

AMENDMENTS TO LB1029

Introduced by Business and Labor.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Sections 1 to 7 of this act shall be known and may be
4 cited as the Sector Partnership Program Act.

5 Sec. 2. (1) The Legislature finds and declares that sector
6 partnerships are a proven strategy for engaging employers in key
7 industries, helping workers train for and access good jobs, and
8 coordinating education, training, and workforce development activities in
9 response to industry needs.

10 (2) It is the intent of the Legislature and the purpose of the
11 Sector Partnership Program Act to support local sector partnerships that
12 will close skill gaps in high-demand sectors of business and industry. By
13 conducting labor availability and skills gap studies, the Sector
14 Partnership Program will connect education and training providers with
15 employers and will ensure that the state's workforce and economic
16 development activities align with the needs of employers in the state's
17 key industries.

18 Sec. 3. For purposes of the Sector Partnership Program Act:

19 (1) Department means the Department of Labor;

20 (2) Local area means a workforce development area authorized by the
21 federal Workforce Innovation and Opportunity Act and established in
22 Nebraska;

23 (3) Local sector partnership or partnership means a workforce
24 collaborative that organizes key stakeholders in a particular sector of
25 business or industry in a local area into a working group that focuses on
26 the shared goals and human resources needs of such sector;

27 (4) Local workforce development board means a local workforce

1 development board authorized by the federal Workforce Innovation and
2 Opportunity Act and established in Nebraska; and

3 (5) Nebraska Workforce Development Board means the state workforce
4 development board authorized by the federal Workforce Investment and
5 Opportunity Act and established in Nebraska.

6 Sec. 4. (1) The Sector Partnership Program is created. The program
7 shall be administered by the Department of Labor in conjunction with the
8 Department of Economic Development. In establishing and administering the
9 program, the Department of Labor shall consult with the Nebraska
10 Workforce Development Board, the Department of Economic Development, and
11 the State Department of Education.

12 (2) The Department of Labor, in conjunction with the Department of
13 Economic Development shall:

14 (a) Establish a study process to conduct labor availability and
15 skills gap studies;

16 (b) Determine the laborshed areas of the state; and

17 (c) Complete labor availability and skills gap studies for all
18 laborshed areas of the state on a rotating basis as determined by the
19 Department of Labor.

20 (3) The Department of Labor and the Department of Economic
21 Development may contract with other entities to conduct additional labor
22 availability, skills gap, and sector partnership studies.

23 (4) The Department of Labor, in conjunction with the Department of
24 Economic Development shall provide technical assistance to local sector
25 partnerships and persons interested in forming partnerships. Technical
26 assistance may include providing: (a) Direction and counseling on forming
27 and sustaining partnerships; (b) professional development and capacity
28 building through academies, toolkits, and peer sharing networks; (c)
29 customized labor market and economic analysis; and (d) information on
30 career pathways, worker training resources, skill standards, and
31 industry-based certifications.

1 (5) Except to the extent otherwise provided in state or federal law,
2 all completed labor availability and skills gap studies shall be public
3 information.

4 Sec. 5. (1) The Sector Partnership Program Fund is created. The
5 fund shall be administered by the Department of Labor. The fund shall be
6 used to pursue sector partnership activities, including, but not limited
7 to, labor availability and skills gap studies by the Department of Labor
8 and the Department of Economic Development pursuant to the Sector
9 Partnership Program Act. The fund may also be used for administrative
10 costs of the Department of Labor and the Department of Economic
11 Development associated with sector partnership activities.

12 (2) The fund shall consist of such money as is: (a) Transferred to
13 the fund from the Job Training Cash Fund and the Nebraska Training and
14 Support Cash Fund; (b) otherwise appropriated to the fund by the
15 Legislature; (c) donated as gifts, bequests, or other contributions to
16 the fund from public or private entities; and (d) made available by any
17 department or agency of the United States if so directed by such
18 department or agency. Any money in the fund available for investment
19 shall be invested by the state investment officer pursuant to the
20 Nebraska Capital Expansion Act and the Nebraska State Funds Investment
21 Act.

