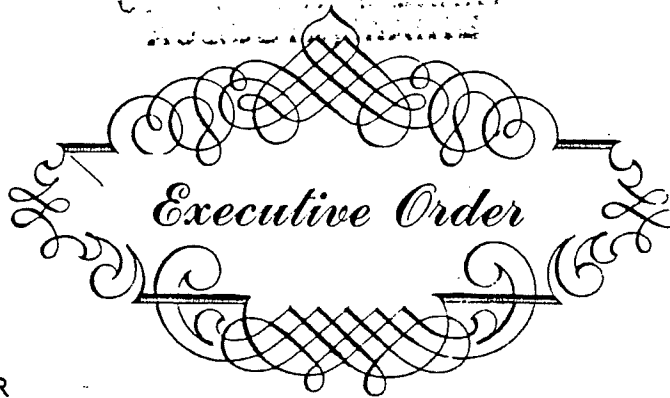


MAINE STATE LEGISLATURE

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OFFICE OF
THE GOVERNOR

NO. 16 FY 86/87
DATE May 15, 1987

AN ORDER CREATING THE
MAINE HUMAN RESOURCE DEVELOPMENT COUNCIL

WHEREAS, the State of Maine faces increasing changes in the makeup of the manufacturing and service sectors of its economy, a potential shortage of workers, and a need to provide job training to groups facing barriers to employment; and

WHEREAS, there is a need for the private sector, statewide economic development organizations, and the various State government agencies which deliver employment training programs, to work closely together in order to construct a comprehensive strategy to coordinate all Federal, State, and local human development resources in a united effort for the training and retraining of Maine's work force; and

WHEREAS, Maine needs a specific plan, derived from this comprehensive strategy, which not only responds to current human resource development needs but also addresses and plans for the future such needs of Maine citizens; and

WHEREAS, the Federal Job Training Partnership Act (JTPA) of 1982, Public Law 97-300; as amended, requires each State to establish a State job training coordinating council;

NOW, THEREFORE, I, JOHN R. McKERNAN, JR., Governor of the State of Maine, do hereby establish the MAINE HUMAN RESOURCE DEVELOPMENT COUNCIL, the organization and function of which shall be as follows:

Purpose

The major purpose of the Maine Human Resource Development Council, hereafter referred to as "the Council," is to enable the implementation of the Governor's annual human resource development goals by recommending to the Governor those policies and procedures which will achieve such goals within a single, comprehensive statewide approach to the delivery of human resource development programs. Such approach shall be termed the Governor's Human Resource Development Policy.

Membership

The Council shall be composed of 30 members appointed by the Governor, and serving at the pleasure of the Governor, who, consistent with the requirements of the JTPA, Sec. 122(a), shall represent the following sectors:

- A. Ten representatives from the private sector. Such members shall be Chief Executive Officers or executives who hold high-level management positions, including one current member from each existing Private Industry Council who represents the private sector;
- B. Eight representatives of State bodies. Two representatives of the Legislature shall serve on the Council, to be selected as follows: one member of the House of Representatives shall be nominated by the Speaker of the House, and one member of the Senate shall be nominated by the President of the Senate. The Commissioners of Labor, Human Services, and Educational and Cultural Services, and the Director of the State Development Office, shall also serve as members. The two additional members shall each represent the University of Maine system and the State Vocational Education system.
- C. Six representatives from local government. Such representatives shall be nominated by the chief elected officials of their parent units of local government; and

- D. Six representatives of various public groups. Such members shall represent each of the following groups: a community-based organization, a local education agency (the representative to be nominated by the parent agency), a labor organization, the eligible population, and two representatives of the general public.

Officers

The Governor shall appoint a Chairperson and Vice-Chairperson from the private sector executive membership of the Council to serve for a one-year term. The Governor may reappoint Officers.

Function and Duties of the Council

The Council shall carry out the following duties:

- A. Inventory, Determine Citizen Need for, and Examine Delivery Structure of Current Human Resource Development Programs

The Council, following the general requirements of the Governor's Human Resource Development Policy, shall identify, in cooperation with appropriate State agencies and other interested parties such as the Private Industry Councils, the employment and training and vocational education needs throughout the State.

The Council shall assess the extent to which employment and training, vocational education, welfare recipient job training, rehabilitation services, public assistance, economic development, and other Federal, State, and local programs represent a consistent, integrated, and coordinated approach to the delivery of such services.

