



WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

Memo No. 1

TO: MEMBERS OF THE SPECIAL COMMITTEE ON AFFIRMATIVE ACTION

FROM: Mary Matthias, Senior Staff Attorney and Scott Grosz, Staff Attorney

RE: Summary of Additional Material in WLC: 0110/2, WLC: 0112/2, and WLC: 0116/2

DATE: June 1, 2007

This Memo, prepared at the request of Chairperson Grothman, describes the differences between the initial and revised versions of three bill drafts. The drafts were revised at the request of Chairperson Grothman and will replace the initial versions of the drafts on the committee's June 4, 2007 meeting agenda. Please note that, pursuant to customary drafting convention, the revised versions are demarcated by the "/2", as opposed to "/1" following the WLC number in the upper right hand corner of the first page of the draft.

WLC: 0110/2, relating to certification and recognition of businesses, financial advisers, and investment firms as minority businesses, minority financial advisers, and minority investment firms (Net Worth Limitation)

In addition to the material in WLC: 0110/1, WLC: 0110/2 does the following:

- Extends the net worth limitation of WLC: 0110/1 to any minority contracting or hiring program of a city, village, town, school district, and county (local governmental unit).
- Provides that the net worth limitation would not apply to a minority contracting or hiring program of a local governmental unit if its application would cause a loss of federal funding.

WLC: 0112/2, relating to affirmative action practices in state and local government contracting and state and local government hiring, and the consideration of race or ethnicity in the University of Wisconsin System and by the higher educational aids board (Citizenship Requirement)

In comparison to WLC: 0112/1, WLC: 0112/2 does the following:

- Amends the definitions of a minority business, minority financial adviser, and minority investment firm to include only entities that are owned, controlled, and actively managed by a minority group member or members who are U.S. citizens. Under current law and WLC: 0112/1, persons lawfully admitted to the United States for permanent residence, as defined under 8 U.S.C. s. 1101 (a) (20), are also included in the definition.
- Revises the citizenship requirements of WLC: 0112/1 to limit the consideration of race or ethnicity to persons who are U.S. citizens.
- Creates a U.S. citizenship requirement for any affirmative action contracting or hiring program of a city, village, town, school district, and county (local governmental unit). The citizenship requirement would not apply to an affirmative action program of a local governmental unit to the extent that its application would cause a loss of federal funding.

WLC: 0116/2, relating to affirmative action practices in state and local government contracting and state and local government hiring, and the consideration of race or ethnicity in the University of Wisconsin System and by the higher educational aids board (25% Heritage Requirement)

In addition to the material in WLC: 0116/1, WLC: 0116/2 does the following:

- Extends the 25% heritage requirement of WLC: 0112/1 to any minority contracting or hiring program of a city, village, town, school district, and county (local governmental unit).
- Provides that the 25% heritage requirement would not apply to a minority contracting or hiring program of a local governmental unit if its application would cause a loss of federal funding.

MM:SG:ty