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), (C), (E)
3	through (G), 71(C), 76(C)(1) and (11), 1853(B)(introductory paragraph) and (2),
4	1855, 1862(A)(introductory paragraph), 2042(introductory paragraph), (1), and (3),
5	2043(A)(introductory paragraph), (10), (11)(a) and (b)(xi), and (13)(a), and (D),
6	2044, 2046, 2061(introductory paragraph), (2) and (3), 2063(A)(1) and (B),
7	2065(A)(4), (7), and (8), 2091(A)(introductory paragraph) and (1), the heading of
8	Part V of Chapter 14 of Title 23 of the Louisiana Revised Statutes of 1950, R.S.
9	23:2191, 2192(A) and (C), 2193(A), (B), and (D), 2195, 2196(A) and (B),
10	2197(Section heading), 2200(A) and (B)(20), 2210(B) and (C), R.S. 46:261(D)(7),
11	R.S. 47:12(B)(1)(a)(iii), R.S. 48:1604(A)(1)(e) and (2), R.S. 51:1787(E) and
12	1807(D); to enact R.S. 23:2199(D) and 2213; and to repeal Chapter 11-A of Title 23
13	of the Louisiana Revised Statutes of 1950, comprised of R.S. 23:1801 through 1809,
14	Chapter 11-B of Title 23 of the Louisiana Revised Statutes of 1950, comprised of
15	R.S. 23:1821 through 1832, Chapter 11-C of Title 23 of the Louisiana Revised
16	Statutes of 1950, comprised of R.S. 23:1841 through 1846, Chapter 11-D of Title 23
17	of the Louisiana Revised Statutes of 1950, comprised of R.S. 23:1851 through 1855,
18	and Chapter 11-E of Title 23 of the Louisiana Revised Statutes of 1950, comprised
19	of R.S. 23:1861 through 1862, 2193(C), 2196(E), and 2043(A)(9), relative to

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1	workplace investment initiatives; to provide for conformity with federal laws; to
2	provide with respect to the membership of the Workforce Investment Council, to
3	provide with respect to workforce development boards; to provide for the
4	membership of workforce development boards; to provide for the designation of
5	workforce development areas; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 17:2930(B) is hereby amended and reenacted to read as follows:
8	§2930. Collaboration with business and industry; coordination with workforce
9	needs
10	* * *
11	B. Every city, parish, and other local public school board shall convene
12	biannual public meetings with representatives of career and technical education
13	advisory committees, local workforce investment development boards, and colleges
14	and universities in their region to discuss regional workforce needs and the
15	educational, training, and work-based learning opportunities that should be provided
16	to students to meet both individual and workforce needs.
17	* * *
18	Section 2. R.S. 23:6(9) through (11), 19, 20, 34(A), (C), (E) through (G), 71(C),
19	76(C)(1) and (11), 1853(B)(introductory paragraph) and (2), 1855, 1862(A)(introductory
20	paragraph), 2042(introductory paragraph), (1), and (3), 2043(A)(introductory paragraph),
21	(10), (11)(a) and (b)(xi), and (13)(a), and (D), 2044, 2046, 2061 (introductory paragraph), (2),
22	and (3), 2063(A)(1) and (B), 2065(A)(4), (7), and (8), 2091(A)(introductory paragraph) and
23	(1), the heading of Part V of Chapter 14 of Title 23 of the Louisiana Revised Statutes of
24	1950, R.S. 23:2191, 2192(A) and (C), 2193(A), (B), and (D), 2195, 2196(A) and (B),
25	2197(Section heading), 2200(A) and (B)(20), 2210(B) and (C) are hereby amended and
26	reenacted and R.S. 23:2199(D) and 2213 are hereby enacted to read as follows:

