

ONE HUNDRED FIRST LEGISLATURE - SECOND SESSION - 2010
COMMITTEE STATEMENT
LB925

Hearing Date: Monday February 01, 2010
Committee On: Business and Labor
Introducer: Conrad
One Liner: Require employment of Nebraska laborers for public works projects during excessive unemployment

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 5 Senators Council, Lathrop, McGill, Wallman, White
Nay: 2 Senators Carlson, Schilz
Absent:
Present Not Voting:

Proponents: Senator Danielle Conrad Ron Kaminski Ken Mass Kate Bolz	Representing: Introducer Omaha Building and Trades Laborers' Local #1140 Nebraska State AFL-CIO NE Appleseed
--	---

Opponents: Curtis Smith Gary Krumland John McClure Chris Dibbern	Representing: AGC-Nebraska Chapter League of Nebraska Municipalities Nebraska Power Association Municipal Energy Agency of Nebraska
---	--

Neutral:	Representing:
-----------------	----------------------

Summary of purpose and/or changes:

LB 925 would require contractors on public works contracts to employ Nebraska laborers in periods of excessive unemployment (defined as exceeding five percent).

Section 1: Definition section. Defines Nebraska laborer, period of excessive unemployment and public works.

Section 2: Directs those that are in charge of public works building contracts to hire only Nebraska laborers in periods of excessive unemployment. Nonresidents may be used if Nebraska laborers are not available or not qualified to perform the work.

Section 3: Explains that the residency requirements do not apply to nonresident executive, supervisory or technical positions.

Section 4: Explains that the residency requirements apply to all public works projects or improvements whether skilled, semiskilled or unskilled and whether manual or nonmanual unless the work is done directly by a public utility and not let out by contract

Section 5: Explains that the residency requirements do not circumvent federal laws or regulations when federal funds are involved.

Section 6: Declares that the Department of Labor shall enforce the provisions. The department may sue for injunctive relief.

Explanation of amendments:

The committee amendment replaces the bill. The amendment provides that a Nebraska laborer includes an individual who has resided within 50 miles of a Nebraska border for 30 days. The period of excessive unemployment is lowered from five percent to four percent. General maintenance and projects performed during times of emergency as defined by section 39-892 (8) are excluded from the definition of public works project. Section 3 of the original bill is stricken and replaced with language explaining that the act applies to labor performed by contractors, subcontractors, and individuals required to register pursuant to the Contractor Registration Act. Section 4 of the original bill is stricken and replaced with language exempting districts defined under section 70-601.

Steve Lathrop, Chairperson