

85 LSO 0148

HOUSE BILL 0143

HB0143

AN ACT to amend W.S. 27-4-402(a)(iv) and 27-4-405(a) relating to the Prevailing Wage Act; redefining locality as the entire state; requiring the commissioner of labor and statistics to perform semiannual surveys to ascertain prevailing wage rates; and providing for an effective date.

HOUSE BILL 0143

Introduced by:

76 Jeffrey J. Martin *Pat MacNeil*

DATE	ACTION	DATE	ACTION
JAN 9 1985	READ FIRST TIME		
	REFERRED TO COM. NO. <u>11</u>		
	DELIVERED TO COM. NO. <u>11</u>		
JAN 14 1985	RETURNED		
	Recommended Amend and Do Pass <i>yes</i>		
JAN 16 1985	CONSIDERED IN COM. OF WHOLE		
	Stand for Com. Amendment <u>HB143 H51/A</u>		
	ADOPTED		
	RECOMMENDED DO.....PASS		
JAN 16 1985	READ SECOND TIME		
JAN 17 1985	READ THIRD TIME		
	PASSED		
	Ayes <u>47</u> Noes <u>16</u> Excused <u>1</u> Absent <u>0</u>		
	Sent to Senate		
1-18-85	ENGROSSED		
	<i>Shut to Senate</i>		
1-18-85	READ FIRST TIME		
	REFERRED TO COM. NO. <u>10</u>		
	DELIVERED TO COM. NO. <u>10</u>		
2/7/85	STANDING COMM. REPORT		
	DO PASS		
2/8/85	CONSIDERED ON COM. OF WHOLE		
	Recommended Do NOT PASS		
	Indefinitely Postponed		

CONTINUED ON BACK

91B143 Third Reading Date 1/17/85

HOUSE ROLL CALL

FORTY-EIGHTH WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
ARNOLD	✓	✓			MURPHY <i>CP</i>			✓	
BAKER	✓				ODDE		✓		
BARLOW	✓				PARKER	✓			
BIRLEFFI		✓			PERKINS	✓			
BLACKWELL		✓			RATLIFF	✓			
BROWN		✓			ROBERTSON	✓			
BUDD	✓				RYCKMAN		✓		
BURNS		✓			SALISBURY		✓		
BURTON	✓				SANDERS	✓			
BYRD		✓			SCHWOPE		✓		
CHAMBERLAIN	✓				SHREVE	✓			
CROSS	✓				SMITH				
CROWLEY	✓				SIMONS	✓			
DICKEY	✓				SORENSEN	✓			
DOBOS		✓			STAUFFER	✓			
GERINGER	✓				STRAND		✓		
GETTER	✓				TATE	✓			
GRANT	✓				THOMAS	✓			
HAGEMAN	✓				TIBBS	✓			
HANSEN		✓			TIPPETS	✓			
HARRISON		✓			TIPTON	✓			
HERBST	✓				TYSDAL	✓			
HINES	✓				WAGGENER	✓			
HUMPHREY		✓			WALLIS	✓			
JACKSON	✓				WEAVER	✓			
JENSEN	✓				WOLFLEY	✓			
JONES	✓				ZIMMERMAN	✓			
KUNZ	✓				ZUMBRUNNEN	✓			
LAMB	✓				MR. SPEAKER	✓			
LUMMIS	✓								
MACMILLAN	✓								
MALDONADO		✓							
MARTON	✓								
MCILVAIN	✓								
MEENAN	✓								
MICHEL	✓								

PRESENT _____

AYES 47

NOES 10

EXCUSED 1

ABSENT _____

TOTAL 64

LESS 17

47

THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives

HB 0143451/

Cheyenne, January 11, 1985

Mr. Speaker:

Your Committee No. 11 on Commerce and Business

to whom was referred House Bill No. 0143

respectfully reports same back to the House with the recommendation that House Bill 0143

DO PASS with the following admendment:

Page 2 - line 16 After "." insert "THE COMMISSIONER SHALL INSURE
 THAT SUFFICIENT WAGE DATA ARE OBTAINED TO PROVIDE
 A STATISTICALLY VALID SAMPLE."

AYES

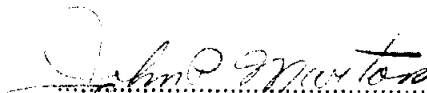
Baker
 Barlow
 Dobos
 Geringer
 Jones
 Waggener
 Weaver
 Wolfley
 Marton

NOES

Birleffi
 Ratliff

EXCUSED

0.



