

CTB
KOF

1 49.45 (50m) CHRONIC DISEASE MANAGEMENT, MANAGED CARE ORGANIZATIONS. (a)
2 In this subsection, "managed care organization" includes a health maintenance
3 organization, a limited service health organization, and a preferred provider plan.

4 (b) In a contract with a managed care organization to provide medical
5 assistance, the department shall require the managed care organization to provide
6 a chronic disease management and case coordination program for every recipient of
7 medical assistance diagnosed with diabetes, asthma, congestive heart failure,
8 coronary artery disease, or a primary or secondary behavioral health diagnosis,
9 including substance abuse and depression."

10 **291.** Page 621, line 13: after that line insert:

11 "SECTION 1317n. 49.45 (60) of the statutes is created to read:

12 49.45 (60) DENTAL SERVICES IN SOUTHEASTERN WISCONSIN. Beginning on January
13 1, 2010, the department shall provide dental benefits under this subchapter in
14 Kenosha, Milwaukee, Racine, and Waukesha counties on a fee-for-service basis."

15 **292.** Page 621, line 17: delete that line.

16 **293.** Page 623, line 6: delete lines 6 to 12.

B

17 ✓ ✓ **294.** Page 626, line 20: after that line insert:

18 "SECTION 1337n. 49.471 (4) (d) of the statutes is created to read:

19 49.471 (4) (d) An individual is eligible to purchase coverage of the benefits
20 described in sub. (11) for himself or herself and for his or her spouse and dependent
21 children, at the full per member per month cost of coverage, if all of the following
22 apply:

23 1. The individual lost his or her employer-sponsored health care coverage as
24 a result of his or her employer's or former employer's bankruptcy.

C

1 49.471 (4) (a) 7. Individuals who qualify for a medical assistance eligibility
2 extension under s. 49.46 (1) (c), (cg), or (co) when their income increases above the
3 poverty line.

4 **SECTION 1336.** 49.471 (4) (b) 1m. of the statutes is amended to read:

5 49.471 (4) (b) 1m. A pregnant woman ~~or unborn child~~ who obtains eligibility
6 under sub. (7) (b) 1.

7 **SECTION 1337.** 49.471 (4) (b) 4. a. of the statutes is amended to read:

8 49.471 (4) (b) 4. a. The individual is a parent or caretaker relative of a child who
9 is living in the home with the parent or caretaker relative or who is temporarily
10 absent from the home for not more than 6 months or, if the child has been removed
11 from the home for more than 6 months, the parent or caretaker relative is working
12 toward unifying the family by complying with a permanency plan under s. 48.38 or
13 938.38.

14 **SECTION 1337n.** 49.471 (4) (d) of the statutes is created to read:

15 49.471 (4) (d) An individual is eligible to purchase coverage of the benefits
16 described in sub. (11) for himself or herself and for his or her spouse and dependent
17 children, at the full per member per month cost of coverage, if all of the following
18 apply:

19 1. The individual lost his or her employer-sponsored health care coverage as
20 a result of his or her employer's or former employer's bankruptcy.

21 2. After losing his or her employer-sponsored health care coverage, the
22 individual received health care coverage through a voluntary employment benefit
23 association that was established before August 2006.

24 3. The individual is not otherwise eligible for coverage under this section.

25 4. The individual is under 65 years of age.

1 2. After losing his or her employer-sponsored health care coverage, the
2 individual received health care coverage through a voluntary employment benefit
3 association that was established before August 2006.

4 3. The individual is not otherwise eligible for coverage under this section.

5 4. The individual is under 65 years of age.”.

6 ✓ √ **295.** Page 630, line 23: after that line insert:

7 “**SECTION 1353n.** 49.471 (11c) of the statutes is created to read:

8 49.471 (11c) **PODIATRISTS' SERVICES FOR CHILDLESS ADULTS.** The department shall
9 cover services under this section that are provided by podiatrists, as defined in s.
10 448.60 (3), within the scope of a podiatrist's professional license, to individuals who
11 are eligible for the childless adults demonstration project under s. 49.45 (23) if the
12 services are covered when provided by a physician to those individuals.”.

