

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

HOUSE BILL NO. 1156

By: Mitchell

AS INTRODUCED

An Act relating to labor; enacting the Public Works Cost Containment Act; providing short title; stating public policy concerning certain construction projects; defining term; prohibiting prevailing wage contracts; providing exceptions; repealing 40 O.S. 1991, Sections 196.1, 196.2, 196.2a, 196.3, 196.4, 196.5, 196.5b, 196.6, 196.7, 196.8, 196.9, 196.9a, 196.10, 196.10a, 196.11, 196.11a, 196.12, 196.13 and 196.14, which relate to the prevailing wage law; providing a general repealer; providing for codification; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 196.20 of Title 40, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Public Works Cost Containment Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 196.21 of Title 40, unless there is created a duplication in numbering, reads as follows:

The purpose of the Public Works Cost Containment Act is to set a policy whereby contractors are allowed to bid on state funded construction projects without regard to any provision requiring wages paid by the contractor to conform with any established wage or salary scale in excess of applicable federal or state minimum wage statutes.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 196.22 of Title 40, unless there is created a duplication in numbering, reads as follows:

For purposes of the Public Works Cost Containment Act, "public works contracts" means a contract to which the state or a political subdivision thereof is a party involving the employment of laborers, workmen, or mechanics in the construction, alteration, or repair of public buildings or improvements.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 196.23 of Title 40, unless there is created a duplication in numbering, reads as follows:

The public interest in the burdensome and escalating cost of public works contracts transcends the purely local interest and is of a statewide nature.

Therefore, except as specified in Section 5 of this act, agencies and political subdivisions of this state shall not by regulation, ordinance, or in any other manner require public works contracts to contain any provision requiring the wages paid by the contractor or any subcontractor to equal or exceed any formula amount in excess of the standard applicable federal and/or state minimum wage statute covering all working persons twenty-one (21) years of age or older.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 196.24 of Title 40, unless there is created a duplication in numbering, reads as follows:

If any provision or condition of the Public Works Cost Containment Act conflicts with any provision of federal law or any rule or regulation made under federal law pertaining to federal-aid contracts, such provision or condition shall not apply on federal-aid contracts to the extent that conflict exists, but all provisions or conditions of the Public Works Cost Containment Act with which there is not conflict shall apply to federal-aid contracts.

SECTION 6. REPEALER 40 O.S. 1991, Sections 196.1, 196.2, 196.2a, 196.3, 196.4, 196.5, 196.5b, 196.6, 196.7, 196.8, 196.9, 196.9a, 196.10, 196.10a, 196.11, 196.11a, 196.12, 196.13 and 196.14, are hereby repealed.

SECTION 7. All laws or parts of laws in conflict herewith are hereby repealed.

SECTION 8. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

44-1-5837

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