

1981 Assembly Bill 893

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CHAPTER 372 , Laws of 1981

AN ACT to renumber 990.07; to renumber and amend 35.22, 985.04 (1) and (2) and 990.05; to amend 13.92 (1) (b) 3. a, d and e and (e) 2 and 3, 14.08, 14.38 (10) (title) and (a), 35.15 (1) (b) and (c), 35.17, 35.35 (1) (a), 35.36 (1), 985.01 (1) (intro.) and chapter 991 (title); to repeal and recreate 35.095; and to create 14.38 (10) (c) and 991.13 of the statutes, relating to publication of laws through distribution of slip laws rather than newspaper publication.

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

SECTION 1. 13.92 (1) (b) 3. a, d and e and (e) 2 and 3 of the statutes are amended to read:

13.92 (1) (b) 3. a. Promptly after the passage of any bill, any joint resolution amending the constitution, or any other resolution determined by the chief clerks to require enrollment and, in the case of a bill, before it is presented to the governor for approval, the chief clerk of the house in which the measure originated shall deliver the jacket to the bureau which shall enroll the proposal and return the jacket and the required number of

copies, including a camera-ready copy ~~for~~ of any proposed constitutional amendment and each resolution requiring newspaper publication, to the chief clerk. The camera-ready original of the enrolled proposal shall be retained in the bureau.

d. No later than the day before the publication of any law in the official state paper next working day following the deposit of the act in the secretary of state's office, the secretary of state shall inform the bureau of the act number, date of enactment and the date ~~on which the act will be published~~ of publication under s. 35.095. The bureau shall enter the act number, date of enactment and date of publication on a ~~the~~ camera-ready copy and deliver it to the contract printer for reproduction. The copy shall identify material deleted from existing law by stricken type, and material inserted into existing law by underscored type. In any act published "vetoed in part", the material subject to the veto shall be displayed in full but shall be identified by distinguishing marks.

e. Printed copies shall be available on ~~the day or before the date of publication of the act in the official state paper. If such day of publication is a Saturday, Sunday or holiday as defined in s. 230.35 (4), then printed copies shall be available no later than the first business day following the date of publication.~~

(e) 2. Printing of legislative proposals, or amendments, or slip laws and, when so ordered by either house, engrossed or enrolled proposals, under s. 35.05.

3. Printing of session laws under s. 35.15 and newspaper publication of laws acts under s. ~~985.04~~ 35.095.

SECTION 2. 14.08 of the statutes is amended to read:

14.08 Deposit of acts; notice. The governor shall ~~cause all~~ deposit each legislative acts which have become laws by his act enacted by the governor's approval or otherwise to be deposited in the office of the secretary of state without delay under s. 35.095 (2) (b), and shall so inform thereof the house in which the respective acts originated of origin.

SECTION 3. 14.38 (10) (title) and (a) of the statutes are amended to read:

14.38 (10) (title) PUBLICATION OF ACTS AND PROPOSED CONSTITUTIONAL AMENDMENTS. (a) Publish the laws ~~as provided by ss.~~ acts under s. 35.095 (3) (a) and the Wisconsin session laws under s. 35.15 and ~~985.04 (2).~~

SECTION 4. 14.38 (10) (c) of the statutes is created to read:

14.38 (10) (c) Publish in the official state newspaper within 10 days after the date of publication of an act a notice certifying the number of each act, the number of the bill from which it originated, the date of publication and the relating clause. Each certificate shall also contain a notice of where the full text of each act can be obtained. Costs under this paragraph shall be charged to the appropriation under s. 20.765 (1) (d).

SECTION 5. 35.095 of the statutes is repealed and recreated to read:

35.095 Acts. (1) DEFINITIONS. In this section:

(a) "Date of enactment" means the day on which a bill becomes an act through approval by the governor, passage over the governor's veto or failure of the governor to act on it or the day on which a portion of a bill which has been vetoed in part is enacted over the governor's veto.

(b) "Date of publication" means the date designated by the secretary of state under sub. (3).

(c) "Working day" means each day except Saturdays, Sundays and federal and state-wide legal holidays designated in s. 757.17.

(2) NUMBERING. (a) Each act of a session shall be numbered consecutively commencing with one. An act enacted by the governor's approval shall be numbered by the governor at the time of approval. An act enacted either by passage over the governor's

veto or by the governor's failure to act upon it within the time limit shall be numbered immediately by the chief clerk of the house of origin.

(b) The person numbering an act under par. (a) shall note on it the date of enactment and shall deposit it in the secretary of state's office no later than the next working day following its enactment.

(3) PUBLICATION. (b) The secretary of state shall designate a date of publication for each act and every portion of an act which is enacted by the legislature over the governor's veto. The date of publication may not be more than 10 working days after the date of enactment.

(c) Copies of each act or portion of an act enacted by the legislature over the governor's veto shall be available on or before its date of publication to subscribers under s. 35.87 who pick up their documents. At appropriate intervals, the officer designated under s. 35.87 shall certify to the secretary of state that each act or portion of an act was available to subscribers on or before its date of publication.

SECTION 6. 35.15 (1) (b) and (c) of the statutes are amended to read:

35.15 (1) (b) The copy shall show the date of ~~newspaper~~ enactment of each act, the date of publication of each act and published joint resolution, the number of the proposal from which ~~it~~ the act or joint resolution originated and the house in which it originated and shall be in the form prescribed by the joint rules. The copy shall omit the signature of the officers affixed to the enrolled act or joint resolution.

