

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

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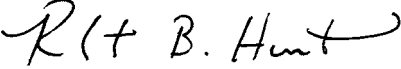
H.P. 51

House of Representatives, January 8, 2025

An Act Regarding the State Workforce Board

Submitted by the Department of Labor pursuant to Joint Rule 204.

Received by the Clerk of the House on January 6, 2025. Referred to the Committee on Labor pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.


ROBERT B. HUNT
Clerk

Presented by Representative ROEDER of Bangor.

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

2 **Sec. 1. 5 MRSA §13120-T, sub-§4, ¶C**, as enacted by PL 2021, c. 450, §2, is
3 amended to read:

4 C. One member from the Department of Labor or the State Workforce Development
5 Board, established under Title 26, section 2006;

6 **Sec. 2. 26 MRSA §1401-A, sub-§2, ¶I**, as amended by PL 2017, c. 110, §10, is
7 further amended to read:

8 I. The State Workforce Development Board established in section 2006.

9 **Sec. 3. 26 MRSA §2004-A**, as amended by PL 2019, c. 246, §2, is further amended
10 to read:

11 **§2004-A. Authority of Legislature**

12 The Legislature has general authority to oversee implementation of the Workforce
13 Innovation and Opportunity Act, including, but not limited to, authority to:

14 **1. Review plans.** Review plans, policies and standards proposed by a local board, the
15 State Workforce Development Board established in section 2006, the Governor or any
16 other agency under the Workforce Innovation and Opportunity Act before final approval
17 by the responsible entity;

18 **2. Review evaluations.** Review the procedures and findings of evaluations of the
19 effectiveness of the State's implementation of the Workforce Innovation and Opportunity
20 Act; and

21 **3. Receive reports.** Receive reports prepared by the State Workforce Development
22 Board established in section 2006, a local board, the Governor or any agency in connection
23 with implementation of the Workforce Innovation and Opportunity Act, including the
24 report required by section 3101-A.

25 The State Workforce Development Board established in section 2006 shall submit the
26 state workforce development plan to the joint standing committee of the Legislature having
27 jurisdiction over labor matters for the committee's review at the same time the plan is posted
28 for public comment pursuant to the Workforce Innovation and Opportunity Act.

29 **Sec. 4. 26 MRSA §2006**, as corrected by RR 2023, c. 1, Pt. A, §24, is amended by
30 amending the section headnote to read:

31 **§2006. Establishment of State Workforce Development Board**

32 **Sec. 5. 26 MRSA §2006, sub-§1**, as amended by PL 2017, c. 110, §14 and c. 259,
33 §§1 and 2, is further amended to read:

34 **1. Responsibilities.** The State Workforce Development Board, referred to in this
35 section as "the board," is established to ensure that the State's workforce development
36 system helps Maine people and businesses compete successfully in the global economy.
37 Specific responsibilities include but are not limited to:

38 A. Performing all of the duties and responsibilities of the state board as defined in the
39 Workforce Innovation and Opportunity Act;

- 1 B. Recommending to the Governor a state workforce development plan designed to
2 maximize utilization and effectiveness of state workforce development services;
- 3 C. Monitoring agency and system-wide strategic goals based on the statewide
4 workforce development policy and strategic plan and evaluating progress toward
5 meeting those goals;
- 6 D. Providing recommendations to the Governor and the Legislature that would
7 improve system effectiveness and reduce system fragmentation;
- 8 E. Creating greater coordination between economic development and human resource
9 development and education programs;
- 10 F. Ensuring a balance between rural and urban workforce development;
- 11 G. Providing policy oversight and recommendations to ensure the effectiveness of
12 vocational programs for people with disabilities in order to support efforts that reduce
13 barriers to employment;
- 14 H. Providing policy oversight and recommendations to ensure that self-employment,
15 microenterprise and small business are part of the overall workforce development
16 strategy;
- 17 I. Providing policy recommendations to ensure the effectiveness of work-related
18 programs and services for youth, including youth with disabilities;
- 19 J. Providing policy recommendations to ensure the effectiveness of work-related
20 programs and services for "at-risk" youth; and
- 21 K. Supporting and tracking progress toward an attainment goal of increasing the
22 percent of working-age adults holding a high-value certificate, college degree,
23 vocational education or other industry-recognized credential to 60% by 2025 with a
24 focus on meeting future workforce needs and reporting annually on progress to the
25 joint standing committee of the Legislature having jurisdiction over education and
26 cultural affairs and the joint standing committee of the Legislature having jurisdiction
27 over labor, business, research and economic development matters.

28 **Sec. 6. 26 MRSA §2006, sub-§2-A**, as amended by PL 2023, c. 13, §1, is further
29 amended to read:

30 **2-A. Membership.** The board consists of the Governor, or the Governor's designee,
31 and, ~~at a minimum,~~ the following members:

32 A. Representatives from business and industry, representatives from organized labor
33 and representatives of other interests as determined by the Governor. ~~These~~
34 ~~appointments are subject to review by the joint standing committee of the Legislature~~
35 ~~having jurisdiction over labor matters and confirmation by the Legislature;~~ and

36 B. The following ex officio members:

- 37 (1) County commissioners designated by local boards appointed by the Governor;
- 38 (2) The Commissioner of Labor or the commissioner's designee;
- 39 (3) The Commissioner of Education or the commissioner's designee;
- 40 (4) The Commissioner of Economic and Community Development or the
41 commissioner's designee; and

1 (5) Other state, county or municipal officials as the Governor considers necessary
2 appointed by the Governor.

