

*mates may be held in abeyance pending receipt of the payroll records. In addition, if the contractor is delinquent in submitting his or any of his subcontractors' payroll records, the contractor shall be liable to the contracting public body for liquidated damages. The liquidated damages shall constitute the sum of ten dollars (\$10.00) for each calendar day that the payroll records are late.*

101.

(b) Following investigation as provided in subsection (a), if the Commissioner determines that any of the provisions of this subtitle may have been violated, the Commissioner shall immediately notify the public body interested, which shall withhold any payment on account thereof, due the contractor or the subcontractor constructing said public works, sufficient moneys to satisfy said sums as may be considered necessary (1) to pay the workmen and apprentices employed by the contractor or any subcontractor the full amount of wages required by the provisions of this subtitle; and (2) to satisfy any liability of any contractor for liquidated damages as provided herein, pending a final determination.

(d) Upon the entry and service of such order, the public body interested shall pay to the workmen and apprentices the full amount of wages due and shall satisfy the liquidated damages, as determined by the Commissioner, from the moneys due the contractor or subcontractor. The Commissioner is hereby authorized and empowered to make any and all rules and regulations from time to time, that may be necessary to effectuate the purposes of this subtitle, including, but not limited to, the authority to make a determination as to the amount of restitution and the amount of liquidated damages to be assessed for violations of the provisions of this subtitle. In no event shall such determination of restitution preclude an employee from instituting suit to recover any payments due him.

104.

(c) *The Commissioner, after investigation, upon complaint, or upon his own initiative, FOLLOWING INVESTIGATION AS PROVIDED IN SECTION 101, THE COMMISSIONER shall file with the Secretary of State a list of the contractors and subcontractors whom it finds have PERSISTENTLY AND WILLFULLY violated this subtitle and such contractors or subcontractors, or simulations thereof, shall be prohibited from contracting directly or indirectly with any public body for the construction of any public works or from performing any work on the same as a contractor or subcontractor for a period of ~~three years~~ ONE YEAR from the date the list is filed with the Secretary of State. No public body shall award a contract for a public works to any such contractor or subcontractor, or simulations thereof, during the ~~three~~ ONE year period. The filing of the list with the Secretary of State shall be notice to all public bodies and their officers, officials, members, agents and representatives.*

105.

If it is found that a public body has not complied with any of the terms of this subtitle, the Commissioner shall give notice thereof in writing to the public body. *Sufficient time may be allowed for*