

**2001 DRAFTING REQUEST**

**Bill**

Received: **01/15/2001**

Received By: **nelsorp1**

Wanted: **As time permits**

Identical to LRB:

For: **Scott Walker (608) 266-9180**

By/Representing: **Melissa Gilbert**

This file may be shown to any legislator: **NO**

Drafter: **nelsorp1**

May Contact:

Alt. Drafters:

Subject: **Correctional System - prisons**

Extra Copies:

**Pre Topic:**

No specific pre topic given

**Topic:**

Lease and operation of correctional institution

**Instructions:**

See Attached 99-3712, AB 544

**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>
/1	nelsorp1 01/18/2001		martykr 01/19/2001	_____	lrb_docadmin 01/19/2001	lrb_docadminState 01/22/2001	

FE Sent For:

<END>

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*MGD*

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/1	nelsorp1 01/18/2001		martykr 01/19/2001		lrb_docadmin 01/19/2001		State

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Alt. Drafters:

Subject: **Correctional System - prisons**

Extra Copies: *1460*

**Pre Topic:**

No specific pre topic given

**Topic:**

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**Instructions:**

See Attached 99-3712, AB 544

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1?	nelsorp1	<i>1/18 jld</i>	<i>[Signature] 1-18-01 jrm/19</i>	<i>25 KRM/19</i>			

FE Sent For:

<END>

**Nelson, Robert P.**

---

**From:** Gilbert, Melissa  
**Sent:** Friday, January 12, 2001 4:54 PM  
**To:** Nelson, Robert P.  
**Subject:** FW: bill redrafts

Hey Bob,

Just wanted to let you know that we do want AB 544 drafted as engrossed by the Assembly last session (we passed Amends. 1 and 4). We need this bill back as soon as possible.

Thanks much!

-----Original Message-----

**From:** Gilbert, Melissa  
**Sent:** Friday, January 12, 2001 1:41 PM  
**To:** Nelson, Robert P.  
**Subject:** bill redrafts

Hi Bob,

Scott would like AB 544 (priority)  redrafted from last session

Thanks much!

**Melissa Gilbert**  
**Research Assistant**  
**Office of Rep. Scott Walker**

**Nelson, Robert P.**

---

**From:** Miller, Steve  
**Sent:** Tuesday, January 16, 2001 5:33 PM  
**To:** Nelson, Robert P.  
**Subject:** FW:

Bob, Please call me. SRM

-----Original Message-----

**From:** Pirlot, R.J.  
**Sent:** Tuesday, January 16, 2001 5:23 PM  
**To:** Miller, Steve  
**Cc:** Healy, Brett  
**Subject:**

Steve,

Walker requested a bill relating to the Stanley prison, to be drafted by Bob Nelson. The Speaker would like Walker to hold a hearing on the bill in January and, as such, would appreciate it if Walker would receive the draft early next week.

**R.J. Pirlot**

Policy Director and Legal Counsel  
Office of Assembly Speaker Scott R. Jensen

Direct: 608-261-9482  
Fax: 608-266-5123

**AB544**

3712

**ASSEMBLY BILL 544**

An Act to repeal 20.410 (1) (cd); and to amend 20.410 (1) (ab) and 302.01 of the statutes; relating to: the lease and operation of correctional facilities and making an appropriation. (FE) 1999