(c) The copy shall be delivered to the department within 10 working days from the date of publication of the last act under s. 985.04 (2). The department shall determine the number of copies to be printed.

SECTION 7. 35.17 of the statutes is amended to read:

35.17 Correcting typographical errors. In enrolling under s. 13.92 (1) (b) 3 and for publishing under ss. 35.095, 35.15 and ~~985.04 (2)~~, 35.35 (1) (a) the legislative reference bureau shall correct obvious typographical errors. 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 and administrative code. On questions of orthography the current edition of Webster's new international dictionary shall be taken as the standard.

SECTION 8. 35.22 of the statutes is renumbered 990.08 and amended to read:

990.08 Evidence. The Wisconsin statutes as prepared under s. 35.18 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.

SECTION 9. 35.35 (1) (a) of the statutes is amended to read:

35.35 (1) (a) The legislative reference bureau shall provide to the secretary of state camera-ready copy in type not smaller than 5.5 point for the printing of all laws, any enrolled proposed constitutional amendment and of all resolutions requiring publication, in the each enrolled resolution ordered to be printed in the official state newspaper designated under s. 985.04 by the president of the senate for resolutions originating in the senate or by the speaker of the assembly for resolutions originating in the assembly. In amendatory laws, such The copy shall identify material deleted from existing law by stricken type, and material inserted into existing law by underscored type. ~~In any law published "vetoed in part", the material subject to the veto shall be displayed in full but shall be identified by distinguishing marks.~~

SECTION 10. 35.36 (1) of the statutes is amended to read:

35.36 (1) The compensation to the official state newspaper and other papers for all legal notices required to be published at the expense of the state may not exceed the rates specified in s. 985.08 (1), (2) and (3). All expenditures incidental to such printing shall be absorbed by the newspaper doing the publishing. Whenever the state elects to provide camera-ready copy for the publication of its laws, facsimile ballots or other legal notices the maximum chargeable rates shall be adjusted as provided in s. 985.08 (2) (b).

SECTION 11. 985.01 (1) (intro.) of the statutes is amended to read:

985.01 (1) (intro.) The term "legal notice" is every notice required by law or by order of a court to be published in a newspaper or other publication and includes:

SECTION 12. 985.04 (1) of the statutes is renumbered 985.04 and amended to read:

985.04 (title) Official state newspaper. The joint committee on legislative organization shall recommend to the legislature to designate some newspaper published in Wisconsin to be the official state newspaper, which shall publish all the laws, advertisements, proclamations and communications legal notices required to be published therein. Any such publication from any of the state agencies shall be deemed official. The joint committee may invite bids from all newspapers which meet the requirements of s. 985.03, but if it does so, it is not required to recommend the lowest bidder as the official state newspaper. The joint committee shall introduce its recommendation in the legislature in the form of a joint resolution. No designation takes effect until the joint resolution is adopted. A newspaper which is designated the official state newspaper shall continue as such until the legislature designates another newspaper to be the official state newspaper.

SECTION 13. 985.04 (2) of the statutes is renumbered 35.095 (3) (a) and amended to read:

35.095 (3) (a) ~~Every law shall be published once in the official state paper~~ The secretary of state shall publish every act and every portion of an act which is enacted by the legislature over the governor's veto within 10 working days after its approval, from camera-ready copy prepared under s. 35.35 (1) (a) and in type not smaller than 5.5 point, and the costs charged to the legislature date of enactment.

SECTION 14. 990.05 of the statutes is renumbered 991.11 and amended to read:

991.11 (title) Effective date of acts. ~~Every law or act and every portion of an act enacted by the legislature over the governor's veto~~ which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated under s. 35.095 (3) (b).

SECTION 15. 990.07 of the statutes is renumbered 991.12.

SECTION 16. Chapter 991 (title) of the statutes is amended to read:

CHAPTER 991
~~TIME WHEN ACTS AND STATUTES TAKE
EFFECT AND OF — EFFECTIVE DATE,
NUMBERING, CITATION AND REPEAL OF LAWS~~

SECTION 17. 991.13 of the statutes is created to read:

991.13 Acts: denomination; citation. (1) Acts enacted during the 1983 biennial session of the legislature and thereafter are denominated "Wisconsin act" and identified by the year in which the biennial session began.

(2) Acts enacted prior to the 1983 legislative session may be referred to as "chapter [consecutive number], laws of [year in which biennial session began]". Acts enacted during the 1983 session and thereafter may be referred to as ".... [year in which biennial session began] Wisconsin act [consecutive number]".

SECTION 18. Cross-reference changes. In the sections of the statutes listed in Column A, the cross-references shown in Column B are changed to the cross-references shown in Column C:

A	B	C
Statute Sections	Old Cross-References	New Cross-References
13.90 (1)(j)	985.04 (1)	985.04
13.93 (2) (c)	35.22	990.08

SECTION 19. 1983 Session laws. In publishing the bound volumes of the 1983 Laws of Wisconsin, the secretary of state shall designate each act as shown in section 991.13 (2) of the statutes, as created by this act; e.g. "1983 Wisconsin Act 1".
