

MAINE STATE LEGISLATURE

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L.D. 1247

(Filing No. S-310)

STATE OF MAINE
SENATE
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 462, L.D. 1247, Bill, "An Act to Expand the Maine Job Training Partnership Program"

Amend the bill by striking out everything after section 1 and before the statement of fact and inserting in its place the following:

Sec. 2. 26 MRSA §2013, sub-§9, as enacted by PL 1987, c. 466, §3, is amended to read:

9. Dependent care and transportation services. No person eligible for services under Titles II and III of the United States Job Training Partnership Act, Public Law 97-300, as amended by the Omnibus Trade and Competitiveness Act, Public Law 100-418, and displaced homemakers, as defined in section 1601, may be denied access to or participation in these programs as a result of dependent care needs, transportation needs or other supportive services necessary; and

Sec. 3. 26 MRSA §2013-A is enacted to read:

§2013-A. Appeal procedure

1. Notice provided. Each person who requests or receives job training services provided under section 2013 shall be given written notice describing the right and procedure of appeal provided by this section. This notice shall:

A. Be uniform throughout the State;

B. Be written in language that is clear and understandable and must have a readability score, as determined by a recognized instrument for measuring adult literacy reading levels, equivalent to no more than a 6th grade level; and

3. of 5.

- 1 C. Include a statement that:
- 3 (1) Any decision regarding the type of training or the
5 type, amount or duration of support services offered
7 may be appealed;
- 7 (2) Hearings provided under subsection 3 will be
9 conducted by an impartial hearing officer whose
11 decision may be appealed to court; and
- 11 (3) The person may be eligible to receive free legal
13 assistance in pursuing an appeal. This statement shall
15 also provide a list of organizations that provide legal
15 assistance to persons of low income.

17 2. Appeal provided. Any person who requests or receives
19 job training services provided under section 2013 may obtain a
21 review of any decision made by the job training agency related to
23 those services. When an individual requests a review, the agency
25 shall promptly investigate and attempt to resolve the complaint
27 informally. If the problem is not resolved to the complainant's
29 satisfaction through this informal process, a hearing to review
31 the agency's decision shall be scheduled before an impartial
33 hearing officer as provided in subsection 3.

35 3. Hearing standards. Hearings provided under this section
37 shall be held pursuant to the Maine Administrative Procedure Act,
39 Title 5, chapter 375.

41 Sec. 4. 26 MRSA §2015, first ¶, as enacted by PL 1987, c. 466,
43 §3, is amended to read:

45 This subchapter is intended to serve individuals whose
47 participation in the labor force might be dependent on, or
49 significantly enhanced by, the training and services provided
51 under this subchapter. The objective of the Act is to serve
additional persons who are eligible for services under Titles II
and III of the United States Job Training Partnership Act, Public
Law 97-300, as amended by the Omnibus Trade and Competitiveness
Act, Public Law 100-418, and displaced homemakers, as defined in
section 1601. Innovative approaches will be authorized under
this subsection. Traditionally noneligible persons may be served
if they are marginally employed, or when their enrollment will
result in additional training and employment opportunities for
the traditionally eligible population. For the purposes of this
section, "marginally employed" means that a person is employed at
or near minimum wage, is not a member of a group traditionally
eligible for job training services and is in need of job training
to enhance that person's earning capacity. These individuals may
include, but are not limited to:

53 Sec. 5. 26 MRSA §2017, sub-§1, as enacted by PL 1987, c.

1 466, §3, is amended to read:

3 1. Legislative review. The joint standing committee of the
5 Legislature having jurisdiction over economic development matters
7 shall review and make recommendations to the Commissioner of
Labor, the private industry councils and the Governor with
respect to the program defined in this subchapter. The
committee:

9
11 A. Shall be notified of any hearing held pursuant to
section 2012;

13 B. Shall be provided with copies of any draft plans and
15 actual plans developed pursuant to this subchapter;

17 C. Shall be provided with any reports, research findings,
19 evaluations and any other materials requested by the
committee or any member of the committee to undertake its
review; and

21 D. May make recommendations to the appropriate joint
23 standing committee of the Legislature or any agency or
organization concerned with the program established pursuant
25 to this subchapter.

27 **Sec. 6. 26 MRSA §2017, sub-§2, ¶¶B and D,** as enacted by PL
1987, c. 466, §3, are amended to read:

29 B. Enrollments, including the number of individuals
31 participating who are eligible for services under Titles II
and III of the United States Job Training Partnership Act,
33 Public Law 97-300, as amended by the Omnibus Trade and
Competitiveness Act, Public Law 100-418, and Displaced
Homemakers displaced homemakers, as defined in section 1601;

35
37 D. The number of persons who applied and were not enrolled,
including served in the job training system and the primary
39 reasons that why they were not enrolled served.

41 **Sec. 7. Appropriation.** The following funds are appropriated
from the General Fund to carry out the purposes of this Act.

	1989-90	1990-91
LABOR, DEPARTMENT OF		
Job Training Partnership Program		
49 All Other	\$1,195,763	\$1,197,879
51 Provides funds to increase		

2 of 3

1 the annual appropriation to
2 the Maine job training
3 partnership program to
4 \$2,200,000 for the next
5 biennium. These additional
6 funds shall be used solely
7 for the Maine training
8 initiative program.'

11 **STATEMENT OF FACT**

13 This amendment makes the following changes to the bill.

15 1. The amendment provides an appeal mechanism for persons
16 who request or receive services under the Maine training
17 initiative program.

19 2. The amendment corrects erroneous references to federal
20 law.

21 3. The amendment deletes language from the bill that would
22 have prevented supportive services for job training applicants as
23 being viewed as an entitlement.

Reported by Senator Esty for the Committee on Labor.
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(6/16/89) (Filing No. S-310)