sixth or seventh class.

(4) "State agencies" include departments, boards, commissions, bureaus, institutions, the university and state colleges.

GENERAL.

35.01 Public printing; definition and classification. Public printing includes all graphic reproduction by whatever process and the necessary material and binding which is a part of a state printing order. Public printing is divided into 8 classes:

- (1) Class 1—All legislative printing and Wisconsin session laws.
- (2) Class 2—Wisconsin statutes, annotations and Blue Book.
- (3) Class 3—All book printing required for state agencies, not otherwise classified, except yearbooks and similar student publications, the law review, journal of land and public utility economics, university press publications, the transactions of the Wisconsin academy of sciences, arts and letters, and similar technical or semitechnical publications of the University of Wisconsin, the Wisconsin magazine of history and hard bound books of the state historical society.
- (4) Class 4—All job printing and all printing not otherwise classified.
- (5) Class 5—Legal notices.
- (6) Class 6—Supreme Court reports.
- (7) Class 7—Printing for state agencies located outside the city of Madison.
- (8) Class 8—Specialty printing as defined in s. 35.55 (2) and book printing excluded from class 3 under sub. (3).

History: 1961 c. 532, 533, 536.

35.012 State printing. All printing contracted for under this chapter, except statutes and annotations of the second class, yearbooks and other similar student publications, printing of the fifth, sixth and seventh classes and such copyrighted or patented or printing specialties not available for production within this state, shall be printed in this state.

History: 1961 c. 532, 533.

35.015 Exempt printing. Printing is exempt from this chapter when the director exercises the power vested in him by s. 16.82 (4).

35.03 Powers of director. The director shall:

- (1) Let contracts for public printing and for the purchase of paper in the manner provided in this chapter.
- (2) Receive printer's copy and requisitions for public printing from parties authorized by law to present them.
- (3) Deliver such copy, except printing of the first class, to the contract printer with written orders that the copy be printed.
- (4) Direct the manner, form, style, quantity and method, when these are not expressly prescribed by law, of public printing except printing of the first class; and provide editorial services to state agencies in the preparation of copy for the printer.
- (5) Prescribe rules, not inconsistent with law, for the conduct of business.
- (6) Make biennial reports to the legislature setting forth the cost of the public printing during the preceding fiscal term, with recommendations of any retrenchments that can be made therein and containing the title of each publication, author agency, number of pages, number of copies, to whom distributed, costs including preparation and distribution, method of reproduction and justification. All state agencies shall report to the director, at his discretion, such information as is required to implement this section. The director shall use the data from these reports to maintain a continuous listing of state publications, and he shall use the data from the listing in preparing the biennial report. For the purposes of this subsection a publication shall be reported if it contains more than 8 pages of reading matter, reproduced in a quantity of 500 copies or more, or if it contains more than 48 pages regardless of the number of copies.
- (7) Distribute public printing to officers and organizations entitled thereto as provided in ss. 35.84 to 35.91, and sell public documents as authorized in s. 35.91.
- (8) Co-operate with the state historical society in enforcing s. 35.85 (7) and (12) and in providing data for the periodic checklist of public documents required by s. 44.06 (5), and with the legislative reference bureau in enforcing s. 35.85 (11m), and extend similar assistance to other state agencies to whom distribution of state publications is required by law.
- (9) Order such further editions as may be necessary to supply demands whenever any original edition of Wisconsin session laws, Wisconsin statutes, or Wisconsin Blue

Book proves inadequate to meet the estimated future demands therefor, providing that no reprinting shall occur after the original type or plates have been distributed or rearranged. Such reprints shall be charged to the same appropriation as the original editions.

(10) In advertising for bids, subdivide classes 1, 2, 3 and 4, creating additional classes, or he may change printing from one class to another in advertisements, whenever he determines that further or different classification will benefit the state.

(11) Furnish the paper to be used by contract printers or, when it becomes more economical, purchase paper from contract printers.

History: 1963 c. 527; 1965 c. 30, 50, 249 s. 78.

35.04 Employees. (1) There shall be appointed such employes, including editorial staff, under the classified service as are necessary to perform the duties imposed by this chapter.

(2) The editorial staff shall:

(a) Examine critically all printer's copy presented to the director and before the same is delivered to the contract printer, report to the director all failures to eliminate matter unsuitable for public printing and all failures properly to consolidate statistical tables and to make such copy comply with law; but the power of eliminating matter from any public printing shall not be construed to include the power to change the thought or findings of any public printing;

(c) Require contract printers to use, in all cases not otherwise prescribed by law, such style, size and arrangement of type as will insure the largest measure of economy possible with good work;

(d) Perform such other duties as the director directs.

History: 1963 c. 224.

LEGISLATIVE; CLASS 1 PRINTING.

35.05 Printing in general, how ordered and executed. (1) All printing for the legislature shall be in such form and printed in such manner and amount as may be determined by the joint rules of the legislature, or in the case of printing of a nature that is the concern of one house only, then as determined by that house.

(2) (a) When the senate or the assembly determines the form or amount of printing for its own use, such determination or such regulations as may be considered appropriate governing such printing, may be made by the rules of the house or by resolution or by the senate committee on organization for the senate or the assembly committee on organization for the assembly, subject to final decision by their respective houses.

(b) When printing concerns both houses the form or amount of such printing may be determined by the joint rules or by joint resolution or by the joint committee on legislative organization, subject to any provisions of the joint rules or joint resolutions.

(3) All printing for which the format, number of copies or other features prescribed by statute is now repealed, or which had a customary form, number of copies or other features, shall continue to conform to such format, other requirements or customary form until changed by or under authority of statute, joint rule or rule of either house.

(4) When legislative proposals, legislative publications or other printing is required for the legislature, including revision or correction bills for the revisor of statutes, bills or reports for the legislative council or legislative proposals of members intended for introduction by them, such printing 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) Whenever either house requires any printing for its exclusive use and whenever any joint action of both houses is taken requiring any printing to be done, the chief clerk of the house where such action originates, shall deliver copy to the contract printer, with a requisition to the director signed by such clerk, and the contract printer shall do the printing and deliver it in the shortest possible time. If there is no contract in force for class 1 public printing, the chief clerks shall deliver copy to the director who shall have it printed in accordance with the statutes.

(6) Any provision in the rules of the senate or the assembly or of the joint rules relating to printing 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.

History: 1963 c. 149, 465.

35.08 Bills, how drafted, notes to. (1) Revision and correction bills prepared by the revisor and such other bills as the legislature may by joint rule provide may contain

explanatory notes which shall be printed immediately following the sections to which they respectively relate, but such notes shall not constitute any part of the bill nor the act if the bill is enacted.

(2) Bills need not show matter to be stricken out or have new matter printed in italics if they are proposals in which identical words or phrases are deleted or substituted in a chapter or series of sections if the precise chapter or sections in which the words or phrases occur are enumerated.

History: 1961 c. 210, 532; 1963 c. 465, 517; 1965 c. 16.

35.09 Enrolled bills and resolutions. Immediately after any bill, or any joint resolution amending the constitution, has been finally passed, and in the case of a bill, before it is presented to the governor for approval, the chief clerk of the house where such bill or resolution originated shall prepare a suitable copy of the enrolled bill or resolution in the form prescribed by the joint rules of the legislature and send it to the printer. The printer shall, as soon as possible, print and deliver 10 copies thereof upon ledger paper, one of which printed copies shall be used as the enrolled bill or the enrolled resolution. The enrolled bill or resolution shall be authenticated as provided by the joint rules of the legislature. The governor shall then consider and, if he approves, sign the printed enrolled bill except that the legislature may by joint resolution authorize the use of typewritten copies to be authenticated as though they were printed. The number of additional copies printed and the quality of paper used shall be as provided in the joint rules. Twenty copies shall be delivered to the statutory revision bureau at once and all other distribution shall be as provided in the joint rules. The heading of each act shall carry the words "State of Wisconsin" as do bills and joint resolutions.

