



NOTICE OF PUBLIC HEARING

Pursuant to *Neb. Rev. Stat.* §84-907, notice is given of a public hearing to be held before the Nebraska Department of Labor (NDOL) on August 31, 2018 at 10:00 a.m. at the Nebraska Department of Labor, 550 South 16<sup>th</sup> Street, Lincoln, NE 68508 in Room 311. The NDOL will receive testimony and evidence concerning the adoption of amendments and repeals of the following regulations pursuant to Governor Ricketts' Executive Order 17-04:

The following regulations are proposed for REPEAL in their entirety as they are either obsolete or are an unnecessary duplication of statute:

- 220 NAC 3 [Experience Rating Information and Voluntary Contributions]
- 220 NAC 10 [Effective Date of Election of Coverage]
- 220 NAC 15 [Transfer or Dissolution of SUIT Fund]
- 222 NAC 9 [Contributions by Employers for 1990]
- 222 NAC 10 [Contributions by Employers for 1991]
- 222 NAC 11 [Contributions by Employers for 1992]
- 222 NAC 12 [Contributions by Employers for 1993]
- 222 NAC 13 [Contributions by Employers for 1994]
- 222 NAC 14 [Contributions by Employers for 1995]
- 222 NAC 15 [Combined Tax Rate by Employers for 1996]
- 222 NAC 16 [Combined Tax Rate by Employers for 1997]
- 222 NAC 17 [Combined Tax by Employers for 1998]
- 222 NAC 18 [Combined Tax by Employers for 1999]
- 222 NAC 19 [Combined Tax by Employers for 2000]
- 222 NAC 20 [Combined Tax by Employers for 2001]
- 222 NAC 21 [Combined Tax by Employers for 2002]
- 222 NAC 22 [Combined Tax by Employers for 2003]
- 222 NAC 23 [Combined Tax by Employers for 2004]
- 222 NAC 24 [Combined Tax by Employers for 2005]
- 227 NAC 1 [Farm Labor Contractor's (FLC) Act - Definitions]
- 227 NAC 2 [FLC Exemptions from Licensing]
- 227 NAC 3 [FLC Issuance of License]
- 227 NAC 6 [FLC Procedure for Obtaining a License]
- 227 NAC 8 [FLC Procedure for Renewing License]
- 227 NAC 9 [FLC Proof of Financial Ability to Pay Wages and Advances]
- 227 NAC 11 [FLC Deposit the Equivalent of Cash]
- 227 NAC 13 [FLC Statement of Earnings]
- 227 NAC 16 [FLC Posting Requirements]
- 227 NAC 18 [FLC Determining a Criminal Penalty]

The following regulations are proposed for AMENDMENT:

- 218 NAC 1 [Electronic Documents]
- 220 NAC 1 [Filing of Quarterly Combined Tax and Wage Reports and Payment of Combined Tax]
- 220 NAC 12 [Determination of Liability]
- 223 NAC 1 [Rules for Administrative Tax Hearings]
- 223 NAC 2 [Regulations and Procedures Governing Declaratory Orders]
- 223 NAC 3 [Regulations Governing Petitioning for Rulemaking]
- 223 NAC 4 [Procedures for Negotiated Rulemaking]
- 223 NAC 5 [Rules of Practice and Procedure for Hearings on Contested Cases]

- 225 NAC 1 [Approval of Training Programs]
- 226 NAC 1 [Discontinuation of Services to Employers]
- 227 NAC 4 [Licensing Requirements]
- 227 NAC 7 [Procedure for Obtaining a Duplicate License]
- 227 NAC 12 [License Protests]
- 227 NAC 15 [Records Availability]
- 227 NAC 20 [Certificate of Exemption]

A draft of these regulations and their fiscal impact statements may be obtained at the office of the Secretary of State, Regulations Division, Room 343, State Capitol, Lincoln, Nebraska 68509, telephone number [402] 471-2385, or by contacting the NDOL at [402] 471-9912. Copies will also be available at the public hearing.

Interested persons may attend and testify at the hearing. Written comments may be submitted to the NDOL, Office of Legal Counsel, and P.O. Box 94600, Lincoln, NE 68509-4600 up to three days prior to the date of this hearing.

