

State Procurement Manual

DOA-3449 N(R06/94) Formerly AD-P-12

		Number PRO-J-1
		Effective 4-14-10
Section PRINTING	Agencies Affected ALL	Replaces 4-1-02
Title PRINTING DEFINITION		Page 1 of 4

AUTHORITY: [Wis. Stats.](#) 16.75
16.82(4)
[35.001](#)
35.01
35.012
35.015

[Wis. Constitution](#), Article IV, Section 25

SCOPE:

- to clarify the definition of printing in Article IV, Section 25 of the Wis. Constitution and s. [35.001](#), Wis. Stats.
- to determine which products and commodities are covered by purchasing laws specific to printed products, and which are excluded from those laws
- to describe exemptions from the printing laws described in s. 35.015, Wis. Stats., and how to process exceptions to the laws

CONTENT: I. Clarification of s. [35.001](#), Wis. Stats.

A. Section [35.001](#) states, “[printing includes all public printing by means of graphic reproduction by whatever process and the necessary materials and binding.](#)” That statement is interpreted to include graphic reproduction by all processes, including the traditional graphic arts processes of offset lithography, letterpress, intaglio and flexography. The interpretation also includes processes not invented at the time the statute was drafted, including xerographic and digital color reproduction processes, and any processes yet to be invented.

|| B. The phrase “necessary materials and binding” is interpreted to mean all the materials and binding required in a continuous production process resulting in a printed product. Materials purchased separately as supply inventory to produce printed materials at a later date are not included in the definition of printing, and can be purchased using purchasing processes in place for other commodities, as defined in Chapter 16. For example, the purchase of printing plates, film processing chemistry or paper would be made using Chapter 16 law rather than printing law in Chapter 35.

C. If binding is purchased separately from the printing process, as in the case of library binding or rebinding, that purchase can be made using purchasing processes in place for other commodities, as defined in Chapter 16.

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D. Graphic design services are obtained under Chapter 16 purchasing law. The graphic designer's work under Chapter 16 is completed when final artwork has been accepted. From that point forward, all purchases will be made under Chapter 35, including all preparatory (pre-press) work required for that product.

II. Exclusions from s. 35.01, Wis. Stats.

- A. Some products that normally would be purchased under Chapter 16 purchasing laws may appear to be printing commodities because a graphic image or imprint appears on the product. While a graphic reproduction process is involved in the final manufacturing process of that product, the definition of printing in s. 35.01 does not apply to a product that has value or usefulness prior to or apart from the imprinting. If the product is useful without the imprint, it should be purchased under the laws of Chapter 16. For example, an imprinted pen may be purchased as a pen since its usefulness as a pen exists apart from the imprint.
- B. Examples of commodities that have value apart from the added imprinting, and consequently are excluded from the s. 35.01 definition of printing, include:
1. Vinyl, cloth or plastic ring binders
 2. Cups, dishes and other dinnerware
 3. Pens, pencils, rulers and other office supplies, with the exception of paper products
 4. Printed garments, such as, sportswear, tee shirts, uniforms and caps
- C. Some commodities are purchased in limited quantities, require customized manufacturing methods or are on substrates other than traditional printing substrates. These are excluded from the s. 35.01 definition and should be purchased using Chapter 16 laws. Examples include:
1. Road signs, hallway signs and other directional aids
 2. Cloth, plastic or vinyl banners, billboards, flags and bunting

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III. Exemptions from s. 35.01, Wis. Stats.

Section 35.015 lists three types of printing that are exempt from printing laws in Chapter 35. This section is to clarify definitions for the three exemptions.

- A. Section 35.015 (1): Printing funded by student fees will include printing funded from student segregated fees, which includes printing purchased from accounts that support student activities within or under the authority of student government. This exemption does not include printing funded by tuition or other program revenue fee assessments.
- B. Section 35.015 (2): Any printing for a single job which the department determines may be printed at a cost less than \$50,
- other than stationery required for the use of the state,
 - printing authorized and required by the legislature to be done for its use, or
 - printing authorized and required by law to be done for the state,
- is not subject to this chapter.
- C. Section 35.015 (3): Any printing obtained from another agency, including printing from Badger State Industries, is excluded from Chapter 35 law. These purchases are indicated on orders as interagency purchases and coded as type 4 as described in [PRO-E-1](#), Purchase Order. Purchases from Badger State Industries will follow procedures described in [PRO-C-33](#), Procurement from Badger State Industries.

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IV. Out of headquarter city exceptions

On certain occasions, a staff member may be out of the headquarter city and be required to make convenience photocopies at unplanned or inconvenient times. In those cases, a printing manager may approve for payment those printing expenses upon presentation of a dated receipt that shows the inconvenient time or date. The individual must obtain and document competitive pricing from at least three sources. These incidental expenses may not require the issuance of a purchase order, at the discretion of the agency.

Authorized:



Helen McCain, Director
State Bureau of Procurement