

State of Wisconsin



2005 Senate Bill 515

Date of enactment: **April 19, 2006**

Date of publication*: **May 2, 2006**

2005 WISCONSIN ACT 358

AN ACT to renumber 560.035; to amend 560.035 (title); and to create 20.143 (1) (gr) and 560.035 (1) of the statutes; relating to: certification of woman-owned businesses, providing an exemption from emergency rule procedures, granting rule-making authority, and making an appropriation.

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

SECTION 1. 20.143 (1) (gr) of the statutes is created to read:

20.143 (1) (gr) *Woman-owned business certification processing fees.* All moneys received from processing fees collected under s. 560.035 (1) (bm), for the costs of certifying woman-owned businesses under s. 560.035 (1).

SECTION 2. 560.035 (title) of the statutes is amended to read:

560.035 (title) Database of women's Woman-owned businesses; certification; database.

SECTION 3. 560.035 of the statutes is renumbered 560.035 (2).

SECTION 4. 560.035 (1) of the statutes is created to read:

560.035 (1) (a) In this subsection, "woman-owned business" means a sole proprietorship, partnership, limited liability company, joint venture, or corporation that fulfills all of the following requirements:

1. It is at least 51 percent owned, controlled, and actively managed by a woman.
2. It is currently performing a useful business function in this state.

(b) The department shall implement a program for the certification of woman-owned businesses. The department shall compile and periodically update a list of businesses certified under this section and shall make the list available to the public on the Internet.

(bm) The department may charge an applicant for certification under this subsection a processing fee of not more than \$50.

(c) The department shall promulgate rules necessary to implement this subsection.

SECTION 5. Nonstatutory provisions.

(1) (a) Using the procedure under section 227.24 of the statutes, the department of commerce shall promulgate the rules required under section 560.035 (1) (c) of the statutes, as created by this act, for the period before the effective date of the permanent rules required under section 560.035 (1) (c) of the statutes, as created by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, emergency rules promulgated under this paragraph remain in effect until the first day of the 10th month beginning after the effective date of this paragraph or the date on which permanent rules take effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this paragraph is necessary for the preservation of the public peace, health,

* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

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safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this paragraph.

(b) The department of commerce shall submit in proposed form the rules required under section 560.035 (1)

(c) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than the first day of the 6th month beginning after the effective date of this paragraph.