Chairman



1 HB0143HW1/ *F*
2 Page 1-line 1 Delete "27-4-402(a)(iv) and".
3 Page 1-line 2 After ";" delete balance of line.
4 Page 1-line 3 Delete the line through ";".
5 Page 1-line 8 Delete "27-4-402(a)(iv) and"; delete "are"
6 insert "is".
7 Page 1-line 10 Delete entirely.
8 Page 2-lines 1 through 4 Delete entirely.
9 Page 2-line 16 Delete "STATEWIDE" insert "JUDICIAL
10 DISTRICT". -MALDONADO

dyd

HB 148

1 HB0143HS1/A

2 ✓ Page 2-line 16

3

4

5

After "." insert "THE COMMISSIONER SHALL
INSURE THAT SUFFICIENT WAGE DATA ARE
OBTAINED TO PROVIDE A STATISTICALLY VALID
SAMPLE.". -MARTON, CHAIRMAN

~~SW~~ADOPTED

House of Intro
To Com. No. _____
Stand Report Do ___ Amd ___ Not ___
Com Whole Do ___ Amd ___ Not ___
2nd Reading Amd ___
3rd Reading Amd ___ Pass ___ Fail ___

Second House
To Com No. _____
Stand Report Do ___ Amd ___ Not ___
Com Whole Do ___ Amd ___ Not ___
2nd Reading Amd ___
3rd Reading Amd ___ Pass ___ Fail ___

1985

STATE OF WYOMING

INTRODUCED

85LSO-0148.01

HOUSE BILL NO. 0143

Prevailing Wage Act amendments.

Sponsored by: Representative(s) MARTON and JENSEN

A BILL

for

1 AN ACT to amend W.S. 27-4-402(a)(iv) and 27-4-405(a)
2 relating to the Prevailing Wage Act; redefining locality
3 as the entire state; requiring the commissioner of labor
4 and statistics to perform semiannual surveys to ascertain
5 prevailing wage rates; and providing for an effective
6 date.

7 Be It Enacted by the Legislature of the State of Wyoming:

8 Section 1. W.S. 27-4-402(a)(iv) and 27-4-405(a) are
9 amended to read:

10 27-4-402. Definitions.

1 (a) As used in this act:

2 (iv) "Locality" means the ~~judicial-district~~
3 ~~wherein-the-physical-work-upon-public-works--is--performed~~
4 ENTIRE STATE OF WYOMING;

5 27-4-405. Duty of public authority to ascertain wage
6 rate for public works; requirement as to call for bids.

7 (a) Before any public body awards a contract for
8 public works, it shall ~~ascertain~~ OBTAIN the prevailing
9 hourly rate of wages in the locality in which the work is
10 to be performed, for each craft or type of workman needed
11 to execute the contract or project FROM THE MOST RECENT
12 SURVEY RESULTS CERTIFIED BY THE COMMISSIONER. THE COMMIS-
13 SIONER SHALL SEMIANNUALLY CONDUCT AND PUBLISH THE RESULTS
14 OF A SURVEY TO ASCERTAIN THE PREVAILING HOURLY RATE OF
15 WAGES FOR WORKERS IN BUILDING WORK CLASSIFICATIONS CALCU-
16 LATED ON A STATEWIDE BASIS. The public body shall specify
17 in the resolution or ordinance and in the call for bids
18 for the contract, what the prevailing hourly rate of wages
19 in the locality is for each craft or type of workman
20 needed to execute the contract, and it shall be mandatory
21 upon the contractor to whom the contract is awarded and
22 upon any subcontractor under him, to pay not less than the

1 specified rates to all workmen employed by them in the
2 execution of the contract. The public body awarding the
3 contract shall cause to be inserted in the contract a
4 stipulation to the effect that not less than the prevail-
5 ing hourly rate of wages as found by the public body, the
6 commissioner, or determined by the court on review, shall
7 be paid to all workmen performing work under the contract.
8 It shall also require in all the contractor's bonds that
9 the contractor include such provision as will guarantee
10 the faithful performance of the prevailing hourly wage
11 clause as provided by the contract. The ~~finding~~
12 CERTIFICATION of the COMMISSIONER TO THE public body
13 awarding the contract or authorizing the work, ascertain-
14 ing and declaring prevailing hourly rate of wages, shall
15 be final for all purposes of the contract then being con-
16 sidered, unless reviewed under the provisions of this act.
17 A public body doing public works directly shall comply
18 with the prevailing hourly rate of wages portion of this
19 section of the act for each craft or type of workman so
20 employed.