- B. Provide Coordination Requirements, Planning Instructions to Identified Agencies

Based on its assessment of the need for better coordination of the delivery of services listed in Sec. A above, the Council shall recommend to the Governor the "Governor's Human Resource Development

(HRD) Coordination Criteria" affecting agencies involved with human resource development. This document shall contain the elements of Section 121 of the JTPA and shall also contain coordination requirements derived from the Governor's Human Resource Development Policy.

The coordination requirements of the "Governor's HRD Coordination Criteria" shall be communicated to affected State, Federal, and local agencies through Planning Instructions issued by the Maine Department of Labor.

C. Review Plans

The Council shall review the plans of all State agencies identified in the "Governor's HRD Coordination Criteria."

The Council shall advise the Governor on these plans and certify the consistency of such plans with the criteria contained in the "Governor's HRD Coordination Criteria."

The Council shall also review and comment, annually, on the reports required pursuant to Sections 113(b)(9), 113(c)(1) and 114(a)(1) of the Carl D. Perkins Vocational Education Act of 1984, Public Law 98-524, as amended, and review and comment on the State Plan developed by the State employment service agency.

D. Recommend a "Maine Human Resource Development Plan"

The Council shall recommend to the Governor an annual "Maine Human Resource Development Plan," which shall describe the human resource development services and numbers of participants to be served by all agencies identified in the "Governor's HRD Coordination Criteria."

E. Conduct Oversight of Human Resource Development Programs

The Council shall review the operation of programs identified in the "Maine Human Resource Development Plan" in order to determine the responsiveness, adequacy, and coordination of such programs.

The Council shall make recommendations to the Governor and other interested entities with respect to ways to improve the effectiveness of such programs.

F. Produce Annual Report

The Council shall prepare an Annual Report to the Governor which shall be a public document and issue such other studies, reports, or documents it deems advisable in carrying out the purposes of this Order.

G. Other Duties

The Council shall perform the following additional duties:

- Recommend to the Governor substate service delivery areas;
- Recommend resource allocations under Titles I and II of the JTPA that are not subject to Section 202(a) of the JTPA;
- Develop appropriate relationships with other programs;
- Coordinate activities with Private Industry Councils; and
- Recommend variations in performance standards. Such recommendations shall be contained in the "Governor's HRD Coordination Criteria."

Powers

The Council shall have the necessary authority to carry out the purpose of this Order.

Terms of Members

One-third of the initial appointments shall serve for a one-year term and a second third of the initial appointments shall serve for a two-year term. The term of the final third of such appointments shall be three years.

Following the initial appointments, the Governor may appoint members to additional three-year terms. Members shall serve until a successor is appointed. Selection shall be in a manner consistent with that of the original appointment.

Committee Structure

Such standing and ad hoc committees as are necessary to the performance of this Order may be formed by the Council.

Committees may include subject matter experts who are not members of the Council.

Meetings

The Council shall meet at such times and such places as it deems necessary. The meetings shall be publicly announced and open to the general public.

A majority of members of the Council shall constitute a quorum for the transaction of business.

Administration

The Maine Department of Labor shall be fiscal agent for the Council. Pursuant to his authority under 26 M.R.S.A. § 1401, the Commissioner of the Department of Labor may appoint such employees as he deems necessary to carry out the purpose of this Order.

The Commissioner of the Department of Labor is authorized to promulgate regulations, in accordance with the Maine Administrative Procedure Act, 5 M.R.S.A. § 8002 et seq., as may be necessary to carry out the State's responsibilities under this Order.

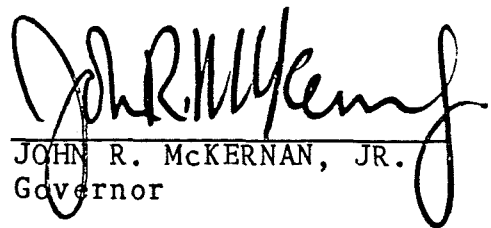
The Council shall establish by-laws for its governance. Such by-laws shall be subject to the Governor's approval.

The Council shall replace the Maine Job Training Council on or before July 1, 1987, at which time Executive Order 9 FY 82/83 is hereby rescinded.

Compensation

Members of the Council shall receive no compensation for their services. Reimbursement of necessary expenditures incurred in the performance of their duties on the Council which are allowed by State law shall be administered by the Department of Labor with funds provided by the JTPA or other Federal or State appropriations made pursuant thereto.

The effective date of this Order is May 15, 1987.


JOHN R. MCKERNAN, JR.
Governor