



CR 88-34

State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES)

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AUG 10 1988
10:10 am
Revisor of Statutes
Bureau

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Bruce B. Braun, Deputy Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. CA-12-88 was duly approved and adopted by this Department on May 26, 1988. I further certify that said 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 here-
unto set my hand and affixed the
official seal of the Department at
the Natural Resources Building in
the City of Madison, this 8th
day of August, 1988


Bruce B. Braun, Deputy Secretary

(SEAL)

10-1-88

ORDER OF THE STATE OF WISCONSIN
NATURAL RESOURCES BOARD
CREATING RULES

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CA-12-88

.....
IN THE MATTER OF creating s. NR 128.05(5)(w)
of the Wisconsin Administrative Code pertaining
to the ineligibility of costs incurred in
contracts which create an appearance of a
conflict of interest.
.....

Analysis Prepared by Department of Natural Resources

Authorizing statutes: ss. 144.24(2), 144.242(3) and 227.11(2)(a), Stats.
Statutes interpreted: s. 144.24(2) and 144.242(3), Stats.

The proposed addition to s. NR 128.05(5) will identify situations where a conflict of interest may exist and clarify the department's position regarding such conflicts of interest.

SECTION 1. NR 128.05(5)(w) is created to read:

NR 128.05(5)(w) Costs incurred in a contract which creates a real or apparent conflict of interest. An apparent conflict of interest arises when an official or employe of a grantee participates in the selection, awarding or administration of a contract supported by the Wisconsin fund and:

1. The official or employe, the official or employe's spouse or offspring, or the official or employe's partner has a financial interest in the firm selected for the contract; or

2. Any person identified in subd. 1 receives any benefit from the award of the contract, including but not limited to, gratuities, favors and award of any subcontract.

The foregoing rule was approved and adopted by the State of Wisconsin
Natural Resources Board on May 26, 1988.

The rule shall take effect the first day of the month following
publication in the Wisconsin administrative register as provided in
s. 227.22(2)(intro.), Stats.

Dated at Madison, Wisconsin August 8, 1988

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)

2361E
4/22/88



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

August 8, 1988

1020

Mr. Orlan L. Prestegard
Revisor of Statutes
Suite 702
30 W. Mifflin Street

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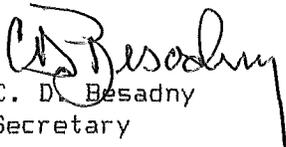
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Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. CA-12-88. These rules were reviewed by the Assembly Committee on Natural Resources and the Senate Committee on Urban Affairs, Energy, Environmental Resources and Elections pursuant to s. 227.19, Stats. A summary of the final regulatory flexibility analysis and comments of the legislative review committees is also enclosed.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,


C. D. Besadny
Secretary

Enc.