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CHAPTER 52.

AN ACT to repeal 14.28, 14.425, 23.09 (13), 41.13 (5), 46.03 (11), 59.715 (13), 73.08, 84.01 (24), 101.32, 108.14 (7m), 110.055, 126.75, 140.04 (2), 189.17 (9), 200.16, 220.27, and 251.15; to renumber 44.03, 44.04, 44.05, 44.06 and 44.07 to be 44.03 (1), (2), (3), (4) and (5) respectively; to amend 16.05 (2), 35.24, 35.84 (2), (3), (6a), (8), (13), (15), (16) and (20), 35.85, 35.86, 43.06, 43.09 (1), 43.12, 43.13, 43.15 (1), 44.01, 44.03 (1), (2), (3) and (5) as renumbered; 59.08 (30) and 59.715 (16), and to create 40.16 (16), 44.02 (9), 44.03 (6), 44.11, 59.716, 59.717, 60.29 (39), 61.34 (6) and 62.09 (15) of the statutes, relating to the revision and correction of language of certain statutes governing the state historical society.

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

SECTION 1. 14.28 of the statutes is repealed.

SECTION 2. 14.425 of the statutes is repealed.

SECTION 3. 16.05 (2) of the statutes is amended to read:

16.05 (2) Keep minutes of its own proceedings and other official actions. All such records shall, subject to reasonable regulations, be open to public inspection. * * *

SECTION 4. 23.09 (13) of the statutes is repealed.

SECTION 5. In sections 35.24, 35.85, 43.09 (1), 43.15 (1), 44.03 (5) (as renumbered) or in any other provisions in the statutes wherever the nomenclature "secretary" or "superintendent" of the state historical society or a combination thereof appears, the revisor of statutes is directed to substitute "director" in lieu thereof.

SECTION 6. 35.84 (2), (3), (6a), (8), (13), (15), (16) and (20) of the statutes are amended to read:

35.84 (2) Of such portions of the budget estimates as may be printed pursuant to section 35.06, one copy to the governor * * *, one copy to each member-elect of the legislature and 2 copies to the state historical society.

(3) Of the legislative journals in book form, one copy to each state officer and each senator and assemblyman applying therefor, and to each member, officer, journal clerk and index clerk of the next succeeding legislature applying therefor; not exceeding 10 copies each to the state library, the Milwaukee county law library, the state historical society, * * * the university law library and the library of the legislative reference department; one copy each to all other public libraries applying therefor. The copies printed on bond paper shall be delivered to the respective chief clerks. Each chief clerk shall, upon request, be supplied for use during the session, with the journals of any previous session of the legislature.

(6a) Of Wisconsin statutes, one copy to each state officer and each senator and assemblyman applying therefor and to each member and officer of the next succeeding legislature applying therefor; 4 copies to each chief clerk of such legislature; one copy to each judge, district attorney and clerk of court of the United States in this state, the secretary of state of the United States, the library of congress, each charitable and penal institution of the state, the Milwaukee law library association, the Oshkosh law library, and each other public library applying therefor; not exceeding 10 further copies each to the state library, the Milwaukee county law library, the university law library, the university library, the law library of Marquette university, the library of the legislative reference department, and the state historical society; and to the county clerk of each county enough copies to enable him to deliver one copy to each of the following officers in his county: The judge and clerk of each court of record, the county clerk, treasurer, sheriff, district attorney, register of deeds, surveyor, coroner, county superintendent of schools, superintendent of poor, chairman of the county board, county public welfare or pension department head, county highway commissioner, county veterans' service officer, each income tax assessor and each village and city clerk.

(8) Of Wisconsin Town Laws, to the county clerk of each county enough to enable him to deliver one copy to each town chairman and to each town clerk in his county, and one copy to the state historical society.

(13) Of the railroad maps of Wisconsin, upon application therefor, one copy to each state officer, each penal and reformatory institution, each newspaper entitled to a Blue Book, each public library, school, academy and college; 10 further copies each to the state library, the Milwaukee county law library, * * * and the state historical society; to the public service commission such number as it may require. All copies in-

tended for libraries, schools, academies and colleges other than the state library, the Milwaukee county law library, * * * and the state historical society shall be shipped to the county superintendents and distributed by them as provided in subsection (11).

