



467452

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/18/2010	.	
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The Policy and Steering Committee on Ways and Means (Garcia and Gelber) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 3691 and 3692  
insert:

Section 35. Preference to Florida residents.-(1) Each contract for construction which is funded by state funds must contain a provision requiring the contractor to give preference to the employment of state residents in the performance of the work on the project if state residents have substantially equal qualifications to those of nonresidents. A contract for construction funded by local funds may contain such a provision.

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



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13 qualifications" means the qualifications of two or more persons  
14 among whom the employer cannot make a reasonable determination  
15 that the qualifications held by one person are better suited for  
16 the position than the qualifications held by the other parties.

17 (b) A contractor required to employ Florida residents must  
18 contact the Agency for Workforce Innovation to post the  
19 contractor's employment needs in the state's job bank system.

20 (2) No contract shall be let to any person refusing to  
21 execute an agreement containing the aforementioned provisions.  
22 However, in work involving the expenditure of federal aid funds,  
23 this section may not be enforced in such a manner as to conflict  
24 with or be contrary to federal law prescribing a labor  
25 preference to honorably discharged soldiers, sailors, and  
26 marines, or prohibiting as unlawful any other preference or  
27 discrimination among the citizens of the United States.

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30 ===== T I T L E A M E N D M E N T =====

31 And the title is amended as follows:

32 Delete line 265

33 and insert:

34 Program; requiring that construction contracts funded by  
35 state funds must contain a provision requiring the contractor to  
36 give preference to the employment of Florida residents if they  
37 have substantially equal qualifications as nonresidents;  
38 defining the term "substantially equal qualifications";  
39 providing an appropriation to the Florida

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