History: 1961 c. 211; 1963 c. 60, 465.

35.095 Chapter numbering of acts. At the time the governor approves a bill (an act) he shall give it a chapter number. The acts of a session shall be numbered consecutively commencing with one. If a bill is passed over the governor's veto or becomes a law because of the failure of the governor to act upon it within the time limit the chief clerk of the house of origin shall immediately give the bill its proper chapter number.

History: 1963 c. 465.

35.15 Wisconsin Session Laws. (1) Immediately after the end of each general and each special session of the legislature, the secretary of state shall prepare printer's copy for a volume denominated "Wisconsin Session Laws," which shall contain all acts enacted during such session, all important joint resolutions of the session, and an alphabetical index to the volume prepared by the revisor. Said printer's copy shall show the date of approval and the effective date of each act, and joint resolution, the number of the proposal from which it originated and the house in which it originated and shall be in such form as may be prescribed by the joint rules; but shall omit the signature of the officers affixed to the enrolled act, or joint resolution. Such printer's copy shall be delivered to the director and by him to the contract printer, who shall print and deliver the same within 60 days. The director shall determine the number of copies to be printed. After making the necessary comparison, the secretary of state shall annex at the end of one of the copies, which shall be filed in his office as a public record, his certificate that he has compared the printed copies therein with the original acts approved by the governor, and that they appear to be correctly printed. All other copies and reprints thereof shall contain a printed copy of such certificate.

(2) If the legislature adjourns for an extended period before sine die adjournment, but such adjournment is for less than 60 days, the secretary of state shall publish the session laws in one volume. If such adjournment is for more than 60 days, the secretary of state may cause the first volume of the session laws to be published in such manner that laws enacted at the adjourned session may be printed as a pocket supplement, and the laws enacted at such adjourned session shall be printed as a pocket supplement unless the content thereof is so great that a separate bound volume is necessary.

History: 1963 c. 465.

35.17 Correcting typographical errors. In all official publications of Wisconsin session laws, the secretary of state shall cause all words and names to be correctly spelled, shall also correct obvious typographical errors in any enrolled act or joint resolution and no such correction shall be deemed an alteration of the enrolled copy. Like corrections shall be made by the revisor in printing the Wisconsin statutes. On questions of orthography Webster's new international dictionary shall be taken as the standard.

STATUTES, ANNOTATIONS, TOWN LAW FORMS; CLASS 2 PRINTING.

35.18 Wisconsin Statutes. (1) **PUBLICATION.** Biennially the revisor shall prepare and deliver to the director printer's copy for the Wisconsin statutes, which shall contain all the general statutes in force, all important joint resolutions adopted since the last preceding general session, an alphabetical index, and such other matter as the revisor deems desirable and practicable. Said printer's copy may be in 2 instalments; the first, consisting of the text of the statutes, shall be delivered to the contract printer immediately after the governor's approval of the last act of the general session, and the second, consisting of the appendix and index, shall be delivered within 60 days after the first. The director shall determine how many copies shall be printed. Within 90 days the contract printer shall submit printer's proof of all type matter, within 180 days after receipt of the first instalment of printer's copy the contract printer shall begin making delivery and within 240 days after said receipt he shall complete delivery, at least one-eighth of the edition to be delivered weekly.

(2) **REVISOR'S CERTIFICATE.** After making the necessary comparison, the revisor shall annex, at the end of one copy of each newly printed statute, which shall be filed in the office of the secretary of state as a public record, his certificate certifying that he has compared each printed section therein with the original section of the statutes, or, as the case may be, with the original section contained in the enrolled act from which the section was derived, together with all amendments of such original section, if any, and that all the sections appear to be correctly printed. All other copies shall contain a printed copy of such certificate.

(3) **CHAPTER AND SECTION NUMBERS AND TITLES.** All chapters and sections of Wisconsin statutes shall retain their present numbers and titles until changed by the revisor or by statute. In revised chapters the sections shall be designated by mixed, decimal numbers, the whole number corresponding to the chapter and the decimal to each section's place in the chapter, and the section numbers and titles shall be printed in bold face type. Subsections shall be designated by numbers enclosed in parentheses; and paragraphs, by letters. But subchapter, section, subsection and paragraph titles, and history notes constitute no part of the section.

Cross Reference: See 401.109 for provision that section titles are parts of the commercial code.

35.19 Pamphlet laws. The contract printer is required to print and deliver in pamphlet form, such editions of parts of the statutes as may be ordered by the director for the use of public officers. Such orders shall be discretionary, shall be limited to actual needs as shown by experience or other competent proof, and the printing shall be done from the plates from which the statutes have been printed, so far as that can be done, and such printing shall be charged to the requisitioning agency.

35.20 Wisconsin Town Law Forms. With each issue of Wisconsin statutes, the contract printer, under the supervision of the revisor, shall print as directed by the director an edition of 1,400 copies, for distribution by said director to all town clerks, 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.

35.22 Evidence. Wisconsin statutes shall be prima facie evidence in all courts and proceedings as provided by s. 889.01; but they shall not preclude reference to, nor control, in case of any discrepancy, any original act of the legislature; and the certified volumes of session laws provided for by s. 35.15 shall also and in the same degree be prima facie evidence in all courts and proceedings.

History: 1965 c. 249.

35.23 Wisconsin Annotations. The revisor shall prepare from time to time such annotations as will keep the volume known as "Wisconsin Annotations," up to date, and to print such continuations in each biennial issue of Wisconsin statutes.

35.235 Appropriations to which charged. Costs of printing provided for by ss. 35.18, 35.20 and 35.23 shall be charged to the appropriation made to the director for these purposes.

BLUE BOOK AND REPRINTS; CLASS 2 PRINTING.

35.24 Blue Book. (1) The legislative reference bureau shall compile, index, prepare and deliver to the director biennially copy for a book to be denominated "Wisconsin

Blue Book," which shall contain the biographies and pictures of state officers, senators and assemblymen and officers of each house, and statistical and other information of the same general character as that heretofore published, but so selected and condensed as will limit the number of pages approximately to 800 or less. In making such selection the legislative reference bureau is directed to consult freely with the state superintendent and the director of the state historical society, and insofar as possible, make the book useful for civics classes in schools. The director shall deliver said copy to the contract printer not later than January 1 in each even-numbered year, to be printed and delivered not later than June 15 of the same year.

(2) The Blue Book shall be machine sewed, bound in blue cloth except 300 copies reserved for distribution to state officers, which shall be bound in blue half morocco with the name of the distributee in gilt letters upon the back.

(3) The cost of printing shall be charged to the appropriation made to the director for this purpose.

History: 1963 c. 149; 1965 c. 23.

35.25 Wisconsin Constitution. When contracting for the printing of each edition of the Wisconsin Blue Book, the director shall also contract for the printing of 1,000 reprints of the Wisconsin constitution in pamphlet form for free distribution. The cost of such reprints shall be included in the contract for the printing of the Blue Book.

OFFICIAL REPORTS; CLASS 3 PRINTING.

35.26 Official reports. (1) All reports of state agencies shall be made biennially, except those required by law to be made annually. Biennial reports shall cover the 2 years next preceding July 1 of each even-numbered year, except the report of the state superintendent, which shall cover the biennium preceding July 1 of each odd-numbered year; and annual reports shall cover one year next preceding July 1 of every year.

