

No. 38, A.]

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**CHAPTER 27.**

AN ACT to amend 15.54 (4), 15.79, 103.49 (1) and 289.16 (1) of the statutes, relating to improvement contracts to which the state or any of its agencies is a party.

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

SECTION 1. 15.54 (4) of the statutes is amended to read:

15.54 (4) The words "contractual services" include gas, electricity, steam, telephone, telegraph, freight, express, drayage, towels, drinking water, postage, printing, binding and similar services, *and any contract involving less than \$1,000 for construction work to be done for, or furnished to the state or any agency thereof.*

SECTION 2. 15.79 of the statutes is amended to read:

15.79 Every contract for engineering or architectural service \* \* \* *and every contract involving an expenditure of \$1,000 or more* for construction work to be done for, or furnished to the state, or any department, board, commission or officer thereof, shall, before it becomes valid or effectual for any purpose, have indorsed thereon in writing the approval thereof of the state chief engineer or his designated assistant, and \* \* \* the approval of the governor; and no payment or compensation for work done under any contract *involving \$1,000 or more*, except highway contracts, shall be made unless the written claim therefor is audited and approved by the state chief engineer.

SECTION 3. 103.49 (1) of the statutes is amended to read:

103.49 (1) Each contract *involving \$1,000 or more* hereafter made for the erection, construction, or remodeling of any public building to which the state or any department thereof is a party shall contain a stipulation that no laborer, workman, or mechanic in the employ of the contractor or of any subcontractor, agent, or other person, doing or contracting to do all or a part of the work, shall be paid less than the prevailing wage rate in the same or most similar trade or occupation in the county wherein such public building is situated, which rate shall be set forth specifically in the contract.

SECTION 4. 289.16 (1) of the statutes is amended to read:

289.16 (1) All contracts *with the state* involving *\$1,000 or more and all other contracts involving \$100 or more* for the performance of labor or furnishing materials when the same pertains to or is for or in or about any public improvement or public work of whatsoever kind shall contain a provision for the payment by the contractor of all claims for labor performed and materials furnished, used or consumed in making such public improvement or performing such public work, including, without limitation because of specific enumeration, fuel, lumber, building materials, machinery, vehicles, tractors, equipment, fixtures, apparatus, tools, appliances, supplies, electric energy, gasoline and other motor oil, lubricating oil, and greases, and the premiums for workmen's compensation insurance and the contributions for unemployment compensation; and no such contract shall be made unless the contractor shall give a bond, the penalty of which shall not be less than the contract price, conditioned for the faithful performance of the contract, and the payment to every person entitled thereto of all the claims for labor performed, and materials furnished for or in or about or under such contract, to be used or consumed in making such public improvement or performing such public work as in such contract provided and as above specified, such bond in the case of the state to be approved by the governor, of a county by its district attorney, of a city or village by its mayor or president, of a town by its chairman, of a school district by the director or president and in case of any other public board or body by the presiding officer thereof. No assignment, modification, or change of the contract, or change in the work covered

thereby, nor any extension of time for completion of the contract shall release the sureties on said bond.

Approved March 25, 1949.

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