

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY-FIVE

H.P. 51 - L.D. 87

**An Act Regarding the State Workforce Board**

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

**Sec. 1. 5 MRSA §13120-T, sub-§4, ¶C**, as enacted by PL 2021, c. 450, §2, is amended to read:

C. One member from the Department of Labor or the State Workforce Development Board, established under Title 26, section 2006;

**Sec. 2. 26 MRSA §1401-A, sub-§2, ¶I**, as amended by PL 2017, c. 110, §10, is further amended to read:

I. The State Workforce Development Board established in section 2006.

**Sec. 3. 26 MRSA §2004-A**, as amended by PL 2019, c. 246, §2, is further amended to read:

**§2004-A. Authority of Legislature**

The Legislature has general authority to oversee implementation of the Workforce Innovation and Opportunity Act, including, but not limited to, authority to:

**1. Review plans.** Review plans, policies and standards proposed by a local board, the State Workforce Development Board established in section 2006, the Governor or any other agency under the Workforce Innovation and Opportunity Act before final approval by the responsible entity;

**2. Review evaluations.** Review the procedures and findings of evaluations of the effectiveness of the State's implementation of the Workforce Innovation and Opportunity Act; and

**3. Receive reports.** Receive reports prepared by the State Workforce Development Board established in section 2006, a local board, the Governor or any agency in connection with implementation of the Workforce Innovation and Opportunity Act, including the report required by section 3101-A.

The State Workforce Development Board established in section 2006 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. 4. 26 MRSA §2006**, as corrected by RR 2023, c. 1, Pt. A, §24, is amended by amending the section headnote to read:

**§2006. Establishment of State Workforce Development Board**

**Sec. 5. 26 MRSA §2006, sub-§1**, as amended by PL 2017, c. 110, §14 and c. 259, §§1 and 2, is further amended to read:

**1. Responsibilities.** The State Workforce Development 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 Innovation and Opportunity Act;
- B. Recommending to the Governor a state workforce development plan designed to maximize utilization and effectiveness of state workforce development services;
- 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;
- D. Providing recommendations to the Governor and the Legislature that would improve system effectiveness and reduce system fragmentation;
- E. Creating greater coordination between economic development and human resource development and education programs;
- F. Ensuring a balance between rural and urban workforce development;
- 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;
- H. Providing policy oversight and recommendations to ensure that self-employment, microenterprise and small business are part of the overall workforce development strategy;
- I. Providing policy recommendations to ensure the effectiveness of work-related programs and services for youth, including youth with disabilities;
- J. Providing policy recommendations to ensure the effectiveness of work-related programs and services for "at-risk" youth; and
- K. Supporting and tracking progress toward an attainment goal of increasing the percent of working-age adults holding a high-value certificate, college degree, vocational education or other industry-recognized credential to 60% by 2025 with a focus on meeting future workforce needs and reporting annually on progress to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs and the joint standing committee of the Legislature having jurisdiction over labor, ~~business, research and economic development~~ matters.

**Sec. 6. 26 MRSA §2006, sub-§2-A**, as amended by PL 2023, c. 13, §1, is further amended to read:

**2-A. Membership.** The board consists of the Governor, or the Governor's designee, 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. 7. 26 MRSA §2006, sub-§4**, as amended by PL 2017, c. 110, §16, is further amended to read:

**4. Chair and vice-chair.** The Governor shall appoint a chair from the members of the board who represent business and industry and a vice-chair from the membership of the board to serve for a one-year term. The appointment of the chair is subject to review by the joint standing committee of the Legislature having jurisdiction over labor matters and confirmation by the Legislature. The Governor may reappoint members to serve as chair or vice-chair.

The Governor may appoint an interim chair for a one-time term of no more than 6 months. The appointment of an interim chair is not subject to review by the joint standing committee of the Legislature having jurisdiction over labor matters or confirmation by the Legislature.

**Sec. 8. 26 MRSA §2033, sub-§4, ¶A**, as amended by PL 2017, c. 110, §22, is further amended by amending subparagraph (2) to read:

- (2) Recommended by the State Workforce Development Board established in section 2006; and

**Sec. 9. 26 MRSA §3209, sub-§1, ¶B**, as amended by PL 2017, c. 110, §26, is further amended by amending subparagraph (1) to read:

(1) One representative of the State Workforce Development Board established in section 2006, appointed by the chair of the State Workforce Development Board;

**Sec. 10. 26 MRSA §3209, sub-§4, ¶C**, as amended by PL 2017, c. 110, §27, is further amended to read:

C. Representing the Maine Apprenticeship Program to the State Workforce Development Board established in section 2006;

**Sec. 11. 26 MRSA §3303, sub-§1**, as amended by PL 2017, c. 110, §29, is further amended to read:

**1. Specific industry clusters.** The collaborative shall work with businesses, industry associations and organizations, workforce and economic development agencies, the State Workforce Development Board established in section 2006 and the boards of the local workforce investment areas designated pursuant to the federal Workforce Innovation and Opportunity Act, Public Law 113-128 and economic development entities to define specific industry clusters based on the following criteria:

- A. Statistics showing the competitiveness of an industry cluster;
- B. Importance to the State's or a region's economic development;
- C. Identification of supply and distribution chains within an industry;
- D. Research studies on industry clusters; and
- E. Existing industry partnerships such as those of the health care workforce and associations of manufacturers.

**Sec. 12. 26 MRSA §3303, sub-§5, ¶B**, as enacted by PL 2017, c. 110, §30, is amended to read:

B. Recommended by the State Workforce Development Board established in section 2006; and

**Sec. 13. 26 MRSA §3304, sub-§2, ¶B**, as amended by PL 2017, c. 110, §32, is further amended to read:

B. Create an industry partnership to advise the collaborative, the State Workforce Development Board established in section 2006 and the boards of the local workforce investment areas designated pursuant to the federal Workforce Innovation and Opportunity Act, Public Law 113-128 on aligning state policies and leveraging resources across systems, including workforce development, education and economic development;

**Sec. 14. 26 MRSA §3308**, as enacted by PL 2013, c. 368, Pt. FFFFF, §1, is amended to read:

#### **§3308. Rulemaking**

The Commissioner of Labor shall adopt rules for the operation of industry partnerships funded in whole or in part under this chapter. Rules adopted pursuant to this section are ~~major substantive~~ routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 15. 35-A MRSA §10104, sub-§9**, as amended by PL 2019, c. 298, §22, is further amended to read:

**9. Coordination with other entities.** Consistent with the requirements of this chapter and other applicable laws, the board shall coordinate with the activities and programs of state agencies and authorities that relate to the purposes of this chapter in order to align such activities and programs with the plans and programs of the trust. For purposes of this subsection, activities and programs of state agencies and authorities that relate to the purposes of this chapter include but are not limited to energy efficiency programs relating to state facilities administered by the Department of Administrative and Financial Services, Bureau of General Services, the adoption, amendment and maintenance of the Maine Uniform Building and Energy Code by the Technical Building Codes and Standards Board, established in Title 5, section 12004-G, subsection 5-A within the Department of Public Safety, energy efficiency or green energy workforce development activities of the Department of Labor or the State Workforce Development Board established in Title 26, section 2006, energy efficiency and weatherization programs administered by the Maine State Housing Authority and the activities of the nonwires alternative coordinator established pursuant to section 1701, subsection 2-A.