10-20-99. A. Introduced by committee on CORRECTIONS AND THE COURTS.	
10-20-99. A. Read first time and referred to committee on Corrections and the Courts .	<u>391</u>
10-20-99. A. Public hearing held.	
10-27-99. A. Executive action taken.	
11-02-99. A. Report passage recommended by committee on Corrections and the Courts, Ayes 10, Noes 1	<u>486</u>
11-02-99. A. Referred to committee on Rules	<u>486</u>
11-02-99. A. Assembly amendment <u>1</u> offered by Representatives Travis, Walker, Meyer, Vrakas, Balow and Sykora	<u>485</u>
11-02-99. A. Placed on calendar 11-4-1999 by committee on Rules.	
11-04-99. A. <u>Fiscal estimate received.</u>	
11-04-99. A. Read a second time	<u>517</u>
11-04-99. A. Assembly amendment <u>1</u> adopted	<u>517</u>
11-04-99. A. Assembly amendment <u>2</u> offered by Reprsentatives Riley and Young	<u>517</u>
11-04-99. A. Assembly amendment <u>2</u> rejected, <u>Ayes 64, Noes 34</u>	<u>517</u>
11-04-99. A. Assembly amendment <u>3</u> offered by Representatives Walker, Goetsch, Kaufert, Balow, Suder, Kreibich and Sykora	<u>518</u>
11-04-99. A. Placed at the foot of the calendar	<u>518</u>
11-04-99. A. Assembly amendment <u>3</u> placed after Assembly amendment <u>4</u>	<u>519</u>
11-04-99. A. Assembly amendment <u>4</u> offered by Representative Gard	<u>519</u>
11-04-99. A. Assembly amendment <u>4</u> adopted	<u>519</u>
11-04-99. A. Assembly amendment <u>3</u> withdrawn and returned to author	<u>519</u>
11-04-99. A. Ordered to a third reading	<u>519</u>
11-04-99. A. Rules suspended	<u>519</u>
11-04-99. A. Representative Reynolds added as a coauthor of Assembly amendment <u>1</u>	<u>519</u>
11-04-99. A. Read a third time and <b>passed</b> , <u>Ayes 94, Noes 3, Paired 2</u>	<u>519</u>
11-04-99. A. Ordered immediately messaged	<u>520</u>
11-09-99. S. Received from Assembly	<u>331</u>
11-09-99. S. Read first time and referred to committee on Insurance, Tourism, Transportation and Corrections.	<u>332</u>
2000	
04-06-00. S. Failed to concur in pursuant to Senate Joint Resolution 1	<u>583</u>

redraft notes  
run by  
mistake

2088/1  
LRB-3721  
MGD: dwp:jf  
RPL  
jld

# 1999 ASSEMBLY BILL 544

October 20, 1999 - Introduced by COMMITTEE ON CORRECTIONS AND THE COURTS.  
Referred to Committee on Corrections and the Courts.

Regen

1 AN ACT to repeal 20.410 (1) (ed); and to amend 20.410 (1) (ab) and 302.01 of the  
2 statutes; relating to: the lease and operation of correctional facilities, ~~and~~  
3 making an appropriation, and providing penalties

### Analysis by the Legislative Reference Bureau

Under current law, as a part of the authorized state building program, the building commission may lease any facility, with an option to purchase the facility by the state, for use by the department of corrections (DOC). Current law also appropriates money to DOC for making payments under certain contracts. This bill amends the appropriation provision relating to contract payments to authorize DOC to use the money appropriated under that provision, subject to the approval of the joint committee on finance, to lease correctional facilities in this state and to operate the correctional facilities that it leases.

insert  
Aac

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:

insert  
1-4  
PWF

SECTION ~~7~~. 20.410 (1) (ab) of the statutes is amended to read:  
20.410 (1) (ab) *Corrections contracts and agreements and leases*. The amounts in the schedule for payments made in accordance with contracts entered into under

ASSEMBLY BILL 544

1 ss. 301.21, 302.25 and 302.27, contracts entered into with the federal government  
 2 under 18 USC 5003 and intra-agency agreements relating to the placement of  
 3 prisoners and, subject to the approval of the joint committee on finance, for payments  
 4 made to lease correctional facilities in this state under s. 13.48 (27) and for the  
 5 operation of those facilities.