13 ✓ ✓ **296.** Page 631, line 6: delete lines 6 to 8.

14 ✓ ✓ **297.** Page 635, line 14: delete “2009-10” and substitute “2009-11”.

15 ✓ ✓ **298.** Page 635, line 22: delete the material beginning with that line and
16 ending with page 636, line 10.

17 ✓ ✓ **299.** Page 640, line 15: delete lines 15 and 16.

18 ✓ ✓ **300.** Page 640, line 17: delete the material beginning with that line and
19 ending with page 642, line 11.

20 ✓ ✓ **301.** Page 642, line 12: delete lines 12 to 18.

21 ✓ ✓ **302.** Page 650, line 6: delete that line.

22 ✓ ✓ **303.** Page 655, line 14: delete lines 14 to 17 and substitute:

23 “**SECTION 1424y.** 51.15 (2) (intro.) of the statutes is amended to read:

1 51.15 (2) FACILITIES FOR DETENTION. (intro.) The law enforcement officer or
2 other person authorized to take a child into custody under ch. 48 or to take a juvenile
3 into custody under ch. 938 shall transport the individual, or cause him or her to be
4 transported, for detention, if the county department of community programs in the
5 county in which the individual was taken into custody approves the need for
6 detention, and for evaluation, diagnosis, and treatment if permitted under sub. (8)
7 to any of the following facilities:".

8 ✓ ✓ **304.** Page 671, line 22: delete the material beginning with that line and
9 ending with page 672, line 4.

10 ✓ ✓ **305.** Page 672, line 4: after that line insert:

11 "SECTION 1444v. 59.52 (30) of the statutes is created to read:

12 59.52 (30) LIMITATION ON PERFORMANCE OF CONSTRUCTION WORK. A county may
13 not perform construction work, including road work, for a project that is directly or
14 indirectly owned, funded, or reimbursed, in whole or in part, by a private person."

15 ✓ ✓ **306.** Page 672, line 11: delete "KRM" and substitute "southeastern regional
16 transit".

17 ✓ ✓ **307.** Page 672, line 17: delete "KRM" and substitute "SOUTHEASTERN REGIONAL
18 TRANSIT".

19 ✓ ✓ **308.** Page 672, line 18: on lines 18 and 23, delete "KRM" and substitute
20 "southeastern regional transit".

21 ✓ ✓ **309.** Page 673, line 4: after "(c)" insert "1."

22 ✓ ✓ **310.** Page 673; line 6: delete "1." and substitute "a."

23 ✓ ✓ **311.** Page 673, line 8: delete "2." and substitute "b."

- 1 ✓ ✓ **312.** Page 673, line 10: delete “3.” and substitute “c.”.
- 2 ✓ ✓ **313.** Page 673, line 12: delete “4.” and substitute “d.”.
- 3 ✓ ✓ **314.** Page 673, line 14: delete “5.” and substitute “e.”.
- 4 ✓ ✓ **315.** Page 673, line 14: delete “county executive of”.
- 5 ✓ ✓ **316.** Page 673, line 15: after “County” insert “board chairperson”.
- 6 ✓ ✓ **317.** Page 673, line 16: delete “6.” and substitute “f.”.
- 7 ✓ ✓ **318.** Page 673, line 18: delete “7.” and substitute “g.”.
- 8 ✓ ✓ **319.** Page 673, line 19: after that line insert:
- 9 “2. A majority of the board of directors’ full authorized membership constitutes
- 10 a quorum for the purpose of conducting the authority’s business and exercising its
- 11 powers. Action may be taken by the board of directors upon a vote of a majority of
- 12 the directors present and voting, unless the bylaws of the authority require a larger
- 13 number.”.
- 14 ✓ ✓ **320.** Page 673, line 21: after “line” insert “and to contract for and provide
- 15 transit service in Kenosha County and Racine County as specified in par. (k)”.
- 16 ✓ ✓ **321.** Page 673, line 23: after “Milwaukee” insert “and a stop at the
- 17 intersection of Lincoln Avenue and Bay Street in the city of Milwaukee”.
- 18 ✓ **322.** Page 673, line 23: after that line insert:
- 19 “(dm) A KRM commuter rail line may not include a stop in any municipality
- 20 in the counties of Racine and Kenosha, other than in the city of Racine or the city of
- 21 Kenosha, unless the municipality in which the stop is to be located provides for a
- 22 sustainable mechanism to generate additional moneys for transit systems receiving

