

HOUSE No. 1943

The Commonwealth of Massachusetts

PRESENTED BY:

Jeffrey N. Roy

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to compliance with the prevailing wage laws of the Commonwealth.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|------------------------------------|-----------------------|------------------|
| <i>Jeffrey N. Roy</i> | <i>10th Norfolk</i> | <i>1/4/2023</i> |
| <i>Sean Garballey</i> | <i>23rd Middlesex</i> | <i>1/30/2023</i> |
| <i>Josh S. Cutler</i> | <i>6th Plymouth</i> | <i>2/6/2023</i> |
| <i>Brian W. Murray</i> | <i>10th Worcester</i> | <i>2/6/2023</i> |
| <i>Jessica Ann Giannino</i> | <i>16th Suffolk</i> | <i>2/6/2023</i> |
| <i>Danielle W. Gregoire</i> | <i>4th Middlesex</i> | <i>2/6/2023</i> |
| <i>William C. Galvin</i> | <i>6th Norfolk</i> | <i>2/6/2023</i> |
| <i>Paul McMurtry</i> | <i>11th Norfolk</i> | <i>2/6/2023</i> |
| <i>Daniel Cahill</i> | <i>10th Essex</i> | <i>2/6/2023</i> |
| <i>Tackey Chan</i> | <i>2nd Norfolk</i> | <i>2/6/2023</i> |
| <i>Steven Ultrino</i> | <i>33rd Middlesex</i> | <i>2/6/2023</i> |
| <i>Susannah M. Whipps</i> | <i>2nd Franklin</i> | <i>2/6/2023</i> |
| <i>David Henry Argosky LeBoeuf</i> | <i>17th Worcester</i> | <i>2/6/2023</i> |
| <i>James C. Arena-DeRosa</i> | <i>8th Middlesex</i> | <i>2/6/2023</i> |
| <i>Peter Capano</i> | <i>11th Essex</i> | <i>2/6/2023</i> |
| <i>Jack Patrick Lewis</i> | <i>7th Middlesex</i> | <i>2/6/2023</i> |
| <i>Christopher Hendricks</i> | <i>11th Bristol</i> | <i>2/6/2023</i> |
| <i>Steven Owens</i> | <i>29th Middlesex</i> | <i>2/6/2023</i> |

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| <i>Patrick M. O'Connor</i> | <i>First Plymouth and Norfolk</i> | <i>2/6/2023</i> |
| <i>Michael D. Brady</i> | <i>Second Plymouth and Norfolk</i> | <i>2/6/2023</i> |
| <i>Ryan M. Hamilton</i> | <i>15th Essex</i> | <i>2/6/2023</i> |
| <i>Lindsay N. Sabadosa</i> | <i>1st Hampshire</i> | <i>2/6/2023</i> |
| <i>Vanna Howard</i> | <i>17th Middlesex</i> | <i>2/6/2023</i> |
| <i>Carol A. Doherty</i> | <i>3rd Bristol</i> | <i>2/6/2023</i> |
| <i>James J. O'Day</i> | <i>14th Worcester</i> | <i>2/6/2023</i> |
| <i>Jon Santiago</i> | <i>9th Suffolk</i> | <i>2/14/2023</i> |
| <i>Adrian C. Madaro</i> | <i>1st Suffolk</i> | <i>2/14/2023</i> |
| <i>David Paul Linsky</i> | <i>5th Middlesex</i> | <i>2/14/2023</i> |
| <i>Marc R. Pacheco</i> | <i>Third Bristol and Plymouth</i> | <i>2/14/2023</i> |
| <i>Christopher J. Worrell</i> | <i>5th Suffolk</i> | <i>2/14/2023</i> |
| <i>James K. Hawkins</i> | <i>2nd Bristol</i> | <i>2/14/2023</i> |
| <i>Patricia A. Duffy</i> | <i>5th Hampden</i> | <i>2/14/2023</i> |
| <i>Rodney M. Elliott</i> | <i>16th Middlesex</i> | <i>2/14/2023</i> |
| <i>Adam Scanlon</i> | <i>14th Bristol</i> | <i>2/14/2023</i> |
| <i>Tricia Farley-Bouvier</i> | <i>2nd Berkshire</i> | <i>2/14/2023</i> |
| <i>Rob Consalvo</i> | <i>14th Suffolk</i> | <i>2/14/2023</i> |
| <i>Thomas M. Stanley</i> | <i>9th Middlesex</i> | <i>2/14/2023</i> |
| <i>Daniel M. Donahue</i> | <i>16th Worcester</i> | <i>2/14/2023</i> |
| <i>Margaret R. Scarsdale</i> | <i>1st Middlesex</i> | <i>2/14/2023</i> |
| <i>William J. Driscoll, Jr.</i> | <i>7th Norfolk</i> | <i>2/14/2023</i> |
| <i>Michelle M. DuBois</i> | <i>10th Plymouth</i> | <i>2/14/2023</i> |
| <i>Edward R. Philips</i> | <i>8th Norfolk</i> | <i>2/14/2023</i> |
| <i>Kate Donaghue</i> | <i>19th Worcester</i> | <i>2/15/2023</i> |
| <i>Jason M. Lewis</i> | <i>Fifth Middlesex</i> | <i>2/15/2023</i> |
| <i>Samantha Montaño</i> | <i>15th Suffolk</i> | <i>2/22/2023</i> |
| <i>Erika Uytterhoeven</i> | <i>27th Middlesex</i> | <i>2/22/2023</i> |
| <i>Kate Lipper-Garabedian</i> | <i>32nd Middlesex</i> | <i>3/21/2023</i> |
| <i>Natalie M. Higgins</i> | <i>4th Worcester</i> | <i>3/21/2023</i> |
| <i>Christopher Richard Flanagan</i> | <i>1st Barnstable</i> | <i>3/21/2023</i> |
| <i>David Biele</i> | <i>4th Suffolk</i> | <i>3/21/2023</i> |
| <i>Norman J. Orrall</i> | <i>12th Bristol</i> | <i>3/21/2023</i> |
| <i>Michael P. Kushmerek</i> | <i>3rd Worcester</i> | <i>3/21/2023</i> |
| <i>Jonathan D. Zlotnik</i> | <i>2nd Worcester</i> | <i>3/21/2023</i> |
| <i>James B. Eldridge</i> | <i>Middlesex and Worcester</i> | <i>3/21/2023</i> |
| <i>Paul R. Feeney</i> | <i>Bristol and Norfolk</i> | <i>3/21/2023</i> |
| <i>Kevin G. Honan</i> | <i>17th Suffolk</i> | <i>3/21/2023</i> |
| <i>Tommy Vitolo</i> | <i>15th Norfolk</i> | <i>3/21/2023</i> |

