

2011 DRAFTING REQUEST

Bill

Received: **03/03/2011**

Received By: **chanaman**

Wanted: **As time permits**

Companion to LRB:

For: **Spencer Coggs (608) 266-2500**

By/Representing: **Dave de Felice**

May Contact:

Drafter: **chanaman**

Subject: **State Govt - procurement**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Coggs@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Change minority business goal of 5 percent to 7 percent

Instructions:

See attached-- 09-1440/3

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	chanaman 03/03/2011	csicilia 03/16/2011		_____			State
/1			jfrantze 03/16/2011	_____	mbarman 03/16/2011	ggodwin 08/08/2011	

FE Sent For:

At Intro

<END>

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/?	chanaman						
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1 cjs 3/16
||
J 3/16

FE Sent For:

<END>



State of Wisconsin
2009 - 2010 LEGISLATURE

from '09 draft
-1587/1
LRB-1440/3
CMH:ph
gjs

skw

2009 BILL

Repeal

1 AN ACT to amend 16.75 (3m) (b) and 16.855 (10m) (a) of the statutes; relating
2 to: preferences for minority-owned businesses in state procurement.

Analysis by the Legislative Reference Bureau

Currently, minority-owned businesses that are certified by the Department of Commerce receive certain preferences in governmental procurement. State agencies must attempt to ensure that 5 percent of the total amount expended for state procurements in each fiscal year is paid to minority-owned businesses. This bill increases the percentage to 7 percent of the total amount expended for state procurements in each fiscal year. ✓

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. 16.75 (3m) (b) of the statutes is amended to read:
4 16.75 (3m) (b) The department and any agency making purchases under s.
5 16.74 shall attempt to ensure that ~~5%~~ 7 percent of the total amount expended under
6 this subchapter in each fiscal year is paid to minority businesses. Except as provided

BILL

1 under sub. (7), the department may purchase materials, supplies, equipment, and
 2 contractual services from any minority business submitting a qualified responsible
 3 competitive bid that is no more than 5% higher than the apparent low bid or
 4 competitive proposal that is no more than 5% higher than the most advantageous
 5 offer. In administering the preference for minority businesses established in this
 6 paragraph, the department and any agency making purchases under s. 16.74 shall
 7 maximize the use of minority businesses which are incorporated under ch. 180 or
 8 which have their principal place of business in this state.

9 **SECTION 2.** 16.855 (10m) (a) of the statutes is amended to read:

10 16.855 (10m) (a) In awarding construction contracts the department shall
 11 attempt to ensure that ~~5%~~ 7 percent of the total amount expended in each fiscal year
 12 is awarded to contractors and subcontractors which are minority businesses, as
 13 defined under s. 16.75 (3m) (a). The department may award any contract to a
 14 minority business that submits a qualified responsible bid that is no more than 5%
 15 higher than the apparent low bid.

16 **SECTION 3. Effective date.**

17 (1) This act takes effect on July 1, ~~2011~~.

18 (END)

both 2012

INS 2-16
INS A

**2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1587/lins
CMH:.....

1 Insert 2-16 ✓

2 **SECTION 1.** 16.75 (3m) (b) 1. of the statutes is amended to read:

3 16.75 (**3m**) (b) 1. The department and any agency making purchases under s.
4 16.74 shall attempt to ensure that ~~5~~ 7 percent of the total amount expended under
5 this subchapter in each fiscal year is paid to minority businesses.

History: 1975 c. 224; 1977 c. 418, 419; 1979 c. 34, 221, 314, 340, 355; 1979 c. 361 s. 112; 1981 c. 121 s. 20; 1983 a. 27 ss. 91, 93 to 99; 1983 a. 333 ss. 3g, 3r to 4b, 6; 1983 a. 368, 390; 1985 a. 29 ss. 122m to 124, 3200 (1); 1985 a. 180; 1987 a. 27, 119, 142, 147, 186, 399, 403; 1989 a. 31, 335, 345, 359; 1991 a. 39, 170; 1993 a. 16, 414; 1995 a. 27 ss. 368 to 382, 9116 (5); 1995 a. 225, 227, 244, 289, 432; 1997 a. 3; 1999 a. 9, 44, 197; 2001 a. 16, 38; 2003 a. 33; 2005 a. 22, 25, 74, 141, 335; 2007 a. 20 ss. 102 to 103h, 9121 (6) (a); 2007 a. 97; 2009 a. 136, 180, 299; s. 13.92 (1) (bm) 2.