6 SECTION ~~4~~ 20.410 (1) (ed) of the statutes is repealed.

7 SECTION ~~5~~ 302.01 of the statutes is amended to read:

8 **302.01 State prisons named and defined.** The penitentiary at Waupun is  
 9 named "Waupun Correctional Institution". The correctional treatment center at  
 10 Waupun is named "Dodge Correctional Institution". The penitentiary at Green Bay  
 11 is named "Green Bay Correctional Institution". The medium/maximum penitentiary  
 12 at Portage is named "Columbia Correctional Institution". The medium security  
 13 institution at Oshkosh is named "Oshkosh Correctional Institution". The medium  
 14 security penitentiary near Fox Lake is named "Fox Lake Correctional Institution".  
 15 The penitentiary at Taycheedah is named "Taycheedah Correctional Institution".  
 16 The medium security penitentiary at Plymouth is named "Kettle Moraine  
 17 Correctional Institution". The penitentiary at the village of Sturtevant in Racine  
 18 County is named "Racine Correctional Institution". The medium security  
 19 penitentiary at Racine is named "Racine Youthful Offender Correctional Facility".  
 20 The resource facility at Oshkosh is named "Wisconsin Resource Center". The  
 21 institutions named in this section, the correctional institution<sup>S</sup> authorized under s.  
 22 301.16 (1n) <sup>and (iv)</sup> correctional institution authorized under 1997 Wisconsin Act 4, section  
 23 4 (1) (a), correctional institution authorized under s. 301.046 (1), correctional  
 24 institution authorized under s. 301.048 (4) (b), minimum security correctional  
 25 institutions authorized under s. 301.13, correctional facilities leased and operated

PWF

✓  
Insert  
2-6

PWF



ASSEMBLY BILL 544

the probation and parole holding facilities authorized under s. 301.16 (1g)

by the department under s. 13.48 (27) and state-local shared correctional facilities when established under s. 301.14, are state prisons.

SECTION 4 Effective date.

(1) This act takes effect on the day after publication of the 2001-03 biennial budget act.

(END)

PLIF  
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Inserts  
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3-26  
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# 1999 ASSEMBLY BILL 539

*Insert Anal*

October 20, 1999 - Introduced by Representatives BALOW, SYKORA, SUDER, GOETSCH, F. LASEE, RILEY, COLON and SCHOFF, cosponsored by Senators ZIEN, JAUCH and FARROW. Referred to Committee on Corrections and the Courts.

1 **AN ACT to repeal** 20.410 (1) (ks); **to renumber and amend** 13.48 (19); **to amend**  
 2 13.48 (27), 20.410 (1) (ab), 20.410 (1) (ab), 20.410 (1) (ej), 109.09 (1), 111.322  
 3 (2m) (c), 227.01 (13) (t), 301.21 (1m) (a) (intro.), 301.21 (2m) (a) (intro.), 301.235  
 4 (2) (e) and 302.01; and **to create** 13.48 (19) (b), 20.410 (1) (ej), 20.410 (1) (ks),  
 5 20.924 (1) (i), 301.18 (1g), 301.19 and 301.21 (7) of the statutes; **relating to:** the  
 6 construction of correctional facilities by private persons, the lease of certain  
 7 correctional facilities, contracts for the confinement of Wisconsin prisoners in  
 8 other states, making an appropriation and providing penalties.

### *Analysis by the Legislative Reference Bureau*

~~Under current law, the building commission is authorized to lease facilities for use by the department of corrections (DOC). Current law also subjects the purchase, lease or construction of correctional facilities by the state to prior approval by the building commission and the joint committee on finance (JCF). Moreover, current law imposes certain "prevailing wage" requirements on employers working on state or local public works projects and establishes enforcement mechanisms for those requirements, including criminal penalties.~~ *NO*

~~In addition, under current law, DOC may enter into contracts to confine prisoners in its custody in other states. Under these provisions, DOC may contract~~

**ASSEMBLY BILL 539**

Insert  
Art  
Cont.

with either another state, a political subdivision of another state or a private person. If a contract entails the transfer of more than ten prisoners to a single state or to any political subdivision of another state, it must be approved by the legislature or by JCF.

