

1979 Assembly Bill 557

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CHAPTER 79, Laws of 1979

AN ACT to renumber and amend 16.61 (13) (b); to amend 16.61 (3) (e) and (13) (title) and (a); and to create 16.61 (13) (b) of the statutes, relating to remedial legislation relating to university of Wisconsin archives (suggested as remedial legislation by the university of Wisconsin).

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

SECTION 1. 16.61 (3) (e) and (13) (title) and (a) of the statutes are amended to read:

16.61 (3) (e) May establish the minimum period of time for retention before destruction of any county, city, town or, village or school district record.

(13) (title) HISTORICAL SOCIETY AND UNIVERSITY ARCHIVES AS DEPOSITORIES. (a) The historical society, as trustee for the state, shall be the ultimate depository of the archives of the state, and the board may transfer to the society such original records and reproductions as it deems proper and worthy of permanent preservation, including records and reproductions which the custodian thereof has been specifically directed by statute to preserve or keep in the custodian's office. The permanent preservation of records of the university of Wisconsin system may be accomplished under par. (b). The society may deposit in the regional depositories established under s. 44.10, title remaining with the society, the records of state agencies or their district or regional offices which are primarily created in the geographic area serviced by the depository, but the records of all central departments, offices, establishments and agencies shall remain in the main archives in the capital city under the society's immediate jurisdiction, except that the society may place ~~such the~~ records temporarily at a regional depository for periods of time to be determined by the society. Nothing in this subsection nor in ch. 44 ~~shall be construed to prevent~~ prevents the society's taking ~~such the~~ steps for the safety of articles and materials entrusted to its care in library, museum or archives, including temporary removal to safer locations, ~~as may be dictated~~ by emergency conditions arising from a state of war, civil rebellion or other catastrophe.

SECTION 2. 16.61 (13) (b) of the statutes is renumbered 16.61 (13) (c) and amended to read:

16.61 (13) (c) The historical society shall, in cooperation with the staff of the board, as soon as practicable, adequately and conveniently classify and arrange ~~such the~~ state records or other official materials ~~as may be~~ transferred to its care, for permanent preservation under this section and keep the ~~same~~ records and other official materials accessible to all persons interested, under ~~such~~ proper and reasonable rules as the historical society ~~finds advisable adopts~~. Copies ~~therefrom of the records and other official materials~~ shall, on application of any citizen of this state interested therein, be made and certified by the director of ~~said the~~ historical society, or an authorized representative in charge, which certificate shall have the same force as if made by the official originally in charge of them. Records which have a confidential character while in the possession of the original custodian shall retain ~~such their~~ confidential character after transfer to the historical society unless the board of curators of the historical society, with the concurrence of the original custodian, determines that ~~such the~~ records shall be made accessible to the public under such proper and reasonable rules as the historical society adopts. For public records and other official materials transferred to the care of the university archival depository under par. (b), the chancellor of the university preserving the records shall have the power and duties assigned to the historical society under this section.

SECTION 3. 16.61 (13) (b) of the statutes is created to read:

16.61 (13) (b) The board may designate an archival depository at each university as defined in s. 36.05 (13) which shall meet standards for university archival depositories established by the board with the advice of the board of regents and the historical society or their respective designated representatives. The board may transfer to the appropriate university archival depository all original records and reproductions the board deems worthy of permanent preservation.