P2 3lr1884

By: Senator Manno

Introduced and read first time: February 8, 2013

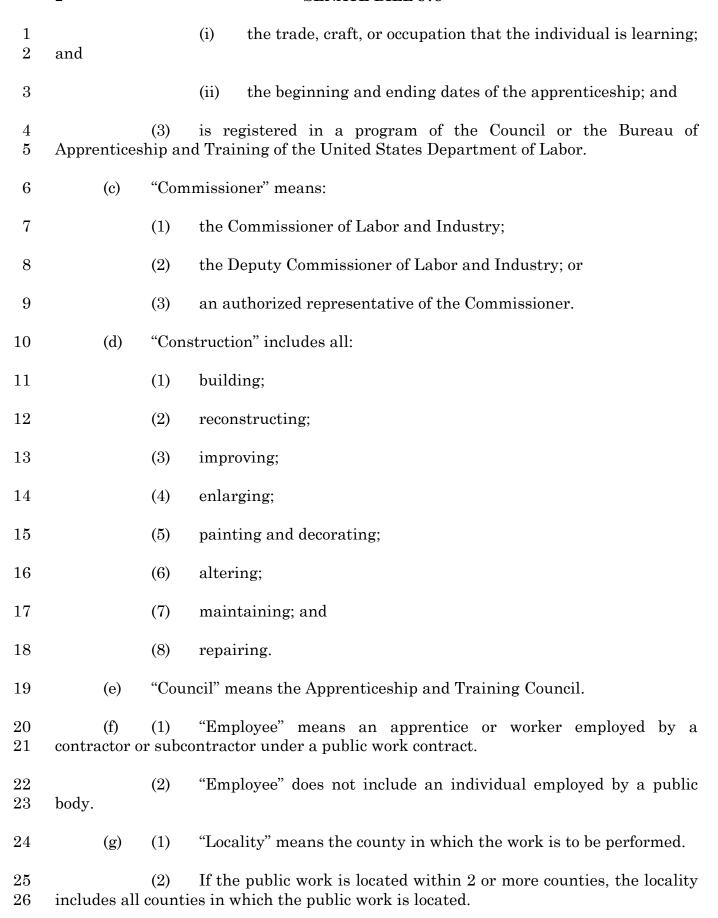
Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

- 2 Procurement Prevailing Wage Rates for School Construction Application
- 3 FOR the purpose of repealing a certain limitation on the applicability of the prevailing
- 4 wage rate law to the construction of an elementary or secondary school by
- 5 revising a certain definition; and generally relating to the applicability of the
- 6 prevailing wage rate law.
- 7 BY repealing and reenacting, with amendments,
- 8 Article State Finance and Procurement
- 9 Section 17–201
- 10 Annotated Code of Maryland
- 11 (2009 Replacement Volume and 2012 Supplement)
- 12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 13 MARYLAND, That the Laws of Maryland read as follows:
- 14 Article State Finance and Procurement
- 15 17–201.
- 16 (a) In this subtitle, unless the context indicates otherwise, the following words have the meanings indicated.
- 18 (b) "Apprentice" means an individual who:
- 19 (1) is at least 16 years old;
- 20 (2) has signed with an employer or employer's agent, an association of
- 21 employers, an organization of employees, or a joint committee from both, an
- 22 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 \S 17–208 of this subtitle.
3	(i) (1) "Public body" means:
4	(i) the State;
5 6	(ii) except as provided in paragraph (2)(i) of this subsection, a unit of the State government or instrumentality of the State;
7	(iii) any political subdivision, agency, person, or entity:
8 9 10	1. WITH RESPECT TO THE CONSTRUCTION OF AN ELEMENTARY OR SECONDARY SCHOOL FOR WHICH ANY PORTION OF THE MONEY USED FOR CONSTRUCTION IS STATE MONEY; OR
$egin{array}{c} 1 \ 2 \end{array}$	2. with respect to the construction of any OTHER public work for which 50% or more of the money used for construction is State money; and
13 14	(iv) notwithstanding paragraph (2)(ii) of this subsection, a political subdivision if its governing body:
15 16	1. provides by ordinance or resolution that the political subdivision is covered by this subtitle; and
17 18	2. gives written notice of that ordinance or resolution to the Commissioner.
19	(2) "Public body" does not include:
20 21	(i) a unit of the State government or instrumentality of the State funded wholly from a source other than the State; or
22 23 24 25	(ii) EXCEPT AS PROVIDED IN PARAGRAPH (1)(III)1 OF THIS SUBSECTION, any political subdivision, agency, person, or entity with respect to the construction of any public work for which less than 50% of the money used for construction is State money.
26 27 28	(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:
29	(i) is constructed for public use or benefit; or
RU	(ii) is naid for wholly or partly by public money

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1	(2) "Public work" does not include, unless let to contract, a structure or
2	work whose construction is performed by a public service company under order of the
3	Public Service Commission or other public authority regardless of:
4	(i) public supervision or direction; or
5	(ii) payment wholly or partly from public money.
6	(k) "Public work contract" means a contract for construction of a public work.
7	(l) "Worker" means a laborer or mechanic.
8	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9	October 1, 2013.