

§2006. Establishment of State Workforce Investment Board

1. Responsibilities. The State Workforce 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; [PL 2017, c. 110, §14 (AMD).]

B. Recommending to the Governor a state workforce development plan designed to maximize utilization and effectiveness of state workforce development services; [PL 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; [PL 1997, c. 410, §12 (NEW); PL 1997, c. 410, §13 (AFF).]

D. Providing recommendations to the Governor and the Legislature that would improve system effectiveness and reduce system fragmentation; [PL 1997, c. 410, §12 (NEW); PL 1997, c. 410, §13 (AFF).]

E. Creating greater coordination between economic development and human resource development and education programs; [PL 2003, c. 114, §10 (AMD).]

F. Ensuring a balance between rural and urban workforce development; [PL 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; [PL 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; [PL 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; [PL 2017, c. 259, §1 (AMD).]

J. Providing policy recommendations to ensure the effectiveness of work-related programs and services for "at-risk" youth; and [PL 2017, c. 259, §1 (AMD).]

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. [PL 2017, c. 259, §2 (NEW).]

[PL 2017, c. 110, §14 (AMD); PL 2017, c. 259, §§1, 2 (AMD).]

2. Membership.

[PL 2019, c. 246, §3 (RP).]

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 [PL 2019, c. 246, §4 (NEW).]

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. [PL 2019, c. 246, §4 (NEW).]

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.

[PL 2019, c. 246, §4 (NEW).]

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.

[PL 2019, c. 246, §5 (AMD).]

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 Governor may reappoint members to serve as chair or vice-chair.

[PL 2017, c. 110, §16 (AMD).]

5. Functions and duties of the council.

[PL 2003, c. 114, §11 (RP).]

5-A. Apprenticeship.

[PL 2011, c. 491, §9 (RP); PL 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. [PL 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. [PL 2011, c. 627, §3 (AMD).]
- C. The standing committee shall submit an annual report directly to the Governor and the Legislature not later than January 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. [PL 2017, c. 110, §17 (AMD).]
- D. The standing committee shall keep minutes of all meetings, including a list of people in attendance. [PL 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. [PL 2011, c. 627, §3 (AMD).]
- F. The standing committee may make necessary rules, consistent with this subsection, for promoting its purposes. [PL 2011, c. 627, §3 (AMD).]
- G. [PL 2013, c. 467, §6 (RP).]
[PL 2017, c. 110, §17 (AMD).]

5-C. Occupational information.

[PL 2011, c. 627, §3 (RP).]

5-D. Workforce development. In addition to its other duties, the board shall perform the functions of the state board as specified in Section 101(d) in the Workforce Innovation and Opportunity Act.

- A. [PL 2017, c. 110, §18 (RP).]
- B. The board has the necessary authority to carry out the purposes of this section. [PL 2011, c. 627, §3 (AMD).]
- C. The commissioner may appoint employees necessary to carry out the board's functions under this subsection. [PL 2017, c. 110, §18 (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 functions under this subsection. [PL 2017, c. 110, §18 (AMD).]
[PL 2017, c. 110, §18 (AMD).]

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

[PL 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 Partners Committee. Organizations with representation on the Program Partners Committee may include, but are not limited to, organizations that conduct programs or activities as specified in Section 121(b)(1)(B) of the Workforce Innovation and Opportunity Act. [PL 2017, c. 110, §19 (AMD).]

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. [PL 2013, c. 467, §7 (RPR).]

C. [PL 2013, c. 467, §7 (RP).]

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. [PL 2013, c. 467, §7 (NEW).]

[PL 2017, c. 110, §19 (AMD).]

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.

[PL 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.

[PL 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.

[PL 2011, c. 627, §3 (AMD).]

SECTION HISTORY

PL 1997, c. 410, §12 (NEW). PL 1997, c. 410, §13 (AFF). PL 1997, c. 683, §§D7-10 (AMD). PL 1999, c. 6, §§1,2 (AMD). PL 2003, c. 20, §OO2 (AMD). PL 2003, c. 20, §OO4 (AFF). PL 2003, c. 114, §§10-13 (AMD). PL 2003, c. 545, §§4,5 (REV). PL 2003, c. 689, §B6 (REV). PL 2009, c. 12, §§1, 2 (AMD). PL 2011, c. 491, §§9, 10 (AMD). PL 2011, c. 627, §3 (AMD). PL 2011, c. 655, Pt. EE, §18 (AMD). PL 2011, c. 655, Pt. EE, §30 (AFF). PL 2013, c. 424, Pt. A, §15 (AMD). PL 2013, c. 467, §§6, 7 (AMD). PL 2017, c. 110, §§14-19 (AMD). PL 2017, c. 259, §§1, 2 (AMD). PL 2019, c. 246, §§3-5 (AMD).

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