

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

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January 17, 2014

Senator Olsen:

The instructions for item 2. state that once a contract expires, the municipality must be in compliance with the 30% maximum retainage “the very next year.” If a contract expires, for example, on December 31, the municipality must meet the 30% standard the next day. If a contract expires on January 1, the municipality must meet the 30% standard in 364 or 365 days, which seems very unbalanced. Is this your intent?

I drafted the provision so that the municipality would have to be in compliance on the first day of the second calendar quarter that begins after the contract expires, is renewed, or is modified. This would give municipalities somewhere between approximately 90 and 180 days. Is this consistent with your intent? Please let me know if the amendment needs to be redrafted. Thanks.

Marc E. Shovers
Managing Attorney
Phone: (608) 266-0129
E-mail: marc.shovers@legis.wisconsin.gov