

BY: Economic and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 313

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “State-Funded Construction Projects” and substitute “Public Work Contracts”; strike beginning with “contract” in line 3 down through “projects” in line 10 and substitute “contractor or subcontractor under certain public work contracts have, or be a member of an association that has, a certain apprenticeship program in place for a certain period of time before submitting a bid or proposal for the contract; requiring each contractor or subcontractor under certain public work contracts to hire certain apprentices at a certain ratio to the number of journey persons; and generally relating to apprenticeship programs for public work contracts”; and strike in their entirety lines 11 through 15, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article - State Finance and Procurement

Section 17-205

Annotated Code of Maryland

(1995 Replacement Volume and 2000 Supplement)”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 18 on page 1 through line 23 on page 2, inclusive, and substitute:

“Article - State Finance and Procurement

17-205.

(a) A contractor or subcontractor under a public work contract subject to this subtitle:

(1) shall employ only competent workers and apprentices who qualify under

(Over)

subsection (b) of this section;

(2) SHALL HAVE, OR BE A MEMBER OF AN ASSOCIATION THAT HAS, AN APPROVED AND REGISTERED APPRENTICESHIP PROGRAM IN PLACE AT LEAST 6 MONTHS BEFORE SUBMITTING A BID OR PROPOSAL FOR THE CONTRACT;

(3) SHALL HIRE STATE-REGISTERED APPRENTICES AT A RATIO OF ONE APPRENTICE FOR EVERY THREE JOURNEY PERSONS;

[(2)] (4) may not employ any individual classified as a helper or trainee; and

[(3)] (5) may refuse to employ a worker who is a resident of another state if the Commissioner finds that the other state enforces a law that prohibits a resident of this State from employment as a worker under a public work contract in that state, unless:

(i) the refusal is in conflict or otherwise inconsistent with a federal law applicable to the public work;

(ii) the federal government is to pay wholly or partly for the public work;
and

(iii) the inconsistency with federal law jeopardizes the availability of federal funds for the public work.

(b) An apprentice under a public work contract shall be part of and used in accordance with an apprenticeship program registered with the Council and approved by the Bureau of Apprenticeship and Training of the United States Department of Labor.”.