

MAINE STATE LEGISLATURE

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Date: 3/21/2018

(Filing No. S-399)

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

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**STATE OF MAINE
SENATE
128TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 231, L.D. 669, Bill, "An Act To Address the Unmet Workforce Needs of Employers and To Improve the Economic Future of Workers"

Amend the bill by striking out everything after the enacting clause and inserting the following:

Sec. 1. 26 MRSA §773-A, sub-§3, ¶E, as enacted by PL 2017, c. 286, §4, is amended to read:

E. Who has graduated from high school and who has graduated from a vocational, career and technical or cooperative education program approved by the Department of Education and is hired by an employer to work in an occupation for which the minor has been trained and certified by the vocational program may work for that employer in that occupation.

Sec. 2. 26 MRSA §2033, sub-§3, as enacted by PL 2007, c. 352, Pt. A, §3, is amended to read:

3. Notice. The department shall provide notice, including individual written notice, signs and other effective outreach methods, to inform people of the program and the education, training and support available from or through the program to individuals seeking work, education or training in the department's career centers. The department shall tailor outreach efforts to focus on, without limitation, the following target demographics: unemployed and underemployed workers, veterans, immigrants, recipients of benefits under the statewide food supplement program pursuant to Title 22, section 3104, low-skilled manufacturing workers and students enrolled in postsecondary education. The department shall also collaborate with education and training partners, employers, trade associations and other entities to improve outreach to target populations in industries identified as having a significant demand for a highly skilled workforce. This collaboration on outreach must include, at a minimum, a collaboration with the Maine Community College System. Additionally, the department shall conduct outreach efforts with employers in industries with significant demand for skilled labor that have been approved for participation in the program pursuant to subsection 4 when those

COMMITTEE AMENDMENT

1 industries are at risk, diversifying or growing and the employer's employees may be
2 eligible for the program.

3 **Sec. 3. 26 MRSA §2033, sub-§4, ¶A**, as amended by PL 2017, c. 110, §22, is
4 further amended to read:

5 A. The education or training provided through the program must be for employment
6 in industries with significant demand for skilled labor that have been:

7 (1) Identified by the Center for Workforce Research and Information as
8 providing opportunity for employment in jobs with high compensation;

9 (2) Recommended by the State Workforce Board; and

10 (3) Approved by the Governor or the Governor's designee.

11 The identification, recommendation and approval of industries pursuant to this
12 paragraph must take into account direct employer input in identifying the inventory
13 and growth of highly skilled jobs that are currently or soon to be present in the State's
14 economy, with an emphasis on jobs in industries that are expanding, jobs that have
15 recently emerged in significant numbers and jobs that may be anticipated based on
16 business trends. This identification, recommendation and approval must also take into
17 account changing demographics, emerging trends and innovations and must include
18 traditional industries in the State in which innovations and new technologies are
19 creating demand for skilled workers, including, but not limited to, food production,
20 farming, fisheries, forest products and manufacturing.

21 **Sec. 4. 26 MRSA §2033, sub-§5-A**, as enacted by PL 2015, c. 257, §1, is
22 amended to read:

23 **5-A. Secondary student eligibility.** Notwithstanding subsection 5, paragraph A,
24 ~~before January 1, 2020~~, a full-time student at a public secondary school enrolled in a
25 career and technical education program at a career and technical education center or a
26 career and technical education region may be granted enrollment in the program if the
27 student applies for enrollment and meets the requirements of subsection 5, paragraphs B,
28 C, D and E. For the purpose of determining eligibility under subsection 5, paragraph C,
29 "income" includes the income of the student's family as defined by department rule.

30 The commissioner may not expend, on an annualized basis, more than 15% of the annual
31 revenue to the fund for tuition, other allowable costs and administration and case
32 management for students enrolled in the program under this subsection and the costs for
33 any of these students who continue to participate in the program after attaining 18 years
34 of age.

35 ~~This subsection is repealed January 1, 2020.~~

36 **Sec. 5. 26 MRSA §2033, sub-§8, ¶B**, as enacted by PL 2007, c. 352, Pt. A, §3, is
37 amended to read:

38 B. Prior to the establishment of a plan, a participant must be given:

39 (1) A description of the program, including a list of services and supports
40 available through the program and nontraditional employment opportunities, so

