



901552

LEGISLATIVE ACTION

Senate

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House

The Committee on Community Affairs (Brandes) recommended the following:

Senate Amendment (with title amendment)

Delete lines 31 - 94

and insert:

1. Imposes requirements, controls, or limitations on staffing, sources of employee referrals, assignments of work, sources of insurance or benefits, including health, life, and disability insurance and retirement pensions, or training; or

2. Requires a contractor to enter into any sort of agreement as a condition of submitting a bid that directly or



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11 indirectly limits or requires the contractor to recruit, train,
12 or hire employees from a particular source to perform work on
13 public works or a public works project.

14 (c) "Public works" or "public works project" means a
15 building, road, street, sewer, storm drain, water system, site
16 development, irrigation system, reclamation project, gas or
17 electrical distribution system, gas or electrical substation, or
18 other facility, project, or portion thereof, including repair,
19 renovation, or remodeling, owned, in whole or in part, by any
20 political subdivision that is to be paid for in whole or in part
21 with state funds.

22 (2) (a) Except as provided in paragraph (b) or as required
23 by federal or state law, the state or any political subdivision
24 that contracts for the construction, maintenance, repair, or
25 improvement of public works may not require that a contractor,
26 subcontractor, or material supplier or carrier engaged in the
27 construction, maintenance, repair, or improvement of public
28 works:

29 1. Provide employees a specified type, amount, or rate of
30 employee benefits;

31 2. Control or limit staffing;

32 3. Recruit, train, or hire employees from a designated or
33 single source;

34 4. Designate any particular assignment of work for
35 employees; or

36 5. Enter into any type of project labor agreement.

37 (b) Paragraph (a) does not apply if the payment of
38 prevailing or minimum wages to persons working on projects
39 funded in whole or in part by federal funds is required under



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40 federal law.

41 (3) The state or any political subdivision that contracts
42 for the construction, maintenance, repair, or improvement of
43 public works may not require or prohibit a contractor,
44 subcontractor, or material supplier or carrier engaged in the
45 construction, maintenance, repair, or improvement of public
46 works from executing or otherwise becoming a party to any
47 agreement with employees, their representatives, or any labor
48 organization as described in 29 U.S.C. s. 152(5) and 42 U.S.C.
49 s. 2000e(d), including any area-wide, regional, or state
50 building or construction trade or crafts council, organization,
51 association, or similar body, as a condition of bidding,
52 negotiating, being awarded any bid or contract, or performing
53 work on a public works project.

54
55 ===== T I T L E A M E N D M E N T =====

56 And the title is amended as follows:

57 Delete lines 8 - 10

58 and insert:

59 carriers; providing an exception; providing an