

CHAPTER 44.

STATE HISTORICAL SOCIETY AND LOCAL HISTORICAL SOCIETIES.

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44.01 State historical society; powers. The state historical society of Wisconsin, organized under an act of the legislature approved on March 4, 1853, shall continue to possess the powers and privileges thereby conferred, subject to the provisions of this chapter and such laws as shall hereafter be enacted, and its acceptance of the benefits herein granted and renewed shall be conclusively deemed its complete acquiescence therein. Said society shall be the trustee of the state, and as such shall faithfully expend and apply all money received from the state to the uses and purposes directed by law, and shall hold all its present and future collections and property for the state; and shall not sell, mortgage, transfer or dispose of in any manner, or remove, except for temporary purposes, from its building or buildings any article therein without authority of law; except that the society may sell or exchange its publications, and may sell, exchange or otherwise dispose of duplicate books, periodicals or museum objects, or books, periodicals or museum objects outside of its field of collection to other public libraries, schools, museums or other educational or charitable institutions or their agents. There shall continue to be a board of curators of said society, constituted with substantially the same powers as at present, of which the governor, secretary of state and state treasurer shall be ex officio members and take care that the interests of the state are protected. The society may acquire property, real or personal, by gift, bequest or otherwise, in any amount and may sell for such price and upon such conditions as its finance committee may deem best for its interests, and convey real estate acquired by it by gift or bequest or through the foreclosure of any mortgage. [1945 c. 60; 1947 c. 55]

Note: State historical society has no power to enter into a contract with a private book company whereby said company would publish and distribute a book written by an employe of the society as part of her regular duties and in return the society would receive a royalty on each volume. 34 Atty. Gen. 435.

44.02 Historical society; duties. It shall be the duty of the state historical society:

(1) To serve as trustee of the state in the preservation and care of all records, both printed and written, and all articles and other materials of historic interest and significance placed in its custody, and to interest itself constructively as the agent of the state in the preservation and care of all similar materials wherever they may be.

(2) To collect by gift, exchange or purchase books, periodicals, pamphlets, records, tracts, manuscripts, maps, charts and other papers, artifacts, relics, paintings, photographs and other materials illustrative of the history of this state in particular and of the west generally.

(3) To conduct research in the history of Wisconsin in particular and of the west generally.

(4) To inculcate through publications, museum extension services and other media a wider and fuller knowledge and appreciation of the history of Wisconsin and its significance.

(5) To keep its main library and museum rooms open at all reasonable hours on business days for the reception of the citizens of this state who may wish to visit the same, without fee; except that the society may collect a fee for admission to historic sites or buildings acquired by the society elsewhere in the state, or for admission to defray the cost of special exhibits in its headquarters building or buildings of documents, objects or other materials not part of the society's regular collections but brought in on loans from other sources for such special exhibitions.

(6) To thoroughly catalogue the entire collections of said society for the more convenient reference of all persons who have occasion to consult the same.

(7) To loan, in its discretion, for such periods and under such rules and restrictions as it may adopt, to libraries, educational institutions and other organizations or to private individuals in good standing, such books, pamphlets, museum objects, or other materials that if lost or destroyed could easily and without much expense be replaced. No work on

genealogy, no newspaper file, or book, map, chart, document, manuscript, pamphlet or other material whatsoever of a rare nature shall be permitted to be sent out from the library except on interlibrary loan to a research library under regulations safeguarding the materials during transit and while in use.

(8) To bind except when microfilmed the unbound books, documents, manuscripts, pamphlets, and especially newspaper files in its possession. [1945 c. 60; 1947 c. 56, 131, 601]

44.03 Local societies. Local societies without capital stock may be incorporated for any purposes mentioned in section 44.02, and as auxiliaries to the state historical society, to gather and preserve the books, documents and artifacts relating to the history of their region or locality. No fees shall be charged by any register of deeds for recording nor by the secretary of state for filing the articles of organization or any amendments thereto, or for a certificate of incorporation of any such society. [1947 c. 47]

44.04 Acceptance of provisions of law. The organizations in this state of the military order of the Loyal Legion, the Grand Army of the Republic, the Woman's Relief Corps, the Sons of Veterans, the Sons of the American Revolution, and the Daughters of the American Revolution, and any local society heretofore organized for any of the purposes mentioned in section 44.03, by a resolution passed and a verified copy thereof filed in the office of the secretary of the state historical society may accept the provisions and be entitled to all the benefits of sections 44.03 to 44.07, inclusive. Any such auxiliary society shall be a member and entitled to one vote in any general meeting of the state historical society.

