
By: **Delegates Wood, Bates, Elliott, Fulton, Hogan, Impallaria, Krebs,
McMillan, Miller, Stocksdale, and Weldon**

Introduced and read first time: January 29, 2004

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prevailing Wage Rates - Public Works Contracts - Exclusions**

3 FOR the purpose of altering the threshold contract amount to which certain
4 provisions regarding prevailing wage rates apply; providing that a certain
5 threshold contract amount shall be adjusted annually in accordance with a
6 certain Consumer Price Index; and generally relating to the prevailing wage
7 rates for public works contracts.

8 BY repealing and reenacting, with amendments,
9 Article - State Finance and Procurement
10 Section 17-202
11 Annotated Code of Maryland
12 (2001 Replacement Volume and 2003 Supplement)

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

15 **Article - State Finance and Procurement**

16 17-202.

17 (a) This subtitle does not limit:

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

20 (2) the right of a contractor to pay an employee under a public work
21 contract more than the prevailing wage rate.

22 (b) This subtitle does not apply to:

23 (1) a public work contract of less than [\$500,000] \$2,500,000, WHICH
24 SHALL BE ADJUSTED ANNUALLY IN ACCORDANCE WITH THE APPLICABLE
25 CONSUMER PRICE INDEX, AS SELECTED BY THE COMMISSIONER; or

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

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

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

9 (2) that entire public work contract.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2004.