22 Sec. 6. On or before July 31 of each year, the department shall
23 provide an annual report to the Governor and the Business and Labor
24 Committee of the Legislature. The report submitted to the Legislature
25 shall be submitted electronically. The report shall detail the process
26 and results of the labor availability and skills gap studies.

27 Sec. 7. The department may adopt and promulgate rules and
28 regulations to carry out the Sector Partnership Program Act.

29 Sec. 8. Section 48-622.02, Revised Statutes Cumulative Supplement,
30 2014, is amended to read:

31 48-622.02 (1) Until July 1, 2015:

1 (a) There is in the state treasury a special fund to be known as the
2 Nebraska Training and Support Trust Fund. Any money in the fund available
3 for investment shall be invested by the state investment officer pursuant
4 to the Nebraska Capital Expansion Act and the Nebraska State Funds
5 Investment Act. All money deposited or paid into the fund is hereby
6 appropriated and made available to the commissioner. No expenditures
7 shall be made from the fund without the written authorization of the
8 Governor upon the recommendation of the commissioner. Any interest earned
9 on money in the State Unemployment Insurance Trust Fund shall be credited
10 to the Nebraska Training and Support Trust Fund;

11 (b) Money in the Nebraska Training and Support Trust Fund shall be
12 used for (i) administrative costs of establishing, assessing, collecting,
13 and maintaining state unemployment insurance tax liability and payments,
14 (ii) administrative costs of creating, operating, maintaining, and
15 dissolving the State Unemployment Insurance Trust Fund and the Nebraska
16 Training and Support Trust Fund, (iii) support of public and private job
17 training programs designed to train, retrain, or upgrade work skills of
18 existing Nebraska workers of for-profit and not-for-profit businesses,
19 (iv) recruitment of workers to Nebraska, (v) training new employees of
20 expanding Nebraska businesses, (vi) the costs of creating a common web
21 portal for the attraction of businesses and workers to Nebraska, and
22 (vii) payment of unemployment insurance benefits if solvency of the
23 state's account in the Unemployment Trust Fund and of the State
24 Unemployment Insurance Trust Fund so require; and

25 (c) There is within the Nebraska Training and Support Trust Fund a
26 separate account to be known as the Administrative Costs Reserve Account.
27 Money shall be allocated from the Nebraska Training and Support Trust
28 Fund to the Administrative Costs Reserve Account in amounts sufficient to
29 pay the anticipated administrative costs identified in subdivision (1)(b)
30 of this section.

31 (2) On and after July 1, 2015:

1 (a) The Nebraska Training and Support Cash Fund is created. Any
2 money in the fund available for investment shall be invested by the state
3 investment officer pursuant to the Nebraska Capital Expansion Act and the
4 Nebraska State Funds Investment Act. On July 1, 2015, the State Treasurer
5 shall transfer any money in the Nebraska Training and Support Trust Fund
6 to the Nebraska Training and Support Cash Fund. No expenditures shall be
7 made from the Nebraska Training and Support Cash Fund without the written
8 authorization of the Governor upon the recommendation of the
9 commissioner. Any interest earned on money in the State Unemployment
10 Insurance Trust Fund shall be credited to the Nebraska Training and
11 Support Cash Fund;

12 (b) Money in the Nebraska Training and Support Cash Fund shall be
13 used for (i) administrative costs of establishing, assessing, collecting,
14 and maintaining state unemployment insurance tax liability and payments,
15 (ii) administrative costs of creating, operating, maintaining, and
16 dissolving the State Unemployment Insurance Trust Fund and the Nebraska
17 Training and Support Cash Fund, (iii) support of public and private job
18 training programs designed to train, retrain, or upgrade work skills of
19 existing Nebraska workers of for-profit and not-for-profit businesses,
20 (iv) recruitment of workers to Nebraska, (v) training new employees of
21 expanding Nebraska businesses, (vi) the costs of creating a common web
22 portal for the attraction of businesses and workers to Nebraska, (vii)
23 developing and conducting labor availability and skills gap studies
24 pursuant to the Sector Partnership Program Act, for which money may be
25 transferred to the Sector Partnership Program Fund as directed by the
26 Legislature, and (viii) ~~vii~~ payment of unemployment insurance benefits if
27 solvency of the state's account in the Unemployment Trust Fund and of the
28 State Unemployment Insurance Trust Fund so require;~~and~~

