

2015 Regular Session

HOUSE BILL NO. 741

BY REPRESENTATIVE ALFRED WILLIAMS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

LABOR: Provides relative to workforce development

1 AN ACT

2 To amend and reenact R.S. 17:2930(B), R.S. 23:6(9) through (11), 19, 20, 34(A) through

3 (C) and (E) through (G), 71(C), 76(C)(1) and (11), 2042(introductory paragraph),

4 (1), and (3), 2043(A)(introductory paragraph), (11)(a) and (b)(xi), and (13)(a), and

5 (D), 2044, 2046, 2048, 2061(introductory paragraph), (2), and (3), 2063(A)(1) and

6 (B), 2065(A)(4), (7), and (8), 2091(A)(introductory paragraph) and (1), the heading

7 of Part V of Chapter 14 of Title 23 of the Louisiana Revised Statutes of 1950, R.S.

8 23:2191, 2192(A) and (C), 2193(A), (B), and (D), 2194(A), 2195, 2196(A) and (B),

9 2197(Section heading), 2200(A) and (B)(12) and (20), 2210(B) and (C), R.S.

10 46:261(D)(7), R.S. 47:12(B)(1)(a)(iii), R.S. 48:1604(A)(1)(e) and (2), R.S.

11 51:1787(E) and 1807(D); to enact R.S. 23:2199(D) and 2213; and to repeal Chapter

12 11-A of Title 23 of the Louisiana Revised Statutes of 1950, comprised of R.S.

13 23:1801 through 1809, Chapter 11-B of Title 23 of the Louisiana Revised Statutes

14 of 1950, comprised of R.S. 23:1821 through 1832, Chapter 11-C of Title 23 of the

15 Louisiana Revised Statutes of 1950, comprised of R.S. 23:1841 through 1846,

16 Chapter 11-D of Title 23 of the Louisiana Revised Statutes of 1950, comprised of

17 R.S. 23:1851 through 1855, and Chapter 11-E of Title 23 of the Louisiana Revised

18 Statutes of 1950, comprised of R.S. 23:1861 through 1862, 2193(C), 2196(E), and

19 2043(A)(9), relative to workplace investment initiatives; to provide for conformity

1 with federal laws; to provide with respect to the membership of the Workforce
2 Investment Council; to provide with respect to workforce development boards; to
3 provide for the membership of workforce development boards; to provide for the
4 designation of workforce development areas; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 17:2930(B) is hereby amended and reenacted to read as follows:

7 §2930. Collaboration with business and industry; coordination with workforce
8 needs

9 * * *

10 B. Every city, parish, and other local public school board shall convene
11 biannual public meetings with representatives of career and technical education
12 advisory committees, local workforce ~~investment~~ development boards, and colleges
13 and universities in their region to discuss regional workforce needs and the
14 educational, training, and work-based learning opportunities that should be provided
15 to students to meet both individual and workforce needs.

16 * * *

17 Section 2. R.S. 23:6(9) through (11), 19, 20, 34(A) through (C) and (E) through (G),
18 71(C), 76(C)(1) and (11), 2042(introductory paragraph), (1), and (3), 2043(A)(introductory
19 paragraph), (11)(a) and (b)(xi), and (13)(a), and (D), 2044, 2046, 2061(introductory
20 paragraph), (2), and (3), 2063(A)(1) and (B), 2065(A)(4), (7), and (8), 2091(A)(introductory
21 paragraph) and (1), the heading of Part V of Chapter 14 of Title 23 of the Louisiana Revised
22 Statutes of 1950, R.S. 23:2191, 2192(A) and (C), 2193(A), (B), and (D), 2195, 2196(A) and
23 (B), 2197(Section heading), 2200(A) and (B)(20), 2210(B) and (C) are hereby amended and
24 reenacted and R.S. 23:2199(D) and 2213 are hereby enacted to read as follows:

25 §6. Powers and duties

26 In addition to any other powers and duties which may be conferred upon the
27 executive director by law, he shall:

28 * * *

1 (9) Serve as an advocate at the state and federal levels for local workforce
2 ~~investment~~ development boards.

3 (10) Contract with local workforce ~~investment~~ development boards for
4 program planning and service delivery.

5 (11) Provide training and professional development services for the office
6 of workforce development staff, local workforce ~~investment~~ development boards,
7 and the staff of those boards.