3 ~~The appointments of these members are not subject to review by the joint standing~~
4 ~~committee of the Legislature having jurisdiction over labor matters or confirmation by~~
5 ~~the Legislature.~~

6 Appointments must be consistent with the representation requirements of the Workforce
7 Innovation and Opportunity Act. The Governor shall ensure that the board has sufficient
8 expertise to effectively carry out the duties and functions of the board. Members must
9 represent diverse geographic areas of the State, including urban, rural and suburban areas.

10 **Sec. 7. 26 MRSA §2033, sub-§4, ¶A**, as amended by PL 2017, c. 110, §22, is
11 further amended by amending subparagraph (2) to read:

12 (2) Recommended by the State Workforce Development Board established in
13 section 2006; and

14 **Sec. 8. 26 MRSA §3209, sub-§1, ¶B**, as amended by PL 2017, c. 110, §26, is
15 further amended by amending subparagraph (1) to read:

16 (1) One representative of the State Workforce Development Board established in
17 section 2006, appointed by the chair of the State Workforce Development Board;

18 **Sec. 9. 26 MRSA §3209, sub-§4, ¶C**, as amended by PL 2017, c. 110, §27, is
19 further amended to read:

20 C. Representing the Maine Apprenticeship Program to the State Workforce
21 Development Board established in section 2006;

22 **Sec. 10. 26 MRSA §3303, sub-§1**, as amended by PL 2017, c. 110, §29, is further
23 amended to read:

24 **1. Specific industry clusters.** The collaborative shall work with businesses, industry
25 associations and organizations, workforce and economic development agencies, the State
26 Workforce Development Board established in section 2006 and the boards of the local
27 workforce investment areas designated pursuant to the federal Workforce Innovation and
28 Opportunity Act, Public Law 113-128 and economic development entities to define
29 specific industry clusters based on the following criteria:

- 30 A. Statistics showing the competitiveness of an industry cluster;
- 31 B. Importance to the State's or a region's economic development;
- 32 C. Identification of supply and distribution chains within an industry;
- 33 D. Research studies on industry clusters; and
- 34 E. Existing industry partnerships such as those of the health care workforce and
35 associations of manufacturers.

36 **Sec. 11. 26 MRSA §3303, sub-§5, ¶B**, as enacted by PL 2017, c. 110, §30, is
37 amended to read:

38 B. Recommended by the State Workforce Development Board established in section
39 2006; and

1 **Sec. 12. 26 MRSA §3304, sub-§2, ¶B**, as amended by PL 2017, c. 110, §32, is
2 further amended to read:

3 B. Create an industry partnership to advise the collaborative, the State Workforce
4 Development Board established in section 2006 and the boards of the local workforce
5 investment areas designated pursuant to the federal Workforce Innovation and
6 Opportunity Act, Public Law 113-128 on aligning state policies and leveraging
7 resources across systems, including workforce development, education and economic
8 development;

9 **Sec. 13. 26 MRSA §3308**, as enacted by PL 2013, c. 368, Pt. FFFFF, §1, is amended
10 to read:

11 **§3308. Rulemaking**

12 The Commissioner of Labor shall adopt rules for the operation of industry partnerships
13 funded in whole or in part under this chapter. Rules adopted pursuant to this section are
14 ~~major substantive~~ routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

15 **Sec. 14. 35-A MRSA §10104, sub-§9**, as amended by PL 2019, c. 298, §22, is
16 further amended to read:

17 **9. Coordination with other entities.** Consistent with the requirements of this chapter
18 and other applicable laws, the board shall coordinate with the activities and programs of
19 state agencies and authorities that relate to the purposes of this chapter in order to align
20 such activities and programs with the plans and programs of the trust. For purposes of this
21 subsection, activities and programs of state agencies and authorities that relate to the
22 purposes of this chapter include but are not limited to energy efficiency programs relating
23 to state facilities administered by the Department of Administrative and Financial Services,
24 Bureau of General Services, the adoption, amendment and maintenance of the Maine
25 Uniform Building and Energy Code by the Technical Building Codes and Standards Board,
26 established in Title 5, section 12004-G, subsection 5-A within the Department of Public
27 Safety, energy efficiency or green energy workforce development activities of the
28 Department of Labor or the State Workforce Development Board established in Title 26,
29 section 2006, energy efficiency and weatherization programs administered by the Maine
30 State Housing Authority and the activities of the nonwires alternative coordinator
31 established pursuant to section 1701, subsection 2-A.

32 **SUMMARY**

33 This bill changes the name of the State Workforce Board within the Department of
34 Labor to the State Workforce Development Board for consistency with the federal
35 Workforce Innovation and Opportunity Act. It amends the membership of the board by
36 limiting membership to the members listed and by removing legislative review of member
37 appointments. It clarifies that the recipient of an annual report from the board is the joint
38 standing committee of the Legislature having jurisdiction over labor matters instead of the
39 joint standing committee of the Legislature having jurisdiction over labor, business,
40 research and economic development matters.

41 The bill also changes rules related to industry partnerships for workforce development
42 to routine technical rules.