

## LEGISLATIVE BILL 305

Approved by the Governor May 22, 1989

Introduced by Barrett, 39, Speaker, for the Governor

AN ACT relating to education and job training; to amend section 48-621, Reissue Revised Statutes of Nebraska, 1943; to create funds; to create a committee; to authorize the transfer and use of certain funds; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. There is hereby created the Nebraska Technical Community College Aid Cash Fund. The fund shall be under the direction of the Nebraska Technical Community College Aid, Grant, and Contract Review Committee. The Legislature may appropriate nongeneral funds and transfers pursuant to subdivision (b)(3) of section 48-621 to the fund. The fund shall be used to provide aid, grants, or contracts to the technical community colleges for the purposes of funding grants for vocational-technical faculty training, instructional equipment upgrades, employee assessment, preemployment training, employment training, and dislocated worker programs benefiting the State of Nebraska. Any money in the fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1276.

Sec. 2. There is hereby created the Nebraska Technical Community College Aid, Grant, and Contract Review Committee. The committee shall be selected by the Director of Administrative Services and shall consist of (1) a representative of the University of Nebraska who has expertise and experience in research and development, (2) a representative of the Department of Economic Development, (3) a representative of the Department of Labor, (4) a representative of the State Department of Education, and (5) a representative of the technical community colleges.

The committee shall develop guidelines and submit recommendations to the Director of Administrative Services for the distribution of the Nebraska Technical Community College Aid Cash Fund and any other funds appropriated to Program 99 in Agency 83, Aid to Technical Community Colleges, pursuant to any directives of the Governor or the Legislature. Recommendations

made by the committee shall not exceed the amount appropriated to the fund.

Sec. 3. There is hereby created the Job Training Cash Fund. The fund shall be under the direction of the Department of Economic Development. Money may be transferred to the fund pursuant to subdivision (b)(4) of section 48-621. The department shall use the fund to provide reimbursements for job training activities, including employee assessment, preemployment training, on-the-job training, training equipment costs, and other reasonable costs related to helping industry and business locate or expand in Nebraska, or to provide upgrade skills training of the existing labor force necessary to adapt to new technology or the introduction of new product lines. Any money in the fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1276.

Sec. 4. That section 48-621, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

48-621. The administrative fund shall consist of the Employment Security Administration Fund and the Employment Security Special Contingent Fund. Each fund shall be maintained as a separate and distinct account in all respects, as follows:

(a) There is hereby created in the state treasury a special fund to be known as the Employment Security Administration Fund. All money deposited or paid into this fund is hereby appropriated and made available to the Commissioner of Labor. All money in this fund shall be expended solely for the purposes and in the amounts found necessary by the Secretary of Labor of the United States for the proper and efficient administration of the Employment Security Law; and for no other purpose whatsoever. The fund shall consist of all money appropriated by this state and all money received from the United States of America, or any agency thereof, including the Department of Labor, and the Railroad Retirement Board, or from any other source for such purpose. Money received from any agency of the United States or any other state as compensation for services or facilities supplied to such agency, any amounts received pursuant to any surety bond or insurance policy for losses sustained by the Employment Security Administration Fund or by reason of damage to equipment or supplies purchased from money in such fund, and any proceeds realized from the sale or disposition of any equipment or supplies, which may no longer be

necessary for the proper administration of such law; shall also be paid into this fund. All money in this fund shall be deposited, administered, and disbursed in the same manner and under the same conditions and requirements as is provided by law for other special funds in the state treasury. Any balances in this fund, except balances of money therein appropriated from the General Fund of this state, shall not lapse at any time; but shall be continuously available to the commissioner for expenditure consistent with the Employment Security Law. Notwithstanding any other provisions of this section, all money requisitioned and deposited in this fund pursuant to section 903 of the Social Security Act, as amended, shall remain part of the Unemployment Compensation Fund and shall be used only in accordance with the conditions specified in section 903 of the Social Security Act. Any money in the Employment Security Administration Fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1269 72-1276.

(b) There is hereby created in the state treasury a special fund to be known as the Employment Security Special Contingent Fund. Any money in the Employment Security Special Contingent Fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1269 72-1276. All money collected under section 48-655 as interest on delinquent contributions, less refunds, shall be paid into this fund from the clearing account of the Unemployment Compensation Fund at the end of each calendar quarter. Such money shall not be expended or available for expenditure in any manner which would permit its substitution for or a corresponding reduction in federal funds which would in the absence of such money be available to finance expenditures for the administration of the unemployment insurance law, but nothing in this section shall prevent the money from being used as a revolving fund to cover expenditures necessary and proper under the law for which federal funds have been duly requested but not yet received, subject to the charging of such expenditures against such federal funds when received. The money in this fund may be used by the Commissioner of Labor only as follows:

- (1) To replace within a reasonable time any money received by this state pursuant to section 302 of the federal Social Security Act, as amended, and required to be paid under section 48-622; and
- (2) To meet special extraordinary and

contingent expenses which are deemed essential for good administration but which are not provided in grants from the Secretary of Labor of the United States and, for this purpose, no expenditures shall be made from this fund except on written authorization by the Governor at the request of the Commissioner of Labor;

(3) To be transferred to the Nebraska Technical Community College Aid Cash Fund; and

(4) To be transferred to the Job Training Cash Fund.

Sec. 5. That original section 48-621, Reissue Revised Statutes of Nebraska, 1943, is repealed.