

SENATE BILL 587

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P2

1998 Regular Session
8lr2445

By: **Senator Lawlah**

Introduced and read first time: February 6, 1998

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Procurement - Prevailing Wage - School Construction**

3 FOR the purpose of repealing a certain limitation on the applicability of the
4 Prevailing Wage Law to the construction of an elementary or secondary school;
5 and generally relating to the definitions of "public body" and "public work"
6 under the Prevailing Wage Law.

7 BY repealing and reenacting, with amendments,
8 Article - State Finance and Procurement
9 Section 17-201
10 Annotated Code of Maryland
11 (1995 Replacement Volume and 1997 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
17 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:

23 (i) the trade, craft, or occupation that the individual is learning;

24 and

25 (ii) the beginning and ending dates of the apprenticeship; and

1 (3) is registered in a program of the Council or the Bureau of
2 Apprenticeship and Training of the United States Department of Labor.

3 (c) "Commissioner" means:

- 4 (1) the Commissioner of Labor and Industry;
- 5 (2) the Deputy Commissioner of Labor and Industry; or
- 6 (3) an authorized representative of the Commissioner.

7 (d) "Construction" includes all:

- 8 (1) building;
- 9 (2) reconstructing;
- 10 (3) improving;
- 11 (4) enlarging;
- 12 (5) painting and decorating;
- 13 (6) altering;
- 14 (7) maintaining; and
- 15 (8) repairing.

16 (e) "Council" means the Apprenticeship and Training Council.

17 (f) (1) "Employee" means an apprentice or worker employed by a contractor
18 or subcontractor under a public work contract.

19 (2) "Employee" does not include an individual employed by a public body.

20 (g) (1) "Locality" means the county in which the work is to be performed.

21 (2) If the public work is located within 2 or more counties, the locality
22 includes all counties in which the public work is located.

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

25 (i) (1) "Public body" means:

26 (i) the State;

27 (ii) except as provided in paragraph (2)(i) of this subsection, a unit
28 of the State government or instrumentality of the State;

29 (iii) any political subdivision, agency, person, or entity[

