

AMENDMENTS TO LB248

(Amendments to Standing Committee amendments, AM301)

Introduced by Harr, 8.

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

3 Section 1. Sections 1 to 10 of this act shall be known and may be
4 cited as the Youth Opportunities in Learning and Occupations Act.

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

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

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

21 (1) Commissioner means the Commissioner of Labor;

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

1 (3) Department means the Department of Labor;

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

6 (5) Nonprofit corporation means any corporation that is exempt for
7 federal tax purposes under section 501(c)(3) of the Internal Revenue
8 Code;

9 (6) Qualified youth means an individual between the ages of sixteen
10 years and twenty-four years who (a) qualifies for free or reduced-price
11 lunches under the United States Department of Agriculture child nutrition
12 programs or (b) is receiving a Federal Pell Grant award for at least a
13 portion of the time period of the training; and

14 (7) Soft skills means personal attributes and interpersonal skills
15 that complement occupational skills in the workplace.

16 Sec. 4. The following entities may apply to the commissioner for a
17 grant pursuant to the Youth Opportunities in Learning and Occupations
18 Act:

19 (1) One or more employers seeking to secure training for qualified
20 youth for demand occupations in a particular industry; or

21 (2) One or more nonprofit corporations that do business in this
22 state and provide qualified youth with soft-skills training for career
23 readiness, career counseling to assess occupational skills, interests,
24 and abilities and analyze potential career opportunities, or other
25 programming related to career readiness.

26 Sec. 5. (1) Beginning in fiscal year 2017-18 and each fiscal year
27 thereafter, the commissioner shall award grants pursuant to the Youth
28 Opportunities in Learning and Occupations Act such that the grant funds
29 awarded are approximately equal for each congressional district, except
30 that if there are not sufficient qualified applicants in any
31 congressional district, the commissioner may award the unused grant funds

1 to applicants in another congressional district. No more than one-half of
2 the funds allocated to each congressional district shall be awarded to
3 employers. The commissioner, in awarding grants, shall give priority to
4 programs, services, or training that results in employment.

5 (2) No payment shall be made from the Youth Opportunities in
6 Learning and Occupations Fund for a grant awarded pursuant to this
7 section until the commissioner has received evidence that the entity
8 receiving such grant award has either received matching funds from
9 another source or irrevocably committed funds of the entity to be used
10 for the purposes of the grant in an amount equal to or greater than the
11 amount of the grant award. Such matching funds may be from any source,
12 including private foundations, federal or local government sources, or
13 quasi-governmental entities, that is not using money appropriated by the
14 Legislature to provide the matching funds. Money used to meet the
15 matching funds requirement and money received pursuant to the grant award
16 may not be used for capital construction.

17 (3) Appeals of any decision of the commissioner pursuant to this
18 section shall be in accordance with the Administrative Procedure Act.

19 Sec. 6. Grant funds received pursuant to the Youth Opportunities in
20 Learning and Occupations Act shall be used to:

21 (1) Prepare qualified youth to enter the workforce;

22 (2) Develop marketable skills and competencies, increase earning
23 power, and secure jobs for qualified youth who successfully complete
24 training;

25 (3) Provide career counseling to assist qualified youth in analyzing
26 marketable skills and connecting those skills with current jobs that are
27 in demand occupations;

28 (4) Reduce unemployment for qualified youth within this state;

29 (5) Provide a basis for qualified youth who are employed to
30 successfully increase skills to access higher positions;

31 (6) Engage employers in preparing qualified youth for gainful

1 employment;

2 (7) Prepare qualified youth to fulfill the employment needs of
3 businesses in this state; and

4 (8) Assist in identifying and developing qualified youth to fulfill
5 the demand for skilled workers in this state.

6 Sec. 7. On or before November 1, 2018, and on or before November 1
7 of each year thereafter, the commissioner shall report to the Governor
8 and the Clerk of the Legislature on the distribution and use of the
9 grants distributed under the Youth Opportunities in Learning and
10 Occupations Act, including how many entities applied to receive grants,
11 how many entities received grants, the types of programming receiving
12 grants, how many qualified youth the entities plan to train, how many
13 qualified youth successfully completed their training, and information on
14 any funds that have not been used. The report to the Clerk of the
15 Legislature shall be submitted electronically.

16 Sec. 8. The department shall adopt and promulgate rules and
17 regulations to carry out the Youth Opportunities in Learning and
18 Occupations Act. The rules and regulations shall include, but not be
19 limited to, application timelines and requirements, guidelines for
20 evaluating applications, requirements for evidence regarding matching
21 funds, a plan for evaluating the effectiveness of programs, services, and
22 training that receive funding, and a reporting process for grant
23 recipients.

24 Sec. 9. (1) The Youth Opportunities in Learning and Occupations
25 Fund is created. The fund shall be used for (a) administrative costs of
26 establishing, assessing, and maintaining the grant program pursuant to
27 the Youth Opportunities in Learning and Occupations Act and (b) providing
28 grants pursuant to the act. The fund shall consist of any money
29 appropriated to the Youth Opportunities in Learning and Occupations Fund
30 by the Legislature, any money made available by any department or agency
31 of the United States if so directed by such department or agency, and any

1 donations, gifts, bequests, or other contributions to the fund from
2 public or private entities.

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

6 (3) Any money in the fund available for investment shall be invested
7 by the state investment officer pursuant to the Nebraska Capital
8 Expansion Act and the Nebraska State Funds Investment Act. Investment
9 earnings from money in the fund shall be credited to the fund.

10 Sec. 10. It is the intent of the Legislature to appropriate two
11 million five hundred thousand dollars from the General Fund for fiscal
12 year 2017-18 to carry out the Youth Opportunities in Learning and
13 Occupations Act.