

MAINE STATE LEGISLATURE

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Date: 5/23/19 Majority (Filing No. H-358)

LABOR AND HOUSING

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1024, L.D. 1411, Bill, "An Act Regarding the Federal Workforce Innovation and Opportunity Act"

Amend the bill by striking out all of sections 2 to 4 and inserting the following:

Sec. 2. 26 MRSA §2004-A, as amended by PL 2017, c. 110, §13, is further amended by adding at the end a new paragraph to read:

The State Workforce Board shall submit the state workforce development plan to the joint standing committee of the Legislature having jurisdiction over labor matters for the committee's review at the same time the plan is posted for public comment pursuant to the Workforce Innovation and Opportunity Act.

Sec. 3. 26 MRSA §2006, sub-§2, as amended by PL 2017, c. 110, §15, is repealed.

Sec. 4. 26 MRSA §2006, sub-§2-A is enacted to read:

2-A. Membership. The board consists of the Governor and, at a minimum, the following members:

A. Representatives from business and industry, representatives from organized labor and representatives of other interests as determined by the Governor. These appointments are subject to review by the joint standing committee of the Legislature having jurisdiction over labor matters and confirmation by the Legislature; and

B. The following ex officio members:

(1) County commissioners designated by local boards appointed by the Governor;

(2) The Commissioner of Labor or the commissioner's designee;

(3) The Commissioner of Education or the commissioner's designee;

(4) The Commissioner of Economic and Community Development or the commissioner's designee; and

COMMITTEE AMENDMENT

11:01 AM

2 (5) Other state, county or municipal officials as the Governor considers
3 necessary appointed by the Governor.

4 The appointments of these members are not subject to review by the joint standing
5 committee of the Legislature having jurisdiction over labor matters or confirmation
6 by the Legislature.

7 Appointments must be consistent with the representation requirements of the Workforce
8 Innovation and Opportunity Act. The Governor shall ensure that the board has sufficient
9 expertise to effectively carry out the duties and functions of the board. Members must
10 represent diverse geographic areas of the State, including urban, rural and suburban areas.

11 **Sec. 5. 26 MRSA §2006, sub-§3**, as enacted by PL 1997, c. 410, §12 and affected
12 by §13, is amended to read:

13 **3. Terms of members.** One third of the initial appointees shall serve for a one-year
14 term, 1/3 of the initial appointees shall serve for a 2-year term and 1/3 shall serve for a 3-
15 year term. All subsequent appointees shall serve 3-year terms. An appointee continues to
16 serve until that appointee has been reappointed or a successor has been appointed.

17 **Sec. 6. 26 MRSA §2007**, as amended by PL 2017, c. 110, §20, is further amended
18 to read:

19 **§2007. Funding**

20 Funds received from the United States pursuant to the Workforce Innovation and
21 Opportunity Act must be deposited in the Employment Services Activity program
22 account within the Department of Labor. Funds must be deposited, administered and
23 disbursed in the same manner and under the same conditions and requirements as
24 provided by law for other federal funds in the State Treasury in accordance with Title 2,
25 section 4. The Governor shall make federal funds available to the local boards to be used
26 to implement the Workforce Innovation and Opportunity Act within 30 days after the
27 date the funds are made available to the Governor, in accordance with state procurement
28 rules and the federal Cash Management Improvement Act of 1990. The commissioner
29 shall ensure that management and use of the federal funds comply with the requirements
30 of the Workforce Innovation and Opportunity Act. Federal funds in the account do not
31 lapse but must be carried forward to be used to implement the Workforce Innovation and
32 Opportunity Act.'

33 Amend the bill by striking out all of section 5 and inserting the following:

34 '**Sec. 5. Transition.** Notwithstanding the Maine Revised Statutes, Title 26, section
35 2006, subsection 2-A, members of the State Workforce Board serving on the effective
36 date of this Act continue to serve until the end of the members' terms.'

37 **Sec. 6. Application.** That section of this Act that enacts the Maine Revised
38 Statutes, Title 26, section 2006, subsection 2-A applies to all appointments and
39 reappointments of members to the State Workforce Board, pursuant to Title 26, section
40 2006, commencing after the effective date of this Act.'

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

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SUMMARY

This amendment requires the state workforce development plan to be submitted to the joint standing committee of the Legislature having jurisdiction over labor matters at the same time the plan is posted for public comment pursuant to the federal Workforce Innovation and Opportunity Act. It requires that the appointments of certain members of the State Workforce Board are subject to review by the joint standing committee of the Legislature having jurisdiction over labor matters and to confirmation by the Legislature, but clarifies that members such as the Governor or commissioners of state agencies and county commissioners are not required to be confirmed by the Legislature. It specifies that when the term of a member expires, that member remains on the board until replaced. Lastly, it requires the Governor to make federal funds available to the local workforce boards to be used to implement the Workforce Innovation and Opportunity Act within 30 days after the date funds are made available to the Governor and in accordance with state procurement rules and the federal Cash Management Improvement Act of 1990.

FISCAL NOTE REQUIRED

(See attached)



129th MAINE LEGISLATURE

LD 1411

LR 1118(02)

An Act Regarding the Federal Workforce Innovation and Opportunity Act

Fiscal Note for Bill as Amended by Committee Amendment

Committee: Labor and Housing

Fiscal Note Required: Yes

A(H-358)

Fiscal Note

Minor cost increase - State Workforce Board

Fiscal Detail and Notes

Additional costs to the State Workforce Board to implement the requirements of this legislation can be absorbed within existing budgeted resources.