6 **SECTION 2.** 16.855 (10m) (am) 1. of the statutes is amended to read: ✓

7 16.855 (**10m**) (am) 1. In awarding construction contracts the department shall
8 attempt to ensure that ~~5~~ 7 percent of the total amount expended in each fiscal year
9 is awarded to contractors and subcontractors which are minority businesses, as
10 defined under s. 16.75 (3m) (a) 4.

History: 1971 c. 125; 1973 c. 47; 1975 c. 39, 199, 390; 1977 c. 418; 1979 c. 34; 1981 c. 20; 1983 a. 27 ss. 104g to 105, 2202 (1); 1983 a. 390 s. 6; 1985 a. 29; 1985 a. 332 s. 251 (1); 1987 a. 27, 292; 1989 a. 31; 1991 a. 39, 316; 1995 a. 27 ss. 400p, 9126 (19); 1995 a. 227; 1997 a. 27, 306; 1999 a. 150 s. 672; 1999 a. 197; 2001 a. 103; 2003 a. 33, 157; 2005 a. 141, 391; 2007 a. 20 s. 9121 (6) (a); 2009 a. 299; s. 13.92 (1) (bm) 2.

**2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1587/lins
CMH:.....

1 Insert A

2 **SECTION 1.** 16.87 (2) (b) of the statutes is amended to read:

3 16.87 (2) (b) The department shall attempt to ensure that ~~5~~ 7 percent of the
4 total amount expended under this section in each fiscal year is paid to minority
5 businesses, as defined in s. 16.75 (3m) (a) 4.

History: 1973 c. 90; 1975 c. 39, 199; 1977 c. 418; 1979 c. 221 ss. 68, 81, 82; 1983 a. 27; 1983 a. 390 s. 6; 1985 a. 29 s. 3202 (1); 1989 a. 31; 1991 a. 39; 1995 a. 227; 1999 a. 197; 2001 a. 16; 2005 a. 391; 2009 a. 299; s. 13.92 (1) (bm) 2.

6 **SECTION 2.** 23.41 (6) of the statutes is amended to read:

7 23.41 (6) The department shall attempt to ensure that at least ~~5%~~ 7 percent
8 of the total amount expended under this section in each fiscal year is paid to minority
9 businesses, as defined in s. 16.75 (3m) (a) 4.

History: 1989 a. 31, 359; 1991 a. 39; 1995 a. 227; 1997 a. 27; 2001 a. 16; 2005 a. 410; 2009 a. 299.

Godwin, Gigi

From: Godwin, Gigi
Sent: Monday, August 08, 2011 2:08 PM
To: de Felice, David Patrick
Subject: RE: Request for stripes

I will take care of it. Thanks, Gigi

Gigi Godwin, Program Assistant
State of Wisconsin - Legislative Reference Bureau
1 East Main Street, Suite 200
Madison, WI 53703
(608) 266-3561
Gigi.Godwin@legis.wisconsin.gov

From: de Felice, David Patrick
Sent: Monday, August 08, 2011 2:05 PM
To: Godwin, Gigi
Subject: RE: Request for stripes

Yes, I'd like them jacketed. Today or tomorrow is fine.

Thanks,

Dave de Felice
Office of Sen. Spencer Coggs
608-266-2500

From: Godwin, Gigi
Sent: Monday, August 08, 2011 2:05 PM
To: de Felice, David Patrick
Subject: RE: Request for stripes

Hi Dave. Just to make sure I am on the same page, you'd like these drafts jacketed? And if so, would you like them today.
Thanks much, Gigi

Gigi Godwin, Program Assistant
State of Wisconsin - Legislative Reference Bureau
1 East Main Street, Suite 200
Madison, WI 53703
(608) 266-3561
Gigi.Godwin@legis.wisconsin.gov

From: de Felice, David Patrick
Sent: Monday, August 08, 2011 2:02 PM
To: LRB.Legal
Subject: Request for stripes

Please send the stripes for these LRBs to the office.

Thank you,

Dave de Felice

Office of Sen. Spencer Coggs
608-266-2500

DNA: Enhanced penalties LRB1569

DNA: Sheriff collects LRB 1570

Firearms background checks: LRB 1571

Voting - Challenged ballots: LRB 1572

Minority procurement: LRB 1587

Voter ID - Free birth certificates: LRB 2327