

TITLE V.

Public Printing.

CHAPTER 35

THE PUBLIC PRINTING AND THE DISTRIBUTION OF LAWS
AND PUBLIC DOCUMENTS

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35.001 Definitions. As used in this chapter:

(1) "Department" in this chapter means 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 5th class.

(4) "State agencies" include departments, boards, commission, bureaus, institutions, the university of Wisconsin and state universities.

GENERAL

35.01 Public printing; definition and classification. Public printing includes all graphic reproduction by whatever process and the necessary material and binding. Public printing is divided into 9 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, university press publications and technical or semitechnical journals of the university of Wisconsin and the state universities, the Wisconsin magazine of history and hard bound books of the 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. 35.64 (2) and book printing excluded from class 3 under sub. (3).

(9) Class 9—Binding and rebinding, not an integral part of a printing order, necessary to preserve books, documents, manuscripts, periodicals and other material.

35.012 State printing; exception. All printing contracted for under this chapter, except statutes and annotations of the 2nd class, yearbooks and other similar student publications, printing of the 5th, 6th and 7th classes and such copyrighted or patented or printing specialties not available for production within this state, shall be printed in this state. Such printing, contracted for under this chapter, may be done in another state if the laws of that state allow printing contracted for under its laws to be done in this state.

35.015 Exempt printing. Printing is exempt from this chapter when the department exercises the discretion vested in s. 16.82 (4), to determine what printing shall be done by the state itself and what shall be contracted.

35.03 Powers of department. The department 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 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 reports to the joint committee on finance setting forth the cost of the public printing during the preceding fiscal term, with recommendations of any retrenchments that can be made therein.

(7) Order such further editions as may be necessary to supply demands whenever any original edition of Wisconsin session laws, or Wisconsin statutes, proves inadequate to meet the estimated future demands therefor, but 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.

(8) In solicitation of bids, subdivide classes of printing, creating additional classes, or change printing from one class to another in establishing contracts, whenever the department determines that further or different classification will benefit the state.

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

History: 1971 c. 125

35.04 Employees. The department shall employ such staff, under the classified service as are necessary to perform the duties imposed by this chapter.

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 issue a printing requisition to the department. If there is no contract in force for class 1 public printing, the chief clerks shall deliver copy to the department which 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.

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.

35.15 Wisconsin Session Laws. (1) Immediately after the end of each general and 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 the form 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 department for production within 60 calendar days. The department 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.

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 department 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. The department shall determine how many copies shall be printed.

(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 boldface 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.

History: 1971 c. 211

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

35.19 Pamphlet laws. Editions of parts of the statutes in pamphlet form may be produced for official use and for public sale by the department. Pamphlet laws produced for official use shall be charged to the requisitioning agency.

History: 1973 c. 333

35.20 Wisconsin Town Law Forms. With each issue of Wisconsin statutes, under the supervision of the revisor, an edition will be printed 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.

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.

35.23 Wisconsin Annotations. The revisor shall prepare 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.

BLUE BOOK AND REPRINTS; CLASS 2 PRINTING

35.24 Blue Book. (1) The legislative reference bureau shall compile, index, prepare and deliver to the department biennially copy for a book to be denominated "Wisconsin Blue Book", which shall contain the biographies and pictures of state officers, senators and representatives to the assembly and officers of each house, information pertaining to the organization of Wisconsin state government, 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 to 1,000 or less. In making such selection the legislative reference bureau is directed to consult freely with the state superintendent and the director of the historical society, and insofar as possible, make the book useful for civics classes in schools. The department shall deliver said copy to the contract printer not later than January 31 in each odd-numbered year, to be printed and delivered as soon as practicable after the spring election of the same year. A 500-copy reprint edition of that part of the book pertaining to the organization of Wisconsin state government shall be delivered on December 1 preceding the publication date.

(2) One-half of the total number printed of each edition of the Blue Book shall be cloth bound in hard covers, and shall have a blue spine. The remaining one-half of each edition shall be bound in a substantial soft cover.

(a) For the distribution of Blue Books under s. 35.84 in allotments of 200 copies or more, the same ratio of hard cover copies to paper bound copies shall apply.

(b) For all other Blue Books to be distributed under s. 35.84:

1. Hard cover copies shall be used to fill the allotments under s. 35.84 (2) lines 7-C, 10-C, 12-C, 13-C, 21-C, 22-C, 27-C, 29-C, 35-C, 36-C, 37-C, 38-C, 39-C, 41-C, 42-C, 45-C, 46-C, 47-C, 50-C, 51-C and 69-C to 76-C.

