

AMENDMENTS TO 549

Introduced by Natural Resources

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

3 Section 1. (1) The Legislature finds that:

4 (a) Every Nebraska youth should be encouraged to reach
5 his or her full potential, but that many youth require guidance and
6 support to reach their goals and make positive changes in their
7 lives;

8 (b) Conserving and developing natural resources and
9 enhancing and maintaining environmentally important land and water
10 through the employment of Nebraska's at-risk youth is beneficial
11 not only to the youth by providing them with education and
12 employment opportunities but also to the state's economy and
13 environment; and

14 (c) The Nebraska Youth Conservation Program will offer
15 Nebraska a unique opportunity to meet the goals of increasing
16 understanding and appreciation of the environment and helping
17 at-risk youth become productive adults.

18 (2) It is the intent of the Legislature:

19 (a) That Nebraska Youth Conservation Program participants
20 complete their participation in the program having learned good
21 work habits, positive attitudes, and broadened professional
22 horizons;

23 (b) That the program combine academic, environmental, and

1 job skills training with personal growth opportunities in order to
2 develop productive youth who can make substantial contributions as
3 Nebraska workers and citizens; and

4 (c) To ensure that the Game and Parks Commission
5 coordinate and collaborate with partners from other state and
6 federal government agencies, political subdivisions, postsecondary
7 educational institutions, and community organizations and enter
8 into agreements with such partners for the benefit of the program,
9 as appropriate.

10 Sec. 2. For purposes of sections 1 to 7 of this act:

11 (1) At-risk youth means a youth who has a barrier
12 to successful employment, demonstrates low income by living in
13 a household with income that falls below the federal poverty
14 guidelines or by receiving public assistance, has been impacted
15 directly by substance abuse or physical abuse, has had negative
16 contact with law enforcement, or is not experiencing success in
17 school and is in jeopardy of dropping out; and

18 (2) Commission means the Game and Parks Commission.

19 Sec. 3. (1) The Nebraska Youth Conservation Program is
20 created. The purpose of the program is to employ Nebraska's at-risk
21 youth on projects which contribute to conserving or developing
22 natural resources and enhancing and maintaining environmentally
23 important land and water under the jurisdiction of the commission.
24 The program shall combine academic, environmental, and job skills
25 training with personal growth opportunities for the participants.
26 The commission may administer and maintain the program, directly
27 or by means of contractual arrangement with an experienced service

1 provider or the Department of Labor.

2 (2) Participants shall be at-risk youth who are at least
3 sixteen years of age and not older than twenty-one years of age,
4 unemployed, and residents of Nebraska. Special effort shall be
5 made to select applicants residing in rural and urban high-poverty
6 areas, as determined by the most recent federal census data.

7 (3) Participants shall be paid not less than the minimum
8 wage described in section 48-1203. Participation in the program
9 shall be for a period of six weeks for each participant.
10 Participants and program supervisory personnel may be provided
11 meals during the six-week work period. Protective clothing items
12 shall be provided to participants and supervisory personnel as work
13 conditions warrant.

14 (4) Participants in the Nebraska Youth Conservation
15 Program may be considered temporary employees. This subsection does
16 not apply to crew chiefs and other administrative and supervisory
17 personnel of the program, all of whom may be employees of the
18 commission or employees of an entity hired by or under contract
19 with the commission or the Department of Labor to administer the
20 program. The program shall not result in displacement of current
21 employees or cause a reduction in current employees' hours or wages
22 and shall be in compliance with applicable federal and state labor
23 and education laws.

24 (5) The commission may coordinate with federal, state,
25 and local programs that provide job training and placement services
26 and education opportunities for participants after completing the
27 program.

1 Sec. 4. The commission may adopt and promulgate rules and
2 regulations to carry out the Nebraska Youth Conservation Program,
3 which rules and regulations may include, but need not be limited
4 to, the application process, the selection process, projects to
5 which participants in the program shall be assigned, and any other
6 matters the commission deems necessary.

7 Sec. 5. On or before December 1, 2012, the commission
8 shall report to the Legislature on the Nebraska Youth Conservation
9 Program. The report shall include, at a minimum, the number and
10 ages of the participants, the areas in which they reside, the rate
11 of compensation of participants, the number and type of projects in
12 which participants engaged, the significance of those projects to
13 the environment and the economy of the state, and any other matters
14 the commission deems significant for inclusion in the report.

15 Sec. 6. The Nebraska Youth Conservation Program
16 Fund is created. The fund shall consist of appropriations by
17 the Legislature and any gifts, grants, bequests, and other
18 contributions to the fund for purposes of the Nebraska Youth
19 Conservation Program. The fund shall be used by the commission
20 to carry out the program. Any money in the fund available for
21 investment shall be invested by the state investment officer
22 pursuant to the Nebraska Capital Expansion Act and the Nebraska
23 State Funds Investment Act.

24 Sec. 7. Within five days after the effective date of this
25 act, the State Treasurer shall transfer \$994,400 from the State
26 Settlement Cash Fund to the Nebraska Youth Conservation Program
27 Fund.

1 Sec. 8. Section 59-1608.04, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 59-1608.04 The State Settlement Cash Fund is created.
4 The fund shall be maintained by the Department of Justice and
5 administered by the Attorney General. Except as otherwise provided
6 by law, the fund shall consist of all recoveries received pursuant
7 to the Consumer Protection Act, including any money, funds,
8 securities, or other things of value in the nature of civil
9 damages or other payment, except criminal penalties, whether such
10 recovery is by way of verdict, judgment, compromise, or settlement
11 in or out of court, or other final disposition of any case or
12 controversy, or any other payments received on behalf of the state
13 by the Department of Justice and administered by the Attorney
14 General for the benefit of the state or the general welfare of its
15 citizens, but excluding all funds held in a trust capacity where
16 specific benefits accrue to specific individuals, organizations, or
17 governments. All money in the fund shall be subject to legislative
18 review and shall be appropriated and expended for any allowable
19 legal purposes as determined by the Legislature. The fund shall
20 only be appropriated to a separate and distinct budget program
21 and such appropriations shall only be expended from a separate
22 and distinct budget subprogram and shall not be commingled with
23 any other revenue or expenditure. Transfers may be made from
24 the fund to the General Fund and the State DNA Sample and Data
25 Base Fund at the direction of the Legislature. The fund may be
26 expended for any allowable legal purposes as determined by the
27 Attorney General. To provide necessary financial accountability and

1 management oversight, revenue from individual settlement agreements
2 or other separate sources credited to the State Settlement Cash
3 Fund may be tracked and accounted for within the state accounting
4 system through the use of separate and distinct funds, subfunds, or
5 any other available accounting mechanism specifically approved by
6 the Accounting Administrator for use by the Department of Justice.
7 Any money in the fund available for investment shall be invested
8 by the state investment officer pursuant to the Nebraska Capital
9 Expansion Act and the Nebraska State Funds Investment Act.

10 Sec. 9. The Revisor of Statutes shall assign sections 1
11 to 6 of this act within Chapter 37, article 9.

12 Sec. 10. Original section 59-1608.04, Reissue Revised
13 Statutes of Nebraska, is repealed.

14 Sec. 11. Since an emergency exists, this act takes effect
15 when passed and approved according to law.