

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL NO. 1192

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Jameson,”; in the same line, strike “Wood,”; in lines 4, 5, and 7, in each instance, strike “level” and substitute “rate”; in line 6, strike “prescribe” and substitute “alter”; in the same line, strike “living” and substitute “certain”; in line 8, strike “employees” and substitute “certain employers”; in the same line, after the semicolon insert “requiring the Commissioner to publish a certain wage rate under certain circumstances;”; in line 11, strike “covered” and substitute “certain”; in line 12, strike “damages” and substitute “wages”; in line 15, after “terms;” insert “requiring the Department of Legislative Services to study certain matters and report to the General Assembly on or before a certain date; requiring certain governmental units to cooperate with the Department and provide certain information in a certain manner; providing for the application of this Act;”; and in lines 15 and 16, strike “levels of wages paid to employees under certain procurement contracts” and substitute “the living wage”.

AMENDMENT NO. 2

On page 2, in line 26, strike “FOR PROFIT ENTITY” and substitute “CONTRACTOR OR SUBCONTRACTOR”; strike beginning with the colon in line 26 down through “(1)” in line 27; and strike beginning with the semicolon in line 28 down through “SUBSECTION” in line 30.

AMENDMENT NO. 3

On page 3, in line 2, after “(A)” insert “(1)”; after line 5, insert:

“(2) THIS TITLE DOES NOT APPLY TO AN EMPLOYEE OF AN EMPLOYER IF THE EMPLOYEE:

(I) IS 17 YEARS OF AGE OR YOUNGER FOR THE DURATION OF A CONTRACT SUBJECT TO THIS TITLE; OR

(Over)

(II) WORKS LESS THAN 13 CONSECUTIVE WEEKS FOR THE DURATION OF A CONTRACT SUBJECT TO THIS TITLE.”;

in line 10, strike “OR”; in line 11, strike “WITH THE STATE OR A PRINCIPAL UNIT OF STATE GOVERNMENT” and substitute “BETWEEN UNITS; OR

(5) BETWEEN A UNIT AND A COUNTY OR BALTIMORE CITY”;

in line 20, after “(B)” insert “(1) NOT LATER THAN 90 DAYS AFTER THE START OF EACH FISCAL YEAR,”; in line 21, strike “ANNUALLY”; and after line 24, insert:

“(2) IF THE COMMISSIONER ADJUSTS THE WAGE RATE IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION, THE COMMISSIONER SHALL PUBLISH THE NEW WAGE RATE ON THE DIVISION OF LABOR AND INDUSTRY’S WEBSITE.

(3) ON REQUEST BY ANY PERSON, THE COMMISSIONER SHALL GIVE THE PERSON A PRINTED COPY OF THE NEW WAGE RATE.”.

AMENDMENT NO. 4

On page 4, in line 11, strike “(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,”; strike in their entirety lines 14 and 15; in line 32, after “(A)” insert “WITHIN 30 DAYS AFTER A COMPLAINT IS FILED,”; and in the same line, strike “A COMPLAINT UNDER” and substitute “THE COMPLAINT IN ACCORDANCE WITH”.

AMENDMENT NO. 5

On page 4, in lines 20 and 27, in each instance, after “SITE” insert “OF AN EMPLOYEE DESCRIBED IN § 18-102(A) OF THIS TITLE”.

AMENDMENT NO. 6

On page 5, in line 22, after “(1)” insert “WITHIN 30 DAYS”.

On page 6, in line 7, strike “IS” and substitute “WAS”; in line 10, strike “IS” and substitute “WAS”; strike beginning with “OR” in line 11 down through “TITLE” in line 12; in line 13, strike “TREBLE”; strike in their entirety lines 26 through 29, inclusive; and in line 31, strike “SOLELY”.

AMENDMENT NO. 7

On page 6, after line 35, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Department of Legislative Services shall conduct a study of the fiscal and economic impacts of this Act on the public and private sectors.

(b) (1) In conducting this study, the Department shall consult with and obtain all necessary and appropriate information from the Department of Labor, Licensing, and Regulation, the Office of the Attorney General, local governments, and other appropriate units and persons.

(2) Each unit of the Executive Branch of State government and each unit of local government shall fully cooperate with the Department of Legislative Services and its employees and agents in the activities necessary or helpful in fulfilling the requirements of this section.

(3) Notwithstanding Title 10, Subtitle 6 of the State Government Article or any other law, each governmental unit that is requested to provide information to the Department of Legislative Services in furtherance of this section shall provide the information promptly and without the necessity of further authorization.

(c) On or before January 1, 2006, the Department of Legislative Services shall report the findings of the study to the General Assembly, subject to § 2-1246 of the State Government Article.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any contract awarded before the effective date of this Act.”

On page 7, in line 1, strike “2.” and substitute “4.”.

(Over)