

HOUSE BILL NO. 6051

November 07, 2024, Introduced by Reps. Tsernoglou, Hill, Arbit, Andrews, McFall, Price, Rheingans, Xiong and Weiss and referred to the Committee on Labor.

A bill to amend 2023 PA 10, entitled

"An act to require prevailing wages and fringe benefits on certain projects; to establish the requirements and responsibilities of contracting agents and bidders; to make appropriations for the implementation of this act; to provide for the powers and duties of certain state and local governmental officers and entities; to create the prevailing wage fund; and to prescribe penalties,"

by amending section 1 (MCL 408.1101), as amended by 2024 PA 110.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Broadband developer" means a person that provides,

1 improves, or expands broadband service in this state.

2 (b) "Broadband service" means any service, including, but not
3 limited to, voice, video, and data, that provides capacity for
4 transmission in excess of 200 kilobits per second in not less than
5 1 direction regardless of the technology or medium used, including,
6 but not limited to, wireless, copper wire, fiber optic cable, or
7 coaxial cable. If voice transmission capacity is offered in
8 conjunction with other services that use transmission in excess of
9 200 kilobits per second, the voice transmission capacity may be
10 less than 200 kilobits per second.

11 (c) "Broadband service project" means new construction,
12 improvement, maintenance, expansion, alteration, or demolition of
13 lines, cables, or other hardware of a broadband service that is
14 performed by a broadband developer. Except for the maintenance
15 upgrade and upkeep of a broadband service that receives funding
16 from the federal Broadband Equity, Access, and Deployment program,
17 broadband service project does not include a broadband service
18 project that receives funding through the federal Broadband Equity,
19 Access, and Deployment program on or before the effective date of
20 the amendatory act that added this sentence.

21 (d) ~~(a)~~ "Commissioner" means the department of labor and
22 economic opportunity.

23 (e) ~~(b)~~ "Construction mechanic" means a skilled or unskilled
24 mechanic, laborer, worker, helper, assistant, or apprentice working
25 on a state project but does not include executive, administrative,
26 professional, office, or custodial employees.

27 (f) ~~(e)~~ "Contracting agent" means either of the following:

28 (i) A private contracting agent.

29 (ii) A public contracting agent.

(g) ~~(d)~~ "Energy facility" means an energy storage facility, solar energy facility, or wind energy facility. An energy facility may be located on more than 1 parcel of property, including noncontiguous parcels, but shares a single point of interconnection to the grid.

(h) ~~(e)~~ "Energy facility project" means new construction, completion, demolition, major alteration, or repowering of an energy facility.

(i) ~~(f)~~ "Energy storage facility" means a system that absorbs, stores, and discharges electricity with a nameplate capacity of 2 megawatts or more. Energy storage facility does not include either of the following:

(i) Fossil fuel storage.

(ii) Power-to-gas storage that directly uses fossil fuel inputs.

(j) ~~(g)~~ "Locality" means the county, city, village, township, or school district in which the physical work on a state project is to be performed.

(k) ~~(h)~~ "Nameplate capacity" means the designed full-load sustained generating output of an energy facility. Nameplate capacity shall be determined by reference to the sustained output of an energy facility even if components of the energy facility are located on different parcels, whether contiguous or noncontiguous.

(l) ~~(i)~~ "Private contracting agent" means an individual or a partnership, association, trust, corporation, or any other legal entity that enters into **a-any of the following contracts:**

(i) **A contract for an energy facility project or to perform an energy facility project by the direct employment of labor.**

(ii) **A contract for a broadband service project or to perform a**

1 **broadband service project by the direct employment of labor.**

2 (m) ~~(j)~~—"Public contracting agent" means an officer, school
3 board, board or commission of this state, or state institution
4 supported in whole or in part by funds from this state, authorized
5 to enter into a contract for a state project or to perform a state
6 project by the direct employment of labor.

7 (n) ~~(k)~~—"Solar energy facility" means a system that captures
8 and converts solar energy into electricity, with a nameplate
9 capacity of 2 megawatts or more, for the purpose of sale or for use
10 in locations other than solely the solar energy facility property.
11 Solar energy facility includes, but is not limited to, the
12 following equipment and facilities to be constructed by an electric
13 provider or independent power producer: photovoltaic solar panels;
14 solar inverters; access roads; distribution, collection, and feeder
15 lines; wires and cables; conduit; footings; foundations; towers;
16 poles; crossarms; guy lines and anchors; substations;
17 interconnection or switching facilities; circuit breakers and
18 transformers; energy storage facilities; overhead and underground
19 control; communications and radio relay systems and
20 telecommunications equipment; utility lines and installations
21 generation tie lines; solar monitoring stations; and accessory
22 equipment and structures.

23 (o) ~~(l)~~—"State project" means ~~either~~ **any** of the following:

24 (i) New construction, alteration, repair, installation,
25 painting, decorating, completion, demolition, conditioning,
26 reconditioning, or improvement of public buildings, schools, works,
27 bridges, highways, or roads that meets both of the following
28 conditions:

29 (A) Is authorized by a public contracting agent.

1 (B) Is sponsored or financed in whole or in part by this
2 state.

3 (ii) An energy facility project.

4 (iii) **A broadband service project.**

5 (p) ~~(m)~~—"State project registration" means a registration
6 granted under section 2a.

7 (q) ~~(n)~~—"Wind energy facility" means a system that captures
8 and converts wind energy into electricity, with a nameplate
9 capacity of 2 megawatts or more, for the purpose of sale or for use
10 in locations other than solely the wind energy facility property.
11 Wind energy facility includes, but is not limited to, the following
12 equipment and facilities to be constructed by an electric provider
13 or independent power producer: wind towers; wind turbines; access
14 roads; distribution, collection, and feeder lines; wires and
15 cables; conduit; footings; foundations; towers; poles; crossarms;
16 guy lines and anchors; substations; interconnection or switching
17 facilities; circuit breakers and transformers; energy storage
18 facilities; overhead and underground control; communications and
19 radio relay systems and telecommunications equipment; monitoring
20 and recording equipment and facilities; erosion control facilities;
21 utility lines and installations generation tie lines; ancillary
22 buildings; wind monitoring stations; and accessory equipment and
23 structures.