

HOUSE BILL 696

P2

1lr2334

By: **Delegates Krebs, Haddaway-Riccio, Hershey, Impallaria, W. Miller, Schulz, and Stifler**

Introduced and read first time: February 10, 2011

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **State Finance and Procurement – Public Work Employees – Helpers and**
3 **Trainees**

4 FOR the purpose of repealing a prohibition on employing individuals classified as
5 helpers or trainers by a contractor or subcontractor under a public work
6 contract; and generally relating to public work employees.

7 BY repealing and reenacting, with amendments,
8 Article – State Finance and Procurement
9 Section 17–205
10 Annotated Code of Maryland
11 (2009 Replacement Volume and 2010 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 17–205.

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

18 (1) shall employ only competent workers and apprentices who qualify
19 under subsection (b) of this section; **AND**

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2011.