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1	§6. Powers and duties
2	In addition to any other powers and duties which may be conferred upon the
3	executive director by law, he shall:
4	* * *
5	(9) Serve as an advocate at the state and federal levels for local workforce
6	investment development boards.
7	(10) Contract with local workforce investment development boards for
8	program planning and service delivery.
9	(11) Provide training and professional development services for the office
10	of workforce development staff, local workforce investment development boards,
11	and the staff of those boards.
12	* * *
13	§19. Delegation of functions
14	The executive director shall, to the extent allowed under state or federal law,
15	delegate all or part of the administration of a program integrated pursuant to R.S.
16	23:17 that is eligible for block grant funding to a local workforce investment
17	development board in an area in which a board has been certified and a local plan
18	approved by the governor, or to another appropriate state or local entity in an area
19	in which a local workforce investment development board has not been certified and
20	a local plan approved by the governor.
21	§20. State and local planning process; local workforce investment development
22	boards
23	The executive director shall design and implement a state and local planning
24	process for workforce training and services, including the certification of
25	business/career solution centers and the chartering of local workforce investment
26	development boards, provided through the programs under the jurisdiction of the
27	office of workforce development.
28	* * *

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1	§34. Block grants Grants to local workforce development areas
2	A. The commission shall provide to the local workforce development areas
3	in which local workforce investment development boards have been certified and
4	local plans approved by the governor, through a block grant formula allocation
5	process, funds available to the commission for workforce training and employment
6	services, unless superseded by federal law. Administrative costs under pursuant to
7	this Subsection may not exceed ten percent of the total amount of funds available to
8	the commission for block grants to carry out local workforce investment
9	development activities unless authorized by federal any other law, regulation, or
10	waiver.
11	* * *
12	C. In the case of funds that are allocated to this state or regions of this state
13	through the application of established formulas, the commission shall allocate
14	amounts across the state using the same formula that was used to provide the funds
15	to the state or that region unless an alternate formula is authorized pursuant to the
16	Workforce Investment Act Innovation and Opportunity Act of 2014, 29 U.S.C. 3101
17	et seq, related regulations, or the laws or regulations governing the particular funding
18	source.
19	* * *
20	E. In each area of the state not designated as a local workforce development
21	area or that has been so designated but in which a local workforce investment
22	development board has not been certified and a regional and local plan approved by
23	the governor, the executive director shall do each of the following:
24	(1) Provide workforce training and services in that area to the extent allowed
25	by federal law.
26	(2) Specify an entity, which may be the commission, for the performance of
27	employment services in that area.
28	F. Unless required pursuant to Section 134(a)(2) of the Workforce
29	Investment Act Innovation and Opportunity Act of 2014, 29 U.S.C. 3101 et seq., or

1 unless superseded by other state or federal law, at least eighty eighty-five percent of 2 the funds available to the commission for adult and youth workforce training and 3 services and at least sixty percent for dislocated worker training and services in an 4 area shall be provided to the local workforce investment development board under 5 pursuant to Subsection A of this Section, or in an area in which a local workforce 6 investment development board has not been certified and a local plan approved by 7 the governor, to the entity specified by the executive director under pursuant to 8 Subsection E of this Section.

9 G. If a local workforce investment development board has been certified and 10 a local plan approved by the governor, the funds shall be provided through the block 11 grant formula allocation process described by this Section. Unless superseded by 12 federal law, regulation, or waiver, total administrative costs for local workforce training and services may not exceed ten percent of the funds allocated under this 13 14 Subsection, whether the training and services are provided through a local workforce 15 investment development board or through the commission or other entity specified 16 under pursuant to Subsection E of this Section.