This bill prohibits DOC from transferring a prisoner for confinement outside of this state if it has a bed available in a state prison at the appropriate security classification for the prisoner. The bill also relates to correctional facilities constructed by or under construction by private persons, other than those built at the direction of federal, tribal, state or local government. Under the bill, the department of administration (DOA) must attempt to negotiate with the owner of each such correctional facility to lease the facility, with the lease term to begin July 1, 2000. If DOA successfully negotiates a lease, the lease is subject to approval by the building commission and JCF. DOC's lease payments and its costs for operating any such facility are funded first by the reduction in its costs for confining prisoners out of state resulting from its increased in-state capacity. Additional costs are funded by general purpose revenues. If DOA is unable to negotiate a lease, it is authorized under the bill to purchase the correctional facility.

~~NO~~ The bill ~~also~~ regulates the construction of additional correctional facilities by private persons. Under the bill, a private person may not commence construction of a correctional facility or conversion of an existing building into a correctional facility unless: 1) the building commission has authorized the lease or acquisition of the correctional facility or has approved the construction or conversion; and 2) the person agrees to comply with current prevailing wage law. The bill prohibits the building commission from leasing or acquiring a correctional facility if these requirements are not met.

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:***

1 SECTION 1. 13.48 (19) of the statutes is renumbered 13.48 (19) (a) and amended  
2 to read:

3 13.48 (19) (a) Whenever the building commission determines that the use of  
4 innovative types of design and construction processes will make better use of the  
5 resources and technology available in the building industry, the building commission  
6 may waive any or all of s. 16.855 if such action is in the best interest of the state and  
7 if the waiver is accomplished through formal action of the building commission. The

Inserts 1-4 to 3-2a

**ASSEMBLY AMENDMENT 1,  
TO 1999 ASSEMBLY BILL 544**

November 2, 1999 - Offered by Representatives TRAVIS, WALKER, MEYER, VRAKAS,  
BALOW and SYKORA.

1 At the locations indicated, amend the bill as follows:

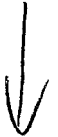
2 1. Page 1, line 4: before that line insert:

3 ~~SECTION 13.48~~ 13.48 (19) of the statutes is amended to read:

4 13.48 (19) Whenever the building commission determines that the use of  
5 innovative types of design and construction processes will make better use of the  
6 resources and technology available in the building industry, the building commission  
7 may waive any or all of s. 16.855 if such action is in the best interest of the state and  
8 if the waiver is accomplished through formal action of the building commission. The  
9 Subject to the requirements of s. 20.924 (1) (i), the building commission may  
10 authorize the lease, lease purchase or acquisition of such facilities constructed in the  
11 manner authorized by the building commission. The Subject to the requirements of  
12 s. 20.924 (1) (i), the building commission may also authorize the lease, lease purchase

PWF

Insert 1-4



1 or acquisition of existing facilities in lieu of state construction of any project  
2 enumerated in the authorized state building program.

3 SECTION ~~1~~<sup>#</sup> 13.48 (27)<sup>x</sup> of the statutes is amended to read:

4 13.48 (27) LEASE OF CORRECTIONAL FACILITIES. ~~The~~ Subject to s. 20.924 (1) (i),  
5 the building commission may lease any facility for use of the department of  
6 corrections as a part of the authorized state building program, with an option to  
7 purchase the facility by the state. Any lease shall provide for the facility to be  
8 constructed in accordance with requirements and specifications approved by the  
9 department of administration and shall permit inspection of the site and facility by  
10 agents of the department. *(end ins 1-4)*

11 **2.** Page 1, line 4: delete "SECTION 1" and substitute "SECTION 11".