(2) Every such report shall set forth all receipts and disbursements in full and in detail, and be filed with the governor within 60 days next following the period covered. A duplicate report shall at the same time be presented by its author to the director as printer's copy. No report shall contain any advertising matter nor any copying of the Wisconsin session laws or statutes, except minor extracts explanatory of and incorporated in the text. The detailed tables of purchases in the report of the state department of public welfare shall not be printed.

(3) Before filing any report its author shall carefully edit the same and strike therefrom all journals and minutes of proceedings and all correspondence, petitions, orders and other documents or writings whose substance can be briefly stated, consolidate, so far as practicable, statistical tables and strike out all matter which is of interest to individuals chiefly and not important information concerning public affairs.

(4) The costs of reports authorized by ss. 35.26 to 35.28 shall be charged to the requisitioning agency.

35.265 State budget, copies. The governor may in his discretion issue not to exceed 500 copies of the state budget report, 1,000 copies of the budget report in brief, and not to exceed 1,000 copies of his annual popular report. The cost of these reports shall be charged to the department of administration.

35.27 Limitation of editions of official reports. Within 60 days after receiving printer's copy therefor, the contract printer shall print and deliver editions of the reports mentioned in s. 35.26, and of any report required by law to be made to the governor or to the legislature if not otherwise limited. The maximum number of copies and pages shall be established by the director for any report.

35.28 Parts of official reports. The director may order printed in suitable form, in reasonable quantities, copies of opinions and briefs of the attorney general and the supreme court; decisions of the public service commission; and special editions of parts of official reports.

BOOK PUBLICATIONS; CLASS 3 PRINTING.

35.29 Books, pamphlets, and magazines. (1) The director may order printed such catalogs, book lists, courses of study, schoolhouse plans, reports, directories, pamphlets and other similar materials as are necessary to the proper administration of offices of state agencies as required or authorized by the statutes and subject to distribution and sales regulations as specified in ss. 16.79 (4) (a); 35.84; 35.91; or as otherwise set forth in the statutes.

(2) Upon receiving the necessary printer's copy the director shall order printing as follows: Of the opinions of the attorney general, not more than 1,000 copies; of the decisions of the public service commission, not more than 500 copies; of any report made by the conservation commission under s. 23.11 (3), so many copies as may be ordered by the governor.

(3) The costs of such printing shall be charged to the requisitioning agency.

JOB PRINTING; CLASS 4 PRINTING.

35.34 Job printing, and all printing not otherwise classified. (1) Job printing includes labels, envelopes, letterheads, noteheads, billheads, blanks of all kinds, blank books, folders, circulars, postal cards, announcements, instructions, cards for card catalogues, indexes, questions for bar, medical, bureau of personnel, teachers' or other examinations, slips, payrolls, statements, tables of receipts and disbursements, certificates, election and other notices, sample ballot, list of candidates, and such other printing not specified in this chapter as may be permitted or required by law and necessary for the use of state agencies, including such binding as may be needed in connection with such printing. The form of all blank payrolls and expense sheets to be used by any state agency shall be prepared by the department of administration.

(2) Costs for such printing shall be charged to the requisitioning agency.

GENERAL SPECIFICATIONS AND ORDER WRITING.

35.35 Specifications. (1) Specifications for state printing except class 1, including type style and size, page size, titles, paper, form, quality, quantity, binding and method, shall be as determined by the director unless specified by statute. Any state agency which objects to his determination may appeal the decision to the governor.

(2) The statutes, session laws, administrative code and register, Blue Book, and reports specified in ss. 35.26 and 35.27, and reprints thereof, shall be substantially the same in printing and binding as previous editions of the same publication.

(3) Specifications for class 1 state printing shall be determined by the director with the advice and approval of the joint committee on legislative organization.

History: 1963 c. 465.

35.36 Proofs; where received. Contract printers shall submit proof sheets of all public printing done by them and when requested, revised proof sheets thereof, to the director. When requested by the chief clerk of either house proof sheets of printing of the first class shall be delivered to them.

35.38 Authority for printing; increase, and diminution of editions and pages. The director shall not order any printing not authorized by law nor any quantity in excess of the legal limitation thereof. If experience demonstrates that the number of copies or the number of pages specified in this chapter for the editions of the Blue Book or session laws exceed the actual lawful demand therefor, the number of volumes or pages thereafter to be printed shall be still further reduced as will supply such demand and no more. In like manner, any specification as to quantity in any requisition for printing which is required to be distributed by him shall be reduced to the actual probable demand therefor, as determined from previous experience in such distribution.

35.39 Printing orders; form; when issued. (1) No contract printer shall be paid for any printing not authorized by a written order of the director or of a chief clerk of the legislature except that when the legislature is not in session the executive secretary of the legislative council may order the printing of council reports. Every such order shall designate the class of the required printing, plainly state the quantity and kind thereof and be issued in multiple copies as determined by the director. A separate series shall be used for each class of printing, and shall be numbered consecutively throughout each contract period, beginning with number one, all multiple copies bearing the same number. No discretionary order for printing shall issue unless said director is satisfied that the public welfare will be promoted by the requested printing sufficiently to justify the cost thereof. All orders issued by chief clerks of the legislature shall be filed with the director.

(2) The governor may cause the withdrawal of any printing requisition if, in his opinion, public policy demands it, or if the edition thereof seems excessive. In such cases, he shall hear the statement of the requisitioning officer, and shall communicate to such officer the action taken and reason therefor.

35.40 Title pages; names of authors. Every requisitioning agency shall provide the necessary printer's copy for a suitable title page, containing the name of the author

for every book and other document which requires a title page; but no such publication shall have written or printed thereon, nor attached thereto, the words "Compliments of" followed by the name of the author, nor any other words of similar purport.

35.41 Editing printer's copy. Printer's copy must accompany every requisition. The editors of all state agencies may edit for themselves the matter and form of the contents of the printer's copy presented by them respectively to the director. All printer's copy which does not conform to accepted trade practices, and, in the opinion of the director is unsatisfactory, shall be returned to its author for revision and correction.

BASE PRICES AND INTERPRETATION; CLASSES 1, 2, 3 AND 4.

35.43 Base prices and specifications. (1) As a basis for bids for public printing in classes 1, 2, 3 and 4 the director shall, prior to advertising for bids in each even-numbered year, establish base prices and specifications which shall be uniform for all classes of printing except for composition for legislative printing which shall have a base price 25 per cent larger than that established for other composition and which base price shall include all composition for legislative printing. Base prices and specifications shall become a part of the contract with successful bidders.

(2) No charge for composition shall be allowed for second editions nor for any other reprint from type or plates owned by the state.

(3) Types and engravings made up into forms or pages shall be preserved for possible re-use for 30 days from final delivery in the case of job work, 60 days from final delivery in the case of book work, or such extended periods as the director may designate due to justifiable emergencies, not to exceed 90 days for job work and 180 days for book work, and no additional charge will be allowed for composition when reprinting occurs during these periods, whether during a contract period or extending into succeeding contract periods when a contract printer again holds the contract for the same class of printing. When portions of the administrative code are reprinted, deviations from the above holding period is permissible when agreed to by the director and the contract printer.

(4) Job work shall normally be completed and delivered within 20 working days unless an earlier delivery is imperative and otherwise ordered; provided that allowance will be made for the actual time required for sending and returning proof. Book work shall be completed and delivered within a period of time satisfactory to the requisitioning agency and the director and with regard to current production load of state printing within the particular class of printing. In case of gross failure to comply with the normal production rate required by the class of printing involved, the director may apply a penalty of one per cent for each working day of delay beyond the normal production requirements of the class.

