

1991 Senate Bill 166

Date of enactment: **April 22, 1992**

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1991 WISCONSIN ACT 226

AN ACT *to repeal* 20.245 (1) (c) and 20.245 (1) (n); *to renumber* 44.09; *to amend* 19.23 (2), 44.02 (9), 44.10 (1), 59.716 (intro.) and 120.13 (12); and *to create* 20.245 (1) (c), 20.245 (1) (n) and 44.09 (2) of the statutes, **relating to:** establishing a records pilot grant program and making appropriations.

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

SECTION 2. 19.23 (2) of the statutes is amended to read:

19.23 (2) The proper officer of any county, city, village, town, school district or other local governmental unit, may under s. 44.09 (1) offer title and transfer custody to the historical society of any records deemed by the society to be of permanent historical importance.

SECTION 3. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

1991-92	1992-93
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20.245 Historical society

(1) ARCHIVES, RESEARCH AND LIBRARY SERVICES

(c) Records pilot

grant program	GPR A	-0-	42,000
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SECTION 4. 20.245 (1) (c) of the statutes is created to read:

20.245 (1) (c) *Records pilot grant program.* The amounts in the schedule for the records pilot grant program under s. 44.09 (2).

SECTION 4m. 20.245 (1) (c) of the statutes, as created by 1991 Wisconsin Act (this act), is repealed.

SECTION 5. 20.245 (1) (n) of the statutes is created to read:

20.245 (1) (n) *Records pilot grant program; federal funds.* All federal funds received for the records pilot grant program under s. 44.09 (2) as authorized by the governor under s. 16.54 for the purpose of carrying out the records pilot grant program.

SECTION 5m. 20.245 (1) (n) of the statutes, as created by 1991 Wisconsin Act (this act), is repealed.

SECTION 6. 44.02 (9) of the statutes is amended to read:

44.02 (9) 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 and courts.

SECTION 7. 44.09 of the statutes is renumbered 44.09 (1).

SECTION 8. 44.09 (2) of the statutes is created to read:

44.09 (2) The historical society shall create a records pilot grant program to fund projects for the protection, preservation and management of local public records. The historical society may award grants to counties, cities, villages, towns, school districts or other local governmental units; to courts; to regional depositories under s. 44.10; and to depositories of local public records of counties, cities, villages or towns created by ordinance or resolution. This subsection does not apply after June 30, 1994.

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SECTION 9. 44.10 (1) of the statutes is amended to read:

44.10 (1) The historical society, through its board of curators, in its corporate capacity and as trustee of the state may enter into agreements with the university of Wisconsin system or such other public or quasi-public institutions, agencies or corporations as the board of curators of the society shall designate to serve as the regional records depository for a given area. Said agreements shall specify the area to be served by the depository, and the methods of accessioning, cataloging, care, housing, preservation and servicing of these and such other material as may be placed by the historical society or in the name of the historical society in such regional depositories under such agreements, it being the intent of this section to provide an orderly, uniform state-wide system for the retention and preservation of important court, county and local public records on a manageable basis and under proper professional care in the region of origin. Only where such arrangements cannot be accomplished may the said society transfer such records to the 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, or court, title to which is transferred to it under s. 44.09 (1).

SECTION 10. 59.716 (intro.) of the statutes is amended to read:

59.716 Transfer of obsolete county records. (intro.) Prior to destruction of public records under s. 59.715, the proper officers in counties with a population of less than 500,000 shall make a written offer to the his-

torical society under s. 44.09 (1). If the offer is accepted by the society within 60 days, the officers shall transfer title to noncurrent records in their custody as follows:

SECTION 11. 120.13 (12) of the statutes is amended to read:

120.13 (12) HISTORICAL RECORDS. Under s. 44.09 (1), transfer title to any school records to the state historical society which are no longer needed for the proper administration of the school district and which the society determines are of permanent historical interest.

SECTION 11m. Nonstatutory provisions. (1) LOCAL GOVERNMENT AND PUBLIC RECORDS. The authorized FTE positions for the historical society are increased by 1.0 GPR project position to collect, preserve and dispose of local public records and to provide assistance to local governments and the courts in records management for the period beginning on July 1, 1992, and ending on June 30, 1994, to be funded from the appropriation under section 20.245 (1) (a) of the statutes.

SECTION 12. Appropriation changes. (1) LOCAL GOVERNMENT AND PUBLIC RECORDS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the historical society under section 20.245 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$36,000 for fiscal year 1992–93 to fund 1.0 GPR project position authorized under SECTION 11m of this act.

SECTION 12m. Effective dates. This act takes effect on July 1, 1992, except as follows:

(1) The repeal of section 20.245 (1) (c) and (n) of the statutes takes effect on July 1, 1994.