- 17
- 18 §71. Legislative intent and public policy
- 19

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

25 * 26 §76. Forecasting

27

28

29

C.(1) For the purpose of projecting job growth and demand, the Occupational Forecasting Conference is hereby established as a committee of the

1 council. The conference shall develop such official information with respect to 2 regarding the statewide and regional workforce development needs of current, new, 3 and emerging industries as the council determines is necessary for both state and 4 regional workforce development system planning processes and state planning and 5 budgeting. Such The information, using quantitative and qualitative research 6 methods, shall include at least short-term and long-term forecasts of employment 7 demand for jobs by occupation and industry; entry and average wage forecasts for 8 those occupations; and estimates of the supply of trained and qualified individuals 9 available for employment in those occupations, with special focus upon those 10 occupations and industries which require high skills and have high entry wages and 11 previous experience wage levels. In the development of workforce estimates, the 12 conference shall use, to the fullest extent possible, local occupational and workforce 13 forecasts and estimates. 14

15 (11) A principal may invite a participant to participate participation in the 16 conference. In such an event, Before or during any session of the conference, a 17 participant shall, at the request of any principal before or during any session of the 18 conference, develop alternative forecasts, collect and supply data, perform analyses, 19 or provide other information needed by the conference if asked to do so by the 20 principal. The conference shall consider information provided by participants in 21 developing its official information. However, with regard to input regarding the 22 state's eight regional labor market areas, the council shall accept and take into 23 account information regarding the eight regional labor market areas from local 24 workforce investment development boards only when offered and presented to the 25 council jointly, as regional input, by all of the local boards within the region. 26 Regional forecasting shall not take into account input from local boards that is not 27 presented to the council jointly by all of the boards in a region. Input from local 28 boards that is not presented jointly to the council will not be considered. 29

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1	§1853. Administration
2	* * *
3	B. The office of workforce development within the Louisiana Workforce
4	Commission shall coordinate, with those entities administering the job training plans
5	in the various workforce investment areas, pursuant to the Workforce Investment Act
6	Innovation and Opportunity Act of 2014, 29 U.S.C. 3101 et seq.:
7	* * *
8	(2) Services and assistance made available under the Workforce Investment
9	Act Innovation and Opportunity Act of 2014, 29 U.S.C. 3101 et seq., the Carl D.
10	Perkins Vocational Education Act, and other training, employment, or education
11	programs which will enable youths to obtain subsidized or unsubsidized
12	employment.
13	* * *
14	§1855. Funding requirement
15	The Youth Summer Employment Program provided for in this Chapter shall
16	not be implemented until funding is provided by the Workforce Investment Act
17	Innovation and Opportunity Act of 2014, 29 U.S.C. 3101 et seq. or Carl D. Perkins
18	Vocational Education Act monies.
19	* * *
20	§1862. Program plan implementation
21	A. On or before September 1, 1992, and every September first thereafter of
22	each year, each state department administratively responsible for workforce
23	preparation activities shall prepare a separate program plan for each workforce
24	preparation program that such the department administers. Each plan shall include:
25	* * *
26	§2042. Louisiana Workforce Investment Council; creation; purpose
27	The Louisiana Workforce Investment Council is hereby created in the
28	commission as the state workforce investment development board for the purposes
29	of:

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1	(1) Meeting the requirements of the federal Workforce Investment Act
2	Innovation and Opportunity Act of 2014, 29 U.S.C. 3101 et seq. in order to receive
3	funds relevant to workforce activities authorized by the law.
4	* * *
5	(3) Creating a common vision, a strategic <u>combined</u> state plan and outcomes
6	that will coordinate and integrate a workforce development delivery system to assure
7	the greatest cooperation possible between public and private entities.
8	* * *
9	§2043. Members
10	A. The council shall consist of forty-one fifty-three members as follows:
11	* * *
12	(10) One member appointed by the governor who is a chief executive officer
13	of a community-based organization. One member appointed by the governor who is
14	a chief executive officer of a community-based organization.
15	(11)(a) Twenty-one Twenty-seven members representing business and
16	industry appointed by the governor, at least one of whom shall represent a woman-
17	owned business and at least two of whom shall represent minority-owned businesses.
18	Members representing business shall be individuals who are owners, chief executive
19	officers, chief operating officers, or other individuals with optimum policymaking
20	or hiring authority and may be members of local boards.
21	(b) In appointing the members representing business and industry, the
22	governor shall appoint:
23	* * *
24	(xi) Eleven Fourteen members who shall represent representing Louisiana's
25	general business community.
26	* * *
27	(13)(a) Four <u>Eleven</u> members representing organized labor appointed by the
28	governor from among six nominees submitted by the Louisiana AFL-CIO including
29	representatives of labor organizations and at least one member of a labor

