

SB0290/647275/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 290

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Task Force to Study the Applicability of the Maryland Prevailing Wage Law”; strike beginning with “altering” in line 3 down through the semicolon in line 4 and substitute “establishing a Task Force to Study the Applicability of the Maryland Prevailing Wage Law; providing for the membership and cochairs of the Task Force; requiring the Department of Legislative Services, with assistance from the Department of Labor, Licensing, and Regulation, to staff the Task Force; providing that a member of the Task Force may not receive certain compensation but is entitled to certain reimbursement; providing for the duties of the Task Force; requiring the Task Force to report certain findings and recommendations, on or before a certain date, to the Governor and certain committees of the General Assembly; providing for the termination of this Act;”; strike in their entirety lines 6 through 10, inclusive; and in line 12, strike “the Laws of Maryland read as follows”.

AMENDMENT NO. 2

On pages 1 through 4, strike in their entirety the lines beginning with line 13 on page 1 through line 2 on page 4, inclusive, and substitute:

“(a) There is a Task Force to Study the Applicability of the Maryland Prevailing Wage Law.

(b) The Task Force consists of the following members:

(1) two members of the Senate of Maryland, one of whom shall be a member of the minority party, appointed by the President of the Senate;

(Over)

(2) two members of the House of Delegates, one of whom shall be a member of the minority party, appointed by the Speaker of the House;

(3) the Secretary of Labor, Licensing, and Regulation;

(4) the Secretary of General Services;

(5) the Executive Director of the Public School Construction Program;

(6) the following members appointed by the President of the Senate and the Speaker of the House:

(i) one member of the AFL-CIO;

(ii) one member of the Washington, DC Building and Construction Trades Council;

(iii) one member of the Associated Builders and Contractors;

(iv) one member from the Maryland Association of Counties;

(v) one member from the Maryland Association of Boards of Education; and

(vi) one member representing a local school system that solicits bids for school construction at the 50% threshold under the Prevailing Wage Law.

(c) The Task Force shall be the be cochaired by the members from the Senate of Maryland and the House of Delegates.

(d) The Department of Legislative Services, with assistance from the Department of Labor, Licensing, and Regulation, shall staff the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

(1) examine the current Prevailing Wage Law and how it applies to school construction projects, including:

(i) the current process as it relates to the Interagency Committee on School Construction procedures;

(ii) the determination of whether a project is bid as a prevailing wage or nonprevailing wage project;

(iii) how the current prevailing wage thresholds apply and affect bids for school construction projects; and

(iv) whether there are differences in the application of the Prevailing Wage Law based on project size and cost;

(2) analyze and examine school construction contracts bid as prevailing wage and nonprevailing wage contracts to determine the effect the following requirements may have on contract costs, including:

(i) overhead costs associated with complying with the Prevailing Wage Law;

(Over)

(ii) other related contractor overhead costs that may apply;

(iii) fringe benefits provided to workers;

(iv) licensing requirements;

(v) reporting requirements; and

(vi) union requirements that may affect staffing levels;

(3) analyze and examine prevailing wage and nonprevailing wage construction projects through the duration of the project to determine if project quality varies by contract type, accounting for the following:

(i) local school system-driven modifications;

(ii) unforeseen condition modifications; and

(iii) defective workmanship;

(4) study how local prevailing wage laws compare to the Maryland Prevailing Wage Law; and

(5) review:

(i) other state prevailing wage laws;

(ii) other studies on the effect of prevailing wage laws on construction costs, community well-being, worker wages and income tax revenues, and State and local budgets; and

(iii) any other matter that relates to the scope and application of the Maryland Prevailing Wage Law.

(g) On or before December 31, 2013, the Task Force shall report its findings and recommendations relating to the effect of the Maryland Prevailing Wage Law on school construction to the Governor and, in accordance with § 2-1246 of the State Government Article, the Senate Finance Committee and the House Economic Matters Committee.”.

On page 4, in line 3, after the period, insert “It shall remain effective for a period of 1 year and, at the end of June 30, 2014, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.