2019 DRAFTING REQUEST

-	•	
к	П	
v	ш	u

For:

Administration-Budget

Drafter:

emueller

By:

Hynek

Secondary Drafters:

Date:

2/20/2019

May Contact:

Same as LRB:

Submit via email:

YES

Requester's email:

Carbon copy (CC) to:

doasbostatlanguage@wisconsin.gov

Pre Topic:

DOA:.....Hynek, BB0375 -

Topic:

Project labor agreements

Instructions:

See attached

Drafting History:

Vers.

Drafted

Reviewed

Submitted

Jacketed

Required

/?

emueller

2/20/2019

/P1

anienaja

mbarman

State

2/20/2019

2/20/2019

S&L

FE Sent For:

<**END>**

Mueller, Eric

From:

Hanaman, Cathlene

Sent:

Wednesday, February 20, 2019 10:18 AM

To:

Mueller, Eric

Subject:

FW: Statutory Language Drafting Request - 2019-21

From: Sara.Hynek@Wisconsin.gov <Sara.Hynek@Wisconsin.gov>

Sent: Thursday, February 14, 2019 10:41 AM

To: Hanaman, Cathlene M - LEGIS < Cathlene. Hanaman@legis.wisconsin.gov>

Cc: Hynek, Sara - DOA < Sara. Hynek@wisconsin.gov >; Hynek, Sara - DOA < Sara. Hynek@wisconsin.gov >

Subject: Statutory Language Drafting Request - 2019-21

Biennial Budget: 2019-21

Topic: Project Labor Agreements

Tracking Code: BB0375

SBO Team: EWD

SBO Analyst: Hynek, Sara - DOA

Phone: (608) 266-1037

E-mail: Sara.Hynek@Wisconsin.gov

Agency Acronym: 445

Agency Number: 445

Priority: Medium

Intent:

Repeal the provisions enacted in 2017 Act 3, which prohibits state and local governments from requiring an agreement with a labor organization on public works projects.

Attachments: False

Please send completed drafts to SBOStatlanguage@spmail.enterprise.wistate.us



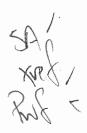
State of Misconsin 2019 - 2020 LEGISLATURE

LRB-2168/P1 EVM:... Grand

(RMR)

DOA:.....Hynek, BB0375 - Project labor agreements

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION



2/20/19

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau STATE GOVERNMENT

GENERAL STATE GOVERNMENT

\longrightarrow 1. Project labor agreements

Under current law, the state and local units of government are prohibited from engaging in certain practices in letting bids for state procurement or public works contracts. Among these, as established by 2017 Wisconsin Act 3, the state and local governments may not do any of the following in specifications for bids for the contracts: 1) require that a bidder enter into an agreement with a labor organization; 2) consider, when awarding a contract, whether a bidder has or has not entered into an agreement with a labor organization; or 3) require that a bidder enter into an agreement that requires that the bidder or bidder's employees become or remain members of a labor organization or pay any dues or fees to a labor organization. This bill repeals these limitations related to agreements with labor organizations.

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

Section 1. 16.75 (1 $\stackrel{\checkmark}{p}$) of the statutes is repealed.

1 Section 2.	16.855	(1p) of	f the	statutes	is re	pealed.
--------------	--------	---------	-------	----------	-------	---------

- 2 Section 3. 66.0901 (1) (ae) of the statutes is repealed.
- 3 Section 4. 66.0901 (1) (am) of the statutes is repealed.
 - **Section 5.** 66.0901 (6) of the statutes is amended to read:

66.0901 (6) Separation of contracts; classification of contractors. In public contracts for the construction, repair, remodeling or improvement of a public building or structure, other than highway structures and facilities, a municipality may bid projects based on a single or multiple division of the work. Public contracts shall be awarded according to the division of work selected for bidding. Except as provided in sub. (6m), the The municipality may set out in any public contract reasonable and lawful conditions as to the hours of labor, wages, residence, character and classification of workers to be employed by any contractor, classify contractors as to their financial responsibility, competency and ability to perform work and set up a classified list of contractors. The municipality may reject the bid of any person, if the person has not been classified for the kind or amount of work in the bid.

History: 1971 c. 154; 1975 c. 390; 1983 a. 27; 1991 a. 316; 1993 a. 112, 399, 490, 491; 1999 a. 150 ss. 257, 258, 328 to 334; Stats. 1999 s. 66.0901; 1999 a. 186 s. 50; 2001 a. 103; 2003 a. 157; 2005 a. 204; 2009 a. 173; 2011 a. 32; 2015 a. 55; 2017 a. 3, 137.

SECTION 6. 66.0901 (6m) of the statutes is repealed.

Section 7. 66.0901 (6s) of the statutes is repealed.

18

17

4

5

6

7

8

9

10

11

12

13

14

15



1

State of Misconsin 2019 - 2020 LEGISLATURE

LRB-2168/P1 EVM:amn

DOA:.....Hynek, BB0375 - Project labor agreements

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau STATE GOVERNMENT

GENERAL STATE GOVERNMENT

1. Project labor agreements

Under current law, the state and local units of government are prohibited from engaging in certain practices in letting bids for state procurement or public works contracts. Among these, as established by 2017 Wisconsin Act 3, the state and local governments may not do any of the following in specifications for bids for the contracts: 1) require that a bidder enter into an agreement with a labor organization; 2) consider, when awarding a contract, whether a bidder has or has not entered into an agreement with a labor organization; or 3) require that a bidder enter into an agreement that requires that the bidder or bidder's employees become or remain members of a labor organization or pay any dues or fees to a labor organization. This bill repeals these limitations related to labor organizations.

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:

18

19

1	Section 1. 16.75 (1p) of the statutes is repealed.
2	SECTION 2. 16.855 (1p) of the statutes is repealed.
3	Section 3. 66.0901 (1) (ae) of the statutes is repealed.
4	Section 4. 66.0901 (1) (am) of the statutes is repealed.
5	Section 5. 66.0901 (6) of the statutes is amended to read:
6	66.0901 (6) Separation of contracts; classification of contractors. In public
7	contracts for the construction, repair, remodeling or improvement of a public
8	building or structure, other than highway structures and facilities, a municipality
9	may bid projects based on a single or multiple division of the work. Public contracts
10	shall be awarded according to the division of work selected for bidding. Except as
11	provided in sub. (6m), the The municipality may set out in any public contract
12	reasonable and lawful conditions as to the hours of labor, wages, residence, character
13	and classification of workers to be employed by any contractor, classify contractors
14	as to their financial responsibility, competency and ability to perform work and se
15	up a classified list of contractors. The municipality may reject the bid of any person
16	if the person has not been classified for the kind or amount of work in the bid.
17	Section 6. 66.0901 (6m) of the statutes is repealed.

Section 7. 66.0901 (6s) of the statutes is repealed.

(END)