



State of Wisconsin
2005 - 2006 LEGISLATURE

LRBs0618/2
RLR:lmk:rs

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2005 SENATE BILL 338**

March 7, 2006 – Offered by COMMITTEE ON COLLEGES AND UNIVERSITIES.

1 **AN ACT** *to create* 165.018 and 946.13 (12) of the statutes; **relating to:** the
2 prohibition against a public officer or employee having a private interest in a
3 public contract.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 165.018 of the statutes is created to read:

5 **165.018 Review of University of Wisconsin System contracts with**
6 **research companies.** (1) The attorney general shall review any contract
7 submitted by the University of Wisconsin System under s. 946.13 (12) (b) 2. b. to
8 determine whether entering into the contract would constitute a violation of s.
9 946.13 (1). The attorney general shall complete the review and, if the attorney
10 general determines that entering into the contract would constitute a violation of s.
11 946.13 (1), notify the University of Wisconsin System of his or her determination
12 within 30 days after the date of submittal. If before the 30-day time period expires,

1 the attorney general notifies the University of Wisconsin System in writing of an
2 extension in the time for review, the date for completing the review and providing
3 notice of a determination, if applicable, is extended to 60 days after the date of
4 submittal.

5 (2) This section does not apply after the date that is 60 months after the
6 effective date of this subsection [revisor inserts date].

7 **SECTION 1.** 946.13 (12) of the statutes is created to read:

8 946.13 (12) (a) In this subsection, “research company” means an entity engaged
9 in commercial activity that is related to research conducted by an employee or officer
10 of the University of Wisconsin System or to a product of such research.

11 (b) Subsection (1) does not apply to a contract between a research company and
12 the University of Wisconsin System or any institution or college campus within the
13 system for purchase of goods or services, including research, if the following apply:

14 1. The contract is approved by a University of Wisconsin System employee or
15 officer responsible for evaluating and managing potential conflicts of interest.

16 2. Either of the following apply:

17 a. The contract together with all other contracts between the same parties
18 require less than \$75,000 in payments over a 24 month period.

19 b. The University of Wisconsin System submits the contract to the attorney
20 general and within the time period provided under s. 165.018 the attorney general
21 does not notify the University of Wisconsin System that entering into the contract
22 would constitute a violation of sub. (1).

23 (c) Paragraphs (a) and (b) apply regardless of the date on which a contract was
24 entered into.