8 * * *

9 §19. Delegation of functions

10 The executive director shall, to the extent allowed under state or federal law,
11 delegate all or part of the administration of a program integrated pursuant to R.S.
12 23:17 that is eligible for ~~block grant~~ funding to a local workforce ~~investment~~
13 development board in an area in which a board has been certified and a local plan
14 approved by the governor, or to another appropriate state or local entity in an area
15 in which a local workforce ~~investment~~ development board has not been certified and
16 a local plan approved by the governor.

17 §20. State and local planning process; local workforce ~~investment~~ development
18 boards

19 The executive director shall design and implement a state and local planning
20 process for workforce training and services, including the certification of
21 business/career solution centers and the chartering of local workforce ~~investment~~
22 development boards, provided through the programs under the jurisdiction of the
23 office of workforce development.

24 * * *

25 §34. ~~Block grants~~ Grants to local workforce development areas

26 A. The commission shall provide to the local workforce development areas
27 in which local workforce ~~investment~~ development boards have been certified and
28 local plans approved by the governor, through a ~~block grant~~ formula allocation
29 process, funds available to the commission for workforce training and employment

1 services, unless superseded by federal law. Administrative costs ~~under~~ pursuant to
2 this Subsection may not exceed ten percent of the total amount of funds available to
3 the commission for ~~block federal~~ grants to carry out local workforce ~~investment~~
4 development activities unless authorized by ~~federal~~ any other law, regulation, or
5 waiver.

6 B. ~~Block Federal~~ grant funding ~~under~~ pursuant to this Section shall not apply
7 to programs for which governing laws or regulations do not permit the use of ~~block~~
8 grant such funding, or to programs for which the use of ~~block grant~~ such funding is
9 not feasible, as determined by the executive director.

10 C. In the case of funds that are allocated to this state or regions of this state
11 through the application of established formulas, the commission shall allocate
12 amounts across the state using the same formula that was used to provide the funds
13 to the state or that region unless an alternate formula is authorized pursuant to the
14 Workforce ~~Investment Act of 1998 (29 U.S.C. 2801)~~ Innovation and Opportunity
15 Act of 2014, 29 U.S.C. 3101 et seq., related regulations, or the laws or regulations
16 governing the particular funding source.

17 * * *

18 E. In each area of the state not designated as a local workforce development
19 area or that has been so designated but in which a local workforce ~~investment~~
20 development board has not been certified and a regional and local plan approved by
21 the governor, the executive director shall do each of the following:

22 (1) Provide workforce training and services in that area to the extent allowed
23 by federal law.

24 (2) Specify an entity, which may be the commission, for the performance of
25 employment services in that area.

26 F. Unless required pursuant to Section 134(a)(2) of the Workforce
27 ~~Investment Act of 1998 (29 U.S.C. 2801)~~; Innovation and Opportunity Act of 2014,
28 29 U.S.C. 3101 et seq., or unless superseded by other state or federal law, at least
29 ~~eighty~~ eighty-five percent of the funds available to the commission for adult and

1 youth workforce training and services and at least sixty percent for dislocated worker
 2 training and services in an area shall be provided to the local workforce ~~investment~~
 3 development board ~~under~~ pursuant to Subsection A of this Section, or in an area in
 4 which a local workforce ~~investment~~ development board has not been certified and
 5 a local plan approved by the governor, to the entity specified by the executive
 6 director ~~under~~ pursuant to Subsection E of this Section.

7 G. If a local workforce ~~investment~~ development board has been certified and
 8 a local plan approved by the governor, the funds shall be provided through the ~~block~~
 9 grant formula allocation process described by this Section. Unless superseded by
 10 federal law, regulation, or waiver, total administrative costs for local workforce
 11 training and services may not exceed ten percent of the funds allocated under this
 12 Subsection, whether the training and services are provided through a local workforce
 13 ~~investment~~ development board or through the commission or other entity specified
 14 ~~under~~ pursuant to Subsection E of this Section.

* * *

§71. Legislative intent and public policy

* * *

18 C. The legislature further finds and declares that it is the state's policy and
 19 goal to enable and encourage local workforce ~~investment~~ development boards to
 20 make better policy and assessments, to better coordinate programs, and to better
 21 determine whether their programs are fulfilling program requirements and local
 22 employment needs.