1 funding under s. 85.20 that operate in Kenosha County or Racine County, as
2 applicable.”.

3 ✓ **323.** Page 673, line 24: after “77.” insert “From these fees, the authority shall
4 transfer \$1 for each transaction to each of the cities of Racine and Kenosha, to
5 support their respective transit systems, if each city, respectively, demonstrates that
6 it has established a new funding source sufficient to generate revenues equal to or
7 greater than the amounts to be transferred to each city under this subdivision. From
8 the remaining fees, the authority may do all of the following:”.

9 ✓ **324.** Page 673, line 24: after that line insert:

10 “1. Retain not more than \$2 for each transaction for administration of the
11 authority.

12 2. Retain the difference between the amount of the fees imposed under subch.
13 XIII of ch. 77 and the amount of those fees transferred under this paragraph or
14 retained under subd. 1. for expenditures related to the KRM commuter rail line,
15 including planning, construction, maintenance, operations, and engineering
16 expenditures.”.

17 ✓ **325.** Page 675, line 22: after that line insert:

18 “(i) The authority is the only entity in the counties of Milwaukee, Racine, and
19 Kenosha that may submit an application to the federal transit administration in the
20 U.S. department of transportation under the federal new starts grant program for
21 funding for the KRM commuter rail line.

22 .(j) The Milwaukee Transit Authority under s. 66.1038, and the operator of any
23 transit system in Kenosha County or Racine County receiving funding under s.

1 85.20, shall provide copies of all of their annual and long-term transit plans to the
2 southeastern regional transit authority as these plans become available.

3 (k) Upon a vote of approval by its governing body, any municipality in Kenosha
4 County or Racine County in which a transit system eligible to receive funding under
5 s. 85.20 is operated may contract with the authority for the authority to provide
6 transit services within the municipality.”.

7 ✓ ✓ **326.** Page 679, line 2: after that line insert:

8 “SECTION 1459m. 62.50 (18) (a) of the statutes is renumbered 62.50 (18) and
9 amended to read:

10 62.50 (18) No chief officer of either department or member of the fire
11 department may be deprived of any salary or wages for the period of time suspended
12 preceding an investigation or trial, unless the charge is sustained. ~~Except as~~
13 ~~provided in par. (b), no~~ No member of the police force may be discharged or suspended
14 under sub. (11) or (13) without pay or benefits until the matter that is the subject of
15 the discharge or suspension is disposed of by the board or the time for appeal under
16 sub. (13) passes without an appeal being made.

17 SECTION 1459n. 62.50 (18) (b) of the statutes is repealed.”.

18 ✓ ✓ **327.** Page 692, line 21: before “632.895” insert “632.885”.

19 ✓ ✓ **328.** Page 693, line 12: delete lines 12 to 19.

20 ✓ ✓ **329.** Page 696, line 10: delete “**4471m**” and substitute “**1471m**”.

21 ✓ ✓ **330.** Page 699, line 17: after that line insert:

22 “SECTION 1478r. 66.0903 (1) (a) of the statutes is amended to read:

23 66.0903 (1) (a) “Area” means the county in which a proposed project of public
24 works that is subject to this section is located or, if the department determines that

1 there is insufficient wage data in that county, “area” means those counties that are
2 contiguous to that county or, if the department determines that there is insufficient
3 wage data in those counties, “area” means those counties that are contiguous to those
4 counties or, if the department determines that there is insufficient wage data in those
5 counties, “area” means the entire state or, if the department is requested to review
6 a determination under sub. (3) (br), “area” means the city, village or town in which
7 a proposed project of public works that is subject to this section is located.”.