(15) Of the opinions of the attorney-general and the decisions of the public service commission bound separately from their respective reports, one copy of each to each state officer applying for them, each district attorney, each clerk of a court of record, each city clerk, each public library applying therefor and 10 further copies each to the state library, the Milwaukee county law library, * * * the university law library and the state historical society.

(16) Of the supreme court reports acquired by contract or purchase, one copy to the industrial commission, one copy to each justice of the supreme court, the supreme court reporter, the revisor, each judge of the United States courts in the state, each judge of the circuit and county courts, each judge of the district court, civil courts and municipal courts in counties having a population of 300,000 or more, each judge of every other court of record, and each judge of every municipal court from which appeals may be taken directly to the supreme court; each clerk of the aforesaid courts except the supreme court, each law library mentioned in section 35.83. * * * *Nineteen* further copies shall be delivered to the university law library, *one to the state historical society*, 10 further copies to the law library of Marquette University, and such further number to the state library and to Milwaukee county law library as their librarians may request for the use of these libraries, not exceeding a total of 10 further copies. Further distribution shall be made as may be required to effect exchanges authorized by law. The remaining copies shall be retained for future distribution according to law.

(20) *Except as otherwise provided in this section, the proper officers of the respective houses of the legislature or the director of purchases, as the case may be, shall deliver to the state historical society 3 copies of each message, report, journal, legislative bill, bulletin, circular, release, or * * * public * * * document of whatever character printed or otherwise reproduced at the expense of the state and handled through their respective offices. Three copies of all other such publications of whatever character shall be delivered to the state historical society by the department, agency or commission of origin.*

SECTION 7. 35.86 of the statutes is amended to read:

35.86 The * * * *director* of the state historical society is empowered to procure the exchange of public printing *and near printing or other reproduction* for such 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 printing, with or without exchange, as may accord with interstate or international comity; the librarian of the state library shall procure so many of such exchanges as he is authorized by law to make, and the secretary of state, attorney-general, department of taxation, public service commission, state superintendent, state department of public welfare, state board of health, the state department of agriculture, commissioner of insurance, commissioner of banks, bureau of personnel, free library commission, industrial commission, conservation commission and the commissioners on uniform state laws, may procure by exchange such documents from other states and countries as may be needed for use in their respective offices. Exchange or distribution lists shall be filed with the director of purchases by the respective officers, boards and commissions so authorized to procure exchanges or make distributions, and the documents specified therein shall be forwarded directly from said director's office or shipping room, carriage charges payable by the state.

SECTION 8. 40.16 (16) of the statutes is created to read:

40.16 (16) The boards of common school districts, high school districts and city school districts may transfer to the state historical society under section 44.02 (9) title to any school records deemed by said society to be of permanent historical interest which are no longer needed for the proper administration of the affairs of the school district.

SECTION 9. 41.13 (5) of the statutes is repealed.

SECTION 10. 43.06 of the statutes is amended to read:

43.06 The acts of congress received from the general government shall be deposited in the state library and be distributed as the trustees shall direct. Every *constitutional* officer of the state who shall receive any volume of the laws, journals, reports or other documents of any other state or territory or of the United States, or any of the officers thereof, for the use of this state, shall * * * *promptly notify the state librarian as to the receipt thereof and shall deliver the same as the state librarian may direct.*

SECTION 11. 43.12 of the statutes is amended to read:

43.12 The Wisconsin free library commission is hereby authorized and directed * * *

to assist state officers, members of the legislature and other citizens who are studying the growth and development of the affairs and institutions of this state, also to assist the public libraries in the state, in completing files of * * * state publications and in so arranging them as to be of use to citizens of their several localities. * * *

SECTION 12. 43.13 of the statutes is amended to read:

43.13 The * * * *proper officers of the respective houses of the legislature or the bureau of purchases, as the case may be, shall promptly* * * * deliver to the secretary of the commission, 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 such publications of whatever character shall be delivered to the free library commission by the department, agency or commission of origin.*

