

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 248

Introduced by Harr, 8.

Read first time January 11, 2017

Committee: Business and Labor

- 1 A BILL FOR AN ACT relating to employment training; to adopt the Youth
- 2 Opportunities in Learning and Occupations Act.
- 3 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 9 of this act shall be known and may be
2 cited as the Youth Opportunities in Learning and Occupations Act.

3 Sec. 2. (1) The Legislature finds and declares that a skills gap
4 exists between employers and young people between the ages of sixteen
5 years and twenty-four years. An opportunity exists to invest in such
6 young people by identifying individual abilities, analyzing existing job
7 opportunities within this state, and training such young people to meet
8 the needs of Nebraska employers.

9 (2) It is the intent of the Legislature and purpose of the Youth
10 Opportunities in Learning and Occupations Act to practice early
11 investment in the young people of this state by offering training
12 services that encourage young people to identify individual abilities and
13 interests by exposing them to potential employment opportunities within
14 this state, teaching young people the soft skills necessary to succeed in
15 employment, identifying demand occupations, and assessing the required
16 skills.

17 (3) The primary objectives of the act are to:

18 (a) Prepare young people to enter the workforce;

19 (b) Develop marketable skills and competencies, increase earning
20 power, and secure jobs for young people who successfully complete
21 training;

22 (c) Provide career counseling to assist young people in analyzing
23 marketable skills and connecting those skills with current jobs that are
24 in demand occupations;

25 (d) Reduce unemployment for young people within this state;

26 (e) Provide a basis for employees to successfully increase skills to
27 access higher positions;

28 (f) Engage employers in preparing young people for gainful
29 employment;

30 (g) Prepare young people to fulfill the employment needs of
31 businesses in this state; and

1 (h) Assist in identifying and developing young people to fulfill the
2 demand for skilled workers in this state.

3 Sec. 3. For purposes of the Youth Opportunities in Learning and
4 Occupations Act:

5 (1) Commissioner means the Commissioner of Labor;

6 (2) Demand occupation means an occupation requiring specific skills
7 and for which, as a result of business development, there are positive
8 growth-to-replacement ratios, or such ratios are expected within the next
9 twelve to twenty-four months, according to the best available sources of
10 state and local labor-market information;

11 (3) Department means the Nebraska Department of Labor;

12 (4) Employer means an individual or entity engaged in a business, an
13 industry, a profession, a trade, or other enterprise in this state that
14 is in compliance with the reporting and payment requirements of the
15 Employment Security Law as determined by the department;

16 (5) Nonprofit corporation means any corporation that is exempt for
17 federal tax purposes under section 501(c)(3) of the Internal Revenue
18 Code; and

19 (6) Soft skills means personal attributes and interpersonal skills
20 that complement occupational skills in the workplace.

21 Sec. 4. The following entities may apply to the commissioner for a
22 grant pursuant to the Youth Opportunities in Learning and Occupations
23 Act:

24 (1) One or more employers seeking to secure training for young
25 people for demand occupations in a particular industry; or

26 (2) One or more nonprofit corporations that do business in this
27 state and provide young people with soft-skills training for career
28 readiness, career counseling to assess occupational skills, interests,
29 and abilities and analyze potential career opportunities, or other
30 programming related to career readiness.

31 Sec. 5. Beginning in fiscal year 2017-18 and each fiscal year

1 thereafter, the commissioner shall award grants pursuant to the Youth
2 Opportunities in Learning and Occupations Act such that the grant funds
3 awarded are approximately equal for each congressional district, except
4 that if there are not sufficient qualified applicants in any
5 congressional district, the commissioner may award the unused grant funds
6 to applicants in another congressional district. No more than one-half of
7 the funds allocated to each congressional district shall be awarded to
8 employers. The commissioner, in awarding grants, shall give priority to
9 programs, services, or training that results in employment, and no money
10 in the Youth Opportunities in Learning and Occupations Fund shall be used
11 for capital construction. Appeals of any decision of the commissioner
12 pursuant to this section shall be in accordance with the Administrative
13 Procedure Act.

14 Sec. 6. On or before November 1, 2018, and on or before November 1
15 of each year thereafter, the commissioner shall report to the Governor
16 and the Clerk of the Legislature on the distribution and use of the
17 grants distributed under the Youth Opportunities in Learning and
18 Occupations Act, including how many entities applied to receive grants,
19 how many entities received grants, the types of programming receiving
20 grants, how many individuals the entities plan to train, how many
21 individuals successfully completed their training, and information on any
22 funds that have not been used. The report to the Clerk of the Legislature
23 shall be submitted electronically.

24 Sec. 7. The department shall adopt and promulgate rules and
25 regulations to carry out the Youth Opportunities in Learning and
26 Occupations Act. The rules and regulations shall include, but not be
27 limited to, application timelines and requirements, guidelines for
28 evaluating applications, a plan for evaluating the effectiveness of
29 programs, services, and training that receive funding, and a reporting
30 process for grant recipients.

31 Sec. 8. (1) The Youth Opportunities in Learning and Occupations

1 Fund is created. The fund shall be used for (a) administrative costs of
2 establishing, assessing, and maintaining the grant program pursuant to
3 the Youth Opportunities in Learning and Occupations Act and (b) providing
4 grants pursuant to the act. The fund shall consist of such money
5 appropriated to the fund by the Legislature, any money made available by
6 any department or agency of the United States if so directed by such
7 department or agency, and any donations, gifts, bequests, or other
8 contributions to the fund from public or private entities. Money in the
9 fund shall not be expended until matching funds equal to at least one
10 hundred percent of the money appropriated by the Legislature have been
11 received by the commissioner and remitted to the State Treasurer for
12 credit to the fund. Matching funds may be from any nonstate source,
13 including private foundations, federal or local government sources, or
14 quasi-governmental entities, or any other source that is not using money
15 appropriated by the Legislature to provide the matching funds.

16 (2) Any money in the fund not distributed shall be retained by the
17 department to be distributed as grants in the next fiscal year and shall
18 not be expended by the department for any other purpose.

19 (3) Any money in the fund available for investment shall be invested
20 by the state investment officer pursuant to the Nebraska Capital
21 Expansion Act and the Nebraska State Funds Investment Act. Investment
22 earnings from money in the fund shall be credited to the fund.

23 Sec. 9. It is the intent of the Legislature to appropriate twenty
24 million dollars from the General Fund for fiscal year 2017-18 to carry
25 out the Youth Opportunities in Learning and Occupations Act.