SENATE BILL 290

P2 SB 368/12 – FIN CF 3lr0860

By: Senators Stone and Manno

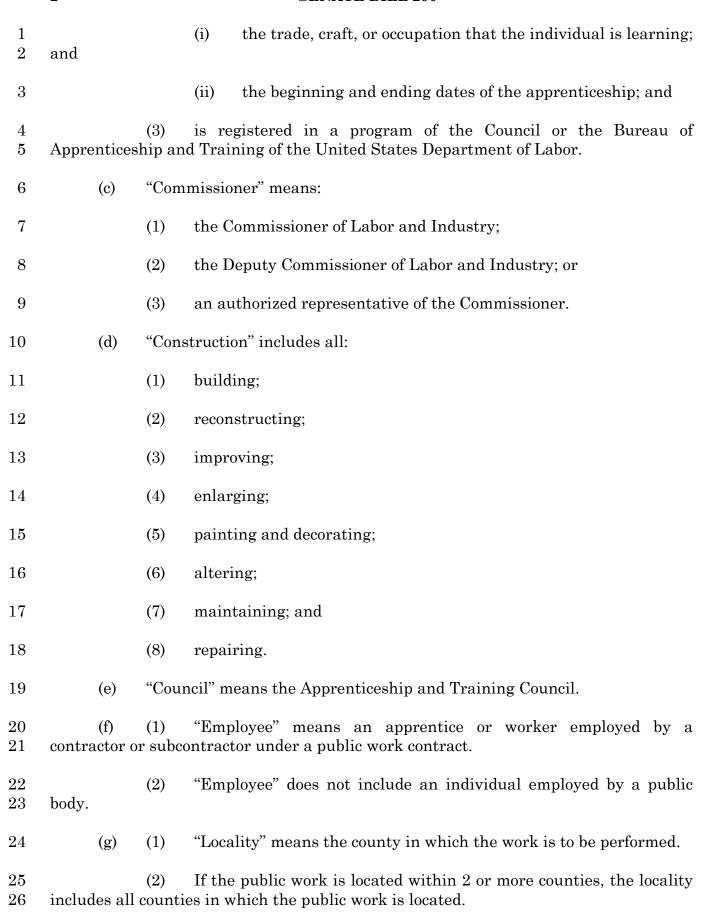
Introduced and read first time: January 23, 2013

Assigned to: Finance

A BILL ENTITLED

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1	AN ACT concerning				
2	Procurement - Prevailing Wage - Applicability				
3 4 5	FOR the purpose of altering a certain limitation on the applicability of the Prevailing Wage Law to the construction of a public work by revising a certain definition and generally relating to the applicability of the Prevailing Wage Law.				
6 7 8 9 10	BY repealing and reenacting, with amendments, Article – State Finance and Procurement Section 17–201 Annotated Code of Maryland (2009 Replacement Volume and 2012 Supplement)				
11 12	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:				
13	Article - State Finance and Procurement				
14	17–201.				
15 16	(a) In this subtitle, unless the context indicates otherwise, the following words have the meanings indicated.				
17	(b) "Apprentice" means an individual who:				
18	(1) is at least 16 years old;				
19 20 21	(2) has signed with an employer or employer's agent, an association of employers, an organization of employees, or a joint committee from both, an agreement including a statement of:				





$\frac{1}{2}$	(h) "Prevailing wage rate" means the hourly rate of wages paid in the locality as determined by the Commissioner under § 17–208 of this subtitle.			
3	(i) (1)	"Public	e body" means:	
4		(i)	the State;	
5 6	unit of the State go		except as provided in paragraph (2)(i) of this subsection, a ent or instrumentality of the State;	
7 8 9	(iii) any political subdivision, agency, person, or entity with respect to the construction of any public work for which [50%] 25% or more of the money used for construction is State money; and			
10 11	political subdivision	. ,	notwithstanding paragraph (2)(ii) of this subsection, a governing body:	
12 13	subdivision is cover		1. provides by ordinance or resolution that the political this subtitle; and	
14 15	the Commissioner.		2. gives written notice of that ordinance or resolution to	
16	(2)	"Public	e body" does not include:	
17 18	State funded wholl	` '	a unit of the State government or instrumentality of the a source other than the State; or	
19 20 21	(ii) any political subdivision, agency, person, or entity with respect to the construction of any public work for which less than [50%] 25 % of the money used for construction is State money.			
22 23 24	(j) (1) Subject to paragraph (2) of this subsection, "public work" means a structure or work, including a bridge, building, ditch, road, alley, waterwork, or sewage disposal plant, that:			
25		(i)	is constructed for public use or benefit; or	
26		(ii)	is paid for wholly or partly by public money.	
27 28 29		uction i	e work" does not include, unless let to contract, a structure or is performed by a public service company under order of the n or other public authority regardless of:	
30		(i)	public supervision or direction; or	
31		(ii)	payment wholly or partly from public money.	

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- 1 (k) "Public work contract" means a contract for construction of a public work.
- 2 (l) "Worker" means a laborer or mechanic.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 4 $\,$ July 1, 2013.