

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 788

Introduced by Slama, 1.

Read first time January 08, 2020

Committee: Business and Labor

1 A BILL FOR AN ACT relating to labor; to amend section 48-2107, Revised
2 Statutes Cumulative Supplement, 2018, and section 48-622.03, Revised
3 Statutes Supplement, 2019; to change provisions relating to a report
4 by the Department of Labor and a fee under the Contractor
5 Registration Act; to eliminate provisions relating to service
6 letters, overhead high voltage conductors, and private employment
7 agencies; to repeal the original sections; to outright repeal
8 sections 48-209, 48-210, 48-211, 48-440, 48-501.01, 48-503, 48-504,
9 48-505, 48-506, 48-507, 48-508, 48-510, 48-511, 48-512, 48-513,
10 48-514, 48-515, 48-516, 48-517, 48-518, 48-519, 48-520, 48-521,
11 48-523, and 48-524, Reissue Revised Statutes of Nebraska; and to
12 declare an emergency.
13 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 48-622.03, Revised Statutes Supplement, 2019, is
2 amended to read:

3 48-622.03 (1) There is hereby created the Nebraska Worker Training
4 Board. The board shall consist of seven members appointed and serving for
5 terms determined by the Governor as follows:

6 (a) A representative of employers in Nebraska;

7 (b) A representative of employees in Nebraska;

8 (c) A representative of the public;

9 (d) The Commissioner of Labor or a designee;

10 (e) The Director of Economic Development or a designee;

11 (f) The Commissioner of Education or a designee; and

12 (g) The chairperson of the governing board of the Nebraska Community
13 College Association or a designee.

14 (2) The chairperson of the Nebraska Worker Training Board shall be
15 the representative of the employers in Nebraska.

16 (3) By July 1 of each year, the board shall prepare an annual
17 program plan for the upcoming fiscal year containing guidelines for the
18 program financed by the Nebraska Training and Support Cash Fund. The
19 guidelines shall include, but not be limited to, guidelines for
20 certifying training providers, criteria for evaluating requests for the
21 use of money under section 48-622.02, and guidelines for requiring
22 employers to provide matching funds. The guidelines shall give priority
23 to training that contributes to the expansion of the Nebraska workforce
24 and increasing the pool of highly skilled workers in Nebraska.

25 (4) By December 31 ~~July 1~~ of each year, the Department of Labor
26 shall provide a report to the Governor covering the activities of the
27 program financed by the Nebraska Training and Support Cash Fund for the
28 previous fiscal year. The report shall contain an assessment of the
29 effectiveness of the program and its administration.

30 Sec. 2. Section 48-2107, Revised Statutes Cumulative Supplement,
31 2018, is amended to read:

1 48-2107 (1) Each application or renewal under section 48-2105 shall
2 be signed by the applicant and accompanied by a fee not to exceed of
3 forty dollars. The commissioner may adopt and promulgate rules and
4 regulations to establish the criteria for acceptability of filing
5 documents and making payments electronically. The criteria may include
6 requirements for electronic signatures. The commissioner may refuse to
7 accept any electronic filings or payments that do not meet the criteria
8 established. The fee shall not be required when an amendment to an
9 application is submitted. The commissioner shall remit the fees collected
10 under this subsection to the State Treasurer for credit to the Contractor
11 and Professional Employer Organization Registration Cash Fund.

12 (2) A contractor shall not be required to pay the fee under
13 subsection (1) of this section if (a) the contractor is self-employed and
14 does not pay more than three thousand dollars annually to employ other
15 persons in the business and the application contains a statement made
16 under oath or equivalent affirmation setting forth such information or
17 (b) the contractor only engages in the construction of water wells or
18 installation of septic systems. At any time that a contractor no longer
19 qualifies for exemption from the fee, the fee shall be paid to the
20 department. Any false statement made under subdivision (2)(a) of this
21 section shall be a violation of section 28-915.01.

22 (3) The commissioner shall charge an additional fee of twenty-five
23 dollars for the registration of each nonresident contractor and a fee of
24 twenty-five dollars for the registration of each contract to which a
25 nonresident contractor is a party if the total contract price or
26 compensation to be received is more than ten thousand dollars. The
27 commissioner shall remit the fees collected under this subsection to the
28 State Treasurer for credit to the General Fund.

29 Sec. 3. Original section 48-2107, Revised Statutes Cumulative
30 Supplement, 2018, and section 48-622.03, Revised Statutes Supplement,
31 2019, are repealed.

1 Sec. 4. The following sections are outright repealed: Sections
2 48-209, 48-210, 48-211, 48-440, 48-501.01, 48-503, 48-504, 48-505,
3 48-506, 48-507, 48-508, 48-510, 48-511, 48-512, 48-513, 48-514, 48-515,
4 48-516, 48-517, 48-518, 48-519, 48-520, 48-521, 48-523, and 48-524,
5 Reissue Revised Statutes of Nebraska.

6 Sec. 5. Since an emergency exists, this act takes effect when
7 passed and approved according to law.