



SPONSOR: Sen. Walsh & Rep. Osienski
Sens. Ennis, Gay, Lockman, Mantzavinos, S. McBride,
Paradee, Sokola, Sturgeon, Townsend; Reps. Baumbach,
Brady, Kowalko, Lambert, Lynn, Matthews, Mitchell,
Morrison, K. Williams

DELAWARE STATE SENATE
151st GENERAL ASSEMBLY

SENATE BILL NO. 156

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE CHARTER OF THE
UNIVERSITY OF DELAWARE.

1 WHEREAS, the State of Delaware and the University of Delaware have a strong partnership, with the University
2 providing higher education services and influencing the growth of the State's economy; and

3 WHEREAS, the University has not been subject to the State's Prevailing Wage Law, found in § 6960 in Title 29
4 of the Delaware Code; however, the University's policy requires the payment of prevailing wages on all capital projects
5 funded, in whole or in part, by the State; and

6 WHEREAS, the University agrees on the positive impact that an extension of this policy would have if applied to
7 all University capital projects, including those projects not funded in whole or in part, by the State; and

8 WHEREAS, the University is in support of the following legislation to amend its Charter.

9 NOW, THEREFORE:

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all
11 members elected to each house thereof concurring therein):

12 Section 1. Amend Chapter 51, Title 14 of the Delaware Code by making deletions as shown by strike through and
13 insertions as shown by underline as follows:

14 § 5106. Board of Trustees — Powers.

15 (b) Notwithstanding any provisions appearing elsewhere in the laws of this State which might suggest or provide
16 the contrary, the entire control and management of the affairs of the University, which is conferred upon the Board of
17 Trustees by the foregoing paragraph, shall be construed, in the area of fiscal and revenue matters, as including, but not as
18 being limited to, the following powers and duties:

19 (5) Control of all matters having to do with the formulation of the terms of contracts for the construction
20 of buildings or other University facilities, as well as the manner of awarding contracts or purchasing supplies and
21 equipment; provided however, all contracts necessary for the construction of any building or other University
22 facility that have a total cost in excess of \$500,000 for new construction (including painting and decorating) or

23 \$45,000 for alteration, repair, renovation, rehabilitation, demolition, or reconstruction (including painting and
24 decorating of buildings or works), and require or involve the employment of mechanics or laborers, shall contain a
25 provision stating that the minimum wages to be paid to various classes of laborers and mechanics shall be based
26 upon the wages determined by the Delaware Department of Labor, Division of Industrial Affairs, to be prevailing
27 in the county where the work is performed.

SYNOPSIS

This Act requires that prevailing wages be paid to laborers and mechanics working on all University of Delaware construction sites or renovation projects that exceed a certain cost. The prevailing wages are set by the Delaware Department of Labor, Division of Industrial Affairs, and apply to various classes of laborers and mechanics, according to the county in which the work is performed.

Author: Senator Walsh