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Date: (Filing No. S- )

**JOINT SELECT COMMITTEE ON MAINE'S WORKFORCE AND ECONOMIC FUTURE**

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**STATE OF MAINE  
SENATE  
126TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 554, L.D. 1489, Bill, “An Act To Address Maine's Immediate Workforce Needs”

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**'Sec. 1. 5 MRSA c. 383, sub-c. 2, art. 2-C** is enacted to read:

**ARTICLE 2-C**

**MAINE WORKFORCE OPPORTUNITIES PROGRAM**

**§13063-R. Maine Workforce Opportunities Program**

**1. Definitions.** As used in this article, unless the context otherwise indicates, the following terms have the following meanings.

- A. "Departments" means the Department of Economic and Community Development and the Department of Labor.
- B. "Fund" means the Maine Workforce Opportunities Marketing Fund established in subsection 5.
- C. "Program" means the Maine Workforce Opportunities Program established in subsection 2.
- D. "Qualified employee" means an employee qualified to participate in the program and listed in the qualified employee registry created pursuant to subsection 3.
- E. "Qualified employee registry" means the electronic registry that contains a list of qualified employees created pursuant to subsection 3.
- F. "Qualified employer" means an employer who has registered with the program in accordance with rules adopted under subsection 4.

**COMMITTEE AMENDMENT**

1           G. "Qualified employer registry" means the electronic registry that contains a list of  
2           qualified employers created pursuant to subsection 4.

3           **2. Program established.** The Maine Workforce Opportunities Program is  
4           established as a pilot project that seeks to match qualified employees with positions at  
5           companies in the State representing industries with significant unmet demand for skilled  
6           labor by promoting incentives, including a tax credit for an employee's education costs,  
7           when applicable, through the Job Creation Through Educational Opportunity Program  
8           established in Title 20-A, section 12542 and through other programs or initiatives  
9           operated by the State that seek to attract new employees to businesses in this State. The  
10           program is designed to achieve the following goals:

11           A. Promote economic opportunity and growth by providing an incentive to those  
12           individuals with certain skills and experience in occupations when there exists a  
13           demonstrable gap between the number of available jobs requiring those skills and  
14           experience and a smaller number of individuals willing and able to accept and  
15           succeed in those jobs;

16           B. Assist businesses by providing them with a registry of skilled and available  
17           individuals;

18           C. Offer incentives to individuals to pursue educational, training and retraining  
19           opportunities;

20           D. Keep individuals in the State through education tax credits and the opportunity to  
21           secure jobs in industries with significant demand; and

22           E. Provide immediate support for economic development in the State during a period  
23           during which comprehensive long-term workforce development solutions are  
24           implemented.

25           **3. Creation of qualified employee registry.** Working with the Maine Community  
26           College System, the University of Maine System, career centers, private postsecondary  
27           educational institutions, relevant trade associations and other entities as appropriate, the  
28           Department of Labor, in accordance with rules adopted by the departments, shall create  
29           an electronic registry of qualified employees.

30           The Department of Economic and Community Development shall manage the qualified  
31           employee registry and shall coordinate with the Department of Labor when supplying  
32           information from the qualified employee registry to qualified employers.

33           **4. Creation of qualified employer registry.** Working with employers, the  
34           Department of Labor, the Maine Community College System, the University of Maine  
35           System, private postsecondary educational institutions, relevant trade associations and  
36           other entities as appropriate, the Department of Economic and Community Development,  
37           in accordance with rules adopted by the departments, shall create an electronic registry of  
38           qualified employers.

39           The Department of Economic and Community Development shall manage the qualified  
40           employer registry and shall coordinate with the Department of Labor when supplying  
41           information from the qualified employer registry to qualified employees.

1           **5. Fund established.** The Maine Workforce Opportunities Marketing Fund is  
2 established to receive contributions from public and private entities.

3           A. Payments from the fund must be used solely for the purpose of financing the  
4 marketing and promotion of the program to prospective employees, employers and  
5 tourists visiting this State and to a national and international audience.

6           B. The Commissioner of Economic and Community Development shall administer  
7 the fund. The commissioner may adopt routine technical rules, as defined in chapter  
8 375, subchapter 2-A, to implement this subsection.

