



## 2011 SENATE BILL 286

1     **AN ACT relating to:** revising various provisions of the statutes for the purpose  
2             of supplying omissions and eliminating defects (Correction Bill).

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*Analysis by the Legislative Reference Bureau*

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

3             **SECTION 1.** 66.0903 (2) (intro.) and (b) of the statutes, as created by 2009  
4     Wisconsin Act 28, are amended to read:

5             66.0903 (2) **APPLICABILITY.** (intro.) Subject to sub. (5), this section applies to any  
6     project of public works erected, constructed, repaired, remodeled, or demolished for  
7     a local governmental unit, including all of the following:

8             (b) A project erected, constructed, repaired, remodeled, or demolished by one  
9     local governmental unit for another local governmental unit under a contract under  
10    s. 66.0301 (2), 83.03, 83.035, or 86.31 (2) (b) or under any other statute specifically  
11    authorizing cooperation between local governmental units.

**SENATE BILL 286****SECTION 2**

1           **SECTION 2.** 66.0903 (11) (a) 1. of the statutes, as affected by 2009 Wisconsin Act  
2 28, is amended to read:

3           66.0903 **(11)** (a) 1. Any contractor, subcontractor, or contractor's or  
4 subcontractor's agent who fails to pay the prevailing wage rate determined by the  
5 department under sub. (3) or who pays less than 1.5 times the hourly basic rate of  
6 pay for all hours worked in excess of the prevailing hours of labor is liable to any  
7 affected employee in the amount of his or her unpaid wages or his or her unpaid  
8 overtime compensation and in an additional amount as liquidated damages as  
9 provided under subd. 2., or 3., whichever is applicable.

10           **SECTION 3.** 71.63 (3) (d) of the statutes, as affected by 2009 Wisconsin Acts 28  
11 and 288, is amended to read:

12           71.63 **(3)** (d) With regard to ~~ss.~~ s. 71.65 (6), "employer" means a person  
13 described in s. 108.18 (2) (c) or a person engaged in the painting or drywall finishing  
14 of buildings or other structures.

15           **SECTION 4.** 103.49 (6m) (ag) 1. of the statutes, as created by 2009 Wisconsin Act  
16 28, is amended to read:

17           103.49 **(6m)** (ag) 1. Any contractor, subcontractor, or contractor's or  
18 subcontractor's agent who fails to pay the prevailing wage rate determined by the  
19 department under sub. (3) or who pays less than 1.5 times the hourly basic rate of  
20 pay for all hours worked in excess of the prevailing hours of labor is liable to any  
21 affected employee in the amount of his or her unpaid wages or his or her unpaid  
22 overtime compensation and in an additional amount as liquidated damages as  
23 provided in subd. 2., or 3., whichever is applicable.

24           **SECTION 5. Nonstatutory provisions; reconciliation.**

**SENATE BILL 286**

1 (1) The treatment of section 66.0903 (2) (intro.) and (b) of the statutes by this  
2 act is void if the partial veto of 2009 Wisconsin Act 28, section 1480c, is overridden.

3 (2) The treatment of section 66.0903 (11) (a) 1. of the statutes by this act is void  
4 if the partial veto of 2009 Wisconsin Act 28, section 1484f, is overridden.

5 (3) The treatment of section 71.63 (3) (d) of the statutes by this act is void if the  
6 partial veto of 2009 Wisconsin Act 28, section 1777m, is overridden.

7 (4) The treatment of section 103.49 (6m) (ag) 1. of the statutes by this act is void  
8 if the partial veto of 2009 Wisconsin Act 28, section 2192f, is overridden.

9 (END)