8 ✓ ✓ **331.** Page 699, line 17: after that line insert:

9 “SECTION 1478t. 66.0903 (1) (am) of the statutes is created to read:

10 66.0903 (1) (am) “Bona fide economic benefit” has the meaning given in s.
11 103.49 (1) (am).”.

12 ✓ ✓ **332.** Page 699, line 23: after “includes” insert “a local public body and
13 corporate created by constitution, statute, ordinance, rule, or order, including
14 specifically”.

15 ✓ ✓ **333.** Page 699, line 24: after “66.1039” insert “, the Milwaukee Transit
16 Authority created under s. 66.1038, and the southeastern regional transit authority
17 created under s. 59.58 (7)”.

18 ✓ ✓ **334.** Page 699, line 24: after that line insert:

19 “SECTION 1478x. 66.0903 (1) (dr) of the statutes is created to read:

20 66.0903 (1) (dr) “Minor service and maintenance work” means a project of
21 public works that is limited to minor crack filling, chip or slurry sealing, or other
22 minor pavement patching, not including overlays, that has a projected life span of
23 no longer than 5 years; the depositing of gravel on an existing gravel road applied
24 solely to maintain the road; road shoulder maintenance; cleaning of drainage or

1 sewer ditches or structures; or any other limited, minor work on public facilities or
2 equipment that is routinely performed to prevent breakdown or deterioration.”.

3 ✓ **335.** Page 699, line 25: after that line insert:

4 “**SECTION 1479p.** 66.0903 (1) (g) 1. of the statutes is amended to read:

5 66.0903 (1) (g) 1. Except as provided in subd. 2., “prevailing wage rate” for any
6 trade or occupation engaged in the erection, construction, remodeling, repairing or
7 demolition, or improvement of any project of public works in any area means the
8 hourly basic rate of pay, plus the hourly contribution for health insurance benefits,
9 vacation benefits, pension benefits, and any other bona fide economic benefit, paid
10 directly or indirectly, for a majority of the hours worked in the trade or occupation
11 on projects in the area.

12 **SECTION 1479r.** 66.0903 (1) (g) 2. of the statutes is amended to read:

13 66.0903 (1) (g) 2. If there is no rate at which a majority of the hours worked in
14 the trade or occupation on projects in the area is paid, “prevailing wage rate” for any
15 trade or occupation engaged in the erection, construction, remodeling, repairing or
16 demolition, or improvement of any project of public works in any area means the
17 average hourly basic rate of pay, weighted by the number of hours worked, plus the
18 average hourly contribution, weighted by the number of hours worked, for health
19 insurance benefits, vacation benefits, pension benefits, and any other bona fide
20 economic benefit, paid directly or indirectly for all hours worked at the hourly basic
21 rate of pay of the highest-paid 51% of hours worked in that trade or occupation on
22 projects in that area.

23 **SECTION 1479t.** 66.0903 (1) (h) of the statutes is created to read:

1 66.0903 (1) (h) "Project of public works" means a project involving the erection,
2 construction, repair, remodeling, demolition, or improvement, including any
3 alteration, painting, decorating, or grading, of a public facility, including land, a
4 building, or other infrastructure."

5 ✓ ✓ **336.** Page 700, line 1: after that line insert:

6 "SECTION 1480b. 66.0903 (1) (im) of the statutes is created to read:

7 66.0903 (1) (im) "Supply and installation contract" means a contract under
8 which the material is installed by the supplier, the material is installed by means of
9 simple fasteners or connectors such as screws or nuts and bolts and no other work
10 is performed on the site of the project of public works, and the total labor cost to
11 install the material does not exceed 20 percent of the total cost of the contract."

