

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.