If auxiliary aids or reasonable accommodations are needed for attendance at this hearing, please call [402] 471-9912.

JOHN H. ALBIN  
Nebraska Commissioner of Labor

**FISCAL IMPACT STATEMENT**

<b>Agency:</b>	Nebraska Department of Labor	
<b>Title:</b>	227	<b>Prepared by:</b> Katie S. Thurber
<b>Chapter:</b>	01	<b>Date prepared:</b> June 11, 2018
<b>Subject:</b>	Farm Labor Contractor's Act - Definitions	<b>Telephone:</b> 402.471.9912

**Type of Fiscal Impact:**

	State Agency	Political Sub.	Regulated Public
No Fiscal Impact	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Increased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indeterminable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Provide an Estimated Cost & Description of Impact:**

State Agency: n/a

Political Subdivision: n/a

Regulated Public: n/a

If indeterminable, explain why: n/a

### FISCAL IMPACT STATEMENT

<b>Agency:</b>	Nebraska Department of Labor	<b>Prepared by:</b>	Katie S. Thurber
<b>Title:</b>	227	<b>Date prepared:</b>	June 11, 2018
<b>Chapter:</b>	02	<b>Telephone:</b>	402.471.9912
<b>Subject:</b>	Exemptions from Licensing		

**Type of Fiscal Impact:**

	State Agency	Political Sub.	Regulated Public
No Fiscal Impact	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Increased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indeterminable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Provide an Estimated Cost & Description of Impact:**

State Agency: n/a

Political Subdivision: n/a

Regulated Public: n/a

If indeterminable, explain why: n/a

### FISCAL IMPACT STATEMENT

<b>Agency:</b>	Nebraska Department of Labor	<b>Prepared by:</b>	Katie S. Thurber
<b>Title:</b>	227	<b>Date prepared:</b>	June 11, 2018
<b>Chapter:</b>	03	<b>Telephone:</b>	402.471.9912
<b>Subject:</b>	Issuance of License		

**Type of Fiscal Impact:**

	State Agency	Political Sub.	Regulated Public
No Fiscal Impact	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Increased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indeterminable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Provide an Estimated Cost & Description of Impact:**

State Agency: n/a

Political Subdivision: n/a

Regulated Public: n/a

If indeterminable, explain why: n/a

## FISCAL IMPACT STATEMENT

<b>Agency:</b>	Nebraska Department of Labor	<b>Prepared by:</b>	Katie S. Thurber
<b>Title:</b>	227	<b>Date prepared:</b>	June 11, 2018
<b>Chapter:</b>	04	<b>Telephone:</b>	402.471.9912
<b>Subject:</b>	Licensing Requirements		

**Type of Fiscal Impact:**

	State Agency	Political Sub.	Regulated Public
No Fiscal Impact	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Increased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indeterminable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Provide an Estimated Cost & Description of Impact:**

State Agency: n/a

Political Subdivision: n/a

Regulated Public: n/a

If indeterminable, explain why: n/a

**FISCAL IMPACT STATEMENT**

<b>Agency:</b>	Nebraska Department of Labor	<b>Prepared by:</b>	Katie S. Thurber
<b>Title:</b>	227	<b>Date prepared:</b>	June 11, 2018
<b>Chapter:</b>	06	<b>Telephone:</b>	402.471.9912
<b>Subject:</b>	Procedure for Obtaining a License		

**Type of Fiscal Impact:**

	State Agency	Political Sub.	Regulated Public
No Fiscal Impact	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Increased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indeterminable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Provide an Estimated Cost & Description of Impact:**

State Agency: n/a

Political Subdivision: n/a

Regulated Public: n/a

If indeterminable, explain why: n/a

### FISCAL IMPACT STATEMENT

<b>Agency:</b>	Nebraska Department of Labor	<b>Prepared by:</b>	Katie S. Thurber
<b>Title:</b>	227	<b>Date prepared:</b>	June 11, 2018
<b>Chapter:</b>	07	<b>Telephone:</b>	402.471.9912
<b>Subject:</b>	Procedure for Obtaining a Duplicate License		

**Type of Fiscal Impact:**

	State Agency	Political Sub.	Regulated Public
No Fiscal Impact	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Increased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indeterminable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Provide an Estimated Cost & Description of Impact:**