12 ✓ ✓ **337.** Page 700, line 4: delete "remodeled, repaired, or demolished" and
13 substitute "repaired, remodeled, demolished, or improved".

14 ✓ ✓ **338.** Page 700, line 6: delete "or bridge construction" and substitute "bridge,
15 building, or other infrastructure".

16 ✓ ✓ **339.** Page 700, line 7: delete that line and substitute:

17 "(b) A project erected, constructed, repaired, remodeled,"

18 ✓ ✓ **340.** Page 700, line 8: after "demolished" insert ", or improved".

19 ✓ ✓ **341.** Page 700, line 9: delete "66.0301 (2) or 83.035" and substitute "66.0301
20 (2), 83.03, 83.035, or 86.31 (2) (b)".

21 ✓ ✓ **342.** Page 700, line 11: delete that line and substitute:

22 "(c) A project in which the completed facility is leased,"

1 ✓ ✓ **343.** Page 700, line 14: delete that line and substitute “erection, construction,
2 repair, remodeling, demolition, or improvement of the facility.”

3 ✓ ✓ **344.** Page 700, line 15: after “street,” insert “bridge,”.

4 ✓ ✓ **345.** Page 700, line 16: delete that line and substitute “road, street, bridge,
5 sanitary sewer, or water main is acquired by, or dedicated to, a local governmental
6 unit, including”.

7 ✓ ✓ **346.** Page 700, line 17: delete “(2) for ownership” and substitute “(2), for
8 ownership or maintenance”.

9 ✓ ✓ **347.** Page 700, line 18: delete the material beginning with that line and
10 ending with page 701, line 6 and substitute:

11 “**SECTION 1480e.** 66.0903 (3) (am) of the statutes is amended to read:

12 66.0903 (3) (am) A local governmental unit, before making a contract by direct
13 ~~negotiation~~ or soliciting bids on a contract, for the erection, construction, remodeling,
14 ~~repairing or, demolition, or improvement~~ of any project of public works, ~~including a~~
15 ~~highway, street or bridge construction project,~~ shall apply to the department to
16 determine the prevailing wage rate for each trade or occupation required in the work
17 ~~contemplated under contemplation in the area in which the work is to be done.~~ The
18 department shall conduct investigations and hold public hearings as necessary to
19 define the trades or occupations that are commonly employed on projects of public
20 works that are subject to this section and to inform itself as to the prevailing wage
21 rates in all areas of the state for those trades or occupations, in order to determine
22 the prevailing wage rate for each trade or occupation. The department shall issue
23 its determination within 30 days after receiving the request and shall file the
24 determination with the requesting local governmental unit.

1 **SECTION 1480g.** 66.0903 (3) (ar) of the statutes is amended to read:

2 66.0903 (3) (ar) The department shall, by January 1 of each year, compile the
3 prevailing wage rates for each trade or occupation in each area. The compilation
4 shall, in addition to the current prevailing wage rates, include future prevailing
5 wage rates when those prevailing wage rates can be determined for any trade or
6 occupation in any area and shall specify the effective date of those future prevailing
7 wage rates. If a ~~construction~~ project of public works extends into more than one area
8 there shall be but one standard of prevailing wage rates for the entire project.”.

9 ✓ ✓ **348.** Page 701, line 13: after that line insert:

10 **“SECTION 1481f.** 66.0903 (3) (br) of the statutes is amended to read:

11 66.0903 (3) (br) In addition to the recalculation under par. (bm), the local
12 governmental unit that requested the determination under this subsection may
13 request a review of any portion of a determination within 30 days after the date of
14 issuance of the determination if the local governmental unit submits evidence with
15 the request showing that the prevailing wage rate for any given trade or occupation
16 included in the determination does not represent the prevailing wage rate for that
17 trade or occupation in the city, village, or town in which the proposed project of public
18 works is located. That evidence shall include wage rate information for the contested
19 trade or occupation on at least 3 similar projects located in the city, village, or town
20 where the proposed project of public works is located and on which some work has
21 been performed during the current survey period and which were considered by the
22 department in issuing its most recent compilation under par. (ar). The department
23 shall affirm or modify the determination within 15 days after the date on which the
24 department receives the request for review.”.

