

DEPARTMENT OF ADMINISTRATION

Chapter Adm 2

USE OF STATE BUILDINGS AND FACILITIES

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Adm 2.01 Managing authority. The managing authority, as defined in s. 16.845, Stats., of the several state office buildings shall be the department of administration as provided in s. 16.84 (1), Stats. The department of administration, when lessee, shall be the managing authority of properties leased or rented by the state of Wisconsin.

History: Cr. Register, February, 1968, No. 146, eff. 3-1-68.

Adm 2.02 Designation of state office buildings and facilities. (1) The following buildings and facilities are hereby designated as state office buildings and facilities for the purpose of use management under these rules:

- (a) State capitol building, except those rooms reserved by the legislature.
- (b) State capitol park.
- (c) Wilson street state office building and grounds.
- (d) Hill Farms state office building complex and grounds.
- (e) Milwaukee district state office building and grounds.
- (f) Eau Claire district state office building and grounds.
- (g) La Crosse district state office building and grounds.
- (h) Wisconsin Rapids district state office building and grounds.
- (i) Such other buildings and facilities hereafter constructed, purchased, or acquired by the state including lands and structures acquired for site development, when said buildings, facilities, and lands are under the managing authority of the department of administration.

(2) Real properties leased or rented by the state of Wisconsin with the department of administration as lessee and agent are hereby designated as state office buildings and facilities for the purpose of use management under sections Adm 2.01, 2.03, 2.05, 2.06, 2.08, 2.09, 2.10, 2.11, 2.12, (2), 2.13, and 2.14 of these rules only.

(3) The executive residence and grounds, 99 Cambridge Road, Village of Maple Bluff, (post office: Madison) Wisconsin, is hereby designated as a state building for the purpose of use management under these rules. The prime use of this building and grounds is as a private residence for the governor of Wisconsin and the managing authority shall permit only

such public utilization which does not encroach upon the privacy of a residence, and shall permit such utilization only with the consent of the governor.

History: Cr. Register, February, 1968, No. 146, eff. 3-1-68; cr. (1) (i) and (3), Register, October, 1969, No. 166, eff. 11-1-69.

Adm 2.03 Definitions. As used in Wis. Adm. Code sections Adm 2.01 to 2.14 the following terms shall mean:

(1) The words "graphic or artistic material" includes the broadest interpretation of all items introduced to inform, educate, advertise, promote, identify, or decorate.

(2) The words "commercial enterprise" include any effort directed at personal or corporate gain, and includes any sales or solicitation to sell which do not have the approval of the department of administration.

(3) The words "political activity" include activities of partisan and nonpartisan candidates, political organizations and political parties.

(4) The words "tenant agency" include all boards, commissions, departments, or bodies connected with state government housed in a state office building or facility, or in property leased or rented by the department of administration.

History: Cr. Register, February, 1968, No. 146, eff. 3-1-68.

Adm 2.04 Public meetings. (1) The department of administration as managing authority of the several state office buildings and facilities may permit the same to be used by any governmental body or official, or any nonprofit, fraternal, religious, or veterans' organization for the purpose of governmental business, public meetings for the free discussion of public questions, or for activities of a broad public purpose if such use:

(a) Does not interfere with the prime use of the building or facility.

(b) Does not unduly burden the managing authority.

(c) Is not a hazard to the safety of the public or state employees; nor detrimental to the building or facility.

(d) Does not expose the state to the likelihood of expenses and/or damages which cannot be recovered.

(e) And is appropriate to the physical context of the building or facility.

(2) The applicant for such use shall make written request to the department of administration at least 24 hours in advance of the anticipated utilization of the building or facility. See also section Adm 2.04 (7) below. In the event of a conflict of requests by 2 or more organizations, the department of administration shall have full discretion.

(3) The applicant for such use shall be liable to the state for any injury done to its property and for any expense arising out of such use, and for such sum as the department of administration may charge for such use as provided in s. 16.845, Stats.

(4) The applicant may charge a reasonable admission fee to the public, said fee subject to the approval and pursuant to the conditions of the department of administration.

(5) There shall be no discrimination because of race, religion, color, national origin, or sex in the utilization of state office buildings and facilities for government business, public meetings for free discussion of public questions, or for civic activities.

