

Maine Revised Statutes
Title 26: LABOR AND INDUSTRY
Chapter 25: WORKFORCE INVESTMENT

§2006. ESTABLISHMENT OF STATE WORKFORCE INVESTMENT BOARD

1. Responsibilities. The State Workforce Investment Board, referred to in this section as "the board," is established to ensure that the State's workforce development system helps Maine people and businesses compete successfully in the global economy. Specific responsibilities include but are not limited to:

- A. Performing all of the duties and responsibilities of the state board as defined in the Workforce Investment Act, 29 United States Code, Section 2801, including, but not limited to, the duties and responsibilities set forth in subsection 5-D; [2003, c. 114, §10 (AMD).]
- B. Recommending to the Governor a state workforce development plan designed to maximize utilization and effectiveness of state workforce development services; [2003, c. 114, §10 (AMD).]
- C. Monitoring agency and system-wide strategic goals based on the statewide workforce development policy and strategic plan and evaluating progress toward meeting those goals; [1997, c. 410, §12 (NEW); 1997, c. 410, §13 (AFF).]
- D. Providing recommendations to the Governor and the Legislature that would improve system effectiveness and reduce system fragmentation; [1997, c. 410, §12 (NEW); 1997, c. 410, §13 (AFF).]
- E. Creating greater coordination between economic development and human resource development and education programs; [2003, c. 114, §10 (AMD).]
- F. Ensuring a balance between rural and urban workforce development; [2003, c. 114, §10 (AMD).]
- G. Providing policy oversight and recommendations to ensure the effectiveness of vocational programs for people with disabilities in order to support efforts that reduce barriers to employment; [2003, c. 114, §10 (NEW).]
- H. Providing policy oversight and recommendations to ensure that self-employment, microenterprise and small business are part of the overall workforce development strategy; [2003, c. 114, §10 (NEW).]
- I. Providing policy recommendations to ensure the effectiveness of work-related programs and services for youth, including youth with disabilities; and [2003, c. 114, §10 (NEW).]
- J. Providing policy recommendations to ensure the effectiveness of work-related programs and services for "at-risk" youth. [2003, c. 114, §10 (NEW).]

[2011, c. 627, §3 (AMD) .]

2. Membership. The board consists of members appointed by the Governor.

- A. [2009, c. 12, §1 (RP).]
- B. Appointments must be consistent with the representation requirements of the Workforce Investment Act, including representatives from business and industry, organized labor, state agencies responsible for human resource programs and educational and community-based institutions. [2003, c. 114, §10 (AMD).]

The Governor shall ensure that the board and the Program Policy Committee under subsection 7 have sufficient expertise to effectively carry out the duties and functions of the board.

[2011, c. 627, §3 (AMD) .]

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.

[1997, c. 410, §12 (NEW); 1997, c. 410, §13 (AFF) .]

4. Chair and vice-chair. The Governor shall appoint a chair and vice-chair from the membership of the board to serve for a one-year term. The Governor may reappoint members to serve as chair or vice-chair.

[2011, c. 627, §3 (AMD) .]

5. Functions and duties of the council.

[2003, c. 114, §11 (RP) .]

5-A. Apprenticeship.

[2011, c. 491, §9 (RP); 2011, c. 627, §3 (RP) .]

5-B. Commission on Disability and Employment. In addition to its other duties, the board, through its Commission on Disability and Employment, a standing committee created pursuant to subsection 7, paragraph A, subparagraph (2) and referred to in this subsection as "the standing committee," shall perform the duties of the former Governor's Committee on Employment of People with Disabilities.

A. The standing committee shall:

- (1) Advise, consult and assist the executive and legislative branches of State Government on activities of State Government that affect the employment of disabled individuals. The standing committee is solely advisory in nature. The standing committee may advise regarding state and federal plans and proposed budgetary, legislative or policy actions affecting disabled individuals;
- (2) Serve as an advocate on behalf of disabled citizens promoting and assisting activities designed to further equal opportunity for people with disabilities;
- (3) Conduct educational programs considered necessary to promote public understanding of the employment-related needs and abilities of disabled citizens of this State;
- (4) Provide information, training and technical assistance to promote greater employer acceptance of disabled workers;
- (5) Advise and assist employers and other organizations interested in developing employment opportunities for disabled people; and
- (6) Work with state and local government officials, organizations representing persons with disabilities and the business community to inform the public of the benefits of making facilities and services accessible to and usable by individuals with disabilities. [2011, c. 627, §3 (AMD) .]

B. The standing committee shall administer in accordance with current fiscal and accounting regulations of the State, and in accordance with the philosophy, objectives and authority of this subsection, any funds appropriated for expenditure by the standing committee or any grants or gifts that may become available and are accepted and received by the standing committee. [2011, c. 627, §3 (AMD) .]

C. The standing committee shall submit an annual report directly to the Governor and the Legislature not later than September 1st of each year concerning its work, recommendations and interest of the previous fiscal year and future plans. The standing committee shall make any interim reports it considers advisable. [2011, c. 627, §3 (AMD).]

D. The standing committee shall keep minutes of all meetings, including a list of people in attendance. [2011, c. 627, §3 (AMD).]

E. The standing committee may employ, subject to the Civil Service Law, the staff necessary to carry out its objectives. The standing committee may employ consultants and contract for projects it determines necessary. To the extent feasible and reasonable, the standing committee must be given the staff, facilities, equipment, supplies, information and other assistance required to carry out its activities. [2011, c. 627, §3 (AMD).]