44.05 Report of state society. Any such auxiliary society may make a report of its work annually to said state historical society, which, or portions or a synopsis thereof, may be included in the publications of said state society, and upon application of any auxiliary society the state society may become, in behalf of the state, the custodian of the records and collections of such auxiliary society. [1947 c. 48]

44.06 Articles of organization. The state historical society, for the purpose of establishing uniformity in organization and methods of work, may prepare and furnish uniform articles of organization and by-laws to any such auxiliary society, but such auxiliary may adopt, from time to time, such additional by-laws as it may desire.

44.07 Meetings. The state historical society may provide for annual or other meetings of officers or representatives of such auxiliary societies at times and places to be fixed by its secretary, or by such officers or representatives, and the proceedings of such meetings, or such portions thereof as its secretary may select, may be included in its published reports. Each auxiliary society shall receive a copy of each of the publications of said state society on the same terms as those granted to life members of the state society. [1947 c. 57]

44.08 Records of state officers. (1) For the purpose of the permanent preservation of important state records and to provide an orderly method for the disposition of other state records, there shall be established under the state historical society of Wisconsin a permanent committee on public records, to consist of the director of the said state historical society, the attorney-general, and the state auditor, or their designated representatives. This committee shall pass upon the requests of the state departments or other agencies for the reproduction by microfilm or other process or for the destruction or other disposition of such records, and shall have power to order the destruction, reproduction, temporary or permanent retention, and disposition of the public records of any department or agency of the state, and shall be specifically required to safeguard the legal, financial and historical interests of the state in such records.

(2) Public records for the purposes of this section are defined as all records, documents, correspondence, original papers, files, manuscripts or other materials bearing upon the activities and functions of the department or agency or its officers or employes.

(3) To secure the destruction or other disposition of noncurrent public records, the head of any department or agency or his designated representative shall forward to the committee an inventory of the records involved, certifying that in so far as his department or agency is concerned the records may be destroyed immediately or at some specified future date. Such records shall be open at all times to inspection by the members of the committee or their designated representatives. The committee shall pass on all such requests and may order such destruction or other disposition as may be dictated by the historical, financial and legal value of the records involved. No public records may be destroyed without the written approval of the originating office or its legal successor and the written approval of the committee on public records, any and all contrary provisions of law notwithstanding.

(4) To secure the reproduction of noncurrent records, the head of any department or agency or his designated representative shall ask the committee on public records for ap-

proval of such reproduction. All such microfilming or other reproduction shall be handled by the bureau of purchases or its designated agents and paid for out of the appropriation of the originating department or agency. This shall not be construed to interfere with the microfilming or other reproduction of current records or materials so microfilmed or otherwise reproduced in the ordinary operations of any department or agency, but no original records current or noncurrent shall be destroyed after microfilming or other reproduction without the permission of the committee on public records.

(5) The state historical society, as trustee for the state, shall be the ultimate depository of the archives of the state, and the committee on public records may transfer to the said society such original records and reproductions as it may deem proper. [1947 c. 316]

44.09 Accessioning state records; certified copies. Said state historical society is hereby required, as soon as practicable, adequately and conveniently to classify and arrange such state records or other official materials as may be transferred to its care, for permanent preservation under the provisions of section 44.08, and to keep the same accessible to all persons interested, under such proper and reasonable regulations as may be found advisable. Copies therefrom shall, on application of any citizen of Wisconsin interested therein, be made and certified by the director of said historical society, or his authorized representative in charge, which certification shall have all the force and effect as if made by the official originally in charge of them. [1947 c. 316]

44.10 Custodian of governors' portraits. The state historical society is designated the custodian of the painted portraits of the former governors of Wisconsin and it shall maintain such portraits in proper condition. The society may permit any or all of such portraits to be exhibited in such state buildings for such periods of time as it may deem feasible. [1947 c. 317]