

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FOURTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 251**

Introduced by Nordquist, 7; Crawford, 45; Garrett, 3; Morfeld, 46;  
Schnoor, 15.

Read first time January 14, 2015

Committee: Business and Labor

- 1 A BILL FOR AN ACT relating to labor; to adopt the Veterans Subsidized
- 2 Training and Employment Act.
- 3 Be it enacted by the people of the State of Nebraska,

1           Section 1. Sections 1 to 7 of this act shall be known and may be  
2 cited as the Veterans Subsidized Training and Employment Act.

3           Sec. 2. For purposes of this act:

4           (1) Armed forces means the United States Army, Navy, Air Force,  
5 Marine Corps, and Coast Guard and any reserve component thereof,  
6 including a state National Guard performing active duty as provided in  
7 Title 32 of the United States Code;

8           (2) Control, with regard to a corporation, means ownership directly  
9 or indirectly of stock possessing fifty percent or more of the total  
10 combined voting power of all classes of the stock of the corporation  
11 entitled to vote, and with regard to a trust, means ownership directly or  
12 indirectly of fifty percent or more of the beneficial interest in the  
13 principal or income of the trust. The ownership of stock in a  
14 corporation, of a capital or profits interest in a partnership, a limited  
15 liability company, or an association, or of a beneficial interest in a  
16 trust shall be determined in accordance with the rules for constructive  
17 ownership of stock provided in section 267(c) of the Internal Revenue  
18 Code of 1986, as amended, other than paragraph (3) of section 267(c);

19           (3) Department means the Department of Labor;

20           (4) Eligible business means a business that (a) has operations in  
21 the State of Nebraska, (b) has conducted operations in the state for not  
22 less than twelve months, and (c) is in good standing with the Department  
23 of Revenue in the payment of all state and local taxes;

24           (5) New employee means a person who (a) was unemployed prior to  
25 employment with an eligible business, regardless of whether such person  
26 collected unemployment compensation benefits as a result of such  
27 employment, and (b) was a member of the armed forces and was honorably  
28 discharged after not less than ninety days of service unless such person  
29 was separated from service earlier because of a service-connected  
30 disability rated by the United States Department of Veterans Affairs. New  
31 employee does not include a person who was employed in this state by a

1 related person of an eligible business during any of the twelve months  
2 prior to employment with the eligible business and does not include a  
3 person employed on a temporary or seasonal basis;

4 (6) On-the-job training means training provided by an eligible  
5 business on the premises of such business; and

6 (7) Related person means (a) a corporation, a limited liability  
7 company, a partnership, an association, or a trust controlled by an  
8 eligible business, (b) an individual, a corporation, a limited liability  
9 company, a partnership, an association, or a trust that is in control of  
10 an eligible business, (c) a corporation, a limited liability company, a  
11 partnership, an association, or a trust controlled by an individual, a  
12 corporation, a limited liability company, a partnership, an association,  
13 or a trust that is in control of an eligible business, or (d) a member of  
14 the same controlled group as an eligible business.

15 Sec. 3. (1) The Veterans Subsidized Training and Employment Program  
16 is created. The program shall be administered by the Department of Labor  
17 to provide grants to eligible businesses to subsidize, for the first one  
18 hundred eighty calendar days after a new employee is hired, part of the  
19 cost of on-the-job training and compensation for such new employee in  
20 accordance with section 4 of this act. No business receiving a grant  
21 under section 4 of this act for a new employee may receive more than one  
22 grant for the same employee.

23 (2) At the discretion of the Commissioner of Labor, the department  
24 may use any funds appropriated to the Veterans Subsidized Training and  
25 Employment Program Fund for the purpose of retaining outside consultants  
26 to develop and operate the program. The department shall consult with the  
27 Nebraska Workforce Investment Board and the local workforce investment  
28 boards concerning the operation of the program.

29 (3) For fiscal year 2015-16, the department may use up to four  
30 percent of any funds appropriated to the Veterans Subsidized Training and  
31 Employment Program Fund for the purpose of marketing the program.

1           Sec. 4. (1) An eligible business may apply to the department for a  
2 grant to subsidize on-the-job training and compensation for a new  
3 employee hired by such business. The Commissioner of Labor, or his or her  
4 designee, shall review and approve the applicant's description of the  
5 proposed on-the-job training prior to the award of any grant.

6           (2) A grant awarded to an eligible business pursuant to this section  
7 shall be in the following amount: (a) For the first thirty calendar days  
8 that a new employee is employed, one hundred percent of the wage of such  
9 new employee, exclusive of any benefits, not to exceed twenty dollars per  
10 hour; (b) for the thirty-first through ninetieth calendar days that a new  
11 employee is employed, inclusive, seventy-five percent of such amount; (c)  
12 for the ninety-first through one-hundred-fiftieth calendar days that a  
13 new employee is employed, inclusive, fifty percent of such amount; and  
14 (d) for the one hundred fifty-first through one-hundred-eightieth  
15 calendar days that a new employee is employed, inclusive, twenty-five  
16 percent of such amount. A grant shall be canceled as of the date the new  
17 employee leaves employment with the eligible business.

18           Sec. 5. Beginning in 2016, the Commissioner of Labor shall provide  
19 a report to the Governor and the Clerk of the Legislature not later than  
20 September 1 of each year for the fiscal year ending prior to the report  
21 date which provides all available data, including, but not limited to,  
22 (1) the number of businesses that participated in the Veterans Subsidized  
23 Training and Employment Program, (2) the general categories of such  
24 businesses, (3) the number of individuals who received employment under  
25 the program, (4) the number of applications denied grant funding and the  
26 reasons for denial, (5) the amount of grant funding awarded, and (6) the  
27 costs associated with administration of the program. The report to the  
28 Legislature shall be submitted electronically.

29           Sec. 6. The Commissioner of Labor may adopt and promulgate rules  
30 and regulations to carry out the Veterans Subsidized Training and  
31 Employment Act.

1           Sec. 7. (1) The Veterans Subsidized Training and Employment Program  
2 Fund is created. The fund shall consist of appropriations by the  
3 Legislature designated for credit to the fund. Money in the fund shall be  
4 used for the costs of administering the fund and for the purposes  
5 specified in the Veterans Subsidized Training and Employment Act. Any  
6 money in the fund available for investment shall be invested by the state  
7 investment officer pursuant to the Nebraska Capital Expansion Act and the  
8 Nebraska State Funds Investment Act.

9           (2) It is the intent of the Legislature to appropriate two million  
10 five hundred thousand dollars from the General Fund to the Veterans  
11 Subsidized Training and Employment Program Fund for FY2015-16, for the  
12 purposes described in subsection (1) of this section.