

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1492

S.P. 521

In Senate, April 19, 2017

**An Act To Attract, Educate and Retain New Mainers To Strengthen
the Workforce**

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in black ink that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator KATZ of Kennebec.
Cosponsored by Representative STEWART of Presque Isle and
Senators: HILL of York, LANGLEY of Hancock, MAKER of Washington, Representative:
MASTRACCIO of Sanford.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 5 MRSA §12004-I, sub-§18-F** is enacted to read:

3 **18-F.**

4 <u>Education</u>	<u>Office of New</u>	<u>Not Authorized</u>	<u>5 MRSA §25002</u>
5	<u>Mainers Advisory</u>		
6	<u>Committee</u>		

7 **Sec. 2. 5 MRSA Pt. 31** is enacted to read:

8 **PART 31**

9 **IMMIGRANTS AND IMMIGRATION**

10 **CHAPTER 631**

11 **OFFICE OF NEW MAINERS**

12 **§25001. Office of New Mainers**

13 **1. Office established.** The Office of New Mainers, referred to in this chapter as "the
14 office," is established in the Executive Department to carry out responsibilities of the
15 State relating to immigrants in and immigration into the State. The office is directly
16 responsible to the Governor.

17 **2. Director.** The office is under the control and supervision of the Director of the
18 Office of New Mainers, referred to in this chapter as "the director." The director is
19 appointed by the Governor and serves at the pleasure of the Governor.

20 **3. Duties.** The director is responsible for the execution of the duties of the office.
21 The duties include:

22 A. Coordinating state strategies and programs to attract, educate, integrate and retain
23 immigrants into the State's workforce, economy and communities;

24 B. Developing and periodically updating a comprehensive plan to establish goals and
25 steps to carry out the purposes of paragraph A;

26 C. Coordinating with existing state agencies and programs and with other
27 governmental units and subdivisions and nonprofit, public and private organizations
28 in the State to implement the comprehensive plan under paragraph B, including:

29 (1) The Department of Labor to identify business employment needs and
30 mobilize public sector resources to support immigrant workforce training and job
31 placement;

32 (2) The Department of Education and other public and private educational
33 institutions to develop an educated and trained immigrant workforce;

1 (3) The Department of Health and Human Services and other public and private
2 social service and affordable housing agencies to provide necessary support to
3 immigrants to prepare for, seek and enter employment in the State;

4 (4) The Department of Economic and Community Development to identify
5 municipal, community and business needs that may be met by or matched to an
6 educated or trained immigrant workforce; and

7 (5) The Department of Professional and Financial Regulation, Office of
8 Professional and Occupational Regulation to provide assistance in licensing and
9 credentialing immigrants in trades and occupations;

10 D. Administer programs, projects and grants that have the purpose of attracting,
11 educating, integrating and retaining immigrants into the State's workforce, economy
12 and communities; and

13 E. Convene and support the Office of New Mainers Advisory Committee under
14 section 25002.

15 **4. Evaluation.** The office shall develop common metrics to be used by all state
16 agencies and programs to evaluate outcomes to create an integrated support system for
17 immigrants in the State under subsection 3. By December 1st of each year, the office
18 shall submit a report on progress and outcomes of the implementation of the
19 comprehensive plan under subsection 3, paragraph B to the joint standing committee of
20 the Legislature having jurisdiction over education and cultural affairs and the joint
21 standing committee of the Legislature having jurisdiction over labor, commerce, research
22 and economic development matters.

23 **§25002. Office of New Mainers Advisory Committee**

24 **1. Committee established.** The Office of New Mainers Advisory Committee,
25 referred to in this section as "the committee," is established in accordance with Title 5,
26 section 12004-I, subsection 18-F to advise the office regarding immigrants in and
27 immigration into the State. The committee shall provide input to guide the development,
28 periodic updating and implementation of the comprehensive plan in section 25001,
29 subsection 3, paragraph B and any other initiative or activity related to immigrants in or
30 immigration into the State as directed by the office.

31 **2. Membership.** The membership of the committee must include, but is not limited
32 to, the following:

33 A. The Commissioner of Labor or the commissioner's designee;

34 B. The Commissioner of Education or the commissioner's designee;

35 C. The Commissioner of Health and Human Services or the commissioner's
36 designee;

37 D. The Commissioner of Economic and Community Development or the
38 commissioner's designee;

39 E. The Commissioner of Professional and Financial Regulation or the
40 commissioner's designee;

1 F. Three representatives from separate chambers of commerce, one appointed by the
2 Governor, one appointed by the President of the Senate and one appointed by the
3 Speaker of the House of Representatives;