F. The standing committee may make necessary rules, consistent with this subsection, for promoting its purposes. [2011, c. 627, §3 (AMD).]

G. [2013, c. 467, §6 (RP).]

[2013, c. 467, §6 (AMD).]

5-C. Occupational information.

[2011, c. 627, §3 (RP).]

5-D. Workforce investment. In addition to its other duties, the board shall perform the duties of the state board under the Workforce Investment Act, referred to in this subsection as "the Act."

A. The board shall assist the Governor in:

- (1) Developing and continuously improving a statewide system of activities funded under the Act or carried out through a one-stop delivery system described in Section 134(c) of the Act including review of local plans and development of linkages to ensure coordination and nonduplication among the programs and activities with required and optional partners described in Section 121(b) of the Act;
- (2) Designating local areas as required in Section 116 of the Act;
- (3) Developing allocation formulas for the distribution to local areas of funds for youth activities and adult employment and training activities as allowed under Sections 133(b)(3)(B) and 128(b)(3)(B) of the Act;
- (4) Developing and continuously improving comprehensive state performance measures including state-adjusted levels of performance to assess the effectiveness of the workforce investment activities of the State as required under Section 136(b) of the Act;
- (5) Developing an application for an incentive grant under Section 503 of the Act;
- (6) Preparing an annual report to the United States Secretary of Labor as described in Section 136(d) of the Act;
- (7) Evaluating measures taken pursuant to Section 113(b)(14) of the federal Carl D. Perkins Vocational and Applied Technology Education Act, 20 United States Code, Section 2323(b)(14); and
- (8) Developing the statewide statistics system described in Section 15(e) of the federal Wagner-Peyser Act, 29 United States Code, Section 491-2(e). [2011, c. 627, §3 (AMD).]

B. The board has the necessary authority to carry out the purposes of this section. [2011, c. 627, §3 (AMD).]

C. The commissioner may appoint employees necessary to carry out the board's responsibility under this subsection. [2011, c. 627, §3 (AMD).]

D. The commissioner may adopt routine technical rules, in accordance with Title 5, chapter 375, subchapter 2-A necessary to carry out the board's responsibility under this subsection. [2011 , c . 627 , §3 (AMD) .]

[2011 , c . 627 , §3 (AMD) .]

6. Powers. The board has the necessary authority to carry out the purposes of this section.

[2011 , c . 627 , §3 (AMD) .]

7. Committee structure. The board has the following committee structure.

A. The board shall create 6 standing committees. The standing committees shall make recommendations to the full board. The 6 standing committees are as follows:

- (1) Younger workers;
- (2) Commission on Disability and Employment;
- (3) Women's employment issues;
- (4) Older workers;
- (5) Veterans employment; and
- (6) The Program Policy Committee. Organizations with representation on the Program Policy Committee may include, but are not limited to, organizations that conduct programs or activities as specified in Section 121(b) of the Workforce Investment Act. [2013 , c . 467 , §7 (RPR) .]

B. The board may create committees in addition to those in paragraph A to address specific problems and issues. These committees shall make recommendations to the full board. [2013 , c . 467 , §7 (RPR) .]

D. The standing committees under paragraph A may receive and accept, from any source, allocations, appropriations, loans, grants and contributions of money or other things of value to be held, used or applied to carry out this section, subject to the conditions upon which the loans, grants and contributions may be made, including, but not limited to, appropriations, allocations, loans, grants or gifts from a private source, federal agency or governmental subdivision of the State or its agencies. [2013 , c . 467 , §7 (NEW) .]

[2013 , c . 467 , §7 (RPR) .]

8. Meetings. The board shall meet at such times and such places as it considers necessary. The meetings must be publicly announced and open to the general public. A majority of members of the board constitutes a quorum for the transaction of business.

[2011 , c . 627 , §3 (AMD) .]

9. Administration. The Department of Education and the Department of Labor shall jointly administer the board. The Department of Labor is the fiscal agent for the board. Pursuant to the Commissioner of Labor's authority under section 1401-B and to the Commissioner of Education's authority under Title 20-A, section 253, subsection 2, the Commissioner of Labor and the Commissioner of Education may designate employees they consider necessary to carry out the State's responsibility under this section.

The Commissioner of Education and the Commissioner of Labor are authorized to adopt joint rules as may be necessary to carry out the State's responsibility under this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

The board shall establish bylaws for its governance. These bylaws are subject to the Governor's approval.

[2011 , c . 627 , §3 (AMD) .]

10. Compensation. Members of the board receive no compensation for their services. Reimbursement of necessary expenditures incurred in the performance of their duties on the board, which are allowed by state law, are administered by the Department of Labor from federal or state appropriations.

[2011, c. 627, §3 (AMD) .]

SECTION HISTORY

1997, c. 410, §12 (NEW). 1997, c. 410, §13 (AFF). 1997, c. 683, §§D7-10 (AMD). 1999, c. 6, §§1,2 (AMD). 2003, c. 20, §OO2 (AMD). 2003, c. 20, §OO4 (AFF). 2003, c. 114, §§10-13 (AMD). 2003, c. 545, §§4,5 (REV). 2003, c. 689, §B6 (REV). 2009, c. 12, §§1, 2 (AMD). 2011, c. 491, §§9, 10 (AMD). 2011, c. 627, §3 (AMD). 2011, c. 655, Pt. EE, §18 (AMD). 2011, c. 655, Pt. EE, §30 (AFF). 2013, c. 424, Pt. A, §15 (AMD). 2013, c. 467, §§6, 7 (AMD).

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