State Agency: n/a

Political Subdivision: n/a

Regulated Public: n/a

If indeterminable, explain why: n/a



NEBRASKA ADMINISTRATIVE CODE

LAST UPDATED: June 11, 1991

TITLE 227 - DEPARTMENT OF LABOR

CHAPTER 7 - PROCEDURE FOR OBTAINING A DUPLICATE LICENSE

001. This chapter is adopted pursuant to *Neb . Rev. Stat. §48-1708*.
002. In the event a license is lost or stolen, the licensee shall submit a written request for a duplicate license. The licensee shall state the reasons for the request and the circumstances of the loss or theft . The new license will indicate the word "DUPLICATE" on the license above the number. The written request shall be made to the ~~Division~~ Department.

**FISCAL IMPACT STATEMENT**

<b>Agency:</b>	Nebraska Department of Labor	<b>Prepared by:</b>	Katie S. Thurber
<b>Title:</b>	227	<b>Date prepared:</b>	June 11, 2018
<b>Chapter:</b>	11	<b>Telephone:</b>	402.471.9912
<b>Subject:</b>	Deposit the Equivalent of Cash		

**Type of Fiscal Impact:**

	State Agency	Political Sub.	Regulated Public
No Fiscal Impact	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Increased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indeterminable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Provide an Estimated Cost & Description of Impact:**

State Agency: n/a

Political Subdivision: n/a

Regulated Public: n/a

If indeterminable, explain why: n/a

## FISCAL IMPACT STATEMENT

<b>Agency:</b>	Nebraska Department of Labor	<b>Prepared by:</b>	Katie S. Thurber
<b>Title:</b>	227	<b>Date prepared:</b>	June 11, 2018
<b>Chapter:</b>	12	<b>Telephone:</b>	402.471.9912
<b>Subject:</b>	License Protests		

**Type of Fiscal Impact:**

	State Agency	Political Sub.	Regulated Public
<b>No Fiscal Impact</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Increased Costs</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Decreased Costs</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Increased Revenue</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Decreased Revenue</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Indeterminable</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Provide an Estimated Cost & Description of Impact:**

State Agency: n/a

Political Subdivision: n/a

Regulated Public: n/a

If indeterminable, explain why: n/a

## FISCAL IMPACT STATEMENT

<b>Agency:</b>	Nebraska Department of Labor	<b>Prepared by:</b>	Katie S. Thurber
<b>Title:</b>	227	<b>Date prepared:</b>	June 11, 2018
<b>Chapter:</b>	13	<b>Telephone:</b>	402.471.9912
<b>Subject:</b>	Statement of Earnings		

**Type of Fiscal Impact:**

	State Agency	Political Sub.	Regulated Public
No Fiscal Impact	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Increased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indeterminable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Provide an Estimated Cost & Description of Impact:**

State Agency: n/a

Political Subdivision: n/a

Regulated Public: n/a

If indeterminable, explain why: n/a

### FISCAL IMPACT STATEMENT

<b>Agency:</b>	Nebraska Department of Labor	<b>Prepared by:</b>	Katie S. Thurber
<b>Title:</b>	227	<b>Date prepared:</b>	June 11, 2018
<b>Chapter:</b>	15	<b>Telephone:</b>	402.471.9912
<b>Subject:</b>	Records Availability		

**Type of Fiscal Impact:**

	State Agency	Political Sub.	Regulated Public
No Fiscal Impact	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Increased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indeterminable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Provide an Estimated Cost & Description of Impact:**

**State Agency:** n/a

**Political Subdivision:** n/a

**Regulated Public:** n/a

**If indeterminable, explain why:** n/a

### FISCAL IMPACT STATEMENT

<b>Agency:</b>	Nebraska Department of Labor	<b>Prepared by:</b>	Katie S. Thurber
<b>Title:</b>	227	<b>Date prepared:</b>	June 11, 2018
<b>Chapter:</b>	16	<b>Telephone:</b>	402.471.9912
<b>Subject:</b>	Posting Requirements		

**Type of Fiscal Impact:**

	State Agency	Political Sub.	Regulated Public
No Fiscal Impact	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Increased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indeterminable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Provide an Estimated Cost & Description of Impact:**