(5) Work must be done promptly and all type used, all ink and other material furnished and all workmanship must be satisfactory to the director and in case of any substantial failure to comply with these provisions, the director may refuse to receive such defective or delayed printing, and procure such printing elsewhere, charging the contract printer with the difference between the actual cost and the contract price thereof. But if immediate necessity and lack of time to procure printing elsewhere compel the use of defective printing furnished by a contract printer, it shall be accepted without approval, and one-half of the contract price shall be charged to him as liquidated damages for such breaches of contract.

BIDS AND CONTRACTS; CLASSES 1, 2, 3 AND 4.

35.45 Advertisement for bids. The director shall during June or July of each even-numbered year publish an advertisement that sealed proposals for furnishing, during the next ensuing contract period, the printing included in classes 1, 2, 3 and 4, with all other material which the director requires, will be received by said director at his office any time prior to a specified day, when all proposals will be there publicly opened and read; that each bidder may, at his option, file a proposal to furnish one, or more than one, or all of said several classes of printing; that upon application said director will in the meantime furnish to bidders a list of the base prices and specifications as he has established and all necessary blanks and information, and that no bids will be considered that are not presented in the form so prescribed. All such forms and a proper form for the advertisement shall be approved by the attorney general. The advertisement shall be run as a class 2 notice, under ch. 985, in the official state paper and 3 other daily papers throughout the state.

History: 1965 c. 252.

35.46 Bids; what to contain. (1) Every such bid shall be in writing, enclosed in a sealed envelope, having endorsed thereon "Proposals for State Printing"; shall be filed in the office of the director on or before the time specified in the advertisement therefor as the day when the bids will be opened; shall specify the class or classes of printing for which it is made and the per cent of discount off from or the per cent above base prices (which shall be uniform for every item) at which the bidder proposes to do the work; shall be accompanied by a certificate of the state treasurer showing that the bidder has deposited with such treasurer \$1,000 in money, United States bonds or certified check, subject to the provisions of this chapter; shall be accompanied by a provisional agreement under seal, executed by the bidder to the effect that if such bid is accepted, and if he fails to enter into a printing contract and execute a bond within the time and conditioned as required by law then such deposit shall become absolutely the property of the state; and shall be further accompanied by a bond, executed by a surety company duly authorized to do business in this state, in the sum of \$5,000, to the effect that it guarantees the bidder will, if his bid is accepted, execute the contract and bond required by law within the time prescribed by the director.

(2) The director may include in the specification proposals for state printing a provision that the contract price shall be adjusted from time to time as affected by an increase or decrease in the printer's wage scale, providing that no adjustment will take effect before 3 months of a new contract period has elapsed.

(3) As a condition to the presentation of bids for state printing under this section, prospective bidders shall file with their bids a sworn statement to the effect that if any contract for state printing is awarded to such printer, it will be produced entirely within this state, except as permitted by ss. 35.012 and 35.55 (2), and that all work will be performed within the plant of the contract printer unless excepted by the director.

35.47 Opening and acceptance of bids. All bids shall be opened and read publicly at the time and place appointed therefor, or on such adjourned day as may be named by the director. Within 10 days thereafter such bids shall be accepted as he shall determine are proposals to do any of the first 4 classes of printing for the greatest per cent of discount from or the least per cent above base prices established by s. 35.43; provided that whenever he is satisfied that any of said bids has been presented pursuant to an agreement, understanding or combination to prevent free competition, he shall reject all of them and readvertise for bids as in the first instance. Each accepted bid shall have indorsed thereon over his signature the word: "Accepted" with the date of such acceptance. Bids for a class or subclass of public printing shall be rejected only for cause, following which the director shall readvertise promptly for new bids as in the first instance.

History: 1963 c. 465.

35.48 Rejection of bids; return of money. No bid shall be considered that does not fully comply with the requirements of s. 35.46; and if a bid is rejected for any reason the certificate of the state treasurer, the bidder's provisional agreement and deposit shall be returned to him. With every accepted bid the accompanying provisional agreement, certificate and money, bonds or certified check shall be retained until the bidder has entered into the printing contract, and furnished the bond, required of him by s. 35.49. Upon execution of such contract and the furnishing of such bond the provisional agreement and deposit shall be returned to him.

35.485 Contract period, separate or single contracts. Each of the classes of printing furnished by the contract printers shall be furnished under a separate contract, or all of them under a single contract as determined by the director to be most advantageous to the state, said contracts covering the 2 years included in the governor's term of office next following.

35.49 Printing contract and bond. Within 10 days after the acceptance of any bid, or such further time as the director may allow therefor, he shall cause a contract to be prepared and entered into by him on the part of the state and said bidder, setting forth fully the terms and conditions under which the work specified is to be performed. Such bidder shall at the same time furnish a bond to the state, such bond to be executed by a surety company duly authorized to do business in this state, and to be conditioned for the faithful performance of all duties required of him by law and by the terms and conditions of his bid and contract. The amount of such bond shall be 20 per cent of the total amount paid to the contract printer during the preceding 2-year contract period for each class of public printing, or subdivision thereof, based on the nearest even multiple of \$1,000; provided that the bond for any classification of state printing shall not be less than \$5,000. Said bond shall be approved by the director and, together with the contract and all other papers relating thereto, be deposited in the office of the secretary of state.

35.50 Breach of printing contracts. If a successful bidder fails to enter into a printing contract and execute a bond as required by this chapter the \$1,000 deposited by him with the treasurer shall at once become the property of the state; and there shall be forfeited to the state the amount of the penalty named in the guaranty accompanying his provisional agreement. If such bidder or contractor enters upon the performance of his printing contract, and thereafter at any time during the term thereof refuses or neglects to comply with its terms and conditions or with the law relating to public printing, he shall be liable to the state in damages to the amount of the difference between the cost of public printing under his printing contract and the cost thereof under any subsequent contract or contracts let by the director. It is the duty of the attorney general, in all cases of damages and of forfeitures arising under this chapter, to commence and prosecute to final judgment all necessary actions for the recovery thereof with costs, which when collected shall be paid into the state treasury.

35.51 Reletting contracts. If a successful bidder fails to execute a printing contract with accompanying bond pursuant to his preliminary agreement and accepted bid, the director shall let the contracts to the next lowest bidder, unless in his opinion the interest of the state requires that new proposals be received, in which case he shall immediately proceed to advertise for new proposals in the manner prescribed by this chapter. If the contractor refuses or neglects to execute the work according to law and the terms of his printing contract, said director shall declare such contract void and his bond forfeited, and shall forthwith advertise for bids as in the first instance for the remainder of the contract period. Such emergency public printing as must be had while so readvertising and reletting contracts may be obtained by said director at not exceeding current prices.

DELIVERY, BILLING, ACCOUNTING AND SPECIAL PURCHASES.

35.52 Delivery of public printing. The printing specified in each order shall be separately performed and, when completed, delivered by the contract printer as follows: Printing for the university, to the secretary of the board of regents; printing for the state historical society to its director; printing for the geological and natural history survey, to its secretary; printing for the legislature, to the chief clerks, respectively, who ordered it; all other printing to the director, who shall distribute it to the department which ordered said printing, or to such other point as he may designate in the metropolitan area of Madison. Every person to whom any public printing is delivered as aforesaid shall receipt for the same upon the form provided for departmental signature if the quantity thereof is found upon actual count to correspond with the requirements of the order, and file it with the director.

35.53 Bills for printing. Every contract printer shall file with the director a detailed and itemized invoice for each order of public printing furnished by him, in multiple copies as specified by the director, together with one copy of the job.