4 G. Three representatives from separate organizations that serve immigrants, one
5 appointed by the Governor, one appointed by the President of the Senate and one
6 appointed by the Speaker of the House of Representatives;

7 H. A representative from the State Workforce Investment Board established in Title
8 26, section 2006 appointed by the Governor;

9 I. A representative from a postsecondary educational institution appointed by the
10 Governor;

11 J. A representative from a school administrative unit who has extensive experience
12 in providing educational instruction to immigrant children and English-language
13 learners from kindergarten to grade 12 appointed by the President of the Senate;

14 K. A representative from a school administrative unit who has extensive experience
15 in providing educational instruction to adult English-language learners appointed by
16 the President of the Senate;

17 L. An immigration lawyer or a representative of an organization that provides legal
18 aid to immigrants in the State appointed by the Speaker of the House of
19 Representatives; and

20 M. A representative of an economic development organization operating in the State.

21 **3. Terms, vacancies and committee chair.** A member of the committee appointed
22 pursuant to subsection 2, paragraphs F to M serves for a term of 3 years. If a member is
23 unable to complete the term, the original appointing authority for that member shall
24 appoint a member from the same category of members listed in subsection 2, paragraphs
25 F to M as the member who vacated the committee to serve out the unexpired portion of
26 the term. The director shall determine how the committee is to choose a chair and for
27 how long the chair is to serve.

28 **Sec. 3. 20-A MRSA §8613** is enacted to read:

29 **§8613. Welcome Center Initiative**

30 The Welcome Center Initiative, referred to in this section as "the initiative," is
31 established and administered by the department's office of adult education and family
32 literacy in collaboration with the Office of New Mainers established in Title 5, section
33 25001, referred to in this section as "the office."

34 **1. Welcome centers.** The initiative operates through a welcome center created
35 within the adult education program of participating school administrative units in
36 municipalities or regions in the State that have immigrant populations or industries that
37 are experiencing a shortage of trained workers. A welcome center educates and provides
38 vocational training for foreign-trained workers, including foreign-trained professionals,
39 and matches those workers with employers in the State, focusing on employers in
40 industries that are experiencing a shortage of trained workers.

1 **2. Coordinator.** Each welcome center must employ a full-time coordinator. The
2 coordinator shall:

3 A. Administer the center;

4 B. Collaborate and work in conjunction with the department and the office to carry
5 out the purposes of this section, including developing a program or series of
6 programs designed to serve the needs of foreign-trained workers participating in the
7 initiative; and

8 C. Secure additional funding from public and private sources, including donations,
9 grants or public-private partnerships, to provide ongoing funding of the welcome
10 center.

11 **3. Functions of a welcome center.** The functions of a welcome center include:

12 A. Providing services and training to prepare initiative participants for entry into
13 gainful employment in the State within a period of 6 to 18 months;

14 B. Providing education and career planning case management;

15 C. Providing English-language acquisition instruction;

16 D. Creating partnerships with employers in the State that may employ initiative
17 participants;

18 E. Identifying employment skills, academic skills and English-language skills
19 needed for available positions with employers in the State in general or with
20 employers in paragraph D;

21 F. Collaborating with state and local organizations that provide employment and
22 workforce services and support;

23 G. Referring initiative participants to legal aid services; and

24 H. Collecting and analyzing data about the foreign-trained workers served by the
25 center.

26 **4. Rules.** The department may adopt routine technical rules as defined by Title 5,
27 chapter 375, subchapter 2-A to carry out the purposes of this section, including the
28 placement of a welcome center under subsection 1.

29 **Sec. 4. Department of Education to establish a welcome center in the City**
30 **of Lewiston under the Welcome Center Initiative.** The Department of Education
31 shall establish a welcome center within the City of Lewiston adult education program
32 pursuant to the Welcome Center Initiative under the Maine Revised Statutes, Title 20-A,
33 section 8613.

34 **Sec. 5. Vocation-specific English-language acquisition and workforce**
35 **training program.** A vocation-specific English-language acquisition and workforce
36 training program for immigrants in the State, referred to in this section as "the program,"
37 is established.

1 **1. Program requirements.** The Department of Education's office of adult education
2 and family literacy, referred to in this section as "the office," shall administer the program
3 in collaboration with the Office of New Mainers established in the Maine Revised
4 Statutes, Title 5, section 25001. The program must prepare immigrants for identified
5 workforce needs of employers in the State to accelerate entry into livable wage
6 employment for the immigrants and enhance employer retention of the immigrants by
7 combining vocation-specific English-language acquisition with training in the specific
8 vocational areas required by the employers. Training must be conducted pursuant to a
9 grant process under subsection 2.