12 **3.** Page 2, line 6: after that line insert:

13 "~~SECTION 20.924~~<sup>#</sup> 20.924 (1) (i)<sup>x</sup> of the statutes is created to read:

14 20.924 (1) (i) ~~shall~~<sup>may</sup> not lease or authorize the leasing of any building, structure,  
15 or facility, or portion thereof for initial occupancy by the department of corrections  
16 for the purpose of confining persons serving a sentence of imprisonment to the  
17 Wisconsin state prisons under ch. 973<sup>x</sup> unless the construction of the building,  
18 structure, or facility or its conversion into a correctional facility began before October  
19 1, 1999, or unless the lessor has done all of the following:

20 1. Not permit any employe<sup>e</sup> working on the building, structure, or facility, or  
21 portion thereof, who would be entitled to receive the prevailing wage rate under s.  
22 103.49 and who would not be required or permitted to work more than the prevailing  
23 hours of labor, if the building, structure, or facility, or portion thereof, were a project  
24 of public works subject to s. 103.49, to be paid less than the prevailing wage rate or

PWF

insert  
1-4

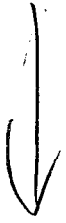
↑

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insert 2-6

↓

insert  
7-6 cont.



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to be required or permitted to work more than the prevailing hours of labor, except as permitted under s. 103.49 (2). ✓

2. Require any contractor, subcontractor, or agent thereof performing work on the building, structure, or facility, or portion thereof, to keep and permit inspection of records in the same manner as a contractor, subcontractor, or agent thereof performing work on a project of public works that is subject to s. 103.49 is required to keep and permit inspection of records under s. 103.49 (5). ✓

3. Otherwise comply with s. 103.49 in the same manner as a state agency contracting for the erection, construction, remodeling, repairing, or demolition of a project of public works is required to comply with s. 103.49 and to require any contractor, subcontractor, or agent thereof performing work on the building, structure, or facility, or portion thereof, to comply with s. 103.49 in the same manner as a contractor, subcontractor, or agent thereof performing work on a project of public works that is subject to s. 103.49 is required to comply with s. 103.49.

SECTION ~~27~~ 109.09 (1) of the statutes is amended to read:

109.09 (1) The department shall investigate and attempt equitably to adjust controversies between employers and employe<sup>e</sup>s as to alleged wage claims. The department may receive and investigate any wage claim which is filed with the department, or received by the department under s. 109.10 (4), no later than 2 years after the date the wages are due. The department may, after receiving a wage claim, investigate any wages due from the employer against whom the claim is filed to any employe<sup>e</sup> during the period commencing 2 years before the date the claim is filed. The department shall enforce this chapter and ss. 20.924 (1) (i) 1., 2., and 3., ~~60.200~~ <sup>266.0903</sup> and ~~229.8275~~ <sup>and 229.8275</sup> 103.02, 103.49, 103.82, ~~and~~ 104.12. In pursuance of this duty, the department may sue the employer on behalf of the employe<sup>e</sup> to collect any wage claim or wage

PWF



Insert  
2-6 cont.



PWF

1 deficiency and ss. 109.03 (6) and 109.11 (2) and (3) shall apply to such actions. Except  
 2 for actions under s. 109.10, the department may refer such an action to the district  
 3 attorney of the county in which the violation occurs for prosecution and collection and  
 4 the district attorney shall commence an action in the circuit court having appropriate  
 5 jurisdiction. Any number of wage claims or wage deficiencies against the same  
 6 employer may be joined in a single proceeding, but the court may order separate  
 7 trials or hearings. In actions that are referred to a district attorney under this  
 8 subsection, any taxable costs recovered by the district attorney shall be paid into the  
 9 general fund of the county in which the violation occurs and used by that county to  
 10 meet its financial responsibility under s. 978.13 (2) for the operation of the office of  
 11 the district attorney who prosecuted the action.

12 SECTION ~~2K~~ 111.322 (2m) (c) of the statutes is amended to read:

13 111.322 (2m) (c) The individual files a complaint or attempts to enforce a right  
 14 under s. 20.924 (1) (i) 1., 2., or 3., ~~or 103.49~~ <sup>66.0903</sup> or 229.8275 or testifies or assists in any action  
 15 or proceeding under s. 20.924 (1) (i) 1., 2., or 3., ~~or 103.49~~ <sup>66.0903</sup> or 229.8275.