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1	organization or a training director from a joint labor management registered
2	apprenticeship program within the state. Following the initial four eleven
3	appointments pursuant to R.S. 23:2046(A), any vacancies that occur for these four
4	positions shall be filled from a list of three <u>nine</u> nominees submitted by the Louisiana
5	AFL-CIO.
6	* * *
7	D. Notwithstanding the provisions of this Section, should any determination
8	be made that any provision of this Section does not conform to the requirements of
9	the Workforce Investment Act Innovation and Opportunity Act of 2014, then the
10	governor shall make appointments in the manner required to conform with the
11	Workforce Investment Act consistent with the Act.
12	§2044. Qualifications
13	Each member of the council shall be a registered voter in and a domiciliary
14	of Louisiana and shall have completed the same training as provided to local
15	workforce investment development board members pursuant to R.S. 23:2194.
16	* * *
17	§2046. Terms
18	A. Of the initial twenty-eight twenty-six members appointed pursuant to R.S.
19	23:2043(A)(10), (11), (12), and (13), ten <u>R.S. 23:2043(A)(5), (6), and (11), fourteen</u>
20	members shall serve a term of two years, nine fourteen members shall serve a term
21	of three years, and nine thirteen members shall serve a term of four years, with all
22	terms ending on June thirtieth of the respective year. The terms of the initial
23	members appointed pursuant to each Paragraph shall be designated by the governor
24	so as to be apportioned among the optional initial terms. Thereafter, such appointed
25	members shall serve six-year terms. No person shall serve for more than two terms
26	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 Innovation and Opportunity Act of 2014,
17	29 U.S.C. 3101 et seq. or such successor entity as may be established by or pursuant
18	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	Innovation and Opportunity Act of 2014, 29 U.S.C. 3101 et seq. and the regulations
23	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 Innovation and Opportunity Act of
18	<u>2014, 29 U.S.C. 3101 et seq</u> .
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
24	Innovation and Opportunity Act of 2014, 29 U.S.C. 3101 et seq. for the state
25	workforce investment development board, including carrying out the federally and
26	state-mandated duties and responsibilities for all advisory councils under applicable
27	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 Innovation and Opportunity Act of 2014,
7	<u>29 U.S.C. 3101 et seq</u> .
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 <u>may be</u> :
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 \underline{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	§2195. Certification of boards
13	A. The commission shall charter boards that meet chartering requirements
14	established by the commission, and each board shall be chartered no later than
15	January 1, 2009, unless an extension is granted by the commission for good cause
16	shown.
17	B. The governor shall certify a board on determining that the board's
18	composition is consistent with applicable federal and state laws and requirements.
19	The governor shall certify or deny certification not later than the thirtieth day
20	following the date that a certification request is submitted to the governor.
21	§2196. Board membership
22	A. A board shall be composed as follows:
23	(1) Representatives of the private sector who:
24	(a) Constitute a majority of the membership of the board.
25	(b) Are owners of business concerns, chief executives or chief operating
26	officers of nongovernmental employers, or other business or human resources
27	executives who have substantial management, hiring, or policymaking
28	responsibilities.