1 ✓ ✓ **349.** Page 701, line 18: after “project” insert “of public works”.

2 ✓ ✓ **350.** Page 702, line 8: after that line insert:

3 “**SECTION 1481j.** 66.0903 (4) (a) 1. of the statutes is amended to read:

4 66.0903 (4) (a) 1. All laborers, workers, mechanics, and truck drivers employed
5 on the site of a project of public works that is subject to this section.

6 **SECTION 1481L.** 66.0903 (4) (a) 2. of the statutes is amended to read:

7 66.0903 (4) (a) 2. All laborers, workers, mechanics, and truck drivers employed
8 in the manufacturing or furnishing of materials, articles, supplies, or equipment on
9 the site of a project of public works that is subject to this section or from a facility
10 dedicated exclusively, or nearly so, to a project of public works that is subject to this
11 section by a contractor, subcontractor, agent, or other person performing any work
12 on the site of the project.

13 **SECTION 1481m.** 66.0903 (4) (b) 1. of the statutes is amended to read:

14 66.0903 (4) (b) 1. The laborer, worker, mechanic, or truck driver is employed
15 to go to the source of mineral aggregate such as sand, gravel, or stone that is to be
16 immediately incorporated into the work, and not stockpiled or further transported
17 by truck, pick up that mineral aggregate, and deliver that mineral aggregate to the
18 site of a project of public works that is subject to this section by depositing the
19 material substantially in place, directly or through spreaders from the transporting
20 vehicle.

21 **SECTION 1481n.** 66.0903 (4) (b) 2. of the statutes is amended to read:

22 66.0903 (4) (b) 2. The laborer, worker, mechanic, or truck driver is employed
23 to go to the site of a project of public works that is subject to this section, pick up

1 excavated material or spoil from the site of the project, and transport that excavated
2 material or spoil away from the site of the project.”

3 ✓ ✓ **351.** Page 702, line 9: delete lines 9 to 14.

4 ✓ ✓ **352.** Page 703, line 7: delete lines 7 and 8 and substitute:

5 “**SECTION 1482j.** 66.0903 (5) (c) of the statutes is created to read:

6 66.0903 (5) (c) Minor service or maintenance work, warranty work, or work
7 under a supply and installation contract.

8 **SECTION 1482L.** 66.0903 (8) of the statutes is amended to read:

9 66.0903 (8) POSTING. For the information of the employees working on the
10 project of public works, the prevailing wage rates determined by the department or
11 exempted local governmental unit, the prevailing hours of labor, and the provisions
12 of subs. (10) (a) and (11) (a) shall be kept posted by the local governmental unit in at
13 least one conspicuous and easily accessible place on the site of the project or, if there
14 is no common site on the project, at the place normally used by the local
15 governmental unit to post public notices.

16 **SECTION 1482n.** 66.0903 (9) (b) of the statutes is amended to read:

17 66.0903 (9) (b) Upon completion of a project of public works and before
18 receiving final payment for his or her work on the project, each agent or
19 subcontractor shall furnish the contractor with an affidavit stating that the agent
20 or subcontractor has complied fully with the requirements of this section. A
21 contractor may not authorize final payment until the affidavit is filed in proper form
22 and order.

23 **SECTION 1482p.** 66.0903 (9) (c) of the statutes is amended to read:

1 66.0903 (9) (c) Upon completion of a project of public works and before receiving
2 final payment for his or her work on the project, each contractor shall file with the
3 local governmental unit authorizing the work an affidavit stating that the contractor
4 has complied fully with the requirements of this section and that the contractor has
5 received an affidavit under par. (b) from each of the contractor's agents and
6 subcontractors. A local governmental unit may not authorize a final payment until
7 the affidavit is filed in proper form and order. If a local governmental unit authorizes
8 a final payment before an affidavit is filed in proper form and order or if the
9 department determines, based on the greater weight of the credible evidence, that
10 any person performing the work specified in sub. (4) has been or may have been paid
11 less than the prevailing wage rate or less than 1.5 times the hourly basic rate of pay
12 for all hours worked in excess of the prevailing hours of labor and requests that the
13 local governmental unit withhold all or part of the final payment, but the local
14 governmental unit fails to do so, the local governmental unit is liable for all back
15 wages payable up to the amount of the final payment.