* * *

§76. Forecasting

* * *

26 C.(1) For the purpose of projecting job growth and demand, the
 27 Occupational Forecasting Conference is hereby established as a committee of the
 28 council. The conference shall develop ~~such~~ official information ~~with respect to~~
 29 regarding the statewide and regional workforce development needs of current, new,

1 and emerging industries as the council determines is necessary for both state and
 2 regional workforce development system planning processes and state planning and
 3 budgeting. ~~Such~~ The information, using quantitative and qualitative research
 4 methods, shall include at least short-term and long-term forecasts of employment
 5 demand for jobs by occupation and industry; entry and average wage forecasts for
 6 those occupations; and estimates of the supply of trained and qualified individuals
 7 available for employment in those occupations, with special focus upon those
 8 occupations and industries which require high skills and have high entry wages and
 9 previous experience wage levels. In the development of workforce estimates, the
 10 conference shall use, to the fullest extent possible, local occupational and workforce
 11 forecasts and estimates.

* * *

13 (11) A principal may invite a ~~participant to participate~~ participation in the
 14 conference. ~~In such an event,~~ Before or during any session of the conference, a
 15 participant shall, ~~at the request of any principal before or during any session of the~~
 16 ~~conference,~~ develop alternative forecasts, collect and supply data, perform analyses,
 17 or provide other information needed by the conference if asked to do so by the
 18 principal. The conference shall consider information provided by participants in
 19 developing its official information. However, ~~with regard to input regarding the~~
 20 ~~state's eight regional labor market areas,~~ the council shall accept and take into
 21 account information regarding the eight regional labor market areas from local
 22 workforce ~~investment~~ development boards only when offered and presented to the
 23 council jointly, as regional input, by all of the local boards within the region.
 24 ~~Regional forecasting shall not take into account input from local boards that is not~~
 25 ~~presented to the council jointly by all of the boards in a region.~~ Input from local
 26 boards that is not presented jointly to the council will not be considered.

* * *

1 §2042. Louisiana Workforce Investment Council; creation; purpose

2 The Louisiana Workforce Investment Council is hereby created in the
3 commission as the state workforce ~~investment~~ development board for the purposes
4 of:

5 (1) Meeting the requirements of the federal Workforce ~~Investment Act~~
6 Innovation and Opportunity Act of 2014, 29 U.S.C. 3101 et seq. in order to receive
7 funds relevant to workforce activities authorized by the law.

8 * * *

9 (3) Creating a common vision, a strategic combined state plan and outcomes
10 that will coordinate and integrate a workforce development delivery system to assure
11 the greatest cooperation possible between public and private entities.

12 * * *

13 §2043. Members

14 A. The council shall consist of ~~forty-one~~ fifty-three members as follows:

15 * * *

16 (11)(a) ~~Twenty-one~~ Twenty-seven members representing business and
17 industry appointed by the governor, at least one of whom shall represent a woman-
18 owned business and at least two of whom shall represent minority-owned businesses.
19 Members representing business shall be individuals who are owners, chief executive
20 officers, chief operating officers, or other individuals with optimum policymaking
21 or hiring authority and may be members of local boards.

22 (b) In appointing the members representing business and industry, the
23 governor shall appoint:

24 * * *

25 (xi) ~~Eleven~~ Fourteen members ~~who shall represent~~ representing Louisiana's
26 general business community.

27 * * *

28 (13)(a) ~~Four~~ Eleven members representing organized labor appointed by the
29 governor from among ~~six~~ nominees submitted by the Louisiana AFL-CIO including

1 representatives of labor organizations and at least one member of a labor
 2 organization or a training director from a joint labor management registered
 3 apprenticeship program within the state. Following the initial ~~four~~ eleven
 4 appointments pursuant to R.S. 23:2046(A), any vacancies that occur for these four
 5 positions shall be filled from a list of ~~three~~ nine nominees submitted by the Louisiana
 6 AFL-CIO.

7 * * *

8 D. Notwithstanding the provisions of this Section, should any determination
 9 be made that any provision of this Section does not conform to the requirements of
 10 the Workforce ~~Investment Act~~ Innovation and Opportunity Act of 2014, then the
 11 governor shall make appointments ~~in the manner required to conform with the~~
 12 ~~Workforce Investment Act~~ consistent with the Act.

13 §2044. Qualifications

14 Each member of the council shall be a registered voter in and a domiciliary
 15 of Louisiana and shall have completed the same training as provided to local
 16 workforce ~~investment~~ development board members pursuant to R.S. 23:2194.