2. Soft cover copies shall be used to fill the allotments under s. 35.84 (2) lines 11-C, 19-C, 23-C, 24-C, 26-C, 30-C, 52-C, 54-C, 60-C, 66-C and 77-C.

(3) Reprints of the feature article shall be bound in paper covers and shall be in such quantity as is authorized for each specific reprint by the board on government operations on the basis of funds allotted by the board for this purpose.

History: 1971 c. 82, 211; 1973 c. 90.

**OFFICIAL REPORTS; CLASS 3
PRINTING**

35.26 Official reports. (1) Every report submitted under s. 15.04 (4) shall set forth all receipts and disbursements in full and in detail. At the same time at which a report is submitted under s. 15.04 (4), it shall be presented by its author to the department as printer's copy. No report shall contain any advertising matter nor any copying of the session laws or statutes of this state, except minor extracts explanatory of and incorporated in the text.

(2) 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 not important information concerning public affairs.

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

History: 1971 c. 42.

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 calendar days after receiving printer's copy therefor, the department shall have printed 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 department for any report.

35.28 Orders by department. The department 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 department may order printed such 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 (2) (a); 35.84; 35.91; or as otherwise set forth in the statutes.

(2) Upon receiving the necessary printer's copy the department 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 department of natural resources under s. 23.11 (3), so many copies as may be ordered by the governor.

(3) The distribution of printing for which an agency does not set a charge shall be limited to 200 copies when the cost of production per copy exceeds 49 cents. The printing requisition may specify additional copies which shall be procured and sold by the department of administration as specified in s. 35.91. All copies which have not been sold after 6 months shall be returned to the requisitioning agency which shall be billed for such copies at the selling cost.

(4) The cost of printing of this class, other than as specified in sub. (3), shall be charged to the requisitioning agency.

(5) Subsection (3) shall not apply to printing prepared by and distributed for economic development under ch. 560.

History: 1971 c. 40 s. 93; 1971 c. 125, 164; 1973 c. 90.

JOB PRINTING; CLASS 4 PRINTING

35.34 Job printing, and all printing not otherwise classified. (1) Job printing includes 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 binding needed in connection with such printing.

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

LEGAL NOTICES; CLASS 5

35.35 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 legal notices in a newspaper shall furnish printer's copy to the department with requisition therefor. All such printing shall be in the English language.

35.36 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.

SUPREME COURT REPORTS; CLASS 6

35.37 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 department 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 department, 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.

35.38 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 2nd 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. 20 680;

(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 this state to residents thereof at contract price, in suitable quantities, and at such places as may be designated therefor by the department;

(6) That he will deliver to the department 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 this state 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 department may declare the contract forfeited, whenever it is determined that the publisher has failed in any respect to comply with this chapter or 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 this chapter and his contract in respect to the character, sale and price thereof, notwithstanding a copyright vested in the state.

35.39 Advertisement for bids; supreme court reports. Commencing in the first week in October next preceding each contract period, the department shall advertise as a class 3 notice, under ch. 985, in the official state newspaper, that sealed proposals for printing, publishing and delivering the supreme court reports as required by this chapter will be received by said department and there publicly opened and read at a specified time, and that upon application said department will furnish to bidders all necessary information and blanks. The department 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.

35.40 Bid bond; content of bid. Each bid shall be accompanied by a bond, executed by a surety company authorized to do business in this state, in the sum of \$2,000, to the effect that it guarantees bidder will, if his bid is accepted, execute contract and bond required by law within the time prescribed by the department. 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 department.

35.41 Opening and acceptance of bids. All proposals shall be opened and read publicly at the time and place appointed by the department. If no proposal has been received the department 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.

35.42 Contractor's bond; reletting contract. Within 30 days after the acceptance of any proposal, or such further time as the department allows therefor, the successful bidder shall make a contract according to the terms of his proposal and this chapter, and shall execute to the state a bond in the penal sum of \$10,000, conditioned to fulfill such contract in all particulars. If the successful bidder fails to complete his contract or forfeits the same for any cause, the department shall relet the contract as soon thereafter as practicable.

AGENCIES LOCATED OUTSIDE OF MADISON; CLASS 7

35.43 Printing for out-of-Madison state agencies. 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.

SPECIALTY PRINTING; CLASS 8

35.44 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 department.

BINDING AND REBINDING; CLASS 9 PRINTING

35.45 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 procured by the department.

GENERAL SPECIFICATIONS AND ORDER WRITING

35.50 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 department unless specified by statute. Any state agency which objects to such 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 department with the advice and approval of the joint committee on legislative organization.

(4) Whenever possible, state publications, other than printing of classes 4 and 5, shall be restricted to finished outside dimensions which shall not exceed 9 by 14 inches and shall not be less than 3 1/2 by 7 inches.

