

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND THIRTEEN

S.P. 554 - L.D. 1489

An Act To Address Maine's Immediate Workforce Needs

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

Sec. 1. 5 MRSA c. 383, sub-c. 2, art. 2-C is enacted to read:

ARTICLE 2-C

MAINE WORKFORCE OPPORTUNITIES PROGRAM

§13063-R. Maine Workforce Opportunities Program

1. Definitions. As used in this article, unless the context otherwise indicates, the following terms have the following meanings.

A. "Departments" means the Department of Economic and Community Development and the Department of Labor.

B. "Fund" means the Maine Workforce Opportunities Marketing Fund established in subsection 5.

C. "Program" means the Maine Workforce Opportunities Program established in subsection 2.

D. "Qualified employee" means an employee qualified to participate in the program and listed in the qualified employee registry created pursuant to subsection 3.

E. "Qualified employee registry" means the electronic registry that contains a list of qualified employees created pursuant to subsection 3.

F. "Qualified employer" means an employer who has registered with the program in accordance with rules adopted under subsection 4.

G. "Qualified employer registry" means the electronic registry that contains a list of qualified employers created pursuant to subsection 4.

2. Program established. The Maine Workforce Opportunities Program is established as a pilot project that seeks to match qualified employees with positions at companies in the State representing industries with significant unmet demand for skilled labor by promoting incentives, including a tax credit for an employee's education costs, when applicable, through the Job Creation Through Educational Opportunity Program established in Title 20-A, section 12542 and through other programs or initiatives operated by the State that seek to attract new employees to businesses in this State. The program is designed to achieve the following goals:

A. Promote economic opportunity and growth by providing an incentive to those individuals with certain skills and experience in occupations when there exists a demonstrable gap between the number of available jobs requiring those skills and experience and a smaller number of individuals willing and able to accept and succeed in those jobs;

B. Assist businesses by providing them with a registry of skilled and available individuals;

C. Offer incentives to individuals to pursue educational, training and retraining opportunities;

D. Keep individuals in the State through education tax credits and the opportunity to secure jobs in industries with significant demand; and

E. Provide immediate support for economic development in the State during a period during which comprehensive long-term workforce development solutions are implemented.

3. Creation of qualified employee registry. Working with the Maine Community College System, the University of Maine System, career centers, private postsecondary educational institutions, relevant trade associations and other entities as appropriate, the Department of Labor, in accordance with rules adopted by the departments, shall create an electronic registry of qualified employees.

The Department of Economic and Community Development shall manage the qualified employee registry and shall coordinate with the Department of Labor when supplying information from the qualified employee registry to qualified employers.

4. Creation of qualified employer registry. Working with employers, the Department of Labor, the Maine Community College System, the University of Maine System, private postsecondary educational institutions, relevant trade associations and other entities as appropriate, the Department of Economic and Community Development, in accordance with rules adopted by the departments, shall create an electronic registry of qualified employers.

The Department of Economic and Community Development shall manage the qualified employer registry and shall coordinate with the Department of Labor when supplying information from the qualified employer registry to qualified employees.

5. Fund established. The Maine Workforce Opportunities Marketing Fund is established to receive contributions from public and private entities.

A. Payments from the fund must be used solely for the purpose of financing the marketing and promotion of the program to prospective employees, employers and tourists visiting this State and to a national and international audience.

B. The Commissioner of Economic and Community Development shall administer the fund. The commissioner may adopt routine technical rules, as defined in chapter 375, subchapter 2-A, to implement this subsection.

6. Eligibility limited. A qualified employee becomes ineligible for the program if:

A. The qualified employee leaves the employment of the qualified employer first employing the qualified employee;

B. The qualified employee is employed in a different position with a qualified employer; or

C. The qualified employee's qualified employer opts out of the program.

7. Monitoring, evaluation and annual report. For any year in which the program is funded, the departments shall use an independent nonpartisan reviewer to complete a comprehensive evaluation of the program, using both quantitative and qualitative data and including an analysis of the return on investment of the program. The evaluation must consider, at a minimum, the effectiveness of education tax credits as a catalyst for employment, the effect on employee productivity and performance and the impact on the demand for skilled workers in industries in the State. The evaluation must measure the results of the program over time, including a longitudinal analysis that captures productivity and other outcomes related to the program and a determination of the impact on the addition of net new jobs to the State. The departments shall jointly submit a report to the joint standing committee of the Legislature having jurisdiction over labor matters by February 1st of each year on the status of the program and on the evaluation data collected and analyzed.

8. Rules. The departments shall adopt rules to implement this article. Rules adopted pursuant to this subsection are routine technical rules as defined in chapter 375, subchapter 2-A.

9. Insufficient funding. Notwithstanding any other provision of this section, if the State does not receive sufficient funds to fund this program or if funds are deappropriated so as to result in insufficient funding, the State is not obligated to make payments under this program.

10. Repeal. This section is repealed March 31, 2021.

Sec. 2. Marketing of Job Creation Through Educational Opportunity Program; report. The Department of Economic and Community Development shall be the lead state agency in marketing to employers and employees the Job Creation Through Educational Opportunity Program established in the Maine Revised Statutes, Title 20-A, section 12542, as well as any other program or initiative funded in whole or in part by the State that provides incentives to attract new employees to businesses in Maine. The Commissioner of Economic and Community Development shall report on the results of the marketing efforts required by this section by December 1, 2014 to the

Joint Select Committee on Maine's Workforce and Economic Future and the Joint Standing Committee on Labor, Commerce, Research and Economic Development. Separately, the Commissioner of Economic and Community Development shall study what the effect would be of including reimbursement of a qualified employee's housing costs as an incentive through the Maine Workforce Opportunities Program established in Title 5, chapter 383, subchapter 2, article 2-C. The commissioner shall report to the joint select committee the results of this analysis and assessment by December 1, 2014.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

**ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF
Maine Workforce Opportunities Marketing Fund N162**

Initiative: Provides funds to create and maintain qualified employee and employer registries and to market the Job Creation Through Educational Opportunity Program.

GENERAL FUND	2013-14	2014-15
All Other	\$0	\$144,000
GENERAL FUND TOTAL	\$0	\$144,000

Sec. 4. Effective date. That section of this Act that enacts the Maine Revised Statutes, Title 5, chapter 383, subchapter 2, article 2-C takes effect July 1, 2014.