



State of Wisconsin
2015 – 2016 LEGISLATURE

LRBb0519/1
CMH:wlj

**SENATE AMENDMENT 28,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 21**

July 7, 2015 – Offered by Senators HANSEN, LASSA, CARPENTER, WIRCH, RINGHAND,
BEWLEY, VINEHOUT, MILLER, SHILLING, C. LARSON and HARRIS DODD.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** At the appropriate places, insert all of the following:

3 “**SECTION 1.** 16.754 (2) of the statutes is renumbered 16.754 (2) (a) and amended
4 to read:

5 16.754 (2) (a) Notwithstanding s. 16.75 (1) (a) 2., (2), (2m) and (6), when all
6 ~~other factors are substantially equal~~ making purchases, the state shall purchase
7 materials which are manufactured to the greatest extent in the United States.

8 **SECTION 2.** 16.754 (2) (b) of the statutes is created to read:

9 16.754 (2) (b) Any contract entered into by the state for the construction, repair,
10 or modification of a public works or public improvement project must contain a
11 provision that the contractor will use materials that are manufactured in the United
12 States in the performance of the contract.

1 **SECTION 3.** 16.754 (3) (intro.) and (a) of the statutes are amended to read:

2 16.754 (3) EXEMPTIONS. (intro.) Subsection (2) (a) does not apply if the
3 materials are purchased for the purpose of commercial resale or for the purpose of
4 use in the production of goods for commercial sale. Subsection (2) does not apply to
5 the purchase of stationery and printing materials. ~~Subsection (2) does not apply if~~
6 ~~the department determines, under s. 16.75 (1) (a) 2., that the foreign nation or~~
7 ~~subdivision thereof in which the vendor is domiciled does not give preference to~~
8 ~~vendors domiciled in that nation or subdivision in making governmental purchases.~~
9 Subsection (2) does not apply if the department or other person having contracting
10 authority in respect to the purchase determines that any of the following:

11 (a) The materials are not manufactured in the United States in sufficient or
12 reasonably available quantities; ~~or,~~

13 **SECTION 4.** 66.0901 (1m) (b) of the statutes is amended to read:

14 66.0901 (1m) (b) Except when necessary to secure federal aid and except as
15 provided in sub. (10), a political subdivision may not use a bidding method that gives
16 preference based on the geographic location of the bidder or that uses criteria other
17 than the lowest responsible bidder in awarding a contract.

18 **SECTION 5.** 66.0901 (10) of the statutes is created to read:

19 66.0901 (10) MATERIALS MANUFACTURED IN THE UNITED STATES. Any public
20 contract entered into by a municipality must contain a provision that the contractor
21 will use materials that are manufactured in the United States in the performance
22 of the contract.

23 **SECTION 9352. Initial applicability; Other.**

24 (1) MATERIALS MANUFACTURED IN THE UNITED STATES. The treatment of sections
25 16.754 (3) (intro.) and (a) and 66.0901 (1m) (b) and (10) of the statutes, the

renumbering and amendment of section 16.754 (2) of the statutes, and the creation
of section 16.754 (2) (b) of the statutes first apply to contracts entered into in the fiscal
year that begins in the year after this subsection takes effect.”.

(END)