
By: Delegate Baldwin

Introduced and read first time: January 24, 1996

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prevailing Wage Law - Exemption for Construction of a Professional Football Stadium in**
3 **Prince George's County**

4 FOR the purpose of exempting from the requirements of the prevailing wage law any
5 public works contract associated with the construction of a professional football
6 stadium in Prince George's County; and generally relating to the application of the
7 prevailing wage law.

8 BY repealing and reenacting, without amendments,
9 Article - State Finance and Procurement
10 Section 17-201(a), (d), (h), (j), and (k)
11 Annotated Code of Maryland
12 (1995 Replacement Volume and 1995 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article - State Finance and Procurement
15 Section 17-202
16 Annotated Code of Maryland
17 (1995 Replacement Volume and 1995 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article - State Finance and Procurement**

21 17-201.

22 (a) In this subtitle, unless the context indicates otherwise, the following words
23 have the meanings indicated.

24 (d) "Construction" includes all:

25 (1) building;

26 (2) reconstructing;

27 (3) improving;

28 (4) enlarging;

2

1 (5) painting and decorating;

2 (6) altering;

3 (7) maintaining; and

4 (8) repairing.

5 (h) "Prevailing wage rate" means the hourly rate of wages paid in the locality as
6 determined by the Commissioner under § 17-208 of this subtitle.

7 (j) (1) Subject to paragraph (2) of this subsection, "public work" means a
8 structure or work, including a bridge, building, ditch, road, alley, waterwork, or sewage
9 disposal plant, that:

10 (i) is constructed for public use or benefit; or

11 (ii) is paid for wholly or partly by public money.

12 (2) "Public work" does not include:

13 (i) unless let to contract, a structure or work whose construction is
14 performed by a public service company under order of the Public Service Commission or
15 other public authority regardless of:

16 1. public supervision or direction; or

17 2. payment wholly or partly from public money; or

18 (ii) an elementary or secondary school if:

19 1. the school is not in a county covered under subsection
20 (i)(1)(iv) of this section; and

21 2. the State provides less than 75% of the money for
22 construction.

23 (k) "Public work contract" means a contract for construction of a public work.

24 17-202.

25 (a) This subtitle does not limit:

26 (1) the hours of work an employee may work in a particular period of time;
27 or

28 (2) the right of a contractor to pay an employee under a publicwork
29 contract more than the prevailing wage rate.

30 (b) This subtitle does not apply to:

31 (1) a public work contract of less than \$500,000; [or]

32 (2) the part of a public work contract for which the federal government
33 provides money if, as to that part, the contractor is required to pay the prevailing wage
34 rate as determined by the United States Secretary of Labor; OR

3

1 (3) A PUBLIC WORK CONTRACT ASSOCIATED WITH THE CONSTRUCTION
2 OF A PROFESSIONAL FOOTBALL STADIUM IN PRINCE GEORGE'S COUNTY.

3 (c) If this subtitle and the federal Davis-Bacon Act apply and the federal act is
4 suspended, the Governor may declare this subtitle suspended for the same period for:

5 (1) the part of that public work contract for which the United States
6 Secretary of Labor would have been required to make a determination of a prevailing
7 wage rate; or

8 (2) that entire public work contract.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 1996.