35.51 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 department. When requested by the chief clerk of either house proof sheets of printing of the first class shall be delivered to them.

35.52 Authority for printing; increase, and diminution of editions and pages. The department 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 shall be reduced to the actual probable demand

therefor, as determined from previous experience in such distribution.

35.53 State printing orders. (1) No printer shall be paid for any printing not authorized by an official printing order. The department shall prescribe the form, contents, number, and disposition of printing requisitions and official printing orders.

(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.

35.54 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.

35.55 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 department. All printer's copy which does not conform to accepted trade practices, and, in the opinion of the department is unsatisfactory, shall be returned to its author for revision and correction.

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

35.56 Base prices and specifications. (1) As a basis for bids for public printing in classes 1, 2, 3 and 4 the department 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. Base prices and specifications shall become a part of the contract with successful bidders.

(2) The specifications shall include a provision that the contract price shall be adjusted as affected by an increase or decrease in the printers' wage scale, providing no adjustment will take effect before 3 months of a new contract period has elapsed.

(3) The specifications shall include normal production schedules for completion and delivery of each class; and shall provide penalties for failure to comply with production schedules or standards of quality.

(4) The specifications shall provide that all work will be performed within the plant of the contract printer unless excepted by the department.

35.57 Advertisement for bids. The department 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 department requires, will be received any time prior to a specified day, when all proposals will be publicly opened and read. The advertisement shall be run as a class 2 notice, under ch. 985, in the official state paper.

35.58 Bidding and awards. (1) Bids shall be sealed proposals in the form and content prescribed by the department. The bid shall be accompanied by a bond, executed by a surety company 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 department.

(2) All bids shall be opened and read publicly at the time and place appointed by the department. Thereafter the department shall determine which bids are acceptable and shall award each subclass to the low responsible bidder offering the greatest per cent of discount from or the least per cent above base prices established by s. 35.56. Any or all bids may be rejected for cause. In the absence of valid bids for any subclass, the department shall readvertise promptly for new bids.

(3) The department shall prepare a contract incorporating the terms and conditions of the specifications for each accepted bid, said contract covering the 2 years beginning January 1 of each odd-numbered year. The bidder shall furnish promptly a bond executed by a surety company authorized to do business in this state in the amount which shall be 20% of the estimated total amount to the next even multiple of \$1,000 paid during the preceding 2-year contract period for each applicable subclass, except no bond shall be for less than \$5,000. The bond shall be for the faithful performance of all duties required of him by law and by the terms and conditions of his bid and contract. Upon entering into a contract with the bidder, the department shall release all bid bonds for the subject subclass.

35.59 Breach of printing contracts. If a successful bidder fails to enter into a printing contract and execute a bond as required the bid bond shall be forfeited to the state. 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 contracts let by the director. The attorney general, in all cases of damages and of forfeitures arising under this chapter, shall 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.

35.60 Reletting contracts. If a successful bidder fails to execute a printing contract with accompanying bond pursuant to his preliminary agreement and accepted bid, the department shall let the contracts to the next lowest bidder, unless in its opinion the interest of the state requires that new proposals be received, in which case the department shall immediately proceed to advertise for new proposals as prescribed by this chapter. If the contractor refuses or neglects to execute the work according to law and the terms of his printing contract, the department 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 procured by the department.

DELIVERY, BILLING, ACCOUNTING AND SPECIAL PURCHASES

35.61 Delivery and billing. (1) The printing specified in each order shall be performed separately and delivered to the destination specified on the order.

(2) Every contract printer shall file with the department immediately upon completion of an order a detailed and itemized invoice, together with one copy of the job.

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

35.63 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.

35.64 Special purchases. (1) Any material and labor necessarily required in doing public printing which is not provided for by this chapter and is not required of contract printers by existing contracts, may be procured by the department.

(2) The department may order specialty printing from suppliers when it proves to be more economical or practical. Specialty printing includes all types of graphic reproduction not required of contract printers by existing contracts.

PAPER PROCUREMENT, ACCOUNTABILITY, WASTE

35.65 Paper purchases. (1) The department shall procure by state bid and purchase procedures such paper supplies as are necessary for production of public printing and shall have delivered 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 department. 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. 35.56.

DISTRIBUTION, EXCHANGES, SALES

35.81 Authority for distribution; accounting. All public printing delivered to the department 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 department.

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 department shall make distribution of public printing as indicated 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 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.

(1) Blue books for distribution. The department shall contact each member of the legislature. Each senator may request not to exceed 400 copies. Each representative to the assembly may request not to exceed 250 copies.