(6) The utilization of state office buildings and facilities by an organization shall not imply endorsement, approval, or approbation by the state of Wisconsin or the department of administration, nor the extension of special privilege. Likewise the refusal by the department of administration to permit use of a state office building or facility shall not be interpreted as disapproval or censure of any organization, but shall be for reasons as set forth in section Adm 2.04 (1) (a) through (e) above.

(7) The granting of permission to use a state office building or facility does not obligate the department of administration to furnish the applicant any service or utilities, or render any support with personnel, equipment, or supplies. The department of administration may furnish such assistance and may charge for any expense arising out of the use of a building or facility. The department of administration reserves the right to inspect any equipment or apparatus brought in for a public meeting, event, or activity; and to limit or prohibit the use of such items which might affect safety or the normal operation of the building.

History: Cr. Register, February, 1968, No. 146, eff. 8-1-68.

Adm 2.05 Personal solicitation. (1) No person shall solicit contributions for charitable or nonprofit organizations within the state office buildings and facilities, upon the grounds thereof, or within state capitol park without prior notification to the department of administration.

(2) No person shall solicit to sell or consummate sale of any merchandise or service within the state office buildings and facilities, upon the grounds thereof, or within state capitol park without the express written approval of the department of administration and the tenant agency.

History: Cr. Register, February, 1968, No. 146, eff. 3-1-68.

Adm 2.06 Handbills, literature, etc. (1) No handbills, literature, promotional materials or devices which advertise, promote or identify a commercial enterprise shall be distributed within the state office buildings and facilities or on the grounds of state capitol park or the grounds of the state office buildings or facilities without the express written authority of the department of administration.

(2) The littering of any state building, facility, or grounds by the distribution of handbills, literature, promotional materials or devices is prohibited. Regulation of conduct in respect to littering shall be under the provision of s. 16.84 (2), Stats., and the respective anti-litter ordinances of the several municipalities in which state office buildings and facilities are located.

History: Cr. Register, February, 1968, No. 146, eff. 3-1-68.

Adm 2.07 Exterior displays and decorations. (1) **FLAGS.** The United States flag and the flag of the state of Wisconsin shall be the only flags flown, hung, or displayed from any state office building or facility, except as the governor may direct on the occasion of a public reception for a foreign dignitary or flag officer.

(2) **DISPLAYS AND DECORATIONS.** No displays, signs, banners, decorations or any graphic or artistic material may be erected. attached

mounted or displayed on the building proper or the grounds of any state office building or facility without the express written authority of the department of administration. Any graphic or artistic material advertising, promoting, or identifying a commercial enterprise or a political activity is prohibited. Any unauthorized material shall be removed and disposed of by the department of administration.

History: Cr. Register, February, 1968, No. 146, eff. 3-1-68.

Adm 2.08 Interior displays and decorations. (1) No displays, signs, placards, banners or any graphic or artistic material may be erected, attached, mounted, or displayed within any state office building or facility without authorization by the department of administration. Any unauthorized graphic or artistic material shall be removed and disposed of by the department of administration.

(2) The use of stickers or labels, cellophane pressure sensitive tape, screws, nails or any other mounting technique adversely affecting the structural or decorative integrity of a state office building or facility is prohibited. Where there has been a violation, such material will be immediately removed and the cost of restoration may be charged to the tenant agency.

History: Cr. Register, February, 1968, No. 146, eff. 3-1-68.

Adm 2.09 Hazards. (1) Consistent with the responsibility contained in s. 101.06, Stats., to provide "safe employment and place", the department of administration reserves the right to confiscate and dispose of any hazard to the life, health, safety or welfare of employees or the public; or to correct or eliminate any hazardous situation arising out of action by a tenant agency and to charge the tenant agency for costs incurred; or to order correction or elimination of any hazardous situation or practice by a tenant agency. These hazards include but are not limited to the following:

(a) No tenant agency shall store supplies, goods, or materials in the public corridors of state office buildings, facilities, or leased properties.

(b) No equipment, apparatus, or machines may be introduced into state office buildings, facilities, or leased properties which fail to comply with the code of the industrial safety and buildings division and are not approved by the department of administration.