16 SECTION ~~2L~~ 227.01 (13) (t) of the statutes is amended to read:

17 227.01 (13) (t) Ascertains and determines prevailing wage rates ~~and prevailing~~  
 18 ~~hours of labor~~ under ss. s. 20.924 (1) (i), ~~103.49~~ <sup>66.0903</sup> ~~and 103.50~~ <sup>and for 229.8275</sup>, except that any  
 19 action or inaction which ascertains and determines prevailing wage rates ~~and~~  
 20 ~~prevailing hours of labor~~ under ss. s. 20.924 (1) (i), ~~103.49~~ <sup>66.0903</sup> ~~and 103.50~~ <sup>and for 229.8275</sup> is  
 21 subject to judicial review under s. 227.40.

22 SECTION ~~2M~~ 301.235 (2) (dm) of the statutes is created to read:

23 301.235 (2) (dm) The department may not lease any building or any portion of  
 24 a building under this section unless the construction of the building or its conversion  
 25 into a correctional facility began before October 1, 1999, or unless the lessor has met



insert  
2-6  
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cont.

1 the requirements of s. 20.924 (1) (i) that would apply if the building or the portion  
2 of the building were being leased by the building commission.

3 4. Page 3, line 2: after that line insert:

4 SECTION ~~34~~ 946.15 (1) of the statutes is amended to read:

insert  
3-2a  
↓

5 946.15 (1) Any employer, or any agent or employe<sup>e</sup> of an employer, who induces  
6 any person who seeks to be or is employed pursuant to a public contract as defined  
7 in s. ~~66.29~~<sup>66.0901</sup> (1) (c) or who seeks to be or is employed on a project on which a prevailing  
8 wage rate determination has been issued by the department of workforce  
9 development under s. ~~20.924~~<sup>66.0903</sup> (1) (i), ~~103.49~~<sup>66.0903</sup> (3), 103.49 (3) <sup>or 229.8275 (3)</sup> or 103.50 (3) or by a local  
10 governmental unit, as defined in s. ~~66.29~~<sup>66.0903</sup> (1) (d), under s. ~~66.29~~<sup>66.0903</sup> (6) to give up, waive  
11 or return any part of the compensation to which that person is entitled under his or  
12 her contract of employment or under the prevailing wage rate determination issued  
13 by the department or local governmental unit, or who reduces the hourly basic rate  
14 of pay normally paid to an employe<sup>e</sup> for work on a project on which a prevailing wage  
15 rate determination has not been issued under s. ~~20.924~~<sup>66.0903</sup> (1) (i), ~~66.29~~<sup>66.0903</sup> (3) or (6), 103.49  
16 (3) <sup>or 229.8275 (3)</sup> or 103.50 (3) during a week in which the employe<sup>e</sup> works both on a project on which  
17 a prevailing wage rate determination has been issued and on a project on which a  
18 prevailing wage rate determination has not been issued, is guilty of a Class E felony.

PWF

↓

19 SECTION ~~34~~ 946.15 (2) of the statutes is amended to read:

20 946.15 (2) Any person employed pursuant to a public contract as defined in s.  
21 ~~66.29~~<sup>66.0901</sup> (1) (c) or employed on a project on which a prevailing wage rate determination  
22 has been issued by the department of workforce development under s. ~~20.924~~<sup>66.0903</sup> (1) (i),  
23 ~~66.29~~<sup>66.0903</sup> (3), 103.49 (3), ~~103.50~~<sup>66.0903</sup> (3) or by a local governmental unit, as defined in s.  
24 ~~66.29~~<sup>66.0903</sup> (1) (d), under s. ~~66.29~~<sup>66.0903</sup> (6) who gives up, waives or returns to the employer or

↓

66.0903  
66.0903  
↓



Insert  
3-2000

1 agent of the employer any part of the compensation to which the employe<sup>e</sup> is entitled  
 2 under his or her contract of employment or under the prevailing wage determination  
 3 issued by the department or local governmental unit, or who gives up any part of the  
 4 compensation to which he or she is normally entitled for work on a project on which  
 5 a prevailing wage rate determination has not been issued under s. 20.924 (1) (i),  
 6 ~~66.293~~ <sup>66.0903</sup> (3) or (6), 103.49 (3) <sup>or 229.8275 (3)</sup> or 103.50 (3) during a week in which the person works  
 7 part-time on a project on which a prevailing wage rate determination has been  
 8 issued and part-time on a project on which a prevailing wage rate determination has  
 9 not been issued, is guilty of a Class C misdemeanor.