- 1 that the participant may identify a suitable employment goal and the services
2 needed to participate in the program;
- 3 (2) The opportunity to learn about and examine relevant labor market
4 information related to identified industries and the participant's employment
5 preference;
- 6 (3) If the participant's employment goal is an occupation for which an
7 apprenticeship may be available, information about the department's
8 apprenticeship program under chapter 33; and
- 9 (4) Information about and assistance in applying for other services that will
10 assist the participant in succeeding in the plan and prevent any unnecessary
11 expenditure of resources by the program, including federal financial aid provided
12 under the federal Higher Education Act of 1965, 20 United States Code, Chapter
13 28; allowable uses of any existing family development account under Title 10,
14 chapter 110, subchapter 4-A; the state and federal earned income tax credit;
15 health care resources; unemployment compensation; dislocated worker benefits;
16 trade adjustment assistance; and other services available from other departments
17 of State Government including the Department of Health and Human Services;
18 and
- 19 (5) Comprehensive career planning services that will enable the participant to
20 identify a career goal and understand the financial costs and benefits of the
21 education or training needed to meet that goal. The department may partner with
22 other entities in providing comprehensive career planning services under a
23 memorandum of understanding that specifies the requirements for career goals
24 under the program. This partnership must include, at a minimum, a partnership
25 with the Maine Community College System with respect to participants enrolled
26 or seeking enrollment in a training or education course provided by the Maine
27 Community College System. The Maine Community College System shall assist
28 the department in program management and oversight for such participants.

29 **Sec. 6. 26 MRSA §2033, sub-§10**, as amended by PL 2015, c. 402, §2, is further
30 amended to read:

31 **10. Monitoring, evaluation and annual report.** The department shall implement a
32 comprehensive evaluation strategy that evaluates the fund, using both quantitative and
33 qualitative data and including an analysis of the return on investment in the fund. The
34 evaluation must consider, at a minimum, the following factors: the value of total
35 compensation, including, but not limited to, health insurance and other benefits to those
36 participating in training; the impact of the program on the Unemployment Compensation
37 Fund; the impact on productivity and performance for employers; and the impact on
38 meeting the demand for skilled workers in industries in this State. The evaluation must
39 measure the impact of the program over time, including a longitudinal analysis that
40 captures productivity and other outcomes related to the program. The department must
41 submit a report to the joint standing committee of the Legislature having jurisdiction over
42 labor matters by February 1st of each year on the status of the program and on the
43 evaluation data collected and analyzed. The report also must include the formula or limit
44 established by the commissioner pursuant to subsection 2 to limit the proportion of

1 program funds expended on career counseling and administration and the amount of
2 funds expended for these purposes. The report must also include a summary of the
3 department's collaboration with the Maine Community College System and this
4 collaboration's success in increasing access to the program.'

5 SUMMARY

6 This amendment strikes the bill, which is a concept draft, and replaces it with a
7 number of changes to the Competitive Skills Scholarship Program administered by the
8 Department of Labor, including the following.

9 1. It requires that the Department of Labor's outreach efforts regarding the program
10 be tailored to focus on unemployed and underemployed workers, veterans, immigrants,
11 recipients of benefits under the statewide food supplement program, low-skilled
12 manufacturing workers and students enrolled in postsecondary education.

13 2. It directs the Department of Labor to collaborate with other entities to improve
14 program outreach to target demographics, including, at a minimum, collaboration with
15 the Maine Community College System.

16 3. It makes changes to the criteria used to determine approved education and training
17 under the program, including consideration of employer input, changing demographics
18 and traditional industries in the State in which innovations and new technologies are
19 creating a demand for skilled workers.

20 4. It requires that a program participant be given information about the family
21 development account program under the Maine Revised Statutes, Title 10, chapter 110,
22 subchapter 4-A and the allowable uses of such an account.

23 5. It adds a requirement that a participant be offered comprehensive career planning
24 services prior to the program's development of an individual career plan with the
25 participant and permits the Department of Labor to partner with other entities to provide
26 this service. It directs the department to include in this partnership, at a minimum, the
27 Maine Community College System with respect to participants enrolled or seeking
28 enrollment in a training or education course provided by the Maine Community College
29 System. It also directs the Maine Community College System to assist the Department of
30 Labor in program management and oversight for such participants.

31 6. It repeals the January 1, 2020 repeal provision on the eligibility for the program of
32 a full-time student at a public secondary school enrolled in a career and technical
33 education program at a career and technical education center or a career and technical
34 education region.

1 This amendment also amends the laws governing the employment of minors 16 and
2 17 years of age, providing that such a minor may be employed in an otherwise hazardous
3 occupation for which the minor has been trained or certified from a vocational, career and
4 technical or cooperative education program approved by the Department of Education
5 only if the minor has graduated from the program and has graduated from high school.

6 **FISCAL NOTE REQUIRED**

7 (See attached)



128th MAINE LEGISLATURE

LD 669

LR 1762(02)

An Act To Address the Unmet Workforce Needs of Employers and To Improve the Economic Future of Workers

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-399)
Committee: Labor, Commerce, Research and Economic Development

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the Department of Labor and the Maine Community College System to implement the requirements of this legislation can be absorbed within existing budgeted resources.