

2001 DRAFTING REQUEST

Bill

Received: **09/11/2001**

Received By: **malaigm**

Wanted: **Soon**

Identical to LRB:

For: **Brian Burke (608) 266-8535**

By/Representing: **Tanya Bjork**

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

Drafter: **malaigm**

May Contact:

Addl. Drafters:

Subject: **Employ Priv - prevailing wage**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Burke@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Public inspection of payroll records of contractors performing on projects that are subject to the prevailing wage law

Instructions:

See Attached--draft as separate bill language relating to public inspection of payroll records that Governor vetoed from the budget.

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>
/?	malaigm 09/11/2001	jdyer 09/12/2001		_____			S&L
/1			rschluet 09/12/2001	_____	lrb_docadmin 09/12/2001	lrb_docadmin 10/03/2001	

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

at intro

<END>

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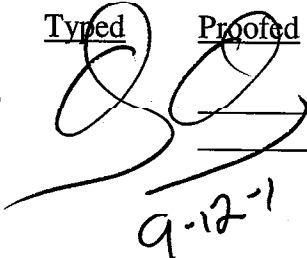

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/?	malaigm	11/9/12 jld					

FE Sent For:

<END>

Malaise, Gordon

From: Bjork, Tanya
Sent: Tuesday, September 11, 2001 11:28 AM
To: Malaise, Gordon
Subject: FW: co-sponsorship memo for prevailing wage provision



co-sponsorship
memo for prevail..

ould you draft this please?

Thanks.

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

From: Sen.Burke
Sent: Friday, September 07, 2001 3:29 PM
To: *Legislative All Assembly; *Legislative All Senate
Subject: co-sponsorship memo for prevailing wage provision



WISCONSIN LEGISLATURE

P. O. Box 7882 Madison, WI 53707-7882

TO: All Legislators

FROM: Senator Brian Burke

RE: Co-sponsorship of proposal regarding access to records on prevailing wage projects

DATE: September 7, 2001

This proposal would require contractors and subcontractors that work on a project subject to state prevailing wage laws to maintain payroll records of covered employees and to allow the public to inspect these records, except for information that could be used to identify individual employees, under the state public records law. The proposal will improve compliance and enforcement of existing prevailing wages laws.

This is a bipartisan proposal that was approved by the Joint Finance Committee and both houses of the Legislature in the final budget bill. It was vetoed by Governor McCallum.

If you would like to co-sponsor this proposal please contact Sen. Burke's office at 266-8535 by September 21, 2001.



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-3763/10
GMM.....
jld

Soon

- 1 ^{Gen} AN ACT ...; relating to: public inspection of the payroll records of contractors,
 2 subcontractors, and agents performing work on those projects. ✓

Analysis by the Legislative Reference Bureau

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). ✓ This bill makes certain changes relating to public inspection of the payroll records of ~~contractors~~^{ca}, ~~subcontractors~~^{ca}, and contractor's and subcontractor's agents performing work on a project that is subject to the prevailing wage law. *

Specifically, under current law, each contractor, subcontractor, and contractor's or subcontractor's agent performing work on a project that is subject to the prevailing wage law must keep copies of payrolls and other records and information relating to compliance with the prevailing wage law and, on demand of the department of workforce development (DWD) ✓ or, in the case of a state highway project, the department of transportation (DOT), must furnish those records and information to DWD or DOT. ✓ This bill requires a contractor, subcontractor, or contractor's or subcontractor's agent performing work on a project that is subject to the prevailing wage law, on the request of any person, to permit that person to inspect and copy any of those records to the same extent as if the record were maintained by DWD or DOT and subject to the open records law, except that the bill requires the contractor, subcontractor, or contractor's or subcontractor's agent to delete any personally identifiable information contained in the record about the laborer, worker, mechanic, or truck driver who is the subject of the record before permitting inspection and copying of the record.

For further information see the *state and local* 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. 66.0903 (10) (a) ^x 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. If requested by any person, a contractor, subcontractor,
8 or contractor's or subcontractor's agent performing work on a project that is subject
9 to this section[✓] shall permit that person to inspect and copy any of those records to the
10 same extent as if the record were maintained by the department, except that s. 19.36[✓]
11 (3) does not limit the duty of a subcontractor[✓] or a contractor's or subcontractor's agent
12 to permit inspection and copying of a record under this paragraph. Before permitting
13 the inspection and copying of a record under this[✓] paragraph, a contractor,
14 subcontractor, or contractor's or subcontractor's agent shall delete from the record
15 any personally identifiable information, as defined in s. 19.62 (5),[✓] contained in the
16 record about any person performing the work described in sub. (4).[✓]

17 SECTION 2. 103.49 (5) (a) ^x of the statutes is amended to read:

18 103.49 (5) (a) Each contractor, subcontractor, or contractor's or subcontractor's
19 agent performing work on a project that is subject to this section shall keep full and
20 accurate records clearly indicating the name and trade or occupation of every person
21 performing the work described in sub. (2m) and an accurate record of the number of

1 hours worked by each of those persons and the actual wages paid for the hours
2 worked. If requested by any person, a contractor, subcontractor, or contractor's or
3 subcontractor's agent performing work on a project that is subject to this section
4 shall permit that person to inspect and copy any of those records to the same extent
5 as if the record were maintained by the department, except that s. 19.36 (3) does not
6 limit the duty of a subcontractor or a contractor's or subcontractor's agent to permit
7 inspection and copying of a record under this paragraph. ✓ Before permitting the
8 inspection and copying of a record under this paragraph, a contractor, subcontractor,
9 or contractor's or subcontractor's agent shall delete from the record any personally
10 identifiable information, as defined in s. 19.62 (5), contained in the record about any
11 person performing the work described in sub. (2m). ✓

12 SECTION 3. 103.50 (6m) ✓ of the statutes is created to read:

13 103.50 (6m) RECORDS; INSPECTION. ✓ Each contractor, subcontractor, or
14 contractor's or subcontractor's agent performing work on a project that is subject to
15 this section shall keep full and accurate records clearly indicating the name and
16 trade or occupation of every person performing the work described in sub. (2m) ✓ and
17 an accurate record of the number of hours worked by each of those persons and the
18 actual wages paid for the hours worked. If requested by any person, a contractor,
19 subcontractor, or contractor's or subcontractor's agent performing work on a project
20 that is subject to this section shall permit that person to inspect and copy any of those
21 records to the same extent as if the record were maintained by the ✓ department,
22 except that s. 19.36 (3) ✓ does not limit the duty of a subcontractor or a contractor's or
23 subcontractor's agent to permit inspection and copying of a record under this
24 subsection. ✓ Before permitting the inspection and copying of a record under this
25 subsection, a contractor, subcontractor, or contractor's or subcontractor's agent ✓ shall

1 delete from the record any personally identifiable information, as defined in s. 19.62
2 (5), contained in the record about any person performing the work described in sub.
3 (2m).

4 (END)

Emery, Lynn

From: Bjork, Tanya
Sent: Wednesday, October 03, 2001 10:06 AM
To: Emery, Lynn
Subject: RE: co-sponsorship memo for prevailing wage provision

I'd like LRB-3763/1 jacketed, please. Thanks