

PREVAILING WAGES ON STATE PROJECTS (EXCERPT)
Act 10 of 2023

***** 408.1101.amended THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT
OF THE 2024 REGULAR SESSION SINE DIE *****

408.1101.amended Definitions.

Sec. 1. As used in this act:

- (a) "Commissioner" means the department of labor and economic opportunity.
- (b) "Construction mechanic" means a skilled or unskilled mechanic, laborer, worker, helper, assistant, or apprentice working on a state project but does not include executive, administrative, professional, office, or custodial employees.
- (c) "Contracting agent" means either of the following:
 - (i) A private contracting agent.
 - (ii) A public contracting agent.
- (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.
- (e) "Energy facility project" means new construction, completion, demolition, major alteration, or repowering of an energy facility.
- (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.
- (g) "Locality" means the county, city, village, township, or school district in which the physical work on a state project is to be performed.
- (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.
- (i) "Private contracting agent" means an individual or a partnership, association, trust, corporation, or any other legal entity that enters into a contract for an energy facility project or to perform an energy facility project by the direct employment of labor.
- (j) "Public contracting agent" means an officer, school board, board or commission of this state, or state institution supported in whole or in part by funds from this state, authorized to enter into a contract for a state project or to perform a state project by the direct employment of labor.
- (k) "Solar energy facility" means a system that captures and converts solar energy into electricity, with a nameplate capacity of 2 megawatts or more, for the purpose of sale or for use in locations other than solely the solar energy facility property. Solar energy facility includes, but is not limited to, the following equipment and facilities to be constructed by an electric provider or independent power producer: photovoltaic solar panels; solar inverters; access roads; distribution, collection, and feeder lines; wires and cables; conduit; footings; foundations; towers; poles; crossarms; guy lines and anchors; substations; interconnection or switching facilities; circuit breakers and transformers; energy storage facilities; overhead and underground control; communications and radio relay systems and telecommunications equipment; utility lines and installations generation tie lines; solar monitoring stations; and accessory equipment and structures.
- (l) "State project" means either of the following:
 - (i) New construction, alteration, repair, installation, painting, decorating, completion, demolition, conditioning, reconstruction, or improvement of public buildings, schools, works, bridges, highways, or roads that meets both of the following conditions:
 - (A) Is authorized by a public contracting agent.
 - (B) Is sponsored or financed in whole or in part by this state.
 - (ii) An energy facility project.
- (m) "State project registration" means a registration granted under section 2a.
- (n) "Wind energy facility" means a system that captures and converts wind energy into electricity, with a nameplate capacity of 2 megawatts or more, for the purpose of sale or for use in locations other than solely the wind energy facility property. Wind energy facility includes, but is not limited to, the following equipment and facilities to be constructed by an electric provider or independent power producer: wind towers; wind turbines; access roads; distribution, collection, and feeder lines; wires and cables; conduit; footings; foundations; towers; poles; crossarms; guy lines and anchors; substations; interconnection or switching

facilities; circuit breakers and transformers; energy storage facilities; overhead and underground control; communications and radio relay systems and telecommunications equipment; monitoring and recording equipment and facilities; erosion control facilities; utility lines and installations generation tie lines; ancillary buildings; wind monitoring stations; and accessory equipment and structures.

History: 2023, Act 10, Eff. Feb. 13, 2024;—Am. 2024, Act 110, Eff. (sine die).