1	(c) Represent business, including small businesses, or organizations that
2	provide employment opportunities that, at a minimum, include high-quality work-
3	relevant training and development in in-demand industry sectors or occupations in
4	the local area.
5	(2) At least two representatives of organized labor. twenty percent of the
6	members of each local board:
7	(a) Shall be local representatives of a labor organization or representatives
8	of employees who are not members of a labor organization; and a training director
9	of a joint labor-management apprenticeship program, or if there is no joint labor-
10	management apprenticeship program, a representative of an apprenticeship program.
11	(b) May be representatives of community-based organizations that have
12	demonstrated expertise with addressing the employment needs of individuals with
13	barriers to employment, including organizations that serve veterans or that provide
14	support for individuals with disabilities; and representatives of organizations that
15	have demonstrated expertise with addressing the employment, training, or education
16	needs of eligible youth, including representatives of organizations that serve out-of-
17	school youth.
18	(3) Representatives of each of the following:
19	(a) Educational agencies, including but not limited to community colleges
20	and secondary and postsecondary practitioners representing vocational education,
21	that are representative of all educational agencies in the service delivery area.
22	Entities administering education and training activities in the local area that shall
23	include a representative of eligible providers administering adult education and
24	literacy activities pursuant to Title II of the Workforce Innovation and Opportunity
25	Act; and a representative of institutions of higher education providing workforce
26	investment activities; and that may include representatives of local educational
27	agencies and of community-based organizations with demonstrated expertise in
28	addressing the education or training needs of individuals with barriers to
29	employment.

1	(b) Economic development agencies Governmental and economic and
2	community development entities serving the local area that shall include a
3	representative of economic and community developmental entities, a representative
4	from the state employment service office pursuant to the Wagner-Peyser Act, 29
5	U.S.C.49, who serves the local area; a representative of the programs carried out
6	under Title I of the Rehabilitation Act of 1973, 29 U.S.C. 720 et seq., except 29
7	U.S.C. 732 and 741, who serve the local area; and that may include representatives
8	of agencies or entities administering programs serving the local area relating to
9	transportation, housing, and public assistance; and a representative of philanthropic
10	organizations serving the local area.
11	(c) Public employment services. Each local board may include other
12	individuals or representatives of entities as the chief elected official in the local area
13	may determine to be appropriate.
14	(d) Community-based organizations.
15	B. Private sector representatives on the board are selected from individuals
16	nominated by general purpose business organizations that have consulted with and
17	received recommendations from other business organizations in the workforce
18	development area. The nominations and the individuals selected from the
19	nominations must reasonably represent the industrial and demographic composition
20	of the business community. Not less than one-half of the business and industry
21	representatives should be representatives of small business.
22	* * *
23	§2197. Removal of workforce investment development board members
24	* * *

1	§2199. Responsibility of the board
2	* * *
3	D. Notwithstanding any law to the contrary, the commission is vested with
4	exclusive and independent authority to assign state employees to physical locations
5	selected by the board and chief elected officials and to enter into and terminate leases
6	of property or any other agreement directly related to the operation of each Business
7	and Career Solution Center within the state.
8	§2200. Board duties
9	A. The purpose of the local workforce investment development board is to
10	convene and align high-level stakeholders, enhance cooperative assessment of
11	workforce intelligence, and develop unified strategic planning and activities designed
12	to meet the region's current and future workforce needs. These strategic purposes
13	are in addition to the service delivery and partner system roles required in the
14	Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.) Innovation and
15	Opportunity Act of 2014, 29 U.S. C. 3101 et seq.
16	B. A board shall:
17	* * *
18	(20) Serve as a local workforce investment development board under the
19	Workforce Investment Act of 1998, 29 U.S.C. 2801 et seq. Innovation and
20	Opportunity Act of 2014, 29 U.S. C. 3101 et seq.
21	* * *
22	§2210. Incentives and waivers
23	* * *
24	B. To the extent feasible under federal and state workforce development law,
25	incentives include priority for discretionary funding, including financial incentives
26	for the consolidation of service delivery areas authorized under the federal
27	Workforce Investment Act Innovation and Opportunity Act of 2014, 29 U.S. C. 3101
28	et seq.

