

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND NINETEEN

H.P. 1024 - L.D. 1411

An Act Regarding the Federal Workforce Innovation and Opportunity Act**Be it enacted by the People of the State of Maine as follows:****Sec. 1. 26 MRSA §2001, sub-§4-A** is enacted to read:

4-A. State workforce development plan. "State workforce development plan" means a state plan under the Workforce Innovation and Opportunity Act.

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Sec. 3. 26 MRSA §2006, sub-§2, as amended by PL 2017, c. 110, §15, is repealed.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
- (5) Other state, county or municipal officials as the Governor considers necessary appointed by the Governor.

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

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

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

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

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

§2007. Funding

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

Sec. 7. Transition. Notwithstanding the Maine Revised Statutes, Title 26, section 2006, subsection 2-A, members of the State Workforce Board serving on the effective date of this Act continue to serve until the end of the members' terms.

Sec. 8. Application. That section of this Act that enacts the Maine Revised Statutes, Title 26, section 2006, subsection 2-A applies to all appointments and

reappointments of members to the State Workforce Board, pursuant to Title 26, section 2006, commencing after the effective date of this Act.