



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2005 Assembly Bill 788**

**Assembly Amendment 1 and  
Senate Amendment 1**

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*Contact:* Anne Sappenfield, Senior Staff Attorney (267-9485)  
Mary Offerdahl, Staff Attorney (266-2230)

*Assembly Bill 788* requires each state agency to provide to the Ethics Board a list identifying each solicitation for bids or competitive sealed proposals and each proposed order or contract of the agency for which bids or competitive sealed proposals will not be solicited that involves a major expenditure for posting on the Internet. The bill defines “major expenditure” as an expenditure of \$10,000 or more or, if a contract or order is for continuing purchases, an expenditure of \$10,000 or more in the current fiscal biennium. This requirement applies to any office, department, agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the Legislature and the courts.

*Assembly Amendment 1* provides that the requirements of the bill do not apply to solicitations for bids or competitive sealed proposals made by the Investment Board and proposed orders or contracts of the board for which bids or competitive sealed proposals will not be solicited for the following if they have the purpose of assisting the board in making investment decisions: (a) the employment of special legal or investment counsel; (b) agreements or contracts entered into by the board to maintain or repair any building or other structure or premises which it owns in fee or in which it owns a beneficial interest; or (c) the employment of any professional, contractor, or other agent necessary to evaluate or operate any property if a fund managed by the board has an interest in, or is considering purchasing or lending money based upon the value of, that property.

*Senate Amendment 1* amends the language immediately preceding the colon in the previous paragraph by replacing “in making investment decisions” with “with investments.” As a result, the requirements of the bill would not apply to the Investment Board activities described in the previous paragraph if they have the purpose of assisting the board *with investments*.

**Legislative History**

Representative Gard offered Assembly Amendment 1 on November 10, 2005. The Assembly adopted Assembly Amendment 1 on a voice vote and passed Assembly Bill 788, as amended, on a vote of Ayes, 92; Noes, 2; Paired, 2 on November 10, 2005.

Senate Amendment 1 was offered by Senator Stepp. On March 6, 2006, the Senate Committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform recommended adoption of Senate Amendment 1, and concurrence in Assembly Bill 788 as amended, both on votes of Ayes, 5; Noes, 0.

AS:MO:rv