

HOUSE BILL No. 2334

By Representatives Davis, Burroughs, Grant, Houston, Sawyer and Whipple

2-13

1 AN ACT concerning public works projects for state agencies; relating to
2 payment of minimum wages; preferences for certain employees.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) Each contract entered into by any state agency for any
6 nonfederal aid public works project shall be based on bid or contract
7 specifications prescribing and requiring that employees of any contractor
8 or subcontractor shall be paid not less than the hourly wages, including
9 fringe benefits, paid to corresponding classes of laborers and mechanics
10 employed on similar projects in the county where the project is to be
11 performed. Such minimum wage shall be the wage paid to the majority of
12 the laborers or mechanics, unless the same wages are not paid to a
13 majority, in which case the minimum wage shall be the average wages
14 paid, weighted by the total employed in the classification. In the
15 alternative, the minimum wage shall be the wage determined under federal
16 law which would be required to be paid on federally funded projects at the
17 location of the public works project.

18 (b) Employees employed by contractors or subcontractors in the
19 execution of any nonfederal aid public works project contract with any
20 state agency shall be paid not less than the wages as determined pursuant
21 to subsection (a).

22 (c) Contractors who employ Kansas residents exclusively shall be
23 preferred over other bidders for public works projects owned by or built
24 for any state agency.

25 (d) The provisions of this act shall not apply to:

26 (1) Contracts entered into by the secretary of transportation for
27 nonfederal aid state-funded projects governed by K.S.A. 68-2317, and
28 amendments thereto; and

29 (2) contracts for projects identified by the university research and
30 development enhancement act governed by K.S.A. 2012 Supp. 76-787,
31 and amendments thereto.

32 (e) For purposes of this act, "state agency" means the same as
33 specified in K.S.A. 75-3728a, and amendments thereto.

34 Sec. 2. This act shall take effect and be in force from and after its
35 publication in the statute book.