(c) No personal property may be introduced into state office buildings, facilities, or leased properties if the operation of said property is dependent upon the electrical or other utility service of the building without the approval of the department of administration.

(d) No Christmas trees or Christmas decorations shall be introduced into state office buildings, facilities, or leased properties without the approval of the department of administration.

History: Cr. Register, February, 1968, No. 146, eff. 3-1-68.

Adm 2.10 Leasehold improvements. No tenant shall make leasehold improvements nor introduce alien material or private personal property in a state office building or facility, or in property leased or rented by the department of administration without the express written approval of the managing authority. Leasehold improvements include, but are not limited to, structural changes, modifications, or additions and changes

in lighting, heating and ventilation. Title to approved leasehold improvements shall remain with the managing authority regardless of source of funds. Alien material includes, but is not limited to, drapes, blinds, or other window treatment, floor coverings, etc. Private personal property includes furnishings and furniture not owned by the state.

History: Cr. Register, February, 1968, No. 146, eff. 3-1-68.

Adm 2.11 Furniture and furnishings. Furniture and furnishings purchased from building project funds or department of administration appropriations remain an asset of the building under the direction of the managing authority. Tenant agencies in moving shall take only those items of furniture and equipment purchased from agency funds.

History: Cr. Register, February, 1968, No. 146, eff. 3-1-68.

Adm 2.12 Concessions. (1) The establishment of concession stands and the granting of vending franchises in the several state office buildings and facilities rests with services to the blind, division of public assistance, department of health and social services as specified in s. 47.09, Stats. No other concession stands or vending machines shall be operated in the state office buildings and facilities.

(2) The services to the blind, division of public assistance, department of health and social services shall be tendered the opportunity to establish concession stands and vending franchises under s. 47.08, Stats., in property leased or rented by the department of administration when the lease permits such activity and a need is apparent. If the services to the blind declines the option, the department of administration may negotiate a vending machine franchise with profits, if any, deposited in the general fund.

History: Cr. Register, February, 1968, No. 146, eff. 3-1-68.

Adm 2.13 Rules of conduct. (1) The following definitions shall apply under this section:

(a) "Alcoholic beverages" shall mean fermented malt beverages as defined in s. 66.054 (l) (j), Stats., and intoxicating liquors as defined in s. 176.01 (2), Stats.

(b) "Permit" means written permission from the department of administration specifying that a function or act will be authorized at a given location, date and time in accordance with s. 16.845, Stats.

(2) Pursuant to s. 16.84 (11), Stats., whoever does any of the following shall be fined not more than \$100 or imprisoned not more than 30 days, or both:

(a) Possesses an open container which contains an alcoholic beverage on the grounds or in public areas of those buildings and properties designated in Adm 2.02 (1) and (2).

(b) Consumes alcoholic beverages without a permit on the grounds or in public areas of those buildings and properties designated in Adm 2.02 (1) and (2).

(c) Smokes a cigaret, a pipe or a cigar in a public area in those state buildings designated in Adm 2.02 (1) and (2) which are designated by sign as a no smoking area.

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(d) Enters private offices or nonpublic areas, in those state buildings designated in Adm 2.02 (1) and (2) without authorization.

(e) Engages in conduct otherwise prohibited by this chapter.

History: Cr. Register, February, 1968, No. 146, eff. 3-1-68; r. and recr., Register, May, 1981, No. 305, eff. 6-1-81.

Adm 2.14 Validity. If any provision of these regulations is invalid, or if the application thereof to any person or circumstances is invalid, such invalidity shall not effect other provisions or applications which can be given effect without the invalid provision or application.

History: Cr. Register, February, 1968, No. 146, eff. 3-1-68.

Adm 2.15 Penalties. The penalties for violating these rules and regulations are set forth in the appropriate ordinances of the several municipalities wherein the state office buildings and facilities are located, such authority being defined in s. 16.84 (2) is required by s. 62.09 (13), Stats.; and within the several sections of these rules and regulations setting forth the remedy of confiscation, disposition, and assessment of charges for necessary expenses.

History: Cr. Register, February, 1968, No. 146, eff. 3-1-68.