

**2005 DRAFTING REQUEST**

**Bill**

Received: 12/17/2004

Received By: gmalaise

Wanted: As time permits

Identical to LRB:

For: Administration-Budget 4-8259

By/Representing: Hummert

This file may be shown to any legislator: NO

Drafter: gmalaise

May Contact:

Addl. Drafters:

Subject: **Employ Priv - prevailing wage**

Extra Copies:

Submit via email: YES

Requester's email:

Carbon copy (CC:) to:

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**Pre Topic:**

DOA:.....Hummert, BB0318 -

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**Topic:**

Prevailing wage records

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**Instructions:**

See Attached--require contractors, subcontractors, and agents performing work on a project that is subject to the prevailing wage law, other than a state highway project, to submit, on a weekly basis, records of hours worked and wages paid to the state agency or local governmental unit authorizing the work.

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**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>
/?	gmalaise 12/18/2004	jdyer 12/20/2004		_____			S&L
/1			chaugen 12/20/2004	_____	lnorthro 12/20/2004		

FE Sent For:

<END>

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/?	gmalaise	1/20 jld	ch 12-20	ch 12-20 pjt			

FE Sent For:

<END>

## 2005-07 Budget Bill Statutory Language Drafting Request

- Topic: Prevailing Wage Law
- Tracking Code: BB0318
- SBO team: Education
- SBO analyst: Josh Hummert
  - Phone: 4-8259
  - Email: joshua.hummert@doa.state.wi.us
- Agency acronym: DWD
- Agency number: 445

**CORRESPONDENCE MEMORANDUM**

**STATE OF WISCONSIN**  
**Department of Administration**

**Date:** December 14, 2004

**To:** Steve Miller  
Legislative Reference Bureau

**From:** Josh Hummert   
Executive Policy and Budget Analyst

**Subject:** Prevailing Wage Law

Please draft statutory language that would require prime contractors and all sub-contractors who are working on public construction projects subject to the state's prevailing wage law to submit certified time and payroll records on its employees to the project owner on a weekly basis. The project owner would be the governmental entity overseeing the project.

This statutory change should only apply to areas of prevailing wage law enforced by the Division of Workforce Development.

If there are questions or additional information is needed please contact me at 4-8259.

cc: Linda Nelson  
Bob Hanle



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-1305/1  
GMM  
JLD

SOON

DOA:.....Hummert, BB0318 - Prevailing wage records

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

don't gen

1

AN ACT ...; relating to: the budget. ✓

*Analysis by the Legislative Reference Bureau*

**EMPLOYMENT** ✓

Under current law, certain laborers, workers, mechanics, and truck drivers employed on a state or local project of public works must be paid at the rate paid for a majority of the hours worked in the person's trade or occupation in the county in which the project is located (prevailing wage law). ✓ Current law requires each contractor, subcontractor, and contractor's or subcontractor's agent performing work on a project that is subject to the prevailing wage law to keep records indicating the name and trade or occupation of every person performing work that is subject to the prevailing wage law and an accurate record of the number of hours worked by each of those persons and the actual wages paid for those hours worked. This bill requires a contractor, subcontractor, or agent performing work on a project that is subject to the prevailing wage law, other than a state highway project, to submit, on a weekly basis, to the contracting local governmental unit or state agency authorizing the work a certified record indicating for the preceding week the name and trade or occupation of every person performing work that is subject to the prevailing wage law and an accurate record of the number of hours worked by each of those persons and the actual wages paid for those hours worked.

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

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

1           **SECTION 1.** 66.0903 (10) (a) ✓ of the statutes is amended to read:

2           66.0903 (10) (a) Each contractor, subcontractor, ✓ or contractor's or  
3 subcontractor's agent performing work on a project that is subject to this ✓ section  
4 shall keep full and accurate records clearly indicating the name and trade or  
5 occupation of every person performing the work described in sub. (4) and an accurate  
6 record of the number of hours worked by each of those persons and the actual wages  
7 paid for the hours worked. By no later than the end of the week following a week in  
8 which a contractor, subcontractor, or contractor's or subcontractor's agent ✓ performs  
9 work on a project that is subject to this section, ✓ the contractor, subcontractor, or agent  
10 shall submit to the contracting ✓ local governmental unit a certified record of the  
11 information specified in the preceding sentence for that preceding week.

History: 1971 c. 154, 307; 1973 c. 181; 1977 c. 29; 1985 a. 159; 1989 a. 56, 228; 1991 a. 316; 1993 a. 112, 399; 1995 a. 27 ss. 3318, 3319, 9130 (4); 1995 a. 215; 1997 a. 3, 35; 1999 a. 70; 1999 a. 150 s. 335; Stats. 1999 s. 66.0903; 1999 a. 186 ss. 51 to 60.

12           **SECTION 2.** 103.49 (5) (a) ✓ of the statutes is amended to read:

13           103.49 (5) (a) Each contractor, subcontractor, or contractor's or subcontractor's  
14 agent performing work on a project that is subject to this section shall keep full and  
15 accurate records clearly indicating the name and trade or occupation of every person  
16 performing the work described in sub. (2m) and an accurate record of the number of  
17 hours worked by each of those persons and the actual wages paid for the hours  
18 worked. By no later than the end of the week following a week in which a contractor,  
19 subcontractor, or contractor's or subcontractor's agent performs work on a project  
20 that is subject to this section, ✓ the contractor, subcontractor, or agent shall submit to

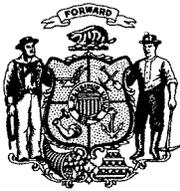
1 the state agency authorizing the work a certified record of the information specified  
2 in the preceding sentence for that preceding week.

History: 1983 a. 27; 1985 a. 159; 1985 a. 332 ss. 141, 142, 253; 1987 a. 403 s. 256; 1989 a. 228; 1993 a. 112; 1995 a. 27, 215, 225; 1997 a. 35; 1999 a. 70; 1999 a. 150 ss. 628, 672; 1999 a. 167; 2001 a. 16, 30.

3 **SECTION 9354. Initial applicability; workforce development.**

4 (1) PREVAILING WAGE RECORDS. The treatment of sections 66.0903 (10) (a) and  
5 103.49 (5) (a) of the statutes first applies to work performed on the effective date of  
6 this subsection, except that, if that worked is performed under a contract that  
7 contains provisions that are inconsistent with those sections, the treatment of those  
8 sections first applies to work performed on the day on which that contract expires or  
9 is extended, modified, or renewed.

10 (END)



DOA:.....Hummert, BB0318 - Prevailing wage records

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

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*Analysis by the Legislative Reference Bureau*

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10 (END)