SECTION 13. 44.01 of the statutes is amended to read:

44.01 The state historical society of Wisconsin, organized under an act of the legislature approved on March 4, 1853, shall continue to possess the powers and privileges thereby conferred, subject to the provisions of this chapter and such laws as shall hereafter be enacted, and its acceptance of the benefits herein granted and renewed shall be conclusively deemed its complete acquiescence therein. Said society shall be an *official agency and* the trustee of the state, and as such shall faithfully expend and apply all money received from the state to the uses and purposes directed by law, and shall hold all its present and future collections and property for the state; and shall not sell, mortgage, transfer or dispose of in any manner, or remove, except for temporary purposes, from its building or buildings any article therein without authority of law; except that the society may sell or exchange its publications, and may sell, exchange or otherwise dispose of duplicate books, periodicals or museum objects, or books, periodicals or museum objects outside of its field of collection to other public libraries, schools, museums or other educational or charitable institutions or their agents. There shall continue to be a board of curators of said society, constituted with substantially the same powers as at present, of which the governor, secretary of state and state treasurer shall be ex officio members and take care that the interests of the state are protected. The society may acquire property, real or personal, by gift, bequest or otherwise, in any amount and may sell for such price and upon such conditions as its finance committee may deem best for its interests, and convey real estate acquired by it by gift or bequest or through the foreclosure of any mortgage.

SECTION 14. 44.02 (9) of the statutes is created to read:

44.02 (9) To take an active interest in the preservation and use of the noncurrent public records of historical importance of counties, cities, villages, towns, school districts and other local governmental units. The proper officer of any county, city, village, town, school district or other local governmental unit may offer, and the state historical society may accept, for preservation title to such noncurrent records as in the state historical society's judgment are of permanent historical value and which are no longer needed for administrative purposes by such local governmental unit. Said society, wherever possible, shall place such records in the custody of the appropriate auxiliary historical society, county historian, public library, museum or similar agency or institution in the area of origin, and shall make recommendations to the proper person as to their proper housing, arrangement and care. Only where such arrangements cannot be accomplished, may the said society temporarily transfer such records to state archives. Said society shall compile and maintain for reference purposes as soon as may be convenient a union list of the records of county, city, village, town, school district, or other local governmental unit, title to which is transferred to it under this subsection.

SECTION 15. 44.03, 44.04, 44.05, 44.06 and 44.07 of the statutes are respectively renumbered 44.03 (1), (2), (3), (4) and (5).

SECTION 16. 44.03 (1), (2) and (3) of the statutes, as renumbered, are amended to read:

44.03 * * * *AUXILIARY OR AFFILIATED SOCIETIES.* (1) *County or local historical societies without capital stock may be incorporated* * * * as auxiliaries * * * of the state historical society, to gather and preserve the books, documents and artifacts relating to the history of their region or locality. No fees shall be charged by any register of deeds for recording nor by the secretary of state for filing the articles of organization or any amendments thereto, or for a certificate of incorporation of any such society, *but the secretary of state shall not accept articles of incorporation under this section unless the same shall first have been approved by the board of curators of the state historical society.*

(2) * * * *Statewide, county or other patriotic or historical organizations, or chapters thereof* in this state * * * *may be incorporated as affiliates of the state historical society under section 44.03 (1) if their purposes and programs are similar to and consonant with those of the state historical society and its auxiliaries, or if already incorporated, such organizations or chapters thereof may apply to the said board of curators for affiliation with the state historical society. Upon incorporation under this section or acceptance of affiliation by the said board of curators, whichever is applicable, the applying organization must as an affiliate accept the provisions and shall be entitled to all the benefits of * * * this section. * * *. Any such auxiliary or affiliated society shall be a member and entitled to one vote in any general meeting of the state historical society. The board of curators may terminate the affiliation as an auxiliary or affiliate of the state historical society under section 44.03 of any such organization by formal resolution, a copy of which shall be deposited with the secretary of state.*

(3) Every such auxiliary or affiliated society * * * shall make a report of its work annually to said state historical society, which, or portions or a synopsis thereof, may be included in the publications of said state society, and upon application of any auxiliary or affiliated society the state society may become, in behalf of the state, the custodian of the records and collections of such auxiliary or affiliated society.