10 SECTION ~~31~~ 946.15 (3) of the statutes is amended to read:

11 946.15 (3) Any employer or labor organization, or any agent or employe<sup>e</sup> of an  
 12 employer or labor organization, who induces any person who seeks to be or is  
 13 employed on a project on which a prevailing wage rate determination has been issued  
 14 by the department of workforce development under s. 20.924 (1) (i), ~~66.293~~ <sup>66.0903</sup> (3), 103.49  
 15 (3), ~~or~~ <sup>or</sup> 103.50 (3) <sup>or 229.8275 (3)</sup> or by a local governmental unit, as defined in s. ~~66.293~~ <sup>66.0903</sup> (1) (d), under  
 16 s. ~~66.293~~ <sup>66.0903</sup> (6) to permit any part of the wages to which that person is entitled under  
 17 the prevailing wage rate determination issued by the department or local  
 18 governmental unit to be deducted from the person's pay is guilty of a Class E felony,  
 19 unless the deduction would be permitted under 29 CFR 3.5 or 3.6 from a person who  
 20 is working on a project that is subject to 40 USC 276c.

21 SECTION ~~32~~ 946.15 (4) of the statutes is amended to read:

22 946.15 (4) Any person employed on a project on which a prevailing wage rate  
 23 determination has been issued by the department of workforce development under  
 24 s. 20.924 (1) (i), ~~66.293~~ <sup>66.0903</sup> (3), 103.49 (3) <sup>or 229.8275 (3)</sup> or by a local governmental unit,  
 25 as defined in s. ~~66.293~~ <sup>66.0903</sup> (1) (d), under s. ~~66.293~~ <sup>66.0903</sup> (6) who permits any part of the wages

PWF

66.0903



Insert  
3-2a  
cont  
↑

1 to which that person is entitled under the prevailing wage rate determination issued  
2 by the department or local governmental unit to be deducted from his or her pay is  
3 guilty of a Class C misdemeanor, unless the deduction would be permitted under 29  
4 CFR 3.5 or 3.6 from a person who is working on a project that is subject to 40 USC  
5 276c.<sup>2</sup>

(END)

6

**ASSEMBLY AMENDMENT 4,  
TO 1999 ASSEMBLY BILL 544**

*Insert 3-2b*

November 4, 1999 - Offered by Representative GARD.

1 At the locations indicated, amend the bill as follows:

2 1. Page 3, line 2: after that line insert:

3 ~~SECTION 32.~~ **Nonstatutory provisions.**

4 ~~(1)~~ <sup>2001-02 2002-03</sup> For the ~~1999-2000~~ and ~~2000-01~~ fiscal years, the department of corrections  
5 may request the joint committee of finance to supplement the department's budget  
6 under section 20.410 (1) (a) of the statutes for the purpose of staffing any leased  
7 correctional facility. Notwithstanding <sup>the fact that no emergency exists</sup> ~~section 13.101 (3) (a) of the statutes~~, the joint  
8 committee on finance may approve any such request.

*insert 3-2b*

(END)



# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET  
5TH FLOOR  
MADISON, WI 53701-2037

STEPHEN R. MILLER  
CHIEF

LEGAL SECTION: (608) 266-3561  
LEGAL FAX: (608) 264-6948

January 19, 2001

### MEMORANDUM

To: Representative Walker

From: Robert P. Nelson, Senior Legislative Attorney

Re: LRB-2048 Lease and operation of correctional institution

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY     JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 267-7511 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.