

2011 DRAFTING REQUEST

Bill

Received: 09/15/2011

Received By: gmalaise

Wanted: Today

Companion to LRB:

For: Dale Schultz (608) 266-0703

By/Representing: Crystal Lee

May Contact:

Drafter: gmalaise

Subject: Employ Priv - prevailing wage

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Sen.Schultz@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Prevailing wage; exemption for privately funded project on public land

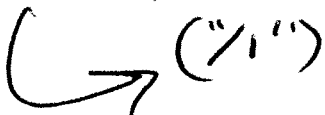
Instructions:

Draft companion to AB 233

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 09/15/2011	kfollett 09/15/2011		_____			S&L
/1			jfrantze 09/15/2011	_____	mbarman 09/15/2011	lparisi 09/28/2011	

FE Sent For: , 09/28/2011.

 (7/11)

<END>

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FE Sent For:

→ 09-28-2011
(1/1) ←

Requested
By
Sanchit
Mulmuley

<END>

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/?	gmalaise	llg 9/15	f	to 9/15			
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FE Sent For:

<END>



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-2347/2
GMM:kjf:rs

2906/1

IN 9113
Today

2011 ASSEMBLY BILL 238

(Amendment - no change)

August 29, 2011 - Introduced by Representatives MARKLEIN, KNODL, AUGUST, BERNIER, BIES, BROOKS, CRAIG, JACQUE, KAPENGA, KESTELL, KLENKE, KOOYENGA, T. LARSON, MURSAU, MURTHA, NASS, NYGREN, A. OTT, PETROWSKI, PETRYK, RIPP, RIVARD, SEVERSON, SPANBAUER, STEINEKE, STRACHOTA, THIESFELDT, TIFFANY, VAN ROY, WILLIAMS, WYNN, ZAMARRIPA and ENDSLEY, cosponsored by Senators GALLOWAY, COWLES, GROTHMAN, KEDZIE and SCHULTZ. Referred to Committee on Jobs, Economy and Small Business.

Resen

1 AN ACT *to create* 66.0903 (5) (h) and 103.49 (3g) (i) of the statutes; **relating to:**
2 an exemption from the prevailing wage law for a public works project that is not
3 less than 85 percent privately funded in which the completed facility is
4 dedicated to the state or a local governmental unit for conservation,
5 recreational, or educational purposes.

Analysis by the Legislative Reference Bureau

Under current law, laborers, workers, mechanics, and truck drivers employed on the site of certain state or local projects of public works (generally single-trade projects whose estimated cost of completion is \$48,000 or more and multiple-trade projects whose estimated cost of completion is \$100,000 or more): 1) 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, as determined by the Department of Workforce Development; and 2) may not be required or permitted to work a greater number of hours per day and per week than the prevailing hours of labor, that is, no more than 10 hours per day and 40 hours per week, unless they are paid 1.5 times their basic rate of pay (commonly referred to as "overtime pay") for all hours worked in excess of the prevailing hours of labor (prevailing wage law).

This bill exempts from the prevailing wage law a project of public works in which not less than 85 percent of the estimated cost of project completion is privately funded, the completed facility is dedicated to the state or a local governmental unit without compensation for ownership by the state or local governmental unit, and the completed facility is used for conservation, recreational, or educational purposes.

ASSEMBLY BILL 233

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 (5) (h) of the statutes is created to read:

2 66.0903 **(5)** (h) A project of public works in which not less than 85 percent of
3 the estimated cost of project completion is privately funded, the completed facility
4 is dedicated to a local governmental unit without compensation for ownership by the
5 local governmental unit, and the completed facility is used for conservation,
6 recreational, or educational purposes.

✓
7 **SECTION 2.** 103.49 (3g) (i) of the statutes is created to read:

8 103.49 **(3g)** (i) A project of public works in which not less than 85 percent of the
9 estimated cost of project completion is privately funded, the completed facility is
10 dedicated to the state without compensation for ownership by the state, and the
11 completed facility is used for conservation, recreational, or educational purposes.

12 **SECTION 3. Initial applicability.**

13 (1) EXEMPTION FROM PREVAILING WAGE LAW. This act first applies, with respect
14 to a project of public works that is subject to bidding, to a project for which the request
15 for bids is issued on the effective date of this subsection and, with respect to a project
16 of public works that is not subject to bidding, to a project the contract for which is
17 entered into on the effective date of this subsection.

18 **(END)**

Parisi, Lori

From: Mulmuley, Sanchit
Sent: Wednesday, September 28, 2011 11:15 AM
To: LRB.Legal
Subject: Draft Review: LRB 11-2906/1 Topic: Prevailing wage; exemption for privately funded project on public land

Please Jacket LRB 11-2906/1 for the SENATE.

Memo

To: Senator **Schultz**

(The Draft's Requester)

Per your request ... the attached fiscal estimate was prepared for your un-introduced 2011 session draft.

LRB Number: LRB-2906

Version: “/1”

Fiscal Estimate Prepared By: (agency abbr.) DWD

If you have questions about the enclosed fiscal estimate, you may contact the state agency representative that prepared the fiscal estimate. If you disagree with the enclosed fiscal estimate, please contact the LRB drafter of your proposal to discuss your options under the fiscal estimate procedure.

Entered In Computer And Copy Sent To Requester Via E-Mail: 10 / 06 / 2011

*** * * * ***

To: LRB – Legal Section PA's

Subject: *Fiscal Estimate Received For An Un-introduced Draft*

- > **If re-drafted ...** please insert this cover sheet and attached early fiscal estimate into the drafting file “guts” ... after the draft's old version (the version that this fiscal estimate was based on), and just before re-draft of the updated version.
- > **If introduced ...** please make sure the attached fiscal estimate is for the **current version** ... write the draft's new introduction number below and give this packet to Mike (or Lori) to re-process the fiscal estimate (w/intro. number included).

THIS DRAFT WAS INTRODUCED AS: 2011 SB 230

Barman, Mike

From: LRB.Legal
Sent: Thursday, October 06, 2011 8:44 AM
To: Sen.Schultz
Cc: Mulmuley, Sanchit
Subject: LRB-2906/1 (un-introduced) (FE by DWD - attached - for your review) (Subject: Employ Priv - prevailing wage)

Attachments: FE-2906_DWD.PDF



FE-2906_DWD.PD
F (62 KB)

Mike Barman (Lead Program Assistant)
State of Wisconsin - Legislative Reference Bureau
Legal Section - Front Office
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(608) 266-3561 / mike.barman@legis.wisconsin.gov