

HOUSE BILL No. 4968

May 19, 2009, Introduced by Reps. McMillin, Horn, Agema, Amash, Denby, Haveman, Stamas, Lund and Genetski and referred to the Committee on Labor.

A bill to amend 1965 PA 166, entitled

"An act to require prevailing wages and fringe benefits on state projects; to establish the requirements and responsibilities of contracting agents and bidders; and to prescribe penalties,"

by amending section 1 (MCL 408.551).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Construction mechanic" means a skilled or unskilled
3 mechanic, laborer, worker, helper, assistant, or apprentice working
4 on a state project. ~~but shall~~ **HOWEVER, CONSTRUCTION MECHANIC DOES**
5 not include **AN** executive, administrative, professional, office, or
6 custodial ~~employees~~ **EMPLOYEE**.

7 (b) "State project" means new construction, alteration,
8 repair, installation, painting, decorating, completion, demolition,

1 conditioning, reconditioning, or improvement of public buildings,
2 ~~schools, OR~~ works ~~, bridges, highways, or roads~~ authorized by a
3 contracting agent. **STATE PROJECT DOES NOT INCLUDE NEW CONSTRUCTION,**
4 **ALTERATION, REPAIR, INSTALLATION, PAINTING, DECORATING, COMPLETION,**
5 **DEMOLITION, CONDITIONING, RECONDITIONING, OR IMPROVEMENT OF A**
6 **PUBLIC SCHOOL AND DOES NOT INCLUDE BRIDGE, HIGHWAY, OR ROAD**
7 **PROJECTS.**

8 (c) "Contracting agent" means any officer, ~~school board,~~
9 board, or commission of ~~the~~ **THIS** state, or a state institution
10 supported in whole or in part by state funds, authorized to enter
11 into a contract for a state project or to perform a state project
12 by the direct employment of labor. **CONTRACTING AGENT DOES NOT**
13 **INCLUDE A SCHOOL DISTRICT OR A BOARD OR AGENT ACTING ON BEHALF OF A**
14 **SCHOOL DISTRICT.**

15 (d) "Commissioner" means the department of **ENERGY, labor, AND**
16 **ECONOMIC GROWTH.**

17 (e) "Locality" means the county, city, village, **OR** township ~~or~~
18 ~~or school district~~ in which the physical work on a state project is
19 to be performed.

20 (F) "PUBLIC SCHOOL" MEANS THAT TERM AS DEFINED IN SECTION 5 OF
21 THE REVISED SCHOOL CODE, 1976 PA 451, MCL 380.5.

22 (G) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT, LOCAL ACT
23 SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR A PUBLIC SCHOOL
24 ACADEMY AS THOSE TERMS ARE DEFINED IN SECTIONS 4 TO 6 OF THE
25 REVISED SCHOOL CODE, 1976 PA 451, MCL 380.4 TO 380.6.