35.54 Accounts. The director shall keep an account of all paper delivered to contract printers and prevent waste thereof. He shall also keep a record of costs of each job of public printing, grouping said records separately for each class of printing.

35.545 Expenses of printing, how charged. The costs of printing, plates, paper, binding, and the necessary services and materials shall be charged to the requisitioning agency unless excepted by statute.

35.55 Special purchases. (1) Any material and labor necessarily required in doing public printing in classes 1 to 4 which is not provided for by this chapter and is not required of contract printers by existing contracts, may be procured by the director at not exceeding current prices.

(2) The director may order specialty printing from suppliers when it proves to be more economical or practical. Specialty printing includes maps, charts and pictures to be bound into books as inserts or to be mounted or used separately; printed, lithographed, engraved or embossed stationery; tickets, sales books; patent, fanfold, or machine forms; wax spotting; and other similar items.

BINDING AND REBINDING.

35.555 Purchase of binding. All binding, not an integral part in the completion of a printing order, and rebinding necessary to preserve books, documents, manuscripts, periodicals and other material collected by any state agency, shall be purchased by the director.

PAPER PROCUREMENT, ACCOUNTABILITY, WASTE.

35.56 Paper purchases. (1) The director shall procure by state bid and purchase procedures such paper supplies as are necessary for production of public printing and shall store such paper until needed and deliver quantities to the contract printer for current jobs or necessary stock piling.

(2) Contract printers are accountable for all paper assigned to them and shall report inventories periodically as prescribed by the director. Paper which has been wasted or converted to other uses shall be charged to the contract printer.

(3) Contract printers shall be allowed waste on all work performed according to specifications established in s. 35.43.

LEGAL NOTICES; CLASS 5.

35.68 Requisition procedure. The secretary of state shall provide printer's copy for the printing of all laws in newspapers. Every state agency required by law to publish any matter in a newspaper shall furnish printer's copy to the director with requisition therefor. All such printing shall be in the English language.

History: 1961 c. 586.

35.69 Fees; state legal notices. (1) The compensation to the official state paper and other papers for all legal notices required to be published at the expense of the state shall not exceed the rates specified in s. 985.08 (1), (2) and (3). All expenditures incidental to such printing shall be borne by the paper doing the same.

(2) The costs of publication of legal notices shall, unless otherwise provided by law, be charged to the appropriation of the agency on whose order such publication is made.

History: 1961 c. 586; 1965 c. 252.

SUPREME COURT REPORTS; CLASS 6.

35.74 Supreme court reports; size and description. The reports of the supreme court shall be printed and bound in the manner, form and of material suitable for law books. Before the director advertises for bids for the publication of said reports, the court may designate the maximum and minimum number of pages which each volume shall contain, the dimensions of the printed page and the margins thereof, the sizes and styles of type, the kind and weight of paper, and the kind of binding to be used during the next contract period; and when such designation has been filed with the director, the subsequent advertisements and contracts shall conform thereto. If no designation is filed the reports shall continue to conform to the specifications entered into in the most recent year. If in any case a volume shall contain more than the maximum number of pages, no increase of price shall be charged therefor by the publisher.

35.75 Supreme court reports; contract for publication. All contract periods for the publication of the supreme court reports shall be 4 years each, commencing on January 1, 1952. Every such contract shall contain the following covenants on the part of the publisher:

(1) That he will print, bind and issue every volume of said reports for which the supreme court reporter shall furnish the manuscript;

(2) That he will publish, deliver and place on sale each of said volumes within 60 days after delivery to him, at the capitol in Madison, of the manuscript of a sufficient number of decisions for such volume, not counting as any part of said 60 days the time elapsing between the delivery by the publisher to the reporter of the last page proofs of such decisions and the delivery by the reporter to the publisher of the manuscript copy for the index, tables of cases and citations;

(3) That he will furnish promptly to the reporter, at the capitol in Madison, galley proofs, triplicate page proofs, and triplicate second page proofs of the matter contained in each volume, and revises of such proofs if called for by the reporter, and will make all changes required by the reporter and marked by him on the various proofs, changes from manuscript copy to be paid for by the state at cost out of the appropriation provided by s. 20.780;

(4) That he will remain fully obligated to eliminate all typographical errors from the work, notwithstanding the correction of proofs by said reporter;

(5) That he will keep said volumes at all times during the contract period and for 2 years thereafter on sale in the state of Wisconsin to residents thereof at contract price, in suitable quantities, and at such places as may be designated therefor by the director;

(6) That he will deliver to the director at Madison, immediately after the publication, and subject to approval and acceptance by a majority of the justices of the supreme

court as many copies of each volume at the contract price as it may require, making delivery at the same place;

(7) That he will not take out or procure to be taken out any copyright whatever upon any such volume, except in the name and for the benefit of the state of Wisconsin, and that upon any breach of this covenant as to copyright he will pay to the state treasurer \$500 as liquidated damages;

(8) That the director may declare the contract forfeited, whenever it is determined that the publisher has failed in any respect to comply with the provisions of this chapter or of his contract;

(9) That he will make no charge or claim against the state for full performance of said contract, except for the cost of changes from manuscript copy and for the contract price of the volumes delivered; and

(10) Said publisher, his representatives and assigns, may continue to publish and sell any such volume originally published by him, so long as he and they comply with all the requirements of this chapter and of his contract in respect to the character, sale and price thereof, notwithstanding a copyright vested in the state.

History: 1965 c. 433 s. 121.

35.76 Advertisement for bids; supreme court reports. Commencing in the first week in October next preceding each contract period, the director shall publish, as a class 2 notice, under ch. 985, that sealed proposals for printing, publishing and delivering the supreme court reports as required by this chapter will be received by the director and there publicly opened and read at a specified time, and that upon application the director will furnish to bidders all necessary information and blanks. The director may include in the specification proposals a provision that the contract price shall be adjusted from time to time during the term of the contract as affected by an increase or decrease in the printers' wage scale and paper and binding costs.

History: 1965 c. 252.

35.77 Deposit by bidders; contents of bid. Each bidder shall deposit with the state treasurer before filing his proposal the sum of \$1,000, to be forfeited to the state in case he shall not make a contract according to the terms of his proposal, if accepted, and according to the requirements of this chapter, take a receipt therefor from said treasurer, stating the aforesaid conditions of the deposit, and deliver the same to the director with his proposal. Each proposal shall specify the price per volume at which the volumes to be published during the contract period will be sold to the state and to residents of this state which bid price shall not exceed the maximum specified by the director.

35.78 Opening and acceptance of bids. All proposals shall be opened and read publicly at the time and place appointed therefor, or on such adjourned day as may be named by the director. Thereupon that proposal shall be accepted which proposes to sell said reports to the state and to residents of the state at the lowest price per volume. Each accepted proposal shall have indorsed thereon, over the signature of the director the word "Accepted," with the date of such acceptance, which indorsement shall constitute immediate notice to the bidder of the fact of acceptance. If no proposal has been received the director may, subject to the approval of the supreme court, enter into a temporary contract for printing, publishing and delivering said reports, and shall as soon thereafter as practicable relet the contract for the remainder of the contract period as herein provided for letting the original contract.