16 **SECTION 1483d.** 66.0903 (10) (a) of the statutes is amended to read:

17 66.0903 (10) (a) Each contractor, subcontractor, or contractor's or
18 subcontractor's agent performing work on a project of public works that is subject to
19 this section shall keep full and accurate records clearly indicating the name and
20 trade or occupation of every person performing the work described in sub. (4) and an
21 accurate record of the number of hours worked by each of those persons and the
22 actual wages paid for the hours worked.”.

23 ✓ √**353.** Page 703, line 16: delete lines 16 and 17 and substitute “apply to a
24 contractor, subcontractor, or agent if all persons employed by the contractor,

1 subcontractor, or agent who are performing the work described in sub. (4) are covered
2 under a collective bargaining agreement and the wage rates for those persons under
3 the collective bargaining agreement are not less than the prevailing wage rate. In
4 that case, the contractor,”.

5 ✓ ✓ **354.** Page 703, line 19: delete “the collective bargaining agreement” and
6 substitute “all collective bargaining agreements that are pertinent to the project of
7 public works”.

8 ✓ ✓ **355.** Page 704, line 4: after that line insert:

9 “SECTION 1483h. 66.0903 (10) (b) of the statutes is amended to read:

10 66.0903 (10) (b) The department or the contracting local governmental unit
11 may demand and examine, and every contractor, subcontractor, and contractor’s or
12 subcontractor’s agent shall keep, and furnish upon request by the department or
13 local governmental unit, copies of payrolls and other records and information
14 relating to the wages paid to persons performing the work described in sub. (4) for
15 work to which this section applies. The department may inspect records in the
16 manner provided in ch. 103. Every contractor, subcontractor, or agent performing
17 work on a project of public works that is subject to this section is subject to the
18 requirements of ch. 103 relating to the examination of records.”.

19 ✓ ✓ **356.** Page 704, line 8: after “project” insert “of public works”.

20 ✓ ✓ **357.** Page 704, line 24: after that line insert:

21 “SECTION 1484f. 66.0903 (11) (a) of the statutes is renumbered 66.0903 (11) (a)

22 1. and amended to read:

23 66.0903 (11) (a) 1. Any contractor, subcontractor, or contractor’s or
24 subcontractor’s agent who fails to pay the prevailing wage rate determined by the

1 department under sub. (3) or who pays less than 1.5 times the hourly basic rate of
2 pay for all hours worked in excess of the prevailing hours of labor is liable to any
3 affected employee in the amount of his or her unpaid wages or his or her unpaid
4 overtime compensation and in an additional ~~equal~~ amount as liquidated damages.
5 ~~An action to recover the liability may be maintained in any court of competent~~
6 ~~jurisdiction by any~~ as provided under subd. 2., 3., or 4., whichever is applicable.

7 3. In addition to or in lieu of recovering the liability specified in subd. 1. as
8 provided in subd. 2., any employee for and in behalf of that employee and other
9 employees similarly situated, may commence an action to recover that liability in
10 any court of competent jurisdiction. In an action that is commenced before the end
11 of any period specified by the department under subd. 2., if the court finds that a
12 contractor, subcontractor, or contractor's or subcontractor's agent has failed to pay
13 the prevailing wage rate determined by the department under sub. (3) or has paid
14 less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the
15 prevailing hours of labor, the court shall order the contractor, subcontractor, or agent
16 to pay to any affected employee the amount of his or her unpaid wages or his or her
17 unpaid overtime compensation and an additional amount equal to 100 percent of the
18 amount of those unpaid wages or that unpaid overtime compensation as liquidated
19 damages.