17 * * *

18 §2046. Terms

19 A. Of the initial ~~twenty-eight~~ forty-one members appointed pursuant to R.S.
 20 ~~23:2043(A)(10), (11), (12), and (13), ten~~ R.S. 23:2043(A)(5), (6), and (11), fourteen
 21 members shall serve a term of two years, ~~nine~~ fourteen members shall serve a term
 22 of three years, and ~~nine~~ thirteen members shall serve a term of four years, with all
 23 terms ending on June thirtieth of the respective year. The terms of the initial
 24 members appointed pursuant to each Paragraph shall be designated by the governor
 25 so as to be apportioned among the optional initial terms. Thereafter, such appointed
 26 members shall serve six-year terms. No person shall serve for more than two terms
 27 whether consecutive or not.

1 B. The term of a member serving on the council pursuant to R.S.
2 23:2043(A)(1), (2), (3), (4), (5), (6), (7), (8), ~~(9)~~, and (14) shall be concurrent with
3 his service in such official capacity.

4 * * *

5 §2048. Removal of members

6 The governor may remove any appointed member of the council for cause
7 including misconduct, incompetency, neglect of duty, or absence from ~~more than~~
8 ~~one-half of the regularly scheduled council meetings in any calendar year~~ any two
9 out of four consecutive meetings.

10 * * *

11 §2061. Definitions

12 As used in this Chapter, the following terms ~~shall~~ have the meaning herein
13 ascribed to them:

14 * * *

15 (2) "Board" means a local workforce ~~investment~~ development board as
16 described in the Workforce ~~Investment Act (29 U.S.C. §2801 et seq.)~~ Innovation and
17 Opportunity Act of 2014, 29 U.S.C. 3101 et seq. or such successor entity as may be
18 established by or pursuant to federal law.

19 (3) "Business/career solution system" means a service delivery system
20 composed of one or more centers, which shall operate as a one-stop workforce
21 development service delivery system as provided by the Workforce ~~Investment Act~~
22 ~~of 1998 (29 U.S.C. §2801 et seq.)~~ Innovation and Opportunity Act of 2014, 29
23 U.S.C. 3101 et seq. and the regulations promulgated thereunder.

24 * * *

25 §2063. Strategic plan

26 A.(1) The council shall develop, prepare, adopt, and submit ~~forthwith~~ to the
27 governor a comprehensive state ~~strategic~~ combined plan that establishes strategic
28 goals, objectives, and measures that provide direction for the provision of services
29 and coordination of resources by the state's workforce development delivery system.

1 The plan shall establish benchmarks for each measure and shall provide
2 recommended strategies for implementation by state agencies and private entities.

3 The strategic plan shall be updated on a biennial basis.

4 * * *

5 B. If the ~~strategic~~ combined plan is inconsistent with any federal or state law,
6 rule, or regulation, or if there is a constitutional limitation, restriction, or prohibition,
7 the affected agency shall immediately notify the council, in writing, of the conflict,
8 together with a notice of that exception, an explanation of the conflict, and a
9 recommendation for how to implement such plan or measure so as to avoid ~~such the~~
10 conflict.

11 * * *

12 §2065. Council duties and functions

13 A. The council shall:

14 * * *

15 (4) Recommend to the governor the geographic designation of workforce
16 development areas for the delivery of workforce development services funded
17 through the federal Workforce ~~Investment Act of 1998 (29 U.S.C. 2801)~~ Innovation
18 and Opportunity Act of 2014, 29 U.S.C. 3101 et seq.

19 * * *

20 (7) Assist the commission in requesting waivers allowed under the federal
21 Workforce ~~Investment Act of 1998 (29 U.S.C. 2801)~~ Innovation and Opportunity
22 Act of 2014, 29 U.S.C. 3101 et seq.

23 (8) Perform all duties required by the federal Workforce ~~Investment Act of~~
24 ~~1998 (29 U.S.C. 2801)~~ Innovation and Opportunity Act of 2014, 29 U.S.C. 3101 et
25 seq. for the state workforce ~~investment~~ development board, including carrying out
26 the federally and state-mandated duties and responsibilities for all advisory councils
27 under applicable federal and state workforce development programs.

28 * * *

1 §2091. Transfer of state advisory council responsibilities

2 A. ~~Upon certification of the Louisiana Workforce Investment Council as a~~
3 ~~state workforce investment board pursuant to 29 U.S.C. 2821 et seq., the~~ The council
4 shall ~~assume~~ perform the responsibilities assigned to the state advisory council under
5 the following federal laws:

6 (1) ~~The Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)~~
7 Innovation and Opportunity Act of 2014, 29 U.S.C. 3101 et seq.

