



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-6128/1
ARG:all

2021 SENATE BILL 1018

February 23, 2022 - Introduced by LAW REVISION COMMITTEE. Referred to
Committee on Senate Organization.

1 **AN ACT to amend** 44.02 (5m), 44.02 (5s), 44.02 (13), (14), (15), (16), (17) and (18),
2 44.03 (3) and 44.04 (3) of the statutes; **relating to:** duties of the State Historical
3 Society; reports by affiliates to the State Historical Society; and fees charged
4 to support State Historical Society school and teacher services (suggested as
5 remedial legislation by the State Historical Society).

Analysis by the Legislative Reference Bureau

This bill makes changes related to the duties and powers of the State Historical Society and requires additional information to be included in a report by a local historical society or other affiliate in its annual report to SHS.

Under current law, with exceptions, SHS may charge state residents a fee and must charge nonresidents a fee for admission to its historic sites or buildings, special events, and special exhibits. Under one exception, SHS may not “charge a fee for admission to the museum until construction of the museum is completed.” Fees collected from admissions must be used to support public programming. Current law also imposes on SHS “responsibility for security at the museum.”

The bill specifies that SHS may not charge a fee for admission to the Wisconsin Historical Museum located at 30 N. Carroll Street in Madison until construction of a new museum is completed. The bill also allows fees collected from admissions to be used to support operations of the new museum, in addition to supporting public programming. The bill further clarifies that the Wisconsin Historical Museum located at 30 N. Carroll Street in Madison is the museum for which SHS is responsible for security.

SENATE BILL 1018

Under current law, SHS may make “charges” established by its Board of Curators to partially defray the costs of the services that SHS offers to schools and teachers in this state. The bill clarifies that SHS may charge “fees” to partially defray those costs.

Under current law, local historical societies and other historical organizations may be incorporated as affiliates of SHS for certain purposes, including gathering and preserving materials and artifacts relating to local history. SHS must work with affiliates in the encouragement, stimulation, and development of worthwhile historical projects and undertakings at the local level. An affiliate, if approved by the Board of Curators of SHS, may file with the Department of Financial Institutions articles of incorporation as a nonstock corporation without paying a filing fee to DFI. A nonstock corporation must file with DFI an annual report that includes 1) the name of the corporation; 2) the mailing address of its registered office and the name of its registered agent; 3) the mailing address of its current principal office; 4) the name and business address of each director and principal officer; 5) a brief description of the nature of its business; and 6) whether the corporation has members. A “member” is defined as a person who has membership rights in a nonstock corporation in accordance with the provisions of its articles of incorporation or bylaws.

Current law requires an affiliate of SHS to annually report to SHS the information specified in items 1 to 5, above. The bill requires the annual report to SHS to also include item 6, above.

Finally, the bill specifies that SHS’s directive to preserve the memory of early pioneers and narratives of their exploits, perils, and adventures also applies to early residents.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the State Historical Society and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1 **SECTION 1.** 44.02 (5m) of the statutes is amended to read:

2 44.02 **(5m)** Not charge a fee for admission to the ~~museum~~ Wisconsin Historical
3 Museum located at 30 N. Carroll Street in Madison until construction of ~~the~~ a new
4 museum is completed. Fees collected from admissions shall be used to support public
5 programming and operations of the new museum.

SENATE BILL 1018

1 **SECTION 2.** 44.02 (5s) of the statutes is amended to read:

2 44.02 (**5s**) Except as provided in s. 16.84 (2), have responsibility for security at
3 the ~~museum~~ Wisconsin Historical Museum located at 30 N. Carroll Street in
4 Madison.

NOTE: SECTIONS 1 and 2 clarify whether various references in current law to “the museum” mean the existing museum located at 30 N. Carroll Street in Madison or a new museum yet to be constructed. SECTION 1 also specifies that admission fees collected at the new museum may be used to support its operations in addition to its public programming.

5 **SECTION 3.** 44.02 (13), (14), (15), (16), (17) and (18) of the statutes are amended
6 to read:

7 44.02 (**13**) ~~To faithfully~~ Faithfully expend and apply all money received to the
8 fulfillment of its duties and purposes as directed by law.

9 (**14**) ~~To hold~~ Hold all its present and future property for the state.

10 (**15**) ~~To promote~~ Promote a wider appreciation of the American heritage with
11 particular emphasis on the collection, advancement, and dissemination of
12 knowledge of the history of Wisconsin and of the West.

13 (**16**) ~~To collect~~ Collect, embody, arrange, and preserve in authentic form, a
14 library of books, pamphlets, maps, charts, manuscripts, papers, paintings, statuary,
15 and other materials illustrative of the history of the state.

16 (**17**) ~~To preserve~~ Preserve the memory of its early residents and pioneers, and
17 ~~to~~ obtain and preserve narratives of their exploits, perils, and adventures.

18 (**18**) ~~To exhibit~~ Exhibit faithfully the antiquities, and the past and present
19 condition, and resources of Wisconsin.

NOTE: This SECTION addresses grammatical issues and specifies that the duty of the State Historical Society with regard to preserving the memory, exploits, perils, and adventures of early pioneers also applies to early residents.

20 **SECTION 4.** 44.03 (3) of the statutes is amended to read:

SENATE BILL 1018**SECTION 4**

1 44.03 (3) Every affiliated society shall make a report of its work annually to the
2 historical society that contains the information specified in s. 181.1622 (1) (a) to (e)
3 (f), which, in its entirety or in part, may be included in the publications of the
4 historical society, and upon application of any affiliated society the historical society
5 may accept, in behalf of the state, custody of or title to the property, records and
6 collections of the affiliated society or may assist in the disposal thereof. If any
7 affiliated society becomes, in the opinion of the board of curators of the historical
8 society, inactive or defunct, title to such property, records and collections not
9 otherwise provided for in the grants of donors or in the articles of incorporation of the
10 inactive and defunct society, shall vest in the historical society which shall take
11 appropriate action in the public interest for the protection or disposal of such
12 property, records and collections. Preference in disposition shall be given to
13 historical or related organizations in the area or to whatever county or local
14 governmental unit that has aided such affiliate financially.

NOTE: This SECTION updates a cross-reference in order to expand on the information an affiliated society must include in its annual report to the State Historical Society.

15 **SECTION 5.** 44.04 (3) of the statutes is amended to read:

16 44.04 (3) ~~It may make such charges~~ The historical society may charge such fees
17 as its board of curators shall establish as just and proper to defray in part the costs
18 of this program.

NOTE: This SECTION clarifies the authority of the State Historical Society to charge fees to defray in part the cost of materials and services it furnishes to schools and teachers.

19

(END)