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**By: Delegates Kach, Wood, and Holt**

Introduced and read first time: February 1, 1996

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Prevailing Wage Law - Exemption for Construction of Correctional Facilities**

3 FOR the purpose of exempting construction of a correctional facility from the  
4 requirements of the prevailing wage law.

5 BY repealing and reenacting, without amendments,  
6 Article - State Finance and Procurement  
7 Section 17-201(h)  
8 Annotated Code of Maryland  
9 (1995 Replacement Volume and 1995 Supplement)  
10 (As enacted by Chapter 48 of the Acts of the General Assembly of 1988)

11 BY repealing and reenacting, with amendments,  
12 Article - State Finance and Procurement  
13 Section 17-201(j)  
14 Annotated Code of Maryland  
15 (1995 Replacement Volume and 1995 Supplement)

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

18 **Article - State Finance and Procurement**

19 17-201.

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

22 (j) (1) Subject to paragraph (2) of this subsection, "public work" means a  
23 structure or work, including a bridge, building, ditch, road, alley, waterwork, or sewage  
24 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 (2) "Public work" does not include:

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

4 1. public supervision or direction; or

5 2. payment wholly or partly from public money; [or]

6 (ii) an elementary or secondary school if:

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

9 2. the State provides less than 75% of the money for  
10 construction; OR

11 (III) A CORRECTIONAL FACILITY.

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