8 * * *

9 PART V. WORKFORCE ~~INVESTMENT~~ DEVELOPMENT BOARDS

10 §2191. Workforce ~~investment~~ development boards

11 A. There shall be a local workforce ~~investment~~ development board for every
12 workforce development area.

13 B. ~~The governor shall approve a request to be a local workforce development~~
14 ~~area from any parish governing authority of a parish with a population of five~~
15 ~~hundred thousand or more or any consortium of contiguous parishes with an~~
16 ~~aggregate population of five hundred thousand or more which serves a substantial~~
17 ~~part of one or more labor market areas.~~

18 C. ~~The governor may approve a request for designation as a workforce~~
19 ~~investment area from any unit of general local government including a combination~~
20 ~~of such units that serve a substantial part of one or more labor market areas~~ shall
21 designate local areas within the state after consulting with the state Workforce
22 Investment Council, chief elected officials, and local boards, and after an opportunity
23 for comments from businesses, labor organizations, institutions of higher education,
24 other primary stakeholders, and the general public.

25 §2192. Designation of workforce development areas

26 A.(1) For the first two operating years of the Workforce Innovation and
27 Opportunity Act of 2014, the governor shall approve a request for initial designation
28 as a local area from any area that was designated as a local area for purposes of the

1 Workforce Investment Act of 1998 if the local area performed successfully and
2 sustained fiscal integrity.

3 (2) After the period for which a local area is initially designated, ~~The the~~
4 governor may redesignate workforce development areas not more than once every
5 two years, unless the governor determines that the area failed to ~~substantially meet,~~
6 as determined by the council, ~~the local performance measures for the local area or~~
7 ~~failed to sustain the fiscal integrity of the funds used by the area to carry out~~
8 ~~workforce development activities, as required by the Workforce Investment Act of~~
9 ~~1998 (29 U.S.C. 2801 et seq.);~~ perform successfully, sustain fiscal integrity, and, if
10 required, failed to prepare and submit a regional plan. A redesignation shall be made
11 not later than four months before the beginning of a program year.

12 * * *

13 C. ~~Subject to the provisions of R.S. 23:2191(B), a~~ A local workforce
14 development area may be:

15 (1) ~~Is composed~~ Composed of one or more contiguous units of general local
16 government that includes at least one parish.

17 (2) ~~Is consistent~~ Consistent with either a local labor market area or a
18 metropolitan statistical area.

19 (3) ~~Is of~~ Of a size sufficient to have the administrative resources necessary
20 to provide for the effective planning, management, and delivery of workforce
21 development.

22 * * *

23 §2193. Creation of local workforce development boards

24 A. The chief elected officials in a workforce development area may form,
25 in accordance with rules established by the Louisiana Workforce Investment
26 Council, a local workforce ~~investment~~ development board to do the following:

27 (1) Plan and oversee the delivery of workforce training and services.

28 (2) Evaluate workforce development in the workforce development area.

1 (3) Review and recommend certification of business/career solution system
2 centers.

3 B. The authority granted under Subsection A of this Section does not give
4 a local workforce ~~investment~~ development board any direct authority or control over
5 workforce funds and programs in its workforce development area, other than
6 programs funded through that board.

7 * * *

8 D. The chief elected officials in a workforce development area shall consider
9 the views of all affected local organizations before making a final decision on the
10 formation of a board.

11 * * *

12 §2194. Training for local workforce development board members

13 A. The office of workforce development shall provide management,
14 diversity, and board development training for all members of local workforce
15 ~~investment~~ development boards that includes information regarding the importance
16 of high-quality workforces to the economic prosperity of their communities and
17 encourages board members to be advocates in their communities for effective and
18 efficient workforce development programs. Such training shall also include
19 instruction regarding ~~the chartering of boards~~, the certification of business/career
20 solution centers, and state ethics laws. If a member of a local workforce investment
21 board does not receive training under this Section before the ninety-first day after the
22 date on which the member begins service on the board, the person is ineligible to
23 continue serving on the board unless the training required under this Subsection was
24 requested by the member but not provided by the office of workforce development.

25 * * *

26 §2195. Certification of boards

27 ~~A. The commission shall charter boards that meet chartering requirements~~
28 ~~established by the commission, and each board shall be chartered no later than~~

1 ~~January 1, 2009, unless an extension is granted by the commission for good cause~~
2 ~~shown.~~

3 B: The governor shall certify a board on determining that the board's
4 composition is consistent with applicable federal and state laws and requirements.
5 The governor shall certify or deny certification not later than the thirtieth day
6 following the date that a certification request is submitted to the governor.

