

2003 SENATE BILL 389

January 14, 2004 - Introduced by Senators ROBSON, CARPENTER, CHVALA, HANSEN, LASSA and WIRCH, cosponsored by Representatives POCAN, BERCEAU, BLACK, BOYLE, FREESE, J. LEHMAN, MILLER, PLOUFF, RICHARDS, SCHNEIDER, SINICKI, STASKUNAS, TAYLOR, TURNER, VAN AKKEREN and ZEPNICK. Referred to Committee on Homeland Security, Veterans and Military Affairs and Government Reform.

1 **AN ACT to amend** 16.75 (1) (a) 1.; and **to create** 16.705 (1r) of the statutes;
2 **relating to:** state procurement of contractual services.

Analysis by the Legislative Reference Bureau

With certain exceptions, this bill requires all contractual services purchased by executive branch agencies to be performed within the United States. This requirement does not apply if the contractual services cannot be obtained within the United States.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

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

3 **SECTION 1.** 16.705 (1r) of the statutes is created to read:
4 **16.705 (1r)** (a) Notwithstanding s. 16.75 (2m), (3m), and (6) and except as
5 provided in par. (b) and s. 16.75 (2) (b) and (7), the department and its agents may
6 purchase contractual services only if those services are performed within the United
7 States.

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SECTION 1

(b) Paragraph (a) does not apply to contractual services that are not available to be performed within the United States.

SECTION 2. 16.75 (1) (a) 1. of the statutes, as affected by 2003 Wisconsin Act 33,
is amended to read:

16.75 (1) (a) 1. All orders awarded or contracts made by the department for all materials, supplies, equipment, and contractual services to be provided to any agency, except as otherwise provided in par. (c) and subs. (2), (2g), (2m), (3m), (3t), (6), (7), (8), (9), and (10m) and ss. 16.705 (1r), 16.73 (4) (a), 16.751, 16.754, 16.964 (8), 50.05 (7) (f), 153.05 (2m) (a), and 287.15 (7), shall be awarded to the lowest responsible bidder, taking into consideration life cycle cost estimates under sub. (1m), when appropriate, the location of the agency, the quantities of the articles to be supplied, their conformity with the specifications, and the purposes for which they are required and the date of delivery.

(END)