1	C. The commission shall \underline{may} use incentives to promote a demand driven
2	and regionally focused service delivery system.
3	* * *
4	<u>§2213. Conflict of laws</u>
5	In the event of any conflict of the provisions of this Chapter with federal laws
6	or regulations, the federal laws and regulations shall prevail.
7	Section 3. R.S. 46:261(D)(7) is hereby amended and reenacted to read as follows:
8	§261. Fatherhood first initiative; establishment
9	* * *
10	D. The membership of the council shall be appointed by the secretary and
11	shall include but not be limited to:
12	* * *
13	(7) One representative of a regional workforce investment development
14	board.
15	Section 4. R.S. 47:12(B)(1)(a)(iii) is hereby amended and reenacted to read as
16	follows:
17	§12. State low-income housing credit
18	* * *
19	B.(1) The amount of the credit allocated to any project shall be authorized
20	by the credit agency based on a project's need for the credit for economic feasibility.
21	(a) The low-income housing project shall meet all of the following
22	requirements:
23	* * *
24	(iii) It shall involve the education and training of the residents of the
25	low-income units for job opportunities identified by local workforce investment
26	development boards.
27	* * *
28	Section 5. R.S. 48:1604(A)(1)(e) and (2) are hereby amended and reenacted to read
29	as follows:

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29

§1604. Board of commissioners; membership, terms, vacancies
A.(1) The board of commissioners of the authority shall be composed of
seven members to be appointed in the following manner:
* * *
(e) One at-large member representing the local workforce investment
development board and appointed by a majority vote of the three parishes.
(2) Each commissioner must be domiciled within the parish from which he
is appointed, except for the one at-large member appointed by the governor and the
one at-large member representing the workforce investment development board, who
must be domiciled within the state.
* * *
Section 6. R.S. 51:1787(E) and 1807(D) are hereby amended and reenacted to read
as follows:
§1787. Incentives
* * *
E. The department, in cooperation with the Louisiana Workforce
Commission, may enter into agreements with employers located in either urban or
rural enterprise zones or in economic development zones under which the employers
may receive Workforce Investment Innovation Opportunity Act funds, to the extent
that these funds are received from the federal government.
* * *
§1807. Incentives
§1807. Incentives * * *
* * *
* * * D. The department, in cooperation with the Louisiana Workforce
* * * D. The department, in cooperation with the Louisiana Workforce Commission, may enter into agreements with employers located in urban

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1 Section 7. Chapter 11-A of Title 23 of the Louisiana Revised Statutes of 1950, 2 comprised of R.S. 23:1801 through 1809, Chapter 11-B of Title 23 of the Louisiana Revised 3 Statutes of 1950, comprised of R.S. 23:1821 through 1832, Chapter 11-C of Title 23 of the 4 Louisiana Revised Statutes of 1950, comprised of R.S. 23:1841 through 1846, Chapter 11-D 5 of Title 23 of the Louisiana Revised Statutes of 1950, comprised of R.S. 23:1851 through 6 1855, and Chapter 11-E of Title 23 of the Louisiana Revised Statutes of 1950, comprised of 7 R.S. 23:1861 through 1862, and R.S. 23:2193(C), 2196(E), and 2043(A)(9) are hereby 8 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 Engrossed 2015 Regular Session

Alfred Williams

Abstract: Provides relative to workforce development.

<u>Present law</u> 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.

<u>Present law</u> 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.

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

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

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

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

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

<u>Proposed law</u> repeals <u>present law</u> 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), 1853(B)(intro.para.) and (2), 1855, 1862(A)(intro.para.), 2042(intro.para.), (1), and (3), 2043(A)(intro. para.), (10), (11)(a) and (b)(xi), and (13)(a), and (D), 2044, 2046, 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), 2195, 2196(A) and (B), 2197(Section heading), 2200(A) and (B)(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, 2193(C), 2196(E), and 2043(A)(9))

Summary of Amendments Adopted by House

- The Committee Amendments Proposed by <u>House Committee on Labor and Industrial</u> <u>Relations</u> to the <u>original</u> bill:
- 1. Add technical changes.
- 2. Add more provisions of law to change references <u>from</u> the Workforce Investment Act to Workforce Investment Innovation and Opportunity Act, and <u>from</u> "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.

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4. Repeal <u>present law</u> 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.