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|---------------------------------|---|------------------|
| <i>Natalie M. Blais</i> | <i>1st Franklin</i> | <i>3/31/2023</i> |
| <i>Dawne Shand</i> | <i>1st Essex</i> | <i>3/31/2023</i> |
| <i>Rita A. Mendes</i> | <i>11th Plymouth</i> | <i>4/4/2023</i> |
| <i>Tram T. Nguyen</i> | <i>18th Essex</i> | <i>5/9/2023</i> |
| <i>Kristin E. Kassner</i> | <i>2nd Essex</i> | <i>5/31/2023</i> |
| <i>Aaron L. Saunders</i> | <i>7th Hampden</i> | <i>5/31/2023</i> |
| <i>Jennifer Balinsky Armini</i> | <i>8th Essex</i> | <i>6/8/2023</i> |
| <i>Mathew J. Muratore</i> | <i>1st Plymouth</i> | <i>7/11/2023</i> |
| <i>Walter F. Timilty</i> | <i>Norfolk, Plymouth and Bristol</i> | <i>7/11/2023</i> |
| <i>Rebecca L. Rausch</i> | <i>Norfolk, Worcester and Middlesex</i> | <i>7/11/2023</i> |
| <i>Marcus S. Vaughn</i> | <i>9th Norfolk</i> | <i>11/9/2023</i> |
| <i>Mindy Domb</i> | <i>3rd Hampshire</i> | <i>1/26/2024</i> |

HOUSE No. 1943

By Representative Roy of Franklin, a petition (accompanied by bill, House, No. 1943) of Jeffrey N. Roy and others relative to compliance with prevailing wage laws for offsite fabrication. Labor and Workforce Development.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act relative to compliance with the prevailing wage laws of the Commonwealth.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 27D of chapter 149 of the General Laws is hereby amended by
2 inserting at the end thereof the following new paragraphs:-

3 For the purposes of this section, the words “construction” and “constructed” shall include
4 offsite fabrication work for any project covered by this section. In such cases, the wage required
5 under this chapter shall be paid for such work and the requirements of Section 27B of chapter
6 149 shall apply to such work, including, but not limited to, weekly submission of certified
7 payroll records and an accompanying statement made under penalties of perjury. Penalties
8 provided under Section 27C of chapter 149 shall apply to such work.

9 The term “offsite fabrication” means products or items that are: (a) produced specifically
10 for a qualified project; (b) considered to be non-standard items; and (c) produced at an offsite
11 location, including, but not limited to those made or consisting of fabricated pipe, piping
12 materials or fixtures, electrical wiring, sheet metal materials, or any systems, components or

13 modular units made of any of the foregoing. Nothing in the foregoing definition of “offsite
14 fabrication” is intended to restrict application of Section 26 of chapter 149 of the General Laws
15 or to prevent the Commonwealth, or a county, town, authority or district thereof contracting for
16 the construction of public works from giving preference to offsite fabrication performed at an
17 offsite location within a specific geographical area.

18 SECTION 2. Section 27B of chapter 149 of the General Laws is hereby amended by
19 inserting at the end thereof the following new paragraph:

20 For any offsite fabrication work subject to this section, the contractor, subcontractor or
21 public body shall include a section in their weekly certified prevailing wage records that
22 provides: (a) the name and address of the manufacturer, shop or other type of prefabrication
23 facility where the fabrication work was performed; and (b) the name, address, and occupational
24 classifications of each mechanic, apprentice, laborer or other employee employed in the
25 performance of such work, the hours worked by, and wages paid to, each such employee.

26 SECTION 3. This act shall take effect upon its passage.