Amendment No.

CHAMBER ACTION

Senate   House

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1 Representative Jenne offered the following:

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3 **Amendment to Amendment (841717) (with title amendment)**

4 Between lines 3827 and 3828, insert:

5 Section 49. Preference to state residents.—

6 (1) Each contract for construction that is funded by state

7 funds must contain a provision requiring the contractor to give

8 preference to the employment of state residents in the

9 performance of the work on the project if state residents have

10 substantially equal qualifications to those of nonresidents. A

11 contract for construction funded by local funds may contain such

12 a provision.

13 (a) As used in this section, the term "substantially equal

14 qualifications" means the qualifications of two or more persons

15 among whom the employer cannot make a reasonable determination

16 that the qualifications held by one person are better suited for

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17 the position than the qualifications held by the other person or

18 persons.

19   (b)   A contractor required to employ state residents must

20 contact the Agency for Workforce Innovation to post the

21 contractor's employment needs in the state's job bank system.

22   (2)   No contract shall be let to any person refusing to

23 execute an agreement containing the provisions required by this

24 section. However, in work involving the expenditure of federal

25 aid funds, this section may not be enforced in such a manner as

26 to conflict with or be contrary to federal law prescribing a

27 labor preference to honorably discharged soldiers, sailors, or

28 marines, or prohibiting as unlawful any other preference or

29 discrimination among the citizens of the United States.

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32   **T I T L E   A M E N D M E N T**

33   Remove line 4230 and insert:

34   deadlines; specifying compliance requirements; requiring

35   that construction contracts funded by state funds contain

36   a provision requiring the contractor to give preference to

37   the employment of state residents if they have

38   substantially equal qualifications as nonresidents;

39   defining the term "substantially equal qualifications";

40   providing a