SECTION 17. 44.03 (6) of the statutes is created to read:

44.03 (6) Custody of public records of county, village, town, school district or other governmental units may be accepted by any such auxiliary society under section 44.02 (9), but title to such records shall remain with the state historical society. In the event of the dissolution or incapacity of any such auxiliary society, it shall be obligatory on the last group of officers and members to notify the director of the state historical society that the auxiliary society can no longer retain custody of such records and to deliver such records to such depository as may be designated by the state historical society.

SECTION 18. 44.11 of the statutes is created to read:

44.11 DEPOSITORY OF PUBLIC DOCUMENTS. (1) The state historical society shall be the official public documents depository for the state of Wisconsin. Three copies of all printed, near print, mimeographed, or otherwise reproduced state publications, reports, releases and other matter published at the expense of the state shall be sent to the state historical society by the director of purchases in accordance with section 35.84 (20). In those instances where a given publication is not distributed by the bureau of purchases, 3 copies shall be sent to the state historical society by the department, commission or agency of origin.

(2) The director of the state historical society shall file with the director of purchases, and may from time to time revise, lists of state, county, municipal, federal, or other agencies to which state public printing should be distributed in accordance with interstate or international comity, with or without exchange, as provided in section 35.86, in order to maintain or enlarge the reference collections of the society and the state. The documents so specified shall be shipped to the addresses directly from the office of the director of purchases, carriage charges payable by the state.

(3) The state historical society shall keep available to other state agencies and to citizens of Wisconsin and other states its public document collections under such proper and reasonable regulations as may be deemed advisable.

(4) The state historical society may loan such documents, except those of rare nature, to other state agencies for official use or on interlibrary loan to other reference libraries under such rules and regulations and for such period as may appear desirable.

(5) The state historical society shall prepare a periodic checklist of public documents issued by the state, including all reports, circulars, bulletins and releases issued by the various state departments, boards, commissions and agencies and shall publish this list in such form and with such notes as to show the scope and purpose of such publication.

SECTION 19. 46.03 (11) of the statutes is repealed.

SECTION 20. 59.08 (30) of the statutes is amended to read:

59.08 (30) *To appropriate * * * money to any local historical society duly incorporated under section 44.03 located in such county for the purpose of collecting and preserving the records of the early pioneers, the life of the Indians, the experience of military men, and the salient historical features of such county.*

SECTION 21. 59.715 (13) of the statutes is repealed.

SECTION 22. 59.715 (16) of the statutes is amended to read:

59.715 (16) * * * Tax receipts, after 15 years.

SECTION 23. 59.716 and 59.717 of the statutes are created to read:

59.716 TRANSFER OF OBSOLETE COUNTY RECORDS. County officers may transfer to the

state historical society under section 44.02 (9) title to noncurrent records in their custody as follows:

(1) Original papers, resolutions and reports connected with county board proceedings.

(2) Tax rolls.

(3) Original minutes of the county board.

59.717 DESTRUCTION OF COUNTY RECORDS, WHEN. If title is not accepted by the state historical society within 60 days after written notice, county officers may destroy records as follows:

(1) Original papers, resolutions and reports appearing in county board proceedings, 6 years following the date of first publication of the same in the official proceedings of the board.

(2) Tax rolls, after 15 years.

SECTION 24. 73.08 of the statutes is repealed.

SECTION 25. 84.01 (24) of the statutes is repealed.

SECTION 26. 101.32 of the statutes is repealed.

SECTION 27. 108.14 (7m) of the statutes is repealed.

SECTION 28. 110.055 of the statutes is repealed.

SECTION 29. 126.75 of the statutes is repealed.

SECTION 30. 140.04 (2) of the statutes is repealed.

SECTION 31. 189.17 (9) of the statutes is repealed.

SECTION 32. 200.16 of the statutes is repealed.

SECTION 33. 220.27 of the statutes is repealed.

SECTION 34. 251.15 of the statutes is repealed.

Approved April 13, 1949.
