

MAINE STATE LEGISLATURE

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R. of S.

L.D. 1873

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DATE: 3/21/96

(Filing No. H- 814)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
SECOND REGULAR SESSION

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HOUSE AMENDMENT "A" to H.P. 1363, L.D. 1873, Bill, "An Act to Implement the Recommendations of the Productivity Realization Task Force and to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for Fiscal Years Ending June 30, 1996 and June 30, 1997"

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Amend the bill by inserting at the end before the emergency clause the following:

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PART U

28

Sec. U-1. 26 MRSA §1192, sub-§6-D, as enacted by PL 1989, c. 502, Pt. A, §110, is amended to read:

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6-D. Prohibition against disqualification of individuals in approved training. Notwithstanding any provisions of this chapter, the acceptance of training for opportunities available under section 2015-A 2031 is deemed to be acceptance of training with state approval under federal or state law relating to unemployment benefits.

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Sec. U-2. 26 MRSA §1197, sub-§8, as enacted by PL 1993, c. 710, §2, is repealed.

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Sec. U-3. 26 MRSA §1197, sub-§8-A is enacted to read:

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8-A. Grievance procedure. All determinations under this section must be made promptly in writing. A claimant who is aggrieved by any decision or action made under this section may appeal as provided in this subsection.

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2 A. A person who requests or receives training or supportive
4 services under this section must be given written notice
 describing the right and procedure of appeal provided by
 this subsection. This notice must:

6 (1) Be uniform throughout the State;

8 (2) Be written in language that is clear and
10 understandable and have a readability score, as
 determined by a recognized instrument for measuring
12 adult literacy reading levels, equivalent to no higher
 than a 6th-grade level; and

14 (3) Include a statement that:

16 (a) Any decision regarding the type of training
18 or the type, amount or duration of support
 services offered may be appealed;

20 (b) Hearings provided under paragraph C will be
22 conducted by an impartial hearing officer whose
 decision may be appealed to the court; and

24 (c) The person may be eligible to receive free
26 legal assistance in pursuing an appeal. This
 statement must also provide a list of
28 organizations that provide legal assistance to
 persons of low income.

30 B. A person who requests or receives training or supportive
32 services under this section may obtain a review of any
 decision made by the job training agency related to those
34 services. When an individual requests a review, the agency
 shall promptly investigate and attempt to resolve the
36 complaint informally. If the problem is not resolved to the
 complainant's satisfaction through this information process,
38 a hearing to review the agency's decision must be scheduled
 before an impartial hearing officer as provided in paragraph
40 C.

42 C. A hearing provided under this subsection must be held
 pursuant to the Maine Administrative Procedure Act.

44 Sec. U-4. 26 MRSA c. 25, sub-c. II, as amended, is repealed.

46 Sec. U-5. 26 MRSA c. 25, sub-c. IV is enacted to read:

48 SUBCHAPTER IV

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GOVERNOR'S TRAINING INITIATIVE PROGRAM

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§2031. Governor's Training Initiative Program

1. Program established. The Governor's Training Initiative Program, referred to in this section as the "program," is established to encourage high-quality job creation and expansion by directly linking the education and training resources of this State to job opportunities. The program develops and coordinates training for firms intending to expand or locate in this State, reorganize a workplace to remain competitive or upgrade worker skills by providing essential work competencies such as computer literacy, problem-solving strategies, critical thinking skills, math and science proficiency and team-building skills.

2. Administration. The program is administered jointly by the Department of Labor and the Department of Economic and Community Development under rules and operating procedures adopted by the Commissioner of Labor and the Commissioner of Economic and Community Development. Administrative costs are limited to 5% of program funds.

3. Interdepartmental review team. An application for funding under the program must be reviewed by an interdepartmental review team. The review team consists of 2 representatives from the Department of Labor, one of whom must be from the Division of Labor Market Information Services, and 2 representatives from the Department of Economic and Community Development.

4. Criteria for program funding. The following criteria must be demonstrated to the committee by an applicant at the time of application. An applicant shall:

A. Work with the Department of Labor to analyze the occupational skills of the unemployed work force in the designated labor market;

B. Pay the prevailing wage for the identified occupation in the designated labor market area;

C. Provide access to a health insurance benefit package; and

D. Provide a statement of commitment to long-term operation in this State.

5. Selection preference. Preference must be given to an applicant that substantiates one or more of the following at the time of application:

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- 2 A. Formation of a local project partnership;
- 4 B. Employer willingness to leverage matching funds;
- 6 C. Investment in the lifelong learning and skills
development of citizens of this State;
- 8 D. An increase in the local education and training capacity
to support more than one employer that is caused by a
10 proposed project;
- 12 E. Provision of high-wage or high-skill employment,
employee benefits and job security;
- 14 F. Employer intention to expand or locate in economically
16 depressed areas of this State;
- 18 G. Employer willingness to hire new labor force entrants,
economically disadvantaged individuals, persons with
20 disabilities or dislocated workers; or
- 22 H. Employer willingness to provide a registered
apprenticeship for current employees or new hires.
- 24 6. Services. Services that may be funded by the program
26 include, but are not limited to:
- 28 A. Recruitment;
- 30 B. Screening and assessment;
- 32 C. Workplace literacy;
- 34 D. Workplace safety;
- 36 E. Technical training;
- 38 F. On-the-job training;
- 40 G. Higher education;
- 42 H. Essential work competencies;
- 44 I. Job task analysis;
- 46 J. Coordination of employer consortia to access specialized
training;
- 48 K. Technical assistance on work force capacity issues;
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HOUSE AMENDMENT