(2) [See Figure 35.84 (2) following]

Figure 35.84 (2):

TABLE FOR DISTRIBUTION OF STATE PUBLICATIONS

SYMBOLS	A	B	C	D	E	F	G	H	I	J	K	L
R —official written requisition												
A —application, written or oral												
E —copies to each person or institution in the group												
NE—not exceeding												
CONSTITUTIONAL OFFICERS:												
1. Governor	1	1	200 R		1 A	1 A	1	1				1 A
2. Lieutenant governor	1		200 R		1 A	1 A		1				1 A
3. Secretary of state	1	1	200 R		1 A	1 A		1				1 A
4. State treasurer	1		200 R		1 A	1 A		1				1 A
5. Attorney general	1	1	200 R		1 A	1 A		1	As needed			1 A
6. State superintendent of public instruction	1		200 R		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			50 E, A	500 E, A	1 E
8. Senators			See sub. (1)									
9. Representatives to the Assembly			See sub. (1)									
10. Members of next succeeding legislature	1 E		1 E					1 E, A				
11. Members of next succeeding legislature not entitled to distribution under lines 8 or 9			NE 35 E, A									
12. Officers		1 E	1 E		1 E, A	1 E, A				50 E, A	500 E, A	
13. Officers of next succeeding legislature	1 E		1 E									
14. Chief clerks	4 E		200 E, A									Balance
15. Sergeants at arms			200 E, A									
16. Chief clerks of next succeeding legislature		4 E										
17. Committee on judiciary of each house—members				1 E								
18. Standing committees				1 E								
19. Legislative employes of current and next succeeding legislature			1 E									

SYMBOLS	A	B	C	D	E	F	G	H	I	J	K	L
R —official written requisition												
A —application, written or oral												
E —copies to each person or institution in the group												
NE—not exceeding												
JUDICIARY:												
Supreme Court:												
20. Each justice	1	1			1A	1A		1A	1			1A
21. Clerk	1		1		1A	1A		1A				1A
22. Reporter	1	1	1		1A	1A		1A	1			
23. Judge of each court of record	1	1	1						1			
24. Clerk of each court of record	1	1	1		1	1		1A	1			
25. Each circuit judge	1				1A	1A		1A				1A
STATE AGENCIES:												
26. Each administrative dept. head, board and commission	1		1		1A	1A		1				1A
27. Historical society	NE 10	10	10		NE 10	NE 10	2	1A	1			
28. Legislative Reference bureau	NE 30	25	15+250A	15	2	1	15	10	2		300	40
29. Revisor of statutes bureau	1	1	1		1				1			1A
30. National guard			50									
31. Dept. of industry, labor and human relations									1			
32. Tax appeals commission									1			
33. Office of the commissioner of securities									1			
34. Dept. of revenue									1			
LIBRARIES:												
35. State library	NE 10	10	10	60	10	10		1	As needed			
36. Milwaukee county law library	NE 10	10	10		10	10		1	13			
37. University of Wisconsin law library	NE 10	10	10		10	10		1	NE 20			
38. Libranes of the university of Wisconsin	1E		1 E, A		1 E, A	1 E, A		1E				
39. University of Wisconsin memorial library only	NE 10		10									

	A	B	C	D	E	F	G	H	I	J	K	L
40. State university libraries	1E				1E, A	1E, A		1E				
41. Libraries of all chartered colleges and academies having 300 or more volumes each	1E, A		1E, A		1E, A	1E, A		1E				
42. Public libraries in Wisconsin having 1,000 or more volumes each	1E, A		1E, A		1E, A	1E, A		1E				
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	1A		1A	1		1	1			
FEDERAL:												
47. Members and members-elect of Congress from this state	1E	1E	1E									
48. U. S. Secretary of State	1	1										
49. Library of Congress	1	1										
50. U. S. district attorneys in this state	1E	1E	1E									
51. U. S. clerks of court in this state	1E		1E						1E, A			
LOCAL GOVERNMENTS:												
52. District attorneys	1E	1E	1E		1E	1E						
53. County corporation counsels	1E	1E			1E	1E						
54. County clerks	1E		1E									
55. County treasurers	1E											
56. Sheriffs	1E											
57. Registers of deeds	1E											
58. County surveyors	1E											
59. Coroners or medical examiners	1E											
60. Chairman of county boards	1E		1E									
61. County public welfare heads	1E											
62. County pension department heads	1E											
63. County highway commissioners	1E											