7 §2196. Board membership

8 A. A board shall be composed as follows:

9 (1) Representatives of the private sector who:

10 (a) Constitute a majority of the membership of the board.

11 (b) Are owners of business concerns, chief executives or chief operating
12 officers of nongovernmental employers, or other business or human resources
13 executives who have substantial management, hiring, or policymaking
14 responsibilities.

15 (c) Represent business, including small businesses, or organizations that
16 provide employment opportunities that, at a minimum, include high-quality work-
17 relevant training and development in in-demand industry sectors or occupations in
18 the local area.

19 (2) ~~At least two representatives of organized labor.~~ twenty percent of the
20 members of each local board:

21 (a) Shall be local representatives of a labor organization or representatives
22 of employees who are not members of a labor organization; and a training director
23 of a joint labor-management apprenticeship program, or if there is no joint labor-
24 management apprenticeship program, a representative of an apprenticeship program.

25 (b) May be representatives of community-based organizations that have
26 demonstrated expertise with addressing the employment needs of individuals with
27 barriers to employment, including organizations that serve veterans or that provide
28 support for individuals with disabilities; and representatives of organizations that
29 have demonstrated expertise with addressing the employment, training, or education

1 needs of eligible youth, including representatives of organizations that serve out-of-
2 school youth.

3 (3) Representatives of each of the following:

4 (a) ~~Educational agencies, including but not limited to community colleges~~
5 ~~and secondary and postsecondary practitioners representing vocational education,~~
6 ~~that are representative of all educational agencies in the service delivery area.~~
7 Entities administering education and training activities in the local area that shall
8 include a representative of eligible providers administering adult education and
9 literacy activities pursuant to Title II of the Workforce Innovation and Opportunity
10 Act of 2014; and a representative of institutions of higher education providing
11 workforce investment activities; and that may include representatives of local
12 educational agencies and of community-based organizations with demonstrated
13 expertise in addressing the education or training needs of individuals with barriers
14 to employment.

15 (b) ~~Economic development agencies~~ Governmental and economic and
16 community development entities serving the local area that shall include a
17 representative of economic and community developmental entities, a representative
18 from the state employment service office pursuant to the Wagner-Peyser Act, 29
19 U.S.C.49, who serves the local area; a representative of the programs carried out
20 under Title I of the Rehabilitation Act of 1973, 29 U.S.C. 720 et seq., except 29
21 U.S.C. 732 and 741, who serve the local area; and that may include representatives
22 of agencies or entities administering programs serving the local area relating to
23 transportation, housing, and public assistance; and a representative of philanthropic
24 organizations serving the local area.

25 (c) ~~Public employment services.~~ Each local board may include other
26 individuals or representatives of entities as the chief elected official in the local area
27 may determine to be appropriate.

28 (d) ~~Community-based organizations.~~

1 B. Private sector representatives on the board are selected from individuals
 2 nominated by general purpose business organizations that have consulted with and
 3 received recommendations from other business organizations in the workforce
 4 development area. The nominations and the individuals selected from the
 5 nominations must reasonably represent the industrial and demographic composition
 6 of the business community. ~~Not less than one-half of the business and industry~~
 7 ~~representatives should be representatives of small business.~~

8 * * *

9 §2197. Removal of workforce ~~investment~~ development board members

10 * * *

11 §2199. Responsibility of the board

12 * * *

13 D. Notwithstanding any law to the contrary, the commission is vested with
 14 exclusive and independent authority to assign state employees to physical locations
 15 selected by the board and chief elected officials and to enter into and terminate leases
 16 of property or any other agreement directly related to the operation of each Business
 17 and Career Solution Center within the state.

18 §2200. Board duties

19 A. The purpose of the local workforce ~~investment~~ development board is to
 20 convene and align high-level stakeholders, enhance cooperative assessment of
 21 workforce intelligence, and develop unified strategic planning and activities designed
 22 to meet the region's current and future workforce needs. These strategic purposes
 23 are in addition to the service delivery and partner system roles required in the
 24 Workforce ~~Investment Act of 1998 (29 U.S.C. 2801 et seq.)~~ Innovation and
 25 Opportunity Act of 2014, 29 U.S. C. 3101 et seq.

26 B. A board shall:

27 * * *

28 (12) Award grants or contracts to eligible providers of workforce education
 29 or training and services in the workforce development area on a competitive basis,

1 consistent with the Workforce ~~Investment Act of 1998 (29 U.S.C. 2801 et seq.)~~
2 Innovation and Opportunity Act of 2014, 29 U.S.C. 3101 et seq. and to the extent
3 allowed under other local, state, or federal law.

