

MAINE STATE LEGISLATURE

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(EMERGENCY)
FOURTH SPECIAL SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 2706

H.P. 2003 House of Representatives, November 28, 1988
Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 26.

Reference to the Committee on Labor suggested and ordered
printed.

EDWIN H. PERT, Clerk
Presented by Speaker MARTIN of Eagle Lake.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

1 **AN ACT to Conform the Human Resource**
2 **Development Council with Federal Law.**
3

4 **Emergency preamble.** Whereas, Acts of the
5 Legislature do not become effective until 90 days
6 after adjournment unless enacted as emergencies; and

7 Whereas, recent amendments have been made to the
8 United States Job Training Partnership Act which
9 require state conformity within certain designated
10 dates; and

1 Whereas, those amendments require the Maine Human
2 Resource Development Council to be reconstituted by
3 January 1, 1989, and possibly require other amendments
4 in the very near future; and

5 Whereas, in the judgment of the Legislature, these
6 facts create an emergency within the meaning of the
7 Constitution of Maine and require the following
8 legislation as immediately necessary for the
9 preservation of the public peace, health and safety;
10 now, therefore,

11 Be it enacted by the People of the State of Maine as
12 follows:

13 Sec. 1. 26 MRSA §2005, sub-§3, as enacted by PL
14 1987, c. 542, Pt. F, §4, is repealed and the
15 following enacted in its place:

16 3. Membership. The council shall be composed of
17 30 members as provided in this subsection. Members
18 shall serve at the pleasure of the appointing
19 authority. Consistent with the requirements of the
20 United States Job Training Partnership Act, section
21 122(a)(3), members shall represent the following
22 sectors.

23 A. The Governor shall appoint 9 representatives
24 from the private sector. These members must be
25 chief executive officers or executives who hold
26 high-level management positions, including one
27 current member from each existing Private Industry
28 Council who represents the private sector.

29 B. The Governor shall appoint 7 representatives
30 of state bodies, including the Commissioner of
31 Labor, the Commissioner of Human Services, the
32 Commissioner of Educational and Cultural Services
33 and the Commissioner of Economic and Community
34 Development. Two additional members shall each
35 represent the University of Maine System and the
36 Maine Vocational-Technical Institute System.

1 C. The Governor shall appoint 5 representatives
2 from organized labor and 4 representatives from
3 community-based organizations in the State.

4 D. The Governor shall appoint 3 representatives
5 of the general public.

6 E. Two representatives of the Legislature shall
7 serve on the council:

8 (1) The Speaker of the House or the
9 Speaker's designee; and

10 (2) The President of the Senate or the
11 President's designee.

12 Sec. 2. Department of Labor to submit
13 legislation. The Department of Labor shall determine
14 if further amendments to Maine law are required to
15 maintain conformity with the recent amendments to
16 federal job training laws contained in the Worker
17 Adjustment and Retraining Notification Act, PL
18 100-379, and the Omnibus Trade and Competitiveness Act
19 of 1988, PL 100-418. If further amendments are
20 needed, the Department of Labor shall submit the
21 necessary legislation to the Legislature before any
22 applicable deadlines stated in those Acts.

23 Emergency clause. In view of the emergency
24 cited in the preamble, this Act shall take effect when
25 approved.

26 STATEMENT OF FACT

27 The Human Resource Development Council serves as
28 the State's job training coordinating council for
29 purposes of the United States Job Training Partnership
30 Act. This bill reconstitutes the Human Resource
31 Development Council in order to maintain conformity
32 with recent amendments to that Act. In accordance
33 with those amendments, the bill provides that 30% of
34 the council members will be representatives of private
35 industry; 30% will be representatives of state
36 governmental bodies, including the Legislature; 30%
37 will be representatives of organized labor and
38 community-based organizations in the State; and 10%
39 will be representatives of the general public. The
40 bill is an emergency measure, effective upon approval,

1 in order for the Governor to make the necessary
2 appointments before the January 1, 1989 deadline
3 imposed by federal law. Finally, the bill directs the
4 Department of Labor to determine if further statutory
5 amendments are needed in order to maintain conformity
6 with federal law and to submit any necessary
7 legislation before any applicable deadlines in federal
8 law.

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