State Agency: n/a

Political Subdivision: n/a

Regulated Public: n/a

If indeterminable, explain why: n/a

### FISCAL IMPACT STATEMENT

<b>Agency:</b>	Nebraska Department of Labor	<b>Prepared by:</b>	Katie S. Thurber
<b>Title:</b>	227	<b>Date prepared:</b>	June 11, 2018
<b>Chapter:</b>	18	<b>Telephone:</b>	402.471.9912
<b>Subject:</b>	Determining a Criminal Penalty		

**Type of Fiscal Impact:**

	State Agency	Political Sub.	Regulated Public
No Fiscal Impact	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Increased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indeterminable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Provide an Estimated Cost & Description of Impact:**

State Agency: n/a

Political Subdivision: n/a

Regulated Public: n/a

If indeterminable, explain why: n/a

### FISCAL IMPACT STATEMENT

<b>Agency:</b>	Nebraska Department of Labor	<b>Prepared by:</b>	Katie S. Thurber
<b>Title:</b>	227	<b>Date prepared:</b>	June 11, 2018
<b>Chapter:</b>	20	<b>Telephone:</b>	402.471.9912
<b>Subject:</b>	Certificate of Exemption		

**Type of Fiscal Impact:**

	State Agency	Political Sub.	Regulated Public
No Fiscal Impact	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Increased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indeterminable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Provide an Estimated Cost & Description of Impact:**

State Agency: n/a

Political Subdivision: n/a

Regulated Public: n/a

If indeterminable, explain why: n/a



NEBRASKA ADMINISTRATIVE CODE

LAST UPDATED: June 7, 2017

TITLE 227 - DEPARTMENT OF LABOR

CHAPTER 4 - LICENSING REQUIREMENTS

001. This chapter is adopted pursuant to *Neb. Rev. Stat. §§48-1706, and 48-1708 and 48-1710.*

002. To be eligible for a license, an applicant therefore must:

- A. Be of good character, competence and reliability;
- B. Be a person who has not, within the preceding three years, had a Nebraska farm labor contractor's license application denied;
- C. Be a person who has not, within the preceding three years, in Nebraska or in any other jurisdiction, had a farm labor contractor's license, permit or certificate denied, revoked or suspended;
- D. Not have persons financially interested in any capacity in the applicant's business as a farm labor contractor who were denied a Nebraska farm labor contractor's license, permit or certificate within the preceding three years or who had such license denied, revoked, or suspended within the preceding three years in Nebraska or any other jurisdiction. A refusal to renew a license, permit or certificate because the applicant therefore or any person financially interested in the applicant's business as a farm labor contractor has been denied a license, permit or certificate or had a license, permit or certificate revoked in Nebraska or any other jurisdiction within the preceding three years, is considered the same as the revocation of the license, permit or certificate on the date of its expiration;
- E. Not have any unsatisfied final judgments of the court or final orders issued by any government agency which require the payment of unpaid wages to employees; or the payment of any advances made to the contractor by farmers or owners or lessees of land intended to be used for the production of crops;
- F.
  1. Prior to January 1, 2017 pay a fee of seven hundred and fifty dollars (\$750.00);
  2. On or after January 1, 2017 pay a fee of two hundred and fifty dollars (\$250.00);
- G. Show proof of financial ability to promptly pay the wages of employees and advances made by farmers or owners or lessees of land intended for the production of crops in the form of a corporate surety bond or deposit with the Commissioner;
- H. File a completed license application on a form provided by the Department;
- I. Certify on the application that there is insurance on vehicles used to transport workers in an amount sufficient to comply with the Nebraska Financial Responsibility Law;
- J. In the case of a corporation or cooperative association, be authorized to do business in Nebraska.