10 **2. Training grants.** The office shall establish a statewide competitive grant process
11 to carry out the purposes of subsection 1. The amount of a grant under this subsection is
12 determined by the office based upon the needs of the area to be served and the availability
13 of funding. The office shall consider grants to cover all areas of the State with emphasis
14 on areas with large immigrant populations or where there is a need for skilled workers
15 that training under this section may provide. A proposal for a grant under this subsection
16 must include:

- 17 A. Intensive vocation-specific English-language and vocabulary classes;
- 18 B. Intensive workforce training classes that include soft skills and acquaint
19 immigrants with the culture of the workplace in the State. For purposes of this
20 paragraph, "soft skills" means those basic skills necessary to obtain and maintain
21 employment, such as interviewing and communications skills;
- 22 C. Interviewing immigrant participants and identifying the education level,
23 English-language ability, skill set, work experience, qualifications and credentials of
24 each immigrant participant;
- 25 D. Collaboration with participating employers to:
 - 26 (1) Identify the employers' specific workforce needs;
 - 27 (2) Identify skills needed for positions required by the employers; and
 - 28 (3) Receive input from the employers for the design of the training, including
29 information on required English-language proficiency, workplace culture, on-site
30 space or other vocational training elements such as tools, manuals or site tours;
- 31 E. One or more training courses to prepare the immigrant participants as potential
32 workers to enter into and retain livable wage employment within 6 to 18 months of
33 the beginning of the training; and
- 34 F. Collection and reporting of data including outcomes of employment and job
35 retention.

36 The office shall give special consideration to proposals for grants under this
37 subsection that provide incentives for immigrants to participate in the training, such as
38 agreements with employers to provide time and space for on-site training or to pay an
39 employee the employee's hourly rate to attend the training.

40 **3. Criteria for applicants.** An applicant for a training grant under subsection 2
41 must have demonstrated expertise and experience in the following:

- 1 A. Providing English-language acquisition training, including the administration of
- 2 appropriate academic and vocational assessments and research-based instructional
- 3 approaches appropriate for English-language learners;
- 4 B. Working with employers to develop relevant employee training; and
- 5 C. Working with partners in the state workforce and state agencies with expertise in
- 6 serving and preparing immigrants for employment through a case management
- 7 approach.

8 **4. Rules.** The office shall adopt routine technical rules as defined by Title 5, chapter
9 375, subchapter 2-A to carry out the purposes of this section.

10 **5. Report.** The office shall prepare a report on the training that includes:

- 11 A. The number and amount of grants awarded under this section;
- 12 B. The training and services provided by the grant recipients;
- 13 C. Aggregate demographic information about immigrant participants in the training,
- 14 participating employers, employment opportunities, employment placements and
- 15 retention by employers of immigrant participants placed under this section; and
- 16 D. An evaluation of programs and services most effective in carrying out the
- 17 purposes of this section.

18 By November 4, 2020, the office shall submit the report along with any
19 recommended legislation to the joint standing committee of the Legislature having
20 jurisdiction over education and cultural affairs. The joint standing committee may report
21 out a bill based upon the report to the 129th Legislature.

22 **Sec. 6. Department of Education to provide grants for English-language**
23 **acquisition instruction for adult education programs.** The Department of
24 Education's office of adult education and family literacy shall develop and implement a
25 grant process to provide funding on a competitive basis to adult education programs in
26 communities experiencing an increase in immigrant populations to reduce the waiting list
27 for English-language acquisition classes and to increase the level of English-language
28 acquisition instruction offered as needed by the communities receiving the grants. The
29 department shall award grants under this section to eligible communities in a number and
30 amount determined by available funding. The department shall adopt routine technical
31 rules as defined by the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A to
32 carry out the purposes of this section.

33 **Sec. 7. Local community planning support program.** The Department of
34 Education's office of adult education and family literacy, referred to in this section as "the
35 office," shall establish a local community planning support program, referred to in this
36 section as "the program."

37 **1. Local community planning support program.** The office in collaboration with
38 the Office of New Mainers established in the Maine Revised Statutes, Title 5, section
39 25001 shall implement the program to assist communities within the State to manage new

1 immigrant populations that have settled in the communities or to attract immigrant
2 populations to address depopulation or workforce shortages in the communities.

3 **2. Program elements.** The office shall establish by rule the elements of the
4 program. The program must provide a planning process for communities to provide
5 English-language acquisition and training in vocational skills, identify employers or areas
6 that would benefit from immigrant residency or employment and cultivate community
7 support to integrate immigrants into the communities and local workforce.

8 **3. Funding.** The office shall consider applications from governmental entities
9 located in or containing communities that are affected by or wish to attract immigrant
10 populations and provide grants to those communities in a number and amount determined
11 by available funding. An application for funding under this subsection may be made by
12 one governmental entity or a combination of 2 or more governmental entities and may
13 include a partnership by the governmental entity with a private or nonprofit organization.
14 For purposes of this subsection, "governmental entity" includes a county, municipality or
15 school administrative unit.