4 * * *

5 (20) Serve as a local workforce ~~investment~~ development board under the
6 Workforce ~~Investment Act of 1998, 29 U.S.C. 2801 et seq.~~ Innovation and
7 Opportunity Act of 2014, 29 U.S. C. 3101 et seq.

8 * * *

9 §2210. Incentives and waivers

10 * * *

11 B. To the extent feasible under federal and state workforce development law,
12 incentives include priority for discretionary funding, including financial incentives
13 for the consolidation of service delivery areas authorized under the federal
14 ~~Workforce Investment Act~~ Innovation and Opportunity Act of 2014, 29 U.S. C. 3101
15 et seq.

16 C. The commission ~~shall~~ may use incentives to promote a demand driven
17 and regionally focused service delivery system.

18 * * *

19 §2213. Conflict of laws

20 In the event of any conflict of the provisions of this Chapter with federal laws
21 or regulations, the federal laws and regulations shall prevail.

22 Section 3. R.S. 46:261(D)(7) is hereby amended and reenacted to read as follows:

23 §261. Fatherhood first initiative; establishment

24 * * *

25 D. The membership of the council shall be appointed by the secretary and
26 shall include but not be limited to:

27 * * *

28 (7) One representative of a ~~regional~~ local workforce ~~investment~~ development
29 board.

1 Section 4. R.S. 47:12(B)(1)(a)(iii) is hereby amended and reenacted to read as
2 follows:

3 §12. State low-income housing credit

4 * * *

5 B.(1) The amount of the credit allocated to any project shall be authorized
6 by the credit agency based on a project's need for the credit for economic feasibility.

7 (a) The low-income housing project shall meet all of the following
8 requirements:

9 * * *

10 (iii) It shall involve the education and training of the residents of the
11 low-income units for job opportunities identified by local workforce ~~investment~~
12 development boards.

13 * * *

14 Section 5. R.S. 48:1604(A)(1)(e) and (2) are hereby amended and reenacted to read
15 as follows:

16 §1604. Board of commissioners; membership, terms, vacancies

17 A.(1) The board of commissioners of the authority shall be composed of
18 seven members to be appointed in the following manner:

19 * * *

20 (e) One at-large member representing the local workforce ~~investment~~
21 development board and appointed by a majority vote of the three parishes.

22 (2) Each commissioner must be domiciled within the parish from which he
23 is appointed, except for the one at-large member appointed by the governor and the
24 one at-large member representing the workforce ~~investment~~ development board, who
25 must be domiciled within the state.

26 * * *

27 Section 6. R.S. 51:1787(E) and 1807(D) are hereby amended and reenacted to read
28 as follows:

1 §1787. Incentives

2 * * *

3 E. The department, in cooperation with the Louisiana Workforce
4 Commission, may enter into agreements with employers located in either urban or
5 rural enterprise zones or in economic development zones under which the employers
6 may receive Workforce ~~Investment~~ Innovation and Opportunity Act funds, to the
7 extent that these funds are received from the federal government.

8 * * *

9 §1807. Incentives

10 * * *

11 D. The department, in cooperation with the Louisiana Workforce
12 Commission, may enter into agreements with employers located in urban
13 revitalization zones under which the employers may receive Workforce ~~Investment~~
14 Innovation and Opportunity Act funds, to the extent that these funds are received
15 from the federal government.

16 * * *

17 Section 7. Chapter 11-A of Title 23 of the Louisiana Revised Statutes of 1950,
18 comprised of R.S. 23:1801 through 1809, Chapter 11-B of Title 23 of the Louisiana Revised
19 Statutes of 1950, comprised of R.S. 23:1821 through 1832, Chapter 11-C of Title 23 of the
20 Louisiana Revised Statutes of 1950, comprised of R.S. 23:1841 through 1846, Chapter 11-D
21 of Title 23 of the Louisiana Revised Statutes of 1950, comprised of R.S. 23:1851 through
22 1855, and Chapter 11-E of Title 23 of the Louisiana Revised Statutes of 1950, comprised of
23 R.S. 23:1861 through 1862, and R.S. 23:2043(A)(9), 2193(C), and 2196(E) are hereby
24 repealed in their entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 741 Reengrossed

2015 Regular Session

Alfred Williams

Abstract: Provides relative to workforce development.

