

No. 787, S.]

[Published August 10, 1951.]

CHAPTER 710.

AN ACT to amend 15.60 (1) and 35.03 (8); to renumber 15.64 (3); to renumber and amend 35.01 (1) and (2); and to create 15.60 (7), 15.64 (5), (6) and (7), 15.66 (4), 35.015 (2), 35.02 (4) and 35.035 of the statutes, relating to public printing and duplicating.

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

SECTION 1. 15.60 (1) of the statutes is amended to read:

15.60 (1) All materials, supplies, equipment and contractual services except as otherwise provided * * * in subsections (3) and (7), when the estimated cost * * * exceeds \$3,000, shall be purchased from the lowest responsible bidder, after due notice inviting proposals * * *. Such notice shall be published * * * at least one day in the official state paper and the bids shall not be opened until at least 7 days from the last date of publication and 10 days from the first date of publication shall have elapsed. The official advertisement shall give a clear description of the article to be purchased, the amount of the bond or check to be submitted as surety with the bid and the date of public opening.

SECTION 2. 15.60 (7) of the statutes is created to read:

15.60 (7) Stationery and printing shall be purchased from the lowest bidder without regard to the amount of the purchase, except when the director of administrative services exercises the discretion vested in him by section 15.66 (4).

SECTION 3. 15.64 (3) of the statutes is renumbered 35.03 (9).

SECTION 4. 15.64 (5), (6) and (7) of the statutes are created to read:

15.64 (5) To determine the form, style, quantity, and method of reproduction, when not specifically prescribed by law, of all materials offered by state departments and agencies for reproduction. Any state department or agency which objects to the determination made under this subsection may appeal the decision of the bureau chief to the director of the division and from his decision to the governor.

(6) To contract for or to perform all mimeograph, multigraph, multilith or similar reproduction services.

(7) The authorization to perform multilith or similar reproduction services under subsections (5) and (6) or under section 15.66 (4) shall not extend to the use of metal plates.

SECTION 5. 15.66 (4) of the statutes is created to read:

15.66 (4) (a) May reproduce printing of classes 3 and 4 by machines or processes known as multigraph, multicolor, multilith, mimeograph or photographic or by a combination of them, or by similar machines or processes.

(b) In deciding whether to use this discretion, the director shall take into consideration the availability of machines, equipment and personnel for such work in any agency; the maintenance of a uniform workload for employes of the bureau of printing; the urgency of the work; the relative cost of reproduction by the bureau as against the cost of outside work; the preference of the state agency ordering the work.

(c) The cost of work done under this subsection shall be charged to the agency ordering the work.

(d) This subsection and section 35.015 (2) shall be liberally construed so as to effectuate the legislature's intent to vest broad discretion in the director to determine what public printing in the classes covered shall be done by the state itself, and which by the state printer. Such liberal construction shall extend to the director's determination to use the power conferred, to the determination of what work is to be included in the classes covered, and to the determination of whether a given machine or process is similar to those enumerated.

SECTION 6. 35.01 (1) of the statutes is renumbered 35.01 and amended to read:

35.01 PUBLIC PRINTING; DEFINITIONS AND CLASSIFICATION. * * *
Public printing * * * includes all necessary material * * * and binding which is a part of a printing order. * * * Public printing is divided into 7 classes:

* * * (1) All legislative printing.

* * * (2) Wisconsin session laws, town laws, statutes, annotations and blue book.

* * * (3) All printing required for * * * state agencies, * * * not otherwise classified, except the Law Review, Journal of Land and Public Utility Economics, University Press publications, the Transactions of the Wisconsin Academy of Sciences, Arts and Letters, and similar technical or semitechnical publications of the university of Wisconsin, the Wisconsin Magazine of History and hard bound books of the state historical society.

* * * (4) All job printing and all printing not otherwise classified.

* * * (5) Newspaper publications.

* * * (6) Supreme court reports.

* * * (7) Printing for state institutions and departments located outside of the city of Madison. * * *

SECTION 7. 35.01 (2) of the statutes is renumbered 35.015 (1) and amended to read:

35.015 EXEMPT PRINTING. (1) The printing excluded from * * * class 3 in * * * section 35.01 (3) is exempt from the provisions of this chapter, and such printing shall be procured under the provisions of *subchapter IV* of chapter 15.

SECTION 8. 35.015 (2) of the statutes is created to read:

35.015 (2) Printing of classes 3 and 4 is exempt from the provisions of this chapter when the director of administrative services exercises the power vested in him by section 15.66 (4).

SECTION 9. 35.02 (4) of the statutes is created to read:

35.02 (4) In this chapter, "director" means director of the department of administrative services.

SECTION 10. 35.03 (8) of the statutes is amended to read:

35.03 (8) To make biennial reports to the legislature setting forth the cost of the

public printing during the preceding fiscal term, with recommendations of any retrenchments that can be made therein.

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SECTION 11. 35.035 of the statutes is created to read:

35.035 POWERS OF DIRECTOR. The director may:

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

(2) Furnish the paper to be used by state printers.

Approved July 20, 1951.