SYMBOLS	A	B	C	D	E	F	G	H	I	J	K	L
R —official written requisition												
A —application, written or oral												
E —copies to each person or institution in the group	Statutes	Session Laws	Blue Book [See 35.24 (2)]	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 highway maps of Wisconsin	Legislative directory
NE—not exceeding												
64. County veterans service officers	1E											
65. Income tax assessors	1E											
66. City clerks	1E		1E		1E	1E						
67. Town clerks	1E											
68. Village clerks	1E											
EDUCATIONAL INSTITUTIONS:												
69. University of Wisconsin branches (not extension centers)			5E									
70. State universities			5E									
71. Vocational, technical and adult education schools												
Elementary schools												
Junior high schools												
High schools												
Non-public schools			NE 6 E									
72. Rural elementary schools having 1-5 teachers			1E									
73. Rural elementary schools having 6-9 teachers			2E									
74. Rural elementary schools having 10 or more teachers			3E									
75. County teachers colleges			1E									
76. Other state institutions	1E		1E									
77. Newspapers, as listed in Blue Book			1E									
78. Other public officers named on lists filed by heads of state agencies with the director								1E				

History: 1971 c. 40, 82, 154; 1971 c. 164 ss. 21, 22, 85, 92; 1973 c. 80, 272.

35.85 Other distribution. The department 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 department 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 department.

(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 department.

(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. 43.05 (7) the number of copies designated by the state superintendent of public instruction.

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

(4) The department 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 department 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 state superintendent of public instruction shall receive for his own use one copy of each document distributed under sub. (2) (b) and shall file with the department lists of public documents to be distributed to libraries designated as depositories of public documents under s. 43.05 (7).

(7) There shall be delivered to the 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 department 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) 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 university, 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, the department of administration or the department or agency of origin, as the case may be, shall promptly deliver to the legislative reference bureau, as printed or otherwise reproduced, 3 copies of each message, report, bulletin, circular or other public document of whatever character excluding forms, printed or otherwise reproduced in sufficient quantity at the expense of the state. One copy of each document received by the legislative reference bureau under this subsection shall be retained in the bureau's noncirculating reference collection of Wisconsin state documents for such period as the bureau deems reasonable.

(12) In addition to the distributions authorized by s. 35.84 and this section the department shall deliver upon request of the historical society and the state library, such copies of any state publication still in its 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 3rd 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 department 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 historical society; and it shall notify said society of the receipt by it 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 this chapter.

History: 1971 c. 106; 1971 c. 152 s. 38; 1971 c. 164

35.86 Exchanges. (1) The director of the 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 department of health and social services, commissioner of banking, department 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 department 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 department by the respective state agencies so authorized to procure exchanges or make distributions, and the documents specified therein shall be forwarded by the department carriage charges prepaid.

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

(4) For the purposes of this section "public document" is defined to include all hardbound 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 department shall inform all state agencies of this section.

35.87 Sales of legislative documents. The department 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 department 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 department 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 department a list of the officers in his county entitled to distribution of public printing from its 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 department an inventory of all public printing of the 2nd and 3rd classes and all maps and charts on hand for distribution on July 1. Said department shall require the return to it of all such printing as has become, in its opinion, of no further use to the office reporting the same. The department may suspend requisitions for public printing by departments which fail to submit inventories in compliance with this section.

35.91 Future distribution; sales. (1) The department shall file in its office a statement of the number of copies of each book, report, or other document printed for the state which it is required to reserve for future distribution according to law; also a statement of the cost of each publication. It 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. It may sell, at a price to be determined by it, 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 department, based on cost plus 75% of the revisor's expenditures under s. 20.765 (3) (a) during the preceding biennium. The department may sell older editions of the Wisconsin statutes and copies of the 1950 Wisconsin annotations at reduced prices to be fixed by it. 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, catalogs, announcements, and other administrative materials published by the university of Wisconsin and the state universities. This section does 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 department, which it may have printed and bound as an advertisement in state publications, and it may circulate such price list by mail.

(3) Soft cover copies of the Blue Book shall be sold at \$1 per copy. If available, hard cover copies of the Blue Book may be sold at \$2 per copy.

History: 1971 c 82

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 department and revisor determine that it is administratively feasible to do so. The printing or other duplicating shall be handled by the department. It 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 department 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 department 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 43.05 (7). The department 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 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. 43.05 (7) as depositories of state documents, one copy each;

(f) To the department of justice, 7 copies;

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(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 department may sell the code, issues of the register or parts of either of them at a price to be determined by it. It 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 department therefor.

(8) A subscriber is not entitled to a refund of any part of any advance payment for the register.

The department shall notify each subscriber when a further payment is due.

(9) 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 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 department shall distribute one copy of the table of contents and index free to each subscriber to the register or parts thereof.

History: 1971 c 152 s 38.