

HOUSE CS FOR CS FOR SENATE BILL NO. 334(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 4/24/98
Referred: Finance

Sponsor(s): SENATE FINANCE COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to guidelines and standards for state training programs;
2 relating to the Alaska Human Resource Investment Council; extending the
3 termination date of the state training and employment program; and providing for
4 an effective date."

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 * **Section 1.** AS 44.19.620 is amended by adding a new subsection to read:

7 (c) A member of the council under (a) of this section may appoint a designee
8 to serve in place of the member named in (a) of this section. The member shall
9 appoint the designee in writing.

10 * **Sec. 2.** AS 44.19.621(a) is amended to read:

11 (a) Members of the Alaska Human Resource Investment Council other than
12 those listed in AS 44.19.620(a)(1) and (2) are appointed by the governor and serve at
13 the pleasure of the governor. **The governor may appoint one person to fill two or**
14 **more of the places listed in AS 44.19.620(a) if the person is qualified in all of the**

1 areas the person represents. A member appointed to fill more than one place
 2 under this subsection is entitled to only one vote and may appoint only one
 3 designee to replace the member in the event the member is unable to attend a
 4 meeting.

5 * **Sec. 3.** AS 44.19.622 is amended to read:

6 **Sec. 44.19.622. Compensation.** Members of the Alaska Human Resource
 7 Investment Council listed in or appointed under AS 44.19.620(a), **including a designee**
 8 **of a member attending in place of the member,** serve without compensation but are
 9 entitled to per diem and travel expenses authorized by law for boards and commissions
 10 under AS 39.20.180. Nonvoting members of the council appointed under
 11 AS 44.19.620(b) serve without compensation and are not entitled to per diem and
 12 travel expenses. **A commissioner appointed under AS 44.19.620(a)(2) or the**
 13 **commissioner's designee is entitled to per diem and travel expenses as a state**
 14 **employee.**

15 * **Sec. 4.** AS 44.19.623 is amended to read:

16 **Sec. 44.19.623. Officers.** The Alaska Human Resource Investment Council
 17 shall elect a chair **and a vice-chair** from among the members listed in or appointed
 18 under **AS 44.19.620(a)(5)** [AS 44.19.620(a) WHO ARE FROM THE PRIVATE
 19 SECTOR. THEY SHALL ALSO ELECT A VICE-CHAIR]. The chair and vice-chair
 20 serve in their positions at the pleasure of the council.

21 * **Sec. 5.** AS 44.19.624 is amended to read:

22 **Sec. 44.19.624. Meetings, quorum, and committees.** (a) The Alaska Human
 23 Resource Investment Council shall meet **not more than three times in a calendar**
 24 **year** at the call of the chair to conduct its business. A majority of the members listed
 25 in or appointed to the council under AS 44.19.620(a) constitutes a quorum.

26 (b) The council **shall establish an executive committee and four permanent**
 27 **standing committees as described in (c) - (g) of this section. The chair of a**
 28 **permanent standing committee must be from the private sector. The council** may
 29 establish **additional** standing **committees** and special committees or subcommittees,
 30 not necessarily consisting of council members, to advise and assist the council in
 31 carrying out its functions assigned by federal or state statute. **The permanent**

1 **standing committees are**

2 **(1) the assessment and evaluation committee;**

3 **(2) the policy and planning committee;**

4 **(3) the employment and placement committee; and**

5 **(4) the workforce readiness committee.**

6 * **Sec. 6.** AS 44.19.624 is amended by adding new subsections to read:

7 (c) The executive committee consists of the chair and vice-chair of the council,
8 the immediate past chair of the council, and the chairs of the four standing committees
9 described in (d) - (g) of this section. The executive committee has the duties and may
10 exercise the powers of the council between meetings of the council. The executive
11 committee shall

12 (1) report to the council in a timely fashion on actions taken on behalf
13 of the council; and

14 (2) supervise the affairs of the council between regular meetings of the
15 council.

16 (d) The assessment and evaluation committee shall

17 (1) assess and evaluate programs, initiatives, and the delivery of
18 services to help to ensure equitable distribution of quality education, training, and
19 employment services statewide, especially to rural areas and to programs serving
20 economically disadvantaged citizens;

21 (2) call for and monitor the workforce development system for
22 increased accountability in performance and continuous quality improvement along the
23 goals and strategies of the council's overall statewide strategic plan for workforce
24 development;

25 (3) use evaluation and performance measures to gauge customer
26 satisfaction within the workforce development system; and

27 (4) perform other duties assigned by the council.

28 (e) The policy and planning committee shall

29 (1) build policies regarding day-to-day operations and long-term
30 responsibilities of the council;

31 (2) work to increase awareness of the council and its mission

1 throughout the state;

2 (3) work with all other committees on a statewide strategic plan for
3 workforce development; and

4 (4) perform other duties assigned by the council.