9           **6. Eligibility limited.** A qualified employee becomes ineligible for the program if:

10           A. The qualified employee leaves the employment of the qualified employer first  
11 employing the qualified employee;

12           B. The qualified employee is employed in a different position with a qualified  
13 employer; or

14           C. The qualified employee's qualified employer opts out of the program.

15           **7. Monitoring, evaluation and annual report.** For any year in which the program  
16 is funded, the departments shall use an independent nonpartisan reviewer to complete a  
17 comprehensive evaluation of the program, using both quantitative and qualitative data  
18 and including an analysis of the return on investment of the program. The evaluation  
19 must consider, at a minimum, the effectiveness of education tax credits as a catalyst for  
20 employment, the effect on employee productivity and performance and the impact on the  
21 demand for skilled workers in industries in the State. The evaluation must measure the  
22 results of the program over time, including a longitudinal analysis that captures  
23 productivity and other outcomes related to the program and a determination of the impact  
24 on the addition of net new jobs to the State. The departments shall jointly submit a report  
25 to the joint standing committee of the Legislature having jurisdiction over labor matters  
26 by February 1st of each year on the status of the program and on the evaluation data  
27 collected and analyzed.

28           **8. Rules.** The departments shall adopt rules to implement this article. Rules adopted  
29 pursuant to this subsection are routine technical rules as defined in chapter 375,  
30 subchapter 2-A.

31           **9. Insufficient funding.** Notwithstanding any other provision of this section, if the  
32 State does not receive sufficient funds to fund this program or if funds are deappropriated  
33 so as to result in insufficient funding, the State is not obligated to make payments under  
34 this program.

35           **10. Repeal.** This section is repealed March 31, 2021.

36           **Sec. 2. Marketing of Job Creation Through Educational Opportunity**  
37 **Program; report.** The Department of Economic and Community Development shall  
38 be the lead state agency in marketing to employers and employees the Job Creation  
39 Through Educational Opportunity Program established in the Maine Revised Statutes,  
40 Title 20-A, section 12542, as well as any other program or initiative funded in whole or in  
41 part by the State that provides incentives to attract new employees to businesses in  
42 Maine. The Commissioner of Economic and Community Development shall report on

1 the results of the marketing efforts required by this section by January 15, 2014 to the  
2 Joint Select Committee on Maine's Workforce and Economic Future and the Joint  
3 Standing Committee on Labor, Commerce, Research and Economic Development.  
4 Separately, the Commissioner of Economic and Community Development shall study  
5 what the effect would be of including reimbursement of a qualified employee's housing  
6 costs as an incentive through the Maine Workforce Opportunities Program established in  
7 Title 5, chapter 383, subchapter 2, article 2-C. The commissioner shall report to the joint  
8 select committee the results of this analysis and assessment by January 15, 2014.

9 **Sec. 3. Appropriations and allocations.** The following appropriations and  
10 allocations are made.

11 **ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF**  
12 **Electronic Monitoring Fund - State Board of Corrections N160**

13 Initiative: Provides funds to create and maintain qualified employee and employer  
14 registries and to market the Job Creation Through Educational Opportunity Program.

15	<b>GENERAL FUND</b>	<b>2013-14</b>	<b>2014-15</b>
16	All Other	\$175,000	\$50,000
17			
18	GENERAL FUND TOTAL	<u>\$175,000</u>	<u>\$50,000</u>
19			

20 **SUMMARY**

21 This amendment replaces the bill and does the following:

22 1. It changes the name of the program created under the bill from the Maine Skills  
23 Gap Program to the Maine Workforce Opportunities Program;

24 2. It requires the Department of Economic and Community Development, in  
25 coordination with the Department of Labor, to create and maintain qualified employee  
26 and employer registries;

27 3. It charges the Department of Economic and Community Development with  
28 leading the marketing efforts to employers and employees of the Job Creation Through  
29 Educational Opportunity Program, as well as all other existing incentive programs that  
30 are aimed at attracting new employees to Maine businesses;

31 4. It requires the Commissioner of Economic and Community Development to report  
32 to the Joint Select Committee on Maine's Workforce and Economic Future and the Joint  
33 Standing Committee on Labor, Commerce, Research and Economic Development on the  
34 results of the marketing effort no later than January 15, 2014. It also requires the  
35 commissioner to study what the effect would be of including reimbursement of a  
36 qualified employee's housing costs as an incentive; and

37 5. It adds an appropriations and allocations section.

38 **FISCAL NOTE REQUIRED**

39 (See attached)