

~~(2) THIS SECTION APPLIES ONLY TO PUBLIC WORK CONTRACTS THAT ARE EXPECTED TO EXCEED \$1,500.~~

~~(C) WHEN A UNIT USES COMPETITIVE SEALED BIDDING TO AWARD A PUBLIC WORK CONTRACT, THE UNIT SHALL GIVE A PERCENTAGE PREFERENCE OF 5% TO A RESPONSIBLE RESIDENT OR NONRESIDENT BIDDER IF:~~

~~(1) THE PAYROLL OF THE BIDDER AND ANY SEPARATE PAYROLL OF A SUBCONTRACTOR OF THE BIDDER WILL REPRESENT, FOR THE DURATION OF THE PROJECT, EMPLOYMENT OF AT LEAST 60% OF RESIDENTS OF THE STATE WHO HAVE RESIDED IN THE STATE CONTINUOUSLY FOR 2 IMMEDIATELY PRECEDING YEARS; AND~~

~~(2) THE PREFERENCE DOES NOT CONFLICT WITH A FEDERAL LAW OR GRANT AFFECTING THE PUBLIC WORK CONTRACT.~~

17-201.

~~(j) (1) Subject to paragraph (2) of this subsection, "public work" means a structure or work, including a bridge, building, ditch, road, alley, waterwork, or sewage disposal plant, that:~~

- ~~(i) is constructed for public use or benefit; or~~
- ~~(ii) is paid for wholly or partly by public money.~~

~~(2) "Public work" does not include:~~

~~(i) unless let to contract, a structure or work whose construction is performed by a public service company under order of the Public Service Commission or other public authority regardless of:~~

- ~~1. public supervision or direction; or~~
- ~~2. payment wholly or partly from public money; or~~

~~(ii) an elementary or secondary school if:~~

~~1. the school is not in a county covered under subsection (i)(1)(iv) of this section; and~~

~~2. the State provides less than 75% of the money for construction.~~

~~(k) "Public work contract" means a contract for construction of a public work.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1992.

Approved May 5, 1992.
