

# STATE OF NEW YORK

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2413

2017-2018 Regular Sessions

## IN SENATE

January 13, 2017

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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 Assem-  
bly, do enact as follows:

1 Section 1. The governor shall convene a work group to study and make  
2 recommendations to the legislature regarding the appropriate payment of  
3 supplements to construction workers; employing the annualization method-  
4 ology utilized by the United States department of labor in calculations  
5 under the Davis-Bacon Act of 1931, as amended 40 U.S.C. § 276(a); and  
6 the impact of prohibiting any person or entity, or a substantially-owned  
7 affiliate of such person or entity, who has disregarded obligations to  
8 employees under the Davis-Bacon Act pursuant to 40 U.S.C. 3144 and 29  
9 C.F.R. 5.12 from submitting a bid on or being awarded any public works  
10 contract with the state or any municipal corporation, public benefit  
11 corporation or public body while the name of the person or entity is  
12 published in the list of debarred contractors pursuant to 40 U.S.C.  
13 3144. The work group shall be comprised of nine members: one appointed  
14 by the governor, one appointed by the temporary president of the senate,  
15 one appointed by the speaker of the assembly, one appointed by the  
16 commissioner of labor, one appointed by the president of empire state  
17 development corporation, two representatives of labor organizations  
18 appointed by the governor, and two representatives of contractor associ-  
19 ations appointed by the governor. All appointments shall be made by  
20 August 1, 2017 or the designee forgoes his or her right to appoint. The  
21 work group shall issue recommendations to the governor, the temporary  
22 president of the senate and the speaker of the assembly by February 1,  
23 2018.  
24 § 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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