21 Section 2. This act is effective May 23, 1985.

22 (END)

FISCAL NOTE

<u>Anticipated REVENUE to:</u>	<u>Fiscal Year 19</u>	<u>Fiscal Year 19</u>
TOTAL ESTIMATED REVENUE		

=====		
<u>Anticipated COST to:</u>	<u>Fiscal Year 1986</u>	<u>Fiscal Year 1987</u>
General Fund	\$16,224.00	\$16,224.00
TOTAL ESTIMATED COST	\$16,224.00	\$16,224.00
=====		

According to a spokesman for the Department of Labor and Statistics, additional funding from the General Fund would be needed as indicated above and a part-time Statistical Development Technician would be needed.

House of Intro
To Com. No. _____
Stand Report Do ___ Amd ___ Not ___
Com Whole Do ___ Amd ___ Not ___
2nd Reading Amd ___
3rd Reading Amd ___ Pass ___ Fail ___

Second House
To Com No. _____
Stand Report Do ___ Amd ___ Not ___
Com Whole Do ___ Amd ___ Not ___
2nd Reading Amd ___
3rd Reading Amd ___ Pass ___ Fail ___

ENGROSSED

1985

STATE OF WYOMING

85LSO-0148/eng

HOUSE BILL NO. 0143

Prevailing Wage Act amendments.

Sponsored by: Representative(s) MARTON, MACMILLAN and JENSEN

A BILL

for

1 AN ACT to amend W.S. 27-4-402(a)(iv) and 27-4-405(a)
2 relating to the Prevailing Wage Act; redefining locality
3 as the entire state; requiring the commissioner of labor
4 and statistics to perform semiannual surveys to ascertain
5 prevailing wage rates; and providing for an effective
6 date.

7 Be It Enacted by the Legislature of the State of Wyoming:

8 Section 1. W.S. 27-4-402(a)(iv) and 27-4-405(a) are
9 amended to read:

10 27-4-402. Definitions.

1 (a) As used in this act:

2 (iv) "Locality" means the ~~judicial-district~~
3 ~~wherein-the-physical-work-upon-public-works--is--performed~~
4 ENTIRE STATE OF WYOMING;

5 27-4-405. Duty of public authority to ascertain wage
6 rate for public works; requirement as to call for bids.

7 (a) Before any public body awards a contract for
8 public works, it shall ~~ascertain~~ OBTAIN the prevailing
9 hourly rate of wages in the locality in which the work is
10 to be performed, for each craft or type of workman needed
11 to execute the contract or project FROM THE MOST RECENT
12 SURVEY RESULTS CERTIFIED BY THE COMMISSIONER. THE COMMIS-
13 SIONER SHALL SEMIANNUALLY CONDUCT AND PUBLISH THE RESULTS
14 OF A SURVEY TO ASCERTAIN THE PREVAILING HOURLY RATE OF
15 WAGES FOR WORKERS IN BUILDING WORK CLASSIFICATIONS CALCU-
16 LATED ON A STATEWIDE BASIS. THE COMMISSIONER SHALL INSURE
17 THAT SUFFICIENT WAGE DATA ARE OBTAINED TO PROVIDE A
18 STATISTICALLY VALID SAMPLE. The public body shall specify
19 in the resolution or ordinance and in the call for bids
20 for the contract, what the prevailing hourly rate of wages
21 in the locality is for each craft or type of workman
22 needed to execute the contract, and it shall be mandatory

1 upon the contractor to whom the contract is awarded and
2 upon any subcontractor under him, to pay not less than the
3 specified rates to all workmen employed by them in the
4 execution of the contract. The public body awarding the
5 contract shall cause to be inserted in the contract a
6 stipulation to the effect that not less than the prevail-
7 ing hourly rate of wages as found by the public body, the
8 commissioner, or determined by the court on review, shall
9 be paid to all workmen performing work under the contract.
10 It shall also require in all the contractor's bonds that
11 the contractor include such provision as will guarantee
12 the faithful performance of the prevailing hourly wage
13 clause as provided by the contract. The ~~finding~~
14 CERTIFICATION of the COMMISSIONER TO THE public body
15 awarding the contract or authorizing the work, ascertain-
16 ing and declaring prevailing hourly rate of wages, shall
17 be final for all purposes of the contract then being con-
18 sidered, unless reviewed under the provisions of this act.
19 A public body doing public works directly shall comply
20 with the prevailing hourly rate of wages portion of this
21 section of the act for each craft or type of workman so
22 employed.

1 Section 2. This act is effective May 23, 1985.

2 (END)