35.79 Contractor's bond; reletting contract. Within 30 days after the acceptance of any proposal, or such further time as the director may allow therefor, the successful bidder shall make a contract according to the terms of his proposal and according to the terms of this chapter, and shall execute to the state, and deposit with the state treasurer a bond in the penal sum of \$10,000, conditioned to fulfill such contract in all particulars, with at least 2 sufficient sureties, residents of this state, to be approved by the secretary of state. Such bond shall by its terms be the joint and several obligation of the person executing it; but such bidder may, in lieu of sureties to such bond, deposit therewith bonds of the United States, payable to the bearer, amounting to not less than \$10,000, which shall be deemed and held to be forfeited to the state of Wisconsin, in case of the failure of such bidder to fulfill any of the conditions of his said bond by him to be performed. If the successful bidder fails to complete his contract or forfeits the same for any cause, the director shall publish notice as provided in s. 35.76 and relet the contract as soon thereafter as practicable, for the remainder of the contract period, as herein provided for letting the original contract.

History: 1965 c. 252.

AGENCIES LOCATED OUTSIDE OF MADISON; CLASS 7.

35.80 Printing for out-of-Madison state agencies. (1) Any state agency located outside of the city of Madison may secure competitive bids for printing and submit them to the director with a printing requisition therefor. If the director approves the bid from the lowest responsible bidder he shall issue an official state printing order therefor.

(2) Whenever it becomes advantageous to do so, the department of administration may establish blanket printing contracts in out-of-Madison metropolitan areas. Such contracts shall whenever practical follow the basic patterns established for classes 1 to 4.

History: 1961 c. 532.

SPECIALTY PRINTING; CLASS 8.

35.805 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 individual competitive bids and by official state printing order according to specifications determined by the director.

DISTRIBUTION, EXCHANGES, SALES.

35.81 Authority for distribution; accounting. All public printing delivered to the director by contract printers and by the publishers of Wisconsin reports shall be distributed to the persons in the manner directed by law, be receipted for by the distributees, and be accounted for by the director.

35.82 Distribution within state, how made. All distributions of public printing to state officers, to other public officers, to municipalities, schools and institutions within the state shall be personal as far as practicable; and when otherwise, by mail, express or freight, all carriage charges payable by the state. Distributions directed in this chapter upon the applications of designated distributees shall not be made without such applications which, except when personal, must be made in writing and filed.

35.84 Distribution, to whom. The director shall make distribution of public printing as indicated in the following table, and carriage charges therefor shall be charged to the requisitioning agency. Distribution is automatic unless one of the following letter symbols is used. The letter symbols used in the table have the following meanings:

R—official written requisition.

A—application, written or oral.

E—copies to each person or institution in the group.

NE—not exceeding.

TABLE FOR DISTRIBUTION OF STATE PUBLICATIONS

SYMBOLS	A	B	C	D	E	F	G	H	I	J	K	L	M
R —official written requisition													
A —application, written or oral													
E —copies to each person or institution in the group													
NE—not exceeding													
	Statutes	Session Laws	Blue Book	Legislative Journals in book form	Wisconsin Annotations	Opinions of attorney general	Decisions of public service commission	Portions of Budget Estimates printed under s. 35.266	Governor's message and all official reports printed under s. 35.27	Supreme court reports	Highway service maps	Folded highways maps of Wisconsin	Legislative directory
CONSTITUTIONAL OFFICERS:													
1. Governor.....	1	1	200 R	1 A		1 A	1 A	1	1				1 A
2. Lieutenant governor.....	1		200 R	1 A		1 A	1 A		1				1 A
3. Secretary of state.....	1	1	200 R	1 A		1 A	1 A		1				1 A
4. State treasurer.....	1		200 R	1 A		1 A	1 A		1				1 A
5. Attorney general.....	1	1	200 R	1 A		1 A	1 A		1	As needed			1 A
6. State superintendent of public instruction.....	1		200 R	1 A		1 A	1 A		1	1			1 A
LEGISLATURE:													
7. Members.....	1 E	1 E	1 E	1 E, A	1 E, A	1 E, A	1 E, A	1 E			50 E, A	500 E, A	1 E
8. Senators.....			NE 300 E, A										
9. Assemblymen.....			NE 200 E, A										
10. Members of next succeeding legislature.....	1 E		1 E	1 E, A					1 E, A				
10m. Members of next succeeding legislature not entitled to distribution under lines 8 or 9....			NE 35 E, A										
11. Officers.....		1 E	1 E			1 E, A	1 E, A				50 E, A	500 E, A	
12. Officers of next succeeding legislature.....	1 E		1 E	1 E, A									
13. Chief clerks.....	4 E		200 E, A	All bond copies									Balance
14. Sergeants at arms.....			200 E, A										
15. Chief clerks of next succeeding legislature.....		4 E											
16. Journal and index clerks of next succeeding legislature.....				1 E									
17. Committee on judiciary of each house—members.....					1 E								
18. Standing committees.....					1 E								

TABLE FOR DISTRIBUTION OF STATE PUBLICATIONS—continued

SYMBOLS	A	B	C	D	E	F	G	H	I	J	K	L	M
R —official written requisition													
A —application, written or oral													
E —copies to each person or institution in the group													
NE—not exceeding													
	Statutes	Session Laws	Blue Book	Legislative Journals in book form	Wisconsin Annotations	Opinions of attorney general	Decisions of public service commission	Portions of Budget Estimates printed under s. 35.265	Governor's message and all official reports printed under s. 35.27	Supreme court reports	Highway service maps	Folded highways maps of Wisconsin	Legislative directory
19. Legislative employees of current and next succeeding legislature.....			1 E										
JUDICIARY:													
SUPREME COURT:													
20. Each justice.....	1	1		1 A		1 A	1 A		1 A	1			1 A
21. Clerk.....	1		1	1 A		1 A	1 A		1 A				1 A
22. Reporter.....	1	1	1	1 A		1 A	1 A		1 A	1			
23. Judge of each court of record.....	1	1	1							1			
24. Clerk of each court of record.....	1	1	1			1	1		1 A	1			
25. Each circuit judge.....	1			1 A		1 A	1 A		1 A				1 A
STATE AGENCIES:													
26. Each administrative dept. head, board and commission.....	1		1	1 A		1 A	1 A		1				1 A
27. State historical society.....	NE 10	10	10	NE 10		NE 10	NE 10	2	1 A	1			
28. Legislative reference bureau.....	NE 15	10	10-200A	NE 10	3	1	1		1A	1			
29. Statutory revision bureau.....	1	1	1			1	1		1A	1			1A
30. National guard.....			50										
31. Industrial commission.....										1			
32. Board of tax appeals.....										1			
33. Dept. of securities.....										1			
34. Dept. of taxation.....										1			
LIBRARIES:													
35. State library.....	NE 10	10	10	NE 10	60	10	10		1	As needed			
36. Milwaukee county law library.....	NE 10	10	10	NE 10		10	10		1	13			

37. University law library	NE 10	10	10	NE 10		10	10		1	NE 20			
38. Libraries of the University of Wisconsin.....	1 each		1 E, A	1 E, A		1 E, A	1 E, A		1 E				
39. University memorial library only.....	NE 10		10										
40. State college libraries.....	1 E			1 E, A		1 E, A	1 E, A		1 E				
41. Libraries of all chartered colleges and academies having 300 or more volumes each.....	1 E, A		1 E, A	1 E, A		1 E, A	1 E, A		1 E				
42. Public libraries in Wisconsin having 1,000 or more volumes each.....	1 E, A		1 E, A	1 E, A		1 E, A	1 E, A		1 E				
43. Marquette University law library.....	NE 10	10								10			
44. American bar association research library.....	1												
45. Each library maintained for a federal court in any city in this state in which such court is held.....	1	1	1										
46. Oshkosh law library.....	1	1	1 A	1 A		1 A	1		1	1			
FEDERAL:													
47. Members and members-elect of Congress from this state.....	1 E	1 E	1 E										
48. U. S. Secretary of State.....	1	1											
49. Library of Congress.....	1	1											
50. U. S. district attorneys in this state.....	1 E	1 E	1 E										
51. U. S. clerks of court in this state.....	1 E		1 E							1 E, A			
LOCAL GOVERNMENTS:													
52. District attorneys.....	1 E	1 E	1 E			1 E	1 E						
53. County corporation counsels.....	1 E	1 E				1 E	1 E						
54. County clerks.....	1 E		1 E										
55. County treasurers.....	1 E												
56. Sheriffs.....	1 E												
57. Registers of deeds.....	1 E												
58. County surveyors.....	1 E												
59. Coroners.....	1 E												
61. Chairmen of county boards.....	1 E		1 E										
62. County public welfare heads.....	1 E												
63. County pension department heads.....	1 E												

