

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 139

H.P. 121

House of Representatives, January 17, 2019

**An Act To Address the Unmet Workforce Needs of Employers and
To Improve the Economic Future of Workers**

Reference to the Committee on Labor and Housing suggested and ordered printed.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative FECTEAU of Biddeford.

Cosponsored by Representatives: AUSTIN of Gray, DAUGHTRY of Brunswick, HANDY of Lewiston, HIGGINS of Dover-Foxcroft, HUBBELL of Bar Harbor, SYLVESTER of Portland, Senator: BELLOWS of Kennebec.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 26 MRSA §773-A, sub-§3, ¶E**, as enacted by PL 2017, c. 286, §4, is
3 amended to read:

4 E. Who has graduated from high school and who has graduated from a vocational,
5 career and technical or cooperative education program approved by the Department
6 of Education and is hired by an employer to work in an occupation for which the
7 minor has been trained and certified by the vocational program may work for that
8 employer in that occupation.

9 **Sec. 2. 26 MRSA §2033, sub-§3**, as enacted by PL 2007, c. 352, Pt. A, §3, is
10 amended to read:

11 **3. Notice.** The department shall provide notice, including individual written notice,
12 signs and other effective outreach methods, to inform people of the program and the
13 education, training and support available from or through the program to individuals
14 seeking work, education or training in the department's career centers. The department
15 shall tailor outreach efforts to focus on, without limitation, the following target
16 demographics: unemployed and underemployed workers, veterans, immigrants, recipients
17 of benefits under the statewide food supplement program pursuant to Title 22, section
18 3104, low-skilled manufacturing workers and students enrolled in postsecondary
19 education. The department shall also collaborate with education and training partners,
20 employers, trade associations and other entities to improve outreach to target populations
21 in industries identified as having a significant demand for a highly skilled workforce.
22 This collaboration on outreach must include, at a minimum, a collaboration with the
23 Maine Community College System. Additionally, the department shall conduct outreach
24 efforts with employers in industries with significant demand for skilled labor that have
25 been approved for participation in the program pursuant to subsection 4 when those
26 industries are at risk, diversifying or growing and the employer's employees may be
27 eligible for the program.

28 **Sec. 3. 26 MRSA §2033, sub-§4, ¶A**, as amended by PL 2017, c. 110, §22, is
29 further amended to read:

30 A. The education or training provided through the program must be for employment
31 in industries with significant demand for skilled labor that have been:

- 32 (1) Identified by the Center for Workforce Research and Information as
33 providing opportunity for employment in jobs with high compensation;
- 34 (2) Recommended by the State Workforce Board; and
- 35 (3) Approved by the Governor or the Governor's designee.

36 The identification, recommendation and approval of industries pursuant to this
37 paragraph must take into account direct employer input in identifying the inventory
38 and growth of highly skilled jobs that are currently or soon to be present in the State's
39 economy, with an emphasis on jobs in industries that are expanding, jobs that have
40 recently emerged in significant numbers and jobs that may be anticipated based on
41 business trends. This identification, recommendation and approval must also take into

1 account changing demographics, emerging trends and innovations and must include
2 traditional industries in the State in which innovations and new technologies are
3 creating demand for skilled workers, including, but not limited to, food production,
4 farming, fisheries, forest products and manufacturing.

5 **Sec. 4. 26 MRSA §2033, sub-§5-A**, as enacted by PL 2015, c. 257, §1, is
6 amended to read:

7 **5-A. Secondary student eligibility.** Notwithstanding subsection 5, paragraph A,
8 ~~before January 1, 2020~~, a full-time student at a public secondary school enrolled in a
9 career and technical education program at a career and technical education center or a
10 career and technical education region may be granted enrollment in the program if the
11 student applies for enrollment and meets the requirements of subsection 5, paragraphs B,
12 C, D and E. For the purpose of determining eligibility under subsection 5, paragraph C,
13 "income" includes the income of the student's family as defined by department rule.

14 The commissioner may not expend, on an annualized basis, more than 15% of the annual
15 revenue to the fund for tuition, other allowable costs and administration and case
16 management for students enrolled in the program under this subsection and the costs for
17 any of these students who continue to participate in the program after attaining 18 years
18 of age.

