
CHAPTER 191—H.F.No.794

An act relating to labor; providing for the determination of prevailing wage rates for state financed projects and highway construction; providing penalties; amending Minnesota Statutes 1974, Sections 177.41; 177.42, Subdivision 2; 177.43, Subdivisions 4 and 5; and 177.44, Subdivisions 4 and 6.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1974, Section 177.41, is amended to read:

177.41 LABOR; PREVAILING WAGES; STATE PROJECTS AND STATE HIGHWAY CONSTRUCTION; PUBLIC POLICY. It is in the public interest that public buildings and other public works be constructed and maintained by the best means and highest quality of labor reasonably available, and that persons working on public works be compensated according to the real value of the services they perform. It is therefore declared to be the public policy of this state that wages of laborers, workmen and mechanics engaged in state projects financed in whole or part by state funds should be comparable to wages paid for similar work in the community as a whole.

Sec. 2. Minnesota Statutes 1974, Section 177.42, Subdivision 2, is amended to read:

Subd. 2. "Project" means erection, construction, remodeling or repairing of any public building or other public work financed in whole or part by state funds .

Sec. 3. Minnesota Statutes 1974, Section 177.43, Subdivision 4, is amended to read:

Subd. 4. The prevailing wage rates, prevailing hours of labor and hourly basic rates of pay for all trades and occupations required in any contemplated project shall be ascertained before the state asks for bids. ~~The state agency contemplating the project—department of labor and industry shall make such investigations as may be necessary to enable it to ascertain such information. The agency shall report the prevailing wage rates, prevailing hours of labor and hourly basic rates to the commissioner of labor and industry and—department~~ shall keep the same information posted on the project in at least one conspicuous place for the information of the employees working on the project.

Sec. 4. Minnesota Statutes 1974, Section 177.43, Subdivision 5, is amended to read:

Subd. 5. Any officer or employee of the state who executes any ~~Changes or additions indicated by underline deletions by strikeout~~

contract for a project as defined in section 177.41 without complying with this section, and any contractor, subcontractor or agent thereof who, after executing a contract in compliance with this section, pays to any laborer, workman or mechanic employed directly upon the project site a lesser wage for work done under such contract than the prevailing wage rate as set forth in the contract shall be guilty of a misdemeanor and may be fined not more than ~~\$200-\$300~~, or imprisoned for not more than 90 days, or both. Such agent or subcontractor shall furnish to the contractor evidence of compliance with this section. Each day any violation of this section continues shall be deemed a separate offense.

Sec. 5. Minnesota Statutes 1974, Section 177.44, Subdivision 4, is amended to read:

Subd. 4. The commissioner of labor and industry shall ~~prior to May 1 of the next calendar~~ at least once a year certify the prevailing hours of labor, the prevailing wage rate and the hourly basic rate of pay for all classes of laborers and mechanics referred to in subdivision 3 in each area. The certification shall in addition to the current prevailing hours of labor, the prevailing wage rates and the hourly basic rates of pay include future hours and rates when such hours and rates can be determined for any such classes of laborers and mechanics in any area and shall specifically set forth the effective dates thereof when future hours and rates are certified. If a construction project extends into more than one area there shall be but one standard of hours of labor and wage rates for the entire project. If, in the opinion of the commissioner, a change in the certified prevailing hours of labor, prevailing wage rate and the hourly basic rate of pay for any class of laborers or mechanics in any area is required, the commissioner may at any time certify that change.

Sec. 6. Minnesota Statutes 1974, Section 177.44, Subdivision 6, is amended to read:

Subd. 6. Any contractor, subcontractor or agent thereof who violates this section is guilty of a misdemeanor and may be fined not ~~less than \$50 nor~~ more than ~~\$200-\$300~~ or imprisoned not more than 90 days or both. Each day that any such violation continues shall be deemed a separate offense.

Whoever induces any individual who seeks to be or is employed on any project subject to this section to give up or forego any part of the wages to which he is entitled under the contract governing such project by threat not to employ, by threat of dismissal from such employment or by any other means may be fined not exceeding \$1,000 or imprisoned not more than one year or both.

Any person employed on a project under a contract subject to this section who knowingly permits the contractor or subcontractor to pay him less than the prevailing wage rate set forth in such contract,

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or who gives up any part of the compensation to which he is entitled thereunder, may be fined not exceeding ~~\$20~~\$40 or imprisoned not more than 30 days or both. Each day any violation of this paragraph continues shall be deemed a separate offense.

Approved May 17, 1975.

CHAPTER 192—H.F.No.864

[Coded in Part]

An act relating to retirement; actuarial valuations and experience studies of various public retirement funds; amending Minnesota Statutes 1974, Chapter 356, by adding a section; and Sections 356.20, Subdivisions 2 and 4; 356.22, Subdivisions 1 and 3; and 356.23; repealing Minnesota Statutes 1974, Sections 356.21; 356.211; and 356.212.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1974, Section 356.20, Subdivision 2, is amended to read:

Subd. 2. **RETIREMENT SYSTEMS, PUBLIC; ACTUARIAL VALUATIONS AND EXPERIENCE STUDIES.** (1) State employees retirement fund.

(2) Public employees retirement fund.

(3) Teachers retirement fund.

(4) Highway patrolmen's retirement fund.

(5) Twin City lines employees retirement plan.

(6) Minneapolis teachers retirement fund association.

(7) St. Paul teachers retirement fund association.

(8) Duluth teachers retirement fund association.

~~(9) St. Paul bureau of health relief association.~~

~~(10)~~(9) Municipal employees retirement board of Minneapolis.

~~(11)~~(10) University of Minnesota police retirement plan.

~~(12)~~(11) University of Minnesota faculty retirement plan.

Sec. 2. Minnesota Statutes 1974, Section 356.20, Subdivision 4, is

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