STATE OF NEW YORK

2413

2017-2018 Regular Sessions

IN SENATE

January 13, 2017

Introduced by Sen. DeFRANCISCO -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT relating to a work group to study and make recommendations to the legislature regarding the appropriate payment of supplements to construction workers

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The governor shall convene a work group to study and make recommendations to the legislature regarding the appropriate payment of supplements to construction workers; employing the annualization methodology utilized by the United States department of labor in calculations under the Davis-Bacon Act of 1931, as amended 40 U.S.C. § 276(a); and the impact of prohibiting any person or entity, or a substantially-owned affiliate of such person or entity, who has disregarded obligations to employees under the Davis-Bacon Act pursuant to 40 U.S.C. 3144 and 29 C.F.R. 5.12 from submitting a bid on or being awarded any public works contract with the state or any municipal corporation, public benefit corporation or public body while the name of the person or entity is published in the list of debarred contractors pursuant to 40 U.S.C. 3144. The work group shall be comprised of nine members: one appointed by the governor, one appointed by the temporary president of the senate, one appointed by the speaker of the assembly, one appointed by the commissioner of labor, one appointed by the president of empire state development corporation, two representatives of labor organizations appointed by the governor, and two representatives of contractor associations appointed by the governor. All appointments shall be made by August 1, 2017 or the designee forgoes his or her right to appoint. The work group shall issue recommendations to the governor, the temporary president of the senate and the speaker of the assembly by February 1, 2018.

§ 2. This act shall take effect immediately.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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