TABLE FOR DISTRIBUTION OF STATE PUBLICATIONS—continued

SYMBOLS	A	B	C	D	E	F	G	H	I	J	K	L	M
R —official written requisition													
A —application, written or oral													
E —copies to each person or institution in the group	Statutes	Session Laws	Blue Book	Legislative Journals in book form	Wisconsin Annotations	Opinions of attorney general	Decisions of public service commission	Portions of Budget Estimates printed under s. 35.265	Governor's message and all official reports printed under s. 35.27	Supreme court reports	Highway service maps	Folded highways maps of Wisconsin	Legislative directory
NE—not exceeding													
64. County highway commissioners.....	1 E												
65. County veterans service officers.....	1 E												
66. Income tax assessors.....	1 E												
67. City clerks.....	1 E		1 E			1 E	1 E						
68. Town clerks.....	1 E												
69. Village clerks.....	1 E												
EDUCATIONAL INSTITUTIONS:													
70. University branches (not extension centers)....			5 E										
71. State colleges.....			5 E										
72. Vocational schools.....													
Elementary schools.....													
Junior high schools.....			NE 6 E										
High schools.....													
Non-public schools.....													
73. Rural elementary schools having 1-5 teachers..			1 E										
74. Rural elementary schools having 6-9 teachers..			2 E										
75. Rural elementary schools having 10 or more teachers.....			3 E										
76. County teachers colleges.....			1 E										
77. Other state institutions.....	1 E		1 E										
78. Newspapers, as listed in Blue Book.....			1 E										
79. Other public officers named on lists filed by heads of state agencies with the director....									1 E				

History: 1961 c. 336, 522; 1963 c. 149, 429; 1965 c. 19, 409, 440.

35.85 Other distribution. The director shall make the following distribution of public printing in addition to that indicated in s. 35.84:

(1) The chief clerk of each house of the legislature shall, upon request, be supplied for use during the session with the bound journals of any previous session of the legislature. The director may sell such copies of the bound journals not required for the above distribution or for distribution otherwise prescribed by law, and may sell older editions at reduced prices. All prices shall be fixed by the director.

(2) (a) Of parts of official reports, pamphlets and magazines, and pamphlet laws, printed by authority of ss. 35.28 and 35.29, one copy to each person named in lists filed for the purpose of such distributions by the respective state agencies upon whose requisition the same were printed except that blocks of such publications may be allotted to the requisitioning agency for official use subject to approval of the director. The lists filed by the state superintendent shall designate, by counties, the matter to be distributed to schools of all kinds.

(b) Of every governor's message to the legislature and of every public document or circular printed at the expense of this state including, without limitation because of enumeration, the operating reports of the several departments and agencies of state government and reports publishing the results of studies by state departments and agencies, to every depository library under s. 43.14 the number of copies designated by the Wisconsin library commission.

(3) Each town, village and city shall purchase from the director for the justices of the peace such number of copies of the statutes as are needed within its boundaries.

(4) The director shall provide the judge of any circuit court with copies of such volumes of the supreme court reports as were never previously furnished him or his predecessors in office.

(5) The director may order such further distribution of the statutes, annotations and session laws as may be needed for official use by any justice of the supreme court or by any state agency.

(6) The Wisconsin library commission shall receive for its own use one copy of each document distributed under sub. (2) (b) and shall file with the director lists of public documents to be distributed to libraries designated as depositories of public documents under s. 43.14.

Note: Sub. (6) is printed as amended by chapter 455, laws of 1965. An earlier amendment by chapter 150, laws of 1965, is not mentioned in chapter 455. See section 6 of the Preface as to the printing rule in such case.

(7) There shall be delivered to the state historical society 3 copies of every document reproduced at the expense of the state. The chief clerks of the legislature are responsible for the delivery of all legislative documents, and the director for all other public documents. Distribution shall also be made to the legislative reference bureau in accordance with sub. (11m).

(8) All briefs and other materials printed for the supreme court shall be delivered to the clerk of that court for distribution.

(9) Further distribution of supreme court reports shall be made as required to effect exchanges authorized by law. The remaining copies shall be retained for future distribution according to s. 35.91.

(10) Of the inventory of Wisconsin natural resources: to each member of the current legislature, one copy, but each member may requisition 10 additional free copies. To the natural resources committee of state agencies the copies remaining undistributed on and after July 1, 1959, for free distribution to the schools of the state, to educational institutions of other states, to agencies of the state and local government, to organized groups including conservation, farm, labor, civic, industrial, commercial and others comparable, whose ready access to the inventory is deemed advantageous to the state. Such free distribution shall be made following a request by the natural resources committee of state agencies or its authorized officer.

(11) The chief clerks of the legislature shall promptly send to each county clerk, to the Milwaukee county law library, and upon application, to each state college, college and public library in this state, copies of all legislative documents together with proper filing appliances for all sessions. Each county clerk shall keep these documents open to public inspection in his office.

(11m) The proper officers of the respective houses of the legislature or the department of administration, as the case may be, shall promptly deliver to the legislative reference bureau, as printed or otherwise reproduced, 3 copies of each message, report, journal, legislative bill, bulletin, circular or public documents of whatever character, printed or otherwise reproduced at the expense of the state. Three copies of all other

printed publications, excluding forms, shall be delivered to the legislative reference bureau by the department, agency or commission of origin. At least one copy of each document received by the legislative reference bureau under this section shall become part of the bureau's permanent, noncirculating, reference collection of Wisconsin state documents.

(12) In addition to the distributions authorized by s. 35.84 and this section the director shall deliver upon request of the state historical society and the state library, such copies of any state publication still in his possession as may be needed for the use of said society and said library; and upon the request of any state officer, such copies of any printing of the third class, as may be necessary or convenient for the business of such officer. But no state officer shall receive more than one such copy for his own use nor more than one copy for each assistant and chief clerk in his office. The director shall also deliver, at the expense of the state, to the library of congress, such public printing as shall be designated for that purpose by the written request of the director of the state historical society; and he shall notify said society of the receipt by him of each separate lot of public printing. Costs of distributions made in accordance with this subsection shall be charged to the requisitioning agency.

(13) Departmental distribution programs, which are not specified in this chapter, may be established, provided that they do not conflict with the provisions of this chapter.

History: 1961 c. 532; 1963 c. 149; 1965 c. 18, 30, 150 s. 22; 1965 c. 249 s. 78; 1965 c. 455.

35.86 Exchanges. (1) The director of the state historical society may procure the exchange of public documents produced by federal, state, county, local and other agencies as may be desirable to maintain or enlarge its historical, literary and statistical collections, and may make such distributions of public documents, with or without exchange, as may accord with interstate or international comity. The state law librarian shall procure so many of such exchanges as he is authorized by law to make, and the state board of health, commissioner of banks, superintendent of public instruction, legislative reference bureau, and the legislative council, may procure by exchange such documents from other states and countries as may be needed for use in their respective offices. Any other state agency wishing to initiate a formal exchange program in accordance with this section may do so by submitting a formal application to the director and by otherwise complying with this section.

