

AMENDMENTS TO LB 925

Introduced by Business and Labor.

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. For purposes of sections 1 to 6 of this act:

4 (1) Nebraska laborer means any person who has resided in
5 Nebraska for at least thirty days and intends to become or remain a
6 Nebraska resident or has resided within fifty miles from a Nebraska
7 border for at least thirty days;

8 (2) Period of excessive unemployment means any month
9 immediately following two consecutive calendar months during which
10 the level of unemployment in the state has exceeded four percent
11 as measured by the United States Bureau of Labor Statistics in its
12 monthly publication of employment and unemployment figures; and

13 (3) Public works project means a project constructed on
14 behalf of the State of Nebraska or a department or agency thereof,
15 a county board, the contracting board of a city, village, or
16 school district, or a public board or public utility empowered
17 by law to enter into a contract by public bidding for erecting
18 and finishing a public building, bridge, highway, or other public
19 structure or improvement. Public works project does not include
20 general maintenance on an existing structure or a project performed
21 in a time of emergency as defined by subdivision (8) of section
22 39-892.

23 Sec. 2. If, at the time of the award of a contract for

1 a public works project covered by sections 1 to 6 of this act,
2 there is a period of excessive unemployment in this state, every
3 person who is charged with the duty, either by law or contract,
4 of constructing or building the public works project shall employ
5 only Nebraska laborers on such project, and every contract let by
6 any such person shall contain a provision requiring that Nebraska
7 laborers be used, except that other laborers may be used when
8 Nebraska laborers are not available or are incapable of performing
9 the particular type of work involved, if so certified by the
10 contractor.

11 Sec. 3. Sections 1 to 6 of this act apply to all labor
12 on public works projects performed by contractors, subcontractors,
13 and individuals required to register pursuant to the Contractor
14 Registration Act.

15 Sec. 4. Sections 1 to 6 of this act shall not apply to
16 districts as defined in section 70-601.

17 Sec. 5. In all contracts involving the expenditure of
18 federal aid funds, sections 1 to 6 of this act shall not be
19 enforced in such manner as to conflict with any federal statute,
20 rule, or regulation.

21 Sec. 6. The Department of Labor shall enforce sections 1
22 to 6 of this act. The department, as represented by the Attorney
23 General, or an aggrieved party may sue for injunctive relief
24 against the awarding of a contract or the continuation of a
25 contract for a public works project if the requirements of sections
26 1 to 6 of this act are not being met.