

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 594

Introduced 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.

3 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 6 of this act shall be known and may be
2 cited as the Rural Workforce Crisis Act.

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

7 Sec. 3. For purposes of the Rural Workforce Crisis Act:

8 (1) Construction means activities associated with the building or
9 altering of real property directly related to a qualified project. Real
10 property is directly related to a project if completed construction of
11 the real property is reasonably determined to be necessary to the
12 business operations of the qualified project, even if such real property
13 is not owned by the taxpayer;

14 (2) Department means the Department of Economic Development;

15 (3) Director means the Director of Economic Development; and

16 (4) Qualified project means an investment by a taxpayer that meets
17 the criteria for receipt of tax credits authorized to incentivize
18 development in the State of Nebraska including, but not limited to, the
19 ImagiNE Nebraska Act, the Beginning Farmer Tax Credit Act, the Nebraska
20 Advantage Rural Development Act, and the Nebraska Advantage Research and
21 Development Act.

22 Sec. 4. (1) The director shall have the authority to waive, alter,
23 or otherwise modify the education, licensing, and supervision
24 requirements for individuals performing tasks necessary for construction
25 of a qualified project when:

26 (a) The taxpayer provides evidence to demonstrate:

27 (i) There is an insufficient workforce within a fifty-mile radius of
28 construction to complete all or some of the construction; and

29 (ii) The size, scope, and timeframe for completion of the qualified
30 project is not unreasonable; and

31 (b) The waiver, alteration, or other modification will not impact

1 the compliance of the real property with applicable building codes.

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

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

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

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

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

19 (d) The nature of the qualified project.

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

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

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