

CR 82-115

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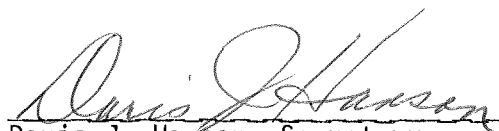
STATE OF WISCONSIN)
)
) SS
DEPARTMENT OF ADMINISTRATION)

MAY 12 1983
10:00 am
Revisor of Statutes
Bureau

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Secretary of the Department of Administration and custodian of the official records do hereby certify that the annexed rules relating to declaration and disposition of surplus state property, were duly approved and adopted by this Department on May 9, 1983. I further certify that this copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand at 101 South Webster Street in the City of Madison, this 9th day of May, 1983.


Doris J. Hanson, Secretary

7-1-83

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ORDER OF THE
DEPARTMENT OF ADMINISTRATION
ADOPTING RULES

Revisor of Statutes
Bureau

Relating to Declaration and Disposition of Surplus State Property.

To create Chapter Adm 11 of the Wisconsin Administrative Code.

Analysis prepared by the Department of Administration:

Section 16.72(4)(b), Stats., authorizes the department of administration to promulgate rules relating to declaration and disposition of surplus state property. The proposed rule outlines the Department's responsibility for declaration and disposition of surplus state property and also for the delegation of that responsibility to state agencies. The proposed rule establishes criteria for declaring state property as surplus and the methods for disposal of surplus state property. The proposed rule is created to ensure regular disposal of surplus state property.


Pursuant to the authority vested in the Department of Administration by ss. 16.004(1) and 16.72(4)(b), Stats., the Department of Administration hereby adopts rules interpreting s. 16.72(4)(b), Stats., as follows:

SECTION 1. Ch. Adm 11.01 through Adm 11.07, of the Wisconsin Administrative Code, relating to the Declaration and Disposition of Surplus State Property are created to read:

(as stated in the material attached hereto)

The rule contained herein shall take effect as provided in s. 227.026(1) (intro.) Stats.

Dated: 5/11/83


Doris J. Hanson, Secretary

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Chapter Adm 11

Adm 11.01 AUTHORITY. Section 16.72(4)(b), Stats., authorizes the department to provide rules for the declaration and disposition of surplus state property.

Adm 11.02 PURPOSE. The purposes of this chapter are as follows: (1) To ensure the regular disposal of state property.

(2) To establish criteria for declaring state property as surplus.

(3) To establish appropriate methods for disposing of surplus state property; and

(4) To provide for the transfer of surplus state property to other agencies.

Adm 11.03 DEFINITIONS. (1) "Department" means the department of administration.

(2) "State property" means all materials, supplies, equipment and other property of a state agency, regardless of value, except real property.

Adm 11.04 PRIMARY RESPONSIBILITY. (1) The department shall approve declaration of and authorize disposal of all state property.

(2) This primary responsibility may be delegated to agencies in writing by the department. Notice of delegation to each agency shall specify what types of state property are included.

Adm 11.05 DECLARATION OF SURPLUS. (1) Each agency shall regularly inspect its state property to determine if any should be declared surplus. State property may be declared surplus for the following reasons:

(a) It is not needed by the agency to carry out program responsibilities in the foreseeable future;

(b) It is obsolete, broken or otherwise not useful to the agency in carrying out the program responsibilities.

(c) It is beyond the date specified for replacement on an established agency replacement schedule, or meets criteria established by the department for disposition; or

(d) It is no longer useable for its intended purpose.

(2) Property may be declared surplus if any state agency reports the property as surplus on the prescribed form to the department. The declaration as surplus by the state agency shall be effective when approved by the department.

Note: Different forms are used for reporting state surplus property depending on the transaction. Copies of the current forms may be obtained by writing to the Department of Administration, Division of Agency Services, P.O. Box 7867, Madison, Wisconsin 53707.

Adm 11.06 METHODS OF DISPOSAL. All surplus state property shall be disposed of by one of seven methods.

(1) Transfer or sale to another state agency. The department shall assist agencies in locating potential users of surplus state property.

(2) Transfer or sale to a municipality, as defined in s. 66.30(1)(a), Stats., other than a state agency.

(3) Sale to the public by one of four methods:

(a) Soliciting competitive bid offers from the public.

(b) Offering to the public at a fixed sale price established by the department by appraisal, market survey or other means.

(c) Offering to the public at the highest competitive price arrived at through public auctions.

(d) Arriving at a negotiated sale price which is determined by open documented negotiation, for example, blue book value.

(4) Trade-in on replacement equipment.

(5) Sale for salvage value.

(6) Scrapping for no value or limited value.

(7) Destruction when security or confidentiality is required, when disposition by any other method might be hazardous to the public, or when attempts to dispose of the property by all other methods have failed.

Adm 11.07 PROCEEDS FROM DISPOSAL. (1) Credit from the disposal of surplus state property, less handling and selling costs, shall be provided to the originating agency, pursuant to s. 16.72(4)(b), Stats.

(2) Agencies to which the sale or trade-in of surplus state property has been delegated, in Adm 11.04(2), shall regularly report all proceeds to the department.

FISCAL ESTIMATE

AD-MBA-23 (Rev. 11/80)

1981 Session

LRB or Bill No./Adm. Rule No.

Adm 11

Amendment No. if Applicable

- ORIGINAL UPDATED
- CORRECTED SUPPLEMENTAL

Subject

Declaration and Disposition of Surplus State Property.

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- Increase Existing Appropriation Increase Existing Revenues
- Decrease Existing Appropriation Decrease Existing Revenues
- Create New Appropriation

- Increase Costs — May Be Possible to Absorb Within Agency's Budget Yes No
- Decrease Costs

Local: No local government costs

- 1. Increase Costs
 Permissive Mandatory
- 2. Decrease Costs
 Permissive Mandatory

- 3. Increase Revenues
 Permissive Mandatory
- 4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:
- Towns Villages Cities
 - Counties Others _____

Fund Sources Affected

- GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

20.505(1)(i)

Assumptions Used in Arriving at Fiscal Estimate

The rules establish criteria for methods of disposal of surplus state property and the distribution of proceeds from disposal. The rules are based on the assumption of status quo on historical basis. It is anticipated no new staff will be required to implement the rules. It is anticipated there will be no local or state fiscal effect.

Long-Range Fiscal Implications

Potentially shifting General Purpose Revenue operation to Program Revenue and supporting the operations from the anticipated higher yields and/or greater benefits to the state agencies.

Agency

Administration

Authorized Signature/Telephone No.

Kenneth E. Lindner

Kenneth E. Lindner, Secretary

Date

5-27-82