

34:11-56.26

LEGISLATIVE FACT SHEET

on *Municipal contracts - prevailing*

N.J.R.S. 34:11-56.26

(Amendment)

LAWS OF 1974

SENATE BILL

INTRODUCED Feb. 4, 1974

SPONSOR'S STATEMENT

ASSEMBLY COMMITTEE STATEMENT

SENATE COMMITTEE STATEMENT

FISCAL NOTE

AMENDED DURING PASSAGE

HEARING *None discovered*

VETO

CHAPTER 64 July 3, 1974

ASSEMBLY BILL 1163 (S315-1972)

BY Ruane

YES NO

YES NO

YES NO

YES NO

YES NO

SPONSOR'S STATEMENT to A1163

The purpose of this bill is to extend the prevailing wage law to all municipalities rather than to limit its effect to the large municipalities of the State

The obligation of public officials to require the payment of prevailing rates should not be based upon the size of the municipality since the need for the maintenance of a reasonable rate of earnings is unrelated to the size of municipalities.

The present prevailing wage law should, therefore, be expanded to cover all public bodies.

JA/PC
11/7/75

ASSEMBLY, No. 1163

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 4, 1974

By Assemblyman RUANE

Referred to Committee on Education

AN ACT to amend "An act relating to public works contracts in certain cases, providing for prevailing wages, imposing duties upon the Commissioner of Labor and Industry, and providing remedies and penalties," approved September 3, 1963 (P. L. 1963, c. 150).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. Section 2 of P. L. 1963, c. 150 (C. 34:11-56.26) is amended to
2 read as follows:

3 2. As used in this act:

4 (1) "Department" means Department of Labor and Industry
5 of the State of New Jersey.

6 (2) "Locality" means any political subdivision of the State,
7 combination of the same or parts thereof, or any geographical
8 area or areas classified, designated and fixed by the commissioner
9 from time to time, provided that in determining the "locality"
10 the commissioner shall be guided by the boundary lines of political
11 subdivisions or parts thereof, or by a consideration of the areas
12 with respect to which it has been the practice of employers of
13 particular crafts or trades to engage in collective bargaining with
14 the representatives of workmen in such craft or trade.

15 (3) "Maintenance work" means the repair of existing facilities
16 when the size, type or extent of such facilities is not thereby
17 changed or increased.

18 (4) "Public body" means the State of New Jersey, any of its
19 political subdivisions, **[except municipalities having a population**
20 **of less than 25,000,]** any authority created by the Legislature of
21 the State of New Jersey and any instrumentality or agency of the
22 State of New Jersey or of any of its political subdivisions.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

23 (5) "Public work" means construction, reconstruction, demoli-
24 tion, alteration, or repair work, or maintenance work, including
25 painting and decorating, done under contract and paid for in whole
26 or in part out of the funds of a public body, except work performed
27 under a rehabilitation program.

28 (6) "Commissioner" means the Commissioner of Labor and
29 Industry or his duly authorized [deputy or] representatives.

30 (7) "Workman" includes laborer, mechanic, skilled or semi-
31 skilled, laborer and apprentices or helpers employed by any con-
32 tractor or subcontractor and engaged in the performance of
33 services directly upon a public work, regardless of whether their
34 work becomes a component part thereof, but does not include
35 material suppliers or their employees who do not perform services
36 at the job site.

37 (8) "Work performed under a rehabilitation program" means
38 work arranged by and at a State institution primarily for teach-
39 ing and upgrading the skills and employment opportunities of the
40 inmates of such institutions.

41 (9) "Prevailing wage" means the wage rate paid by virtue
42 of collective bargaining agreements by employers employing a
43 majority of workmen of that craft or trade subject to said collective
44 bargaining agreements, in the locality in which the public work is
45 done.

46 (10) "Act" means the provisions of this act and the rules and
47 regulations issued hereunder.

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to extend the prevailing wage law to all municipalities rather than to limit its effect to the large municipalities of the State

The obligation of public officials to require the payment of prevailing rates should not be based upon the size of the municipality since the need for the maintenance of a reasonable rate of earnings is unrelated to the size of municipalities.

The present prevailing wage law should, therefore, be expanded to cover all public bodies.

SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 1163

STATE OF NEW JERSEY

DATED: MAY 13, 1974

Assembly Bill 1163 concerns the wage rates for work done pursuant to public contracts awarded by certain municipalities of the State.

This bill brings municipalities with populations of less than 25,000 under the prevailing wage requirements of P. L. 1963, c. 150, when contracts for public works exceed \$2,000.00.