
Wisconsin Legislative Council

AMENDMENT MEMO



Memo published: February 2, 2024

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2023 Assembly Bill 956

Assembly Amendment 1

Among other provisions, 2023 Assembly Bill 956 addresses: (1) requirements for state construction contracting; and (2) procedures for state construction project budget increases.

STATE CONSTRUCTION CONTRACTING

Under **current law**, state construction projects must comply with several contracting requirements. One requirement is that all projects over \$600,000 generally must be let through single prime contracting.

Another requirement relates to agreements with labor organizations.¹ Under that requirement, the Department of Administration may not do any of the following:

- Require that a bidder enter into or adhere to an agreement with a labor organization.
- Consider whether or not a bidder has entered into an agreement with a labor organization.
- Require that a bidder's employees become or remain members of a labor organization or pay any dues, fees, assessments, or other charges to a labor organization or its benefit plan.

Under **2023 Assembly Bill 956**, for any project costing \$200 million or more, the agency for which the project is to be constructed may request that the Building Commission waive many of the current contracting requirements, including those relating to single prime contracting and agreements with labor organizations.

Under **Assembly Amendment 1**, the Building Commission may not waive the contracting requirement relating to agreements with labor organizations.

STATE CONSTRUCTION PROJECT BUDGET INCREASES

Under **current law**, the Building Commission may authorize limited changes in a project's budget if the commission determines that unanticipated program or bidding conditions require a change to effectively and economically construct the project.

Under **2023 Assembly Bill 956**, the commission may not increase the budget of any enumerated state building project by more than 10 percent without first submitting the proposed budget increase to the Joint Committee on Finance (JCF) for passive review.

Under **Assembly Amendment 1**, the commission is not required to submit such a proposed budget increase to JCF for passive review if the budget increase is funded solely from program revenue, gifts, grants, other receipts, or federal funds.

¹ An "agreement with a labor organization" means any agreement with a labor organization, including a collective bargaining agreement, a project labor agreement, or a community workforce agreement.

BILL HISTORY

Representative Born offered Assembly Amendment 1 on January 30, 2024. On January 31, 2024, the Assembly Committee on State Affairs recommended adoption of the amendment and passage of the bill, as amended, each on a vote of Ayes, 6; Noes, 5.

For a full history of the bill, visit the Legislature's [bill history page](#).

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