16 **4. Rules.** The office shall adopt routine technical rules as defined by Title 5, chapter
17 375, subchapter 2-A to carry out the purposes of this section.

18 **5. Report.** The office shall prepare a report on the program that includes every
19 governmental entity receiving a grant, the amount of the grant and an evaluation of the
20 outcomes and effectiveness of the grant on the target communities. By December 5, 2018,
21 the department shall submit the report along with any recommended legislation to the
22 joint standing committee of the Legislature having jurisdiction over education and
23 cultural affairs. The joint standing committee may report out a bill based upon the report
24 to the 129th Legislature.

25 **Sec. 8. Appropriations and allocations.** The following appropriations and
26 allocations are made.

27 **EDUCATION, DEPARTMENT OF**

28 **Adult Education**

29 Initiative: Provides funds for expansion of the Welcome Center Initiative within the City
30 of Lewiston's adult education program to attract, educate and retain foreign-trained
31 workers residing in Androscoggin County.

32

33 GENERAL FUND	2017-18	2018-19
34 All Other	\$75,000	\$75,000
35		
36 GENERAL FUND TOTAL	<u>\$75,000</u>	<u>\$75,000</u>

37 **Vocation-specific English-language acquisition and workforce training program**

38 Initiative: Provides funds for grants to service providers to provide English-language
39 instruction, vocational training and placement of immigrant populations in the State with

1 employers of the State, serving 400 participants in fiscal year 2017-18 and 500
2 participants in fiscal year 2018-19.

3

4	GENERAL FUND	2017-18	2018-19
5	All Other	\$320,000	\$400,000
6			
7	GENERAL FUND TOTAL	<u>\$320,000</u>	<u>\$400,000</u>

8 **Adult Education**

9 Initiative: Provides funds for grants to adult education programs to increase
10 English-language acquisition instruction in communities experiencing an increase in
11 immigrant populations, serving 400 participants in both fiscal years of the biennium.

12

13	GENERAL FUND	2017-18	2018-19
14	All Other	\$200,000	\$200,000
15			
16	GENERAL FUND TOTAL	<u>\$200,000</u>	<u>\$200,000</u>

17 **Local community planning support program**

18 Initiative: Provides funds to provide to counties, municipalities and school administrative
19 units to manage new immigrant populations who have settled within the counties,
20 municipalities and school administrative units or to attract immigrant populations to
21 address depopulation or workforce shortages within the counties, municipalities and
22 school administrative units.

23

24	GENERAL FUND	2017-18	2018-19
25	All Other	\$150,000	\$150,000
26			
27	GENERAL FUND TOTAL	<u>\$150,000</u>	<u>\$150,000</u>

28

29	EDUCATION, DEPARTMENT OF		
30	DEPARTMENT TOTALS	2017-18	2018-19
31			
32	GENERAL FUND	\$745,000	\$825,000
33			
34	DEPARTMENT TOTAL - ALL FUNDS	<u>\$745,000</u>	<u>\$825,000</u>

35 **SUMMARY**

36 This bill creates various programs to attract, educate and retain in the State's
37 workforce immigrant populations in the following ways:

1 1. It creates the Office of New Mainers and the Office of New Mainers Advisory
2 Committee to coordinate among various departments by developing a comprehensive
3 plan to educate and train immigrant populations to fill needed positions of employers
4 throughout the State;

5 2. It establishes the Welcome Center Initiative to operate welcome centers in adult
6 education programs to attract, educate and retain in employment foreign-trained workers
7 in municipalities or regions of the State that have immigrant populations or that have
8 industries that are experiencing a shortage of trained workers, patterned after the New
9 Mainers Welcome Center operated by the City of Portland adult education program
10 through a pilot program created by the 126th Legislature;

11 3. It establishes 3 grant programs to:

12 A. Contract with service providers to provide English-language instruction,
13 vocational training and placement of immigrants in the State with employers of the
14 State;

15 B. Assist counties, municipalities and school administrative units in managing new
16 immigrant populations that have settled within the counties, municipalities and school
17 administrative units or in attracting immigrant populations to address depopulation or
18 workforce shortages within the counties, municipalities and school administrative
19 units; and

20 C. Award grants to adult education programs to increase English-language
21 acquisition instruction in communities experiencing an increase in immigrant
22 populations; and

23 4. It expands the Welcome Center Initiative to the City of Lewiston's adult education
24 program to attract, educate and retain in employment foreign-trained workers residing in
25 Androscoggin County, patterned after the New Mainers Welcome Center in Portland.