29 (c) The Administrative Costs Reserve Account is created within the
30 Nebraska Training and Support Cash Fund. Money shall be allocated from
31 the Nebraska Training and Support Cash Fund to the Administrative Costs

1 Reserve Account in amounts sufficient to pay the anticipated
2 administrative costs identified in subdivision (2)(b) of this section;
3 and -

4 (d) The State Treasurer shall transfer two hundred fifty thousand
5 dollars from the Nebraska Training and Support Cash Fund to the Sector
6 Partnership Program Fund no later than July 15, 2016.

7 Sec. 9. Section 81-1201.21, Revised Statutes Supplement, 2015, is
8 amended to read:

9 81-1201.21 (1) There is hereby created the Job Training Cash Fund.
10 The fund shall be under the direction of the Department of Economic
11 Development. Money may be transferred to the fund pursuant to subdivision
12 (1)(b)(iii) of section 48-621 and from the Cash Reserve Fund at the
13 direction of the Legislature. The department shall establish a subaccount
14 for all money transferred from the Cash Reserve Fund to the Job Training
15 Cash Fund on or after July 1, 2005.

16 (2) The money in the Job Training Cash Fund or the subaccount
17 established in subsection (1) of this section shall be used (a) to
18 provide reimbursements for job training activities, including employee
19 assessment, preemployment training, on-the-job training, training
20 equipment costs, and other reasonable costs related to helping industry
21 and business locate or expand in Nebraska, (b) to provide upgrade skills
22 training of the existing labor force necessary to adapt to new technology
23 or the introduction of new product lines, (c) to provide grants pursuant
24 to section 81-1210.02, ~~or~~ (d) as provided in section 79-2308, or (e) as
25 provided in section 5 of this act. The department shall give a preference
26 to job training activities carried out in whole or in part within an
27 enterprise zone designated pursuant to the Enterprise Zone Act.

28 (3) The department shall establish a subaccount within the fund to
29 provide training grants for training employees and potential employees of
30 businesses that (a) employ twenty-five or fewer employees on the
31 application date, (b) employ, or train for potential employment,

1 residents of rural areas of Nebraska, or (c) are located in or employ, or
2 train for potential employment, residents of high-poverty areas as
3 defined in section 81-1203. The department shall calculate the amount of
4 prior year investment income earnings accruing to the fund and allocate
5 such amount to the subaccount for training grants under this subsection.
6 The subaccount shall also be used as provided in the Teleworker Job
7 Creation Act and as provided in section 81-1210.02. The department shall
8 give a preference to training grants for businesses located in whole or
9 in part within an enterprise zone designated pursuant to the Enterprise
10 Zone Act.

11 (4) The State Treasurer shall transfer:

12 (a) Two hundred fifty thousand dollars from the Job Training
13 Cash Fund to the General Fund no later than July 15 of 2015 and 2016;
14 and -

15 (b) Two hundred fifty thousand dollars from the Job Training Cash
16 Fund to the Sector Partnership Program Fund on or before July 15, 2016.

17 (5) Any money in the Job Training Cash Fund available for investment
18 shall be invested by the state investment officer pursuant to the
19 Nebraska Capital Expansion Act and the Nebraska State Funds Investment
20 Act.

21 Sec. 10. Original section 48-622.02, Revised Statutes Cumulative
22 Supplement, 2014, and section 81-1201.21, Revised Statutes Supplement,
23 2015, are repealed.

24 Sec. 11. Since an emergency exists, this act takes effect when
25 passed and approved according to law.