

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 61**  
**94TH GENERAL ASSEMBLY**

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Reported from the Special Committee on Workforce Development and Workplace Safety February 15, 2007 with recommendation that House Committee Substitute for House Bill No. 61 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(21)(f).

D. ADAM CRUMBLISS, Chief Clerk

0341L.03C

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**AN ACT**

To repeal sections 290.220 and 290.230, RSMo, and to enact in lieu thereof two new sections relating to the prevailing wage.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 290.220 and 290.230, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 290.220 and 290.230, to read as follows:

290.220. It is hereby declared to be the policy of the state of Missouri that a wage of no  
2 less than the prevailing hourly rate of wages for work of a similar character in the locality in  
3 which the work is performed shall be paid to all workmen employed by or on behalf of any  
4 public body engaged in public works exclusive of maintenance work; **except that for work**  
5 **done on behalf of a school, a school district in any county except a county with a charter**  
6 **form of government may exempt itself from the provisions of this section upon majority**  
7 **vote of the school board of such district. If the school district exempts itself from the**  
8 **prevailing wage requirement, the school district shall notify the division of labor standard**  
9 **within the department of such exemption.**

290.230. 1. Not less than the prevailing hourly rate of wages for work of a similar  
2 character in the locality in which the work is performed, and not less than the prevailing hourly  
3 rate of wages for legal holiday and overtime work, shall be paid to all workmen employed by or  
4 on behalf of any public body engaged in the construction of public works, exclusive of  
5 maintenance work; **except that for work done on behalf of a school, a school district in any**

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

6 **county except a county with a charter form of government may exempt itself from the**  
7 **provisions of this section upon majority vote of the school board of such district.** Only such  
8 workmen as are directly employed by contractors or subcontractors in actual construction work  
9 on the site of the building or construction job shall be deemed to be employed upon public  
10 works.

11         2. When the hauling of materials or equipment includes some phase of construction other  
12 than the mere transportation to the site of the construction, workmen engaged in this dual  
13 capacity shall be deemed employed directly on public works.

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