Introducing by Slama, 1.

Read first time January 20, 2021

Committee: Business and Labor

1 A BILL FOR AN ACT relating to economic development; to adopt the Rural
2 Workforce Crisis Act.

Be it enacted by the people of the State of Nebraska,
Section 1. Sections 1 to 6 of this act shall be known and may be cited as the Rural Workforce Crisis Act.

Sec. 2. The purpose of the Rural Workforce Crisis Act is to reduce barriers to timely and economical completion of construction for large development projects in the State of Nebraska caused by insufficient workforce.

Sec. 3. For purposes of the Rural Workforce Crisis Act:
(1) Construction means activities associated with the building or altering of real property directly related to a qualified project. Real property is directly related to a project if completed construction of the real property is reasonably determined to be necessary to the business operations of the qualified project, even if such real property is not owned by the taxpayer;
(2) Department means the Department of Economic Development;
(3) Director means the Director of Economic Development; and
(4) Qualified project means an investment by a taxpayer that meets the criteria for receipt of tax credits authorized to incentivize development in the State of Nebraska including, but not limited to, the ImagiNE Nebraska Act, the Beginning Farmer Tax Credit Act, the Nebraska Advantage Rural Development Act, and the Nebraska Advantage Research and Development Act.

Sec. 4. (1) The director shall have the authority to waive, alter, or otherwise modify the education, licensing, and supervision requirements for individuals performing tasks necessary for construction of a qualified project when:
(a) The taxpayer provides evidence to demonstrate:
(i) There is an insufficient workforce within a fifty-mile radius of construction to complete all or some of the construction; and
(ii) The size, scope, and timeframe for completion of the qualified project is not unreasonable; and
(b) The waiver, alteration, or other modification will not impact
the compliance of the real property with applicable building codes.

(2) Upon receipt of a request made under subsection (1) of this section, the director shall provide notice of the request and the relevant evidence submitted by the taxpayer to the regulatory authority whose education, licensing, and supervision requirements might be waived, altered, or otherwise modified by a grant of the request. The regulatory authority shall have no more than thirty days to provide comments regarding the request to the director and the taxpayer shall have at least fourteen days to respond.

(3) The director may impose additional oversight or other requirements necessary to ensure worker and real property safety and may consider or request additional factors as necessary to establish the requirements for the qualified project including, but not limited to:

(a) The training and education of the licensed individuals;

(b) The nature and scope of the work performed by the licensed individuals;

(c) Training and education opportunities provided as part of the qualified project; and

(d) The nature of the qualified project.

(4) Any waiver, alteration, or other modification authorized by the director shall apply exclusively to construction of the qualified project.

Sec. 5. The department may adopt and promulgate rules and regulations in compliance with the Administrative Procedure Act and prescribe such forms as necessary to carry out the Rural Workforce Crisis Act.

Sec. 6. Nothing in the Rural Workforce Crisis Act shall authorize the director to waive inspection of real property as otherwise required by law.