20 5. No employee may be a party plaintiff to the an action under subd. 3. or 4.
21 unless the employee consents in writing to become a party and the consent is filed
22 in the court in which the action is brought. Notwithstanding s. 814.04 (1), the court
23 shall, in addition to any judgment awarded to the plaintiff, allow reasonable attorney
24 fees and costs to be paid by the defendant.

25 **SECTION 1485g.** 66.0903 (11) (a) 2. of the statutes is created to read:

1 66.0903 (11) (a) 2. If the department determines upon inspection under sub.
2 (10) (b) or (c) that a contractor, subcontractor, or contractor's or subcontractor's agent
3 has failed to pay the prevailing wage rate determined by the department under sub.
4 (3) or has paid less than 1.5 times the hourly basic rate of pay for all hours worked
5 in excess of the prevailing hours of labor, the department shall order the contractor
6 to pay to any affected employee the amount of his or her unpaid wages or his or her
7 unpaid overtime compensation and an additional amount equal to 100 percent of the
8 amount of those unpaid wages or that unpaid overtime compensation as liquidated
9 damages within a period specified by the department in the order.

10 **SECTION 1485** 66.0903 (11) (a) 4. of the statutes is created to read:

11 66.0903 (11) (a) 4. In an action that is commenced after the end of any period
12 specified by the department under subd. 2., if the court finds that a contractor,
13 subcontractor, or contractor's or subcontractor's agent has failed to pay the
14 prevailing wage rate determined by the department under sub. (3) or has paid less
15 than 1.5 times the hourly basic rate of pay for all hours worked in excess of the
16 prevailing hours of labor, the court shall order the contractor, subcontractor, or agent
17 to pay to any affected employee the amount of his or her unpaid wages or his or her
18 unpaid overtime compensation and an additional amount equal to 200 percent of the
19 amount of those unpaid wages or that unpaid overtime compensation as liquidated
20 damages.”.

21 **358.** Page 704, line 24: after that line insert:

22 **“SECTION 1484t.** 66.0903 (11) (b) 2. of the statutes is amended to read:

23 66.0903 (11) (b) 2. Whoever induces any person who seeks to be or is employed
24 on any project of public works that is subject to this section to give up, waive, or

1 return any part of the wages to which the person is entitled under the contract
 2 governing the project, or who reduces the hourly basic rate of pay normally paid to
 3 a person for work on a project that is not subject to this section during a week in which
 4 the person works both on a project of public works that is subject to this section and
 5 on a project that is not subject to this section, by threat not to employ, by threat of
 6 dismissal from employment, or by any other means is guilty of an offense under s.
 7 946.15 (1).

8 ✓ **SECTION 1484v.** 66.0903 (11) (b) 3. of the statutes is amended to read:

9 66.0903 (11) (b) 3. Any person employed on a project of public works that is
 10 subject to this section who knowingly permits a contractor, subcontractor, or
 11 contractor's or subcontractor's agent to pay him or her less than the prevailing wage
 12 rate set forth in the contract governing the project, who gives up, waives, or returns
 13 any part of the compensation to which he or she is entitled under the contract, or who
 14 gives up, waives, or returns any part of the compensation to which he or she is
 15 normally entitled for work on a project that is not subject to this section during a
 16 week in which the person works both on a project of public works that is subject to
 17 this section and on a project that is not subject to this section, is guilty of an offense
 18 under s. 946.15 (2).".

19 ✓ **359.** Page 705, line 2: after "project" insert "of public works". C

20 ~~**360.** Page 705, line 8: after "project" insert "of public works".~~ D

21 ~~**361.** Page 705, line 13: after that line insert:~~

22 ~~"SECTION 1486f. 66.0903 (12) (d) of the statutes is amended to read:~~

23 ~~66.0903 (12) (d) Any person submitting a bid or negotiating a contract on a~~
 24 ~~project of public works that is subject to this section shall, on the date the person~~