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L. Technical assistance on worker training plans;

M. Small business training and technical assistance; and

N. Supportive services.

7. Program standards. The standards used by the Department of Labor and the Department of Economic and Community Development to evaluate the success of a project must include, but are not limited to:

A. The number of jobs created or retained in the project and participant demographics;

B. The cost per participant;

C. The average wage paid and benefits provided to participants at training completion;

D. The skills required by the participant to obtain jobs through the training program;

E. The number and percentage of participants who do not complete each program; and

F. The return on investment.

8. Eligibility for funding. Applicants eligible to receive funding from the program include, but are not limited to, employers, regional and local economic development agencies or partnerships, community-based organizations, job training service providers, registered apprenticeship service providers, local adult education providers and postsecondary education institutions.

An applicant that is not a business shall demonstrate, in partnership with a business or a consortium of businesses, the ability to link training services with actual job creation, expansion, upgrade or retention. Training provided under this section is considered approved training under the unemployment insurance laws and the laws regarding dislocated workers administered by the Department of Labor.

9. Report. The Commissioner of Labor and the Commissioner of Economic and Community Development shall provide, to the joint standing committee of the Legislature having jurisdiction over labor matters and the joint standing committee of the Legislature having jurisdiction over business and economic development matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs, an

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2 annual report by March 1st of each year, which must include, for
3 each business assisted under this subchapter, the name and
4 location of each business, the number of individuals trained or
5 retrained, the dollar amount expended and, when applicable, the
6 number of new jobs created.

7 10. Rules. Rules adopted pursuant to this subchapter are
8 routine technical rules as defined in Title 5, chapter 375,
9 subchapter II-A.

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11 **Sec. U-6. 26 MRSA §2159-D**, as enacted by PL 1993, c. 410,
12 Pt. T, §2, is amended to read:

13 **§2159-D. Project goals**

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15 The Health Occupations Training Project is a training
16 strategy to increase the supply of health care workers by
17 providing Maine citizens with job training opportunities in
18 health care occupations. The project goal is to provide skill
19 training to participants who are either unemployed and want to
20 enter the health care field or are employed health care workers
21 who want to upgrade their skills. Preference must be given to
22 participants in the state job training system during selection if
23 they have met the minimum criteria for program entry and have met
24 the application deadline as determined in the grant proposal.
25 For purposes of this chapter, the state job training system
26 includes job training programs such as the Job Training
27 Partnership Act, ~~the Maine Training Initiative, the Strategic~~
28 ~~Training for Accelerated Reemployment Program~~ and the ASPIRE-JOBS
29 program.
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31 **Sec. U-7. 26 MRSA §2171, sub-§2**, as enacted by PL 1989, c.
32 408, §3, is repealed.

33 **Sec. U-8. 26 MRSA §2171, sub-§4**, as amended by PL 1993, c.
34 410, Pt. O, §2, is repealed.

35 **Sec. U-9. Contingent account; job development training.**
36 Notwithstanding the Maine Revised Statutes, Title 5, section
37 1585, an amount not to exceed \$2,000,000 in fiscal year 1996-97
38 may be transferred from the State Contingent Account, job
39 development training, as provided for in Title 5, section 1507,
40 to the Governor's Training Initiative Program in the Department
41 of Labor to be made available by financial order upon the
42 recommendation of the State Budget Officer and approval of the
43 Governor to be used for training initiatives.
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45 **Sec. U-10. Transition provision; contracts and agreements.** All
46 contracts and agreements currently in effect with respect to the
47 State Contingent Account and the Maine Training Initiative
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2 and the Strategic Training for Accelerated Reemployment programs
of the Department of Labor or any subunit of those programs
4 remain in effect until rescinded, terminated or modified as
provided by law.

6 **Sec. U-11. Appropriation.** The following funds are
appropriated from the General Fund to carry out the purposes of
8 this Part.

10 **1996-97**

12 **LABOR, DEPARTMENT OF**

14 **Maine Training Initiative**

16	Personal Services	(\$50,066)
18	All Other	(519,162)
20	Total	<hr/> (569,228)

22 Provides for the deappropriation of funds
associated with the repeal of the Maine
24 Training Initiative program and the
establishment of the Governor's Training
26 Initiative Program.

28 **Strategic Training for Accelerated
Reemployment**

30	Personal Services	(232,712)
32	All Other	(568,888)
34	Total	<hr/> (801,600)

36 Provides for the deappropriation of funds
associated with the repeal of the Strategic
38 Training for Accelerated Reemployment
program and the establishment of the
40 Governor's Training Initiative Program.

42 **Governor's Training Initiative Program**

44	Personal Services	183,000
46	All Other	1,187,828
48	Total	<hr/> 1,370,828

50 Provides for the appropriation of funds for
the establishment of the Governor's Training
Initiative Program.

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**DEPARTMENT OF LABOR
TOTAL**

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Sec. U-12. Effective date. This Part takes effect July 1, 1996.'

Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

FISCAL NOTE

This amendment has no net fiscal impact and does not affect the net savings of the Productivity Realization Task Force. A balanced budget is maintained.

STATEMENT OF FACT

This amendment adds a new part to the bill that repeals several existing job training programs and replaces them with a new job training program.

SPONSORED BY: 
(Representative HATCH)

TOWN: Skowhegan