19 ~~This subsection is repealed January 1, 2020.~~

20 **Sec. 5. 26 MRSA §2033, sub-§8, ¶B**, as enacted by PL 2007, c. 352, Pt. A, §3, is
21 amended to read:

22 B. Prior to the establishment of a plan, a participant must be given:

23 (1) A description of the program, including a list of services and supports
24 available through the program and nontraditional employment opportunities, so
25 that the participant may identify a suitable employment goal and the services
26 needed to participate in the program;

27 (2) The opportunity to learn about and examine relevant labor market
28 information related to identified industries and the participant's employment
29 preference;

30 (3) If the participant's employment goal is an occupation for which an
31 apprenticeship may be available, information about the department's
32 apprenticeship program under chapter 33; ~~and~~

33 (4) Information about and assistance in applying for other services that will
34 assist the participant in succeeding in the plan and prevent any unnecessary
35 expenditure of resources by the program, including federal financial aid provided
36 under the federal Higher Education Act of 1965, 20 United States Code, Chapter
37 28; the state and federal earned income tax credit; health care resources;
38 unemployment compensation; dislocated worker benefits; trade adjustment
39 assistance; and other services available from other departments of State
40 Government including the Department of Health and Human Services.
41 Information concerning allowable uses of any existing family development
42 account under Title 10, chapter 110, subchapter 4-A must also be provided; and

1 (5) Comprehensive career planning services that will enable the participant to
2 identify a career goal and understand the financial costs and benefits of the
3 education or training needed to meet that goal. The department may partner with
4 other entities in providing comprehensive career planning services under a
5 memorandum of understanding that specifies the requirements for career goals
6 under the program. This partnership must include, at a minimum, a partnership
7 with the Maine Community College System with respect to participants enrolled
8 or seeking enrollment in a training or education course provided by the Maine
9 Community College System. The Maine Community College System shall assist
10 the department in program management and oversight for such participants.

11 **Sec. 6. 26 MRSA §2033, sub-§10**, as amended by PL 2015, c. 402, §2, is further
12 amended to read:

13 **10. Monitoring, evaluation and annual report.** The department shall implement a
14 comprehensive evaluation strategy that evaluates the fund, using both quantitative and
15 qualitative data and including an analysis of the return on investment in the fund. The
16 evaluation must consider, at a minimum, the following factors: the value of total
17 compensation, including, but not limited to, health insurance and other benefits to those
18 participating in training; the impact of the program on the Unemployment Compensation
19 Fund; the impact on productivity and performance for employers; and the impact on
20 meeting the demand for skilled workers in industries in this State. The evaluation must
21 measure the impact of the program over time, including a longitudinal analysis that
22 captures productivity and other outcomes related to the program. The department must
23 submit a report to the joint standing committee of the Legislature having jurisdiction over
24 labor matters by February 1st of each year on the status of the program and on the
25 evaluation data collected and analyzed. The report also must include the formula or limit
26 established by the commissioner pursuant to subsection 2 to limit the proportion of
27 program funds expended on career counseling and administration and the amount of
28 funds expended for these purposes. The report must also include a summary of the
29 department's collaboration with the Maine Community College System under subsection
30 3 and this collaboration's success in increasing access to the program.

31 **SUMMARY**

32 This bill makes a number of changes to the Competitive Skills Scholarship Program
33 administered by the Department of Labor, including the following.

34 1. It requires that the Department of Labor's outreach efforts regarding the program
35 be tailored to focus on unemployed and underemployed workers, veterans, immigrants,
36 recipients of benefits under the statewide food supplement program, low-skilled
37 manufacturing workers and students enrolled in postsecondary education.

38 2. It directs the Department of Labor to collaborate with other entities to improve
39 program outreach to target demographics, including, at a minimum, collaboration with
40 the Maine Community College System.

1 3. It makes changes to the criteria used to determine approved education and training
2 under the program, including consideration of employer input, changing demographics
3 and traditional industries in the State in which innovations and new technologies are
4 creating a demand for skilled workers.

5 4. It requires that a program participant be given information about the allowable uses
6 of a family development account under the Maine Revised Statutes, Title 10, chapter 110,
7 subchapter 4-A.

8 5. It adds a requirement that a participant be offered comprehensive career planning
9 services prior to the program's development of an individual career plan with the
10 participant and permits the Department of Labor to partner with other entities to provide
11 this service. It directs the department to include in this partnership, at a minimum, the
12 Maine Community College System with respect to participants enrolled or seeking
13 enrollment in a training or education course provided by the Maine Community College
14 System. It also directs the Maine Community College System to assist the Department of
15 Labor in program management and oversight for such participants.

16 6. It repeals the January 1, 2020 repeal provision on the eligibility for the program of
17 a full-time student at a public secondary school enrolled in a career and technical
18 education program at a career and technical education center or a career and technical
19 education region.

20 This bill also amends the laws governing the employment of minors 16 and 17 years
21 of age, providing that such a minor may be employed in an otherwise hazardous
22 occupation for which the minor has been trained or certified from a vocational, career and
23 technical or cooperative education program approved by the Department of Education
24 only if the minor has graduated from the program and has graduated from high school.