Present law provides for the office of workforce development within the La. Workforce Commission (LWC) to coordinate, with entities administering the job training plans in the various workforce investment areas, pursuant to the Workforce Investment Act.

Present law creates the Workforce Investment Council as the state workforce investment board to meet the requirements of the Workforce Investment Act of 1998 to receive funds relevant to workforce activities, advise the governor of the needs of the state's employers and the workforce along with strategies for its continued improvement, create a common vision, a strategic state plan to assure cooperation between public and private entities, and direct the Occupational Forecasting Conference to determine the official information necessary for planning and budgeting with respect to workforce development.

Proposed law retains the substance of present law and changes references from the Workforce Investment Act to the Workforce Investment Innovation and Opportunity Act, which was enacted by congress in 2014. Proposed law further changes "workforce investment boards" to "workforce development boards".

Proposed law provides for the assignment of workforce development areas pursuant to the new Workforce Innovation and Opportunity Act.

Proposed law allows the governor to decertify any local board for fraud, abuse, failure to perform their function or to meet accountability measures.

Proposed law changes the number of members of the Workforce Investment Council pursuant to the Workforce Innovation and Opportunity Act.

Proposed law alters the composition of the membership of local workforce development boards pursuant to the Workforce Innovation and Opportunity Act.

Proposed law repeals present law regarding programs no longer relevant under the new Workforce Innovation and Opportunity Act. The functions of these programs are handled by the office of workforce development within LWC. The repealed programs are:

- (1) The Work Opportunity Program which was designed to increase employment opportunities to those on public aid.
- (2) Youth Corps Litter Control and Incentive Employment Program which was designed to provide part-time employment opportunities to students while cleaning up the state's highways.
- (3) Displaced Workers Retraining Program which was created to provide job-search assistance to those unemployed because their industry has relocated out of Louisiana.
- (4) Youth Summer Employment Program which was created to provide summer employment opportunities to students who reside in economically depressed areas.

- (5) Workforce Preparation Program which provided targeted educational, occupational, or training services to prepare individuals for employment in demand occupations.
- (6) Louisiana Health Works Commission which was created to serve as a collaborative working group to integrate and coordinate resources for workforce development within various state departments and key organizations.

(Amends R.S. 17:2930(B), R.S. 23:6(9)-(11), 19, 20, 34(A)-(C), (E)-(G), 71(C), 76(C)(1) and (11), 2042(intro.para.), (1), and (3), 2043(A)(intro. para.), (11)(a) and (b)(xi), and (13)(a), and (D), 2044, 2046, 2048, 2061(intro.para.), (2), and (3), 2063(A)(1) and (B), 2065(A)(4), (7), and (8), 2091(A)(intro.para.) and (1), the heading of Part V of Chapter 14 of Title 23 of the LRS of 1950, R.S. 23:2191, 2192(A) and (C), 2193(A), (B), and (D), 2194(A), 2195, 2196(A) and (B), 2197(Section heading), 2200(A) and (B)(12) and (20), 2210(B) and (C), R.S. 46:261(D)(7), R.S. 47:12(B)(1)(a)(iii), R.S. 48:1604(A)(1)(e) and (2), R.S. 51:1787(E) and 1807(D); Adds R.S. 23:2199(D) and 2213; Repeals R.S. 23:1801-1809, 1821-1832, 1841-1846, 1851-1855, and 1861-1862, 2043(A)(9), 2193(C), and 2196(E))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Labor and Industrial Relations to the original bill:

1. Add technical changes.
2. Add more provisions of law to change references from the Workforce Investment Act to Workforce Investment Innovation and Opportunity Act, and from "Workforce investment boards" to "Workforce development boards".
3. Change the number of members on the Workforce Investment Council pursuant to the Workforce Innovation and Opportunity Act from 41 in present law to 53, and change the makeup of the council, increasing the number of members representing business and industry from 21 to 27, the number of members representing organized labor from 4 to 11, and remove the executive director of the office of elderly affairs.
4. Repeal present law regarding programs no longer relevant under the Workforce Innovation and Opportunity Act. The programs are: the Work Opportunity Program, Youth Corps Litter Control and Incentive Employment Program, Displaced Workers Retraining Program, Youth Summer Employment Program, Workforce Preparation Program, and the Louisiana Health Works Commission.

The House Floor Amendments to the engrossed bill:

1. Add technical changes.
2. Change additional references from the workforce investment boards to workforce development boards.
3. Update citations and remove obsolete statutes to conform with applicable federal law, the Innovation and Opportunity Act of 2014.