(2) Exchange lists, containing the number of public documents received and distributed in exchange, shall be filed with the director by the respective state agencies so authorized to procure exchanges or make distributions, and the documents specified therein shall be forwarded by the director carriage charges prepaid.

(3) The director shall authorize no distribution to be made in exchange until exchange lists have been received by him in compliance with this section.

(4) For the purposes of this section "public document" is defined to include all hard-bound volumes of statutes, session laws, supreme court reports, attorney general's opinions, opinions and decisions of the public service commission, Blue Book and other reports by state agencies; all periodical literature published by the state, including "Health," "Wisconsin magazine of history" and "Wisconsin library bulletin," and all serial publications distributed in quantities of 25 copies or more and consisting of 25 pages or more.

(5) The cost of carriage charges of exchanges shall be charged to the appropriation of the state agency filing exchange lists.

(6) The director shall inform all state agencies of the provisions of this section.

History: 1963 c. 149; 1965 c. 18 s. 10; 1965 c. 150 s. 22.

35.87 Sales of legislative documents. The director may sell for mail delivery copies of all bills, joint resolutions, amendments, acts, journals, bulletins of proceedings and hearing bulletins printed for the legislature for all sessions held during any biennium beginning January 1 of odd years together with filing appliances, or any part of such service, and establish the price for such service, but such price shall not exceed \$35 for the complete service and \$8 for the enrolled bills with proper chapter numbers inserted. The director shall certify to the chief clerks of the 2 houses the name of each person purchasing such services naming the type of materials purchased, and the chief clerks shall mail such materials to such persons during the session for which purchased. The director shall pay all moneys so received into the general fund within one week of receipt of same.

35.88 Laws and court reports to remain public property. All volumes of Wisconsin session laws, statutes, annotations and supreme court reports distributed to any

state or other public officer, except members and officers of the legislature and officers of the United States, shall have stamped or written thereon the name of his office, together with the words "State Property" and shall be kept for the use of such office.

35.89 Lists of distributees in counties. Each county clerk shall transmit to the director a list of the officers in his county entitled to distribution of public printing from his office.

35.90 Inventories by other state officers. Every state officer maintaining a permanent office at the city of Madison, shall make and file annually with the director an inventory of all public printing of the second and third classes and all maps and charts on hand for distribution on July 1. Said director shall, from time to time, require the return to him of all such printing as has become, in his opinion, of no further use to the office reporting the same. The director is further authorized to suspend requisitions for public printing by departments which fail to submit inventories in compliance with this section.

35.91 Future distribution; sales. (1) The director shall file in his office a statement of the number of copies of each book, report, or other document printed for the state which he is required to reserve for future distribution according to law; also a statement of the cost of each publication. He shall also maintain current lists of books, reports, magazines, pamphlets and other documents, printed or otherwise reproduced at the expense of the state, for which free distribution is not provided by statute, the number of copies, and the cost of each such publication. He may sell, at a price to be determined by him, to any person any such publication out of any surplus on hand beyond the reservation required, except that the latest edition of the Wisconsin statutes shall be sold at a price (calculated to the nearest dollar) to be fixed by said director, based on cost plus 75% of the revisor's expenditures under s. 20.530 (24) [(3)] during the preceding biennium. The director is authorized to sell older editions of the Wisconsin statutes and copies of the 1950 Wisconsin annotations at reduced prices to be fixed by him. This section shall not be so construed as to exclude from free distribution the staff reports and other research publications of the legislative council and the legislative reference bureau; legislative bills, resolutions, and joint resolutions; and bulletins, catalogues, announcements, and other administrative materials published by the university of Wisconsin and the state colleges. The provisions of this section do not apply to the free distribution of publications between the agencies of the state. For the purposes of this section the term "publication" is defined as containing more than 8 pages of reading matter and reproduced in quantities of 500 copies or more.

(2) A price list of all printed matter on hand for sale shall be prepared from time to time by the director, which he may have printed and bound as an advertisement in state publications, and he may circulate such price list by mail.

History: 1965 c. 249 ss. 22, 78.

WISCONSIN ADMINISTRATIVE CODE.

35.93 Wisconsin administrative code and register. (1) The Wisconsin administrative code and register shall be printed in loose-leaf form and shall be hole-punched. 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 director and revisor determine that it is administratively feasible to do so. The printing or other duplicating shall be handled by the director. He shall also determine the style of the hole-punching and may purchase and sell at cost suitable binders for the code or parts thereof. The revisor shall supervise the arrangement of materials in the Wisconsin administrative code and register, including the numbering of pages and sections. No part of the Wisconsin administrative code or register may be printed until the revisor has approved the arrangement of materials and numbering of sections therein.

(2) In this section "rule" and "agency" have the meanings prescribed in s. 227.01.

(3) The revisor shall monthly compile and deliver to the director for printing copy for a register which shall contain all the rules filed since the compilation of rules for the preceding issue of the register was made. The register shall be printed in the same style as the original code and shall be so set up as to permit the changes to be inserted as pages of the original code in lieu of the pages containing superseded material. Each issue of the register shall contain a title page with the name "Wisconsin 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 his judgment will help the user to correctly make insertions and deletions in the code and to keep his code current.

(4) Each issue of the Wisconsin administrative register shall contain a notice section in which shall be printed the notices of hearings on rule-making which agencies have transmitted to the revisor for that purpose. The notice section shall be printed or duplicated in such a manner as to make it easily distinguishable from the remainder of the register. No charge shall be made for the notice section.

(5) The director shall determine, on the basis of possible free distribution requirements and probable sales demands the number of copies of each part of the code and each issue of the register to be printed.

(6) The free distribution provided for in this subsection is in lieu of any free distribution which may be prescribed by s. 35.84, 35.85, 35.86 or 43.14. The director shall distribute copies of the code (including the table of contents, index, and necessary binders) and issues of the register free, as follows:

- (a) To county law libraries maintained pursuant to s. 256.40, one copy each;
- (b) To the Milwaukee county law library, 2 copies;
- (c) To the University of Wisconsin and Marquette University law libraries, and the state historical society, one copy each;
- (d) To the state library and legislative reference bureau, 2 copies each;
- (e) To public libraries designated pursuant to s. 43.14 as depositories of state documents, one copy each;
- (f) To the attorney general's office, 7 copies;
- (g) To members of the legislature, one copy to each member who makes a request therefor;
- (h) To state agencies other than those enumerated in this section, one copy to each agency which makes a request therefor.

(7) The director may sell the code, issues of the register or parts of either of them at a price to be determined by him. He may establish the price of the register or parts thereof on an annual basis. Each agency may order as many copies of its part of the code or of its part of any issue of the register as it desires for its own use or for distribution and shall pay the director therefor.

(8) A subscriber is not entitled to a refund of any part of any advance payment for the register. The director shall notify each subscriber when a further payment is due.

(9) The revisor shall prepare and the director shall publish a table of contents and an index of all the rules in effect which have been compiled and printed pursuant to this section. The table of contents and index shall be recompiled and reprinted annually. They shall be printed in the same page size as the administrative code. In addition to the distribution required by sub. (6), the director shall distribute one copy of the table of contents and index free to each subscriber to the register or parts thereof.

History: 1961 c. 532; 1963 c. 224; 1965 c. 30, 249 s. 78.

35.94 Costs of printing. The costs of printing of the administrative code and register shall be charged to the appropriation made by s. 20.125.