### FISCAL IMPACT STATEMENT

<b>Agency:</b>	Nebraska Department of Labor	<b>Prepared by:</b>	Katie S. Thurber
<b>Title:</b>	227	<b>Date prepared:</b>	June 11, 2018
<b>Chapter:</b>	08	<b>Telephone:</b>	402.471.9912
<b>Subject:</b>	Procedure for Renewing License		

**Type of Fiscal Impact:**

	State Agency	Political Sub.	Regulated Public
No Fiscal Impact	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Increased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indeterminable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Provide an Estimated Cost & Description of Impact:**

State Agency: *n/a*

Political Subdivision: *n/a*

Regulated Public: *n/a*

If indeterminable, explain why: *n/a*

## FISCAL IMPACT STATEMENT

<b>Agency:</b>	Nebraska Department of Labor	<b>Prepared by:</b>	Katie S. Thurber
<b>Title:</b>	227	<b>Date prepared:</b>	June 11, 2018
<b>Chapter:</b>	09	<b>Telephone:</b>	402.471.9912
<b>Subject:</b>	Proof of Financial Ability to Pay Wages and Advances		

**Type of Fiscal Impact:**

	State Agency	Political Sub.	Regulated Public
No Fiscal Impact	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Increased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Costs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Increased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decreased Revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indeterminable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Provide an Estimated Cost & Description of Impact:**

State Agency: n/a

Political Subdivision: n/a

Regulated Public: n/a

If indeterminable, explain why: n/a

NEBRASKA ADMINISTRATIVE CODE

LAST UPDATED: August 9, 2008

TITLE 227 - DEPARTMENT OF LABOR

CHAPTER 12 - LICENSE PROTESTS

001. This chapter is adopted pursuant to *Neb. Rev. Stat. §48-1708*.

002. ~~Any individual may protest the issuance of a farm labor contractor's license to any applicant for such license. The protest may be made at any time after the license is actually issued as well as at any time prior to the issuance of the license.~~

002003. Any individual desiring to protest the issuance of a farm labor contractor license must file the protest in writing to the ~~Division~~ Department. Hearings on protests are governed by 223 NAC 5.

003004. The written protest must contain the following information:

- A. Name, address and phone number of the individual filing the protest;
- B. Date of the protest;
- C. Name of licensee or license applicant against whom the protest is being made;
- D. A complete statement of the facts, circumstances and other reasons for the protest. The statement should include alleged violations, approximate dates of alleged violations, names of witnesses, if any, and any documents which support the allegations;
- E. The signature of the individual making the protest.

NEBRASKA ADMINISTRATIVE CODE

LAST UPDATED: June 11, 1991

TITLE 227 - DEPARTMENT OF LABOR

CHAPTER 15 - RECORDS AVAILABILITY

001. This chapter is adopted pursuant to *Neb. Rev. Stat. §§48-1708 and 81-119*.
002. Farm labor contractors will make available to representatives of the ~~Division~~ Department records necessary to determine compliance with these rules. Records will be made available upon the request of such representatives.
003. The Commissioner may issue subpoenas for the production of any papers, books, accounts, documents, or records which are necessary in determining if the farm labor contractor has complied with these rules and the Farm Labor Contractors Act .

NEBRASKA ADMINISTRATIVE CODE

LAST UPDATED: June 11, 1991

TITLE 227 - DEPARTMENT OF LABOR

CHAPTER 20 - LOCAL OPERATORS CERTIFICATE OF EXEMPTION

001. This chapter is adopted pursuant to *Neb. Rev. Stat.* 48-1703(7).
- ~~002. A Local Operators Certificate Of Exemption shall be granted to any operation which employs individuals who are all domiciled within fifty miles of the location where the labor is to be performed.~~
- ~~003. In order to obtain an exemption certificate, form FLCA-07 must be completed and returned to the Labor & Safety Standards Division.~~
- ~~004. Separate Local Operators Certificate Of Exemption cards will be issued to each individual in the partnership, corporation, cooperative association, sole proprietorship, or individual who will conduct farm labor contracting activities.~~
- ~~005. Two identical passport-size photos (2"x2") of each person applying for an exemption certificate-identification card must be submitted with the application of each person applying for an exemption certification identification card.~~
- ~~006. Each individual in the partnership, corporation, cooperative association, sole proprietorship, or individual who conducts farm labor contracting activities shall make and maintain for a period of three (3) years records necessary to determine compliance with the Farm Labor Contractors Act.~~
- ~~007. Records necessary to determine compliance with the Farm Labor Contractors Act includes, but are not limited to, the records required at Title 227, Chapter 14, paragraph 003.~~
002. To obtain a Certificate of Exemption, an application for exemption must be completed and received by the Department in the form and manner prescribed by the Commissioner.
003. Any individual granted a Certificate of Exemption must comply with the provisions of 227 NAC 14.