5 (f) The employment and placement committee shall

6 (1) ensure the statewide strategic plan for workforce development
7 addresses

8 (A) customer needs at the local level;

9 (B) moving welfare recipients into the workforce;

10 (C) promoting the hiring of state residents in jobs that have
11 traditionally been filled by out-of-state workers;

12 (D) tailoring employment and training programs to suit state
13 business, industry, and economic development needs;

14 (2) monitor the coordination of service delivery to promote efficiency
15 and to prevent overlap of services among programs; and

16 (3) perform other duties assigned by the council.

17 (g) The workforce readiness committee shall

18 (1) provide oversight for training, education, and employment programs
19 to ensure the programs are delivering education and training that is relevant to local
20 market needs and the career goals of state residents;

21 (2) build partnerships between employers and quality workforce training
22 programs;

23 (3) work to connect the state public and private education systems with
24 business, government, and labor to ensure that state residents are receiving workforce
25 readiness skills throughout the education process; and

26 (4) perform other duties assigned by the council.

27 * **Sec. 7.** AS 44.19.626(b) is amended to read:

28 (b) The council shall

29 (1) facilitate the development of statewide policy for a coordinated and
30 effective employment training and education system in this state;

31 (2) identify the human resource investment needs in the state and

1 develop a plan to meet those needs;

2 (3) review the provision of services and the use of money and resources
3 by the human resource programs listed in AS 44.19.625;

4 (4) assume the duties and functions of the state councils described
5 under the laws relating to the federal human resource programs listed in AS 44.19.625;

6 (5) advise the governor, [AND] state and local agencies, **and the**
7 **University of Alaska** on the development of state and local standards and measures
8 relating to applicable human resource programs;

9 (6) submit, to the governor and the legislature, a biennial strategic plan
10 to accomplish the goals developed to meet human resource investment needs;

11 (7) monitor for the implementation and evaluate the effectiveness of the
12 strategic plan developed by the council;

13 **(8) adopt regulations that set standards for the percentage of a**
14 **grant that may be used for administrative costs; the regulations must clearly**
15 **identify and distinguish between expenses that may be included in administrative**
16 **costs and those that may not be included in administrative costs; the percentage**
17 **allowed for administrative costs may not exceed the lesser of 15 percent or the**
18 **amount permitted under the requirements of a federal program, if applicable;**

19 **(9) report annually to the legislature, by the 30th day of the regular**
20 **legislative session, on the performance and evaluation of training programs in the**
21 **state subject to review under (f) of this section;** and

22 **(10) identify ways for agencies operating programs subject to**
23 **oversight by the council to share resources, instructors, and curricula through**
24 **collaboration with other public and private entities to increase training**
25 **opportunities and reduce costs;**

26 **(11)** [(8)] adopt regulations under AS 44.62 (Administrative Procedure
27 Act) to carry out the purposes of AS 44.19.620 - 44.19.627.

28 * **Sec. 8.** AS 44.19.626 is amended by adding new subsections to read:

29 (d) The council shall provide oversight for employment-related education
30 training programs operated by the state or operated under contract with the state that
31 are described in (f) of this section. The council shall require a training program listed

1 in (f) of this section to meet the requirements of this subsection. The council shall,
2 by regulation, establish appropriate penalties for programs and individuals who fail to
3 meet the requirements of this subsection. The council may recommend to the
4 legislature changes to enhance the effectiveness of the training programs it oversees
5 under this section. A training program described in (f) of this section funded with
6 money appropriated by the legislature must

7 (1) meet the standards adopted by the council concerning the
8 percentage of a grant that may be spent on administrative costs;

9 (2) be operated by an institution that holds a valid authorization to
10 operate issued under AS 14.48 by the Alaska Commission on Postsecondary Education
11 if the program is a postsecondary educational program operated by a postsecondary
12 educational institution subject to regulation under AS 14.48;

13 (3) provide to the Department of Labor the information required by the
14 department for the preparation of the statistical information necessary for the council
15 to evaluate programs by the standards set out in (e) of this section.

16 (e) The council shall develop standards that encourage agencies to contract for
17 training programs that maximize the program's class size. The council shall adopt
18 standards for the evaluation of training programs listed in (f) of this section with
19 regard to the following:

20 (1) the percent of former participants who have a job one year after
21 leaving the training program;

22 (2) the median wage of former participants seven to 12 months after
23 leaving the program;

24 (3) the percent of former participants who were employed after leaving
25 the training program who received training under the program that was related to their
26 jobs or somewhat related to their jobs seven to 12 months after leaving the training
27 program;

28 (4) the percent of former participants of a training program who
29 indicate that they were satisfied with or somewhat satisfied with the overall quality of
30 the training program;

31 (5) the percent of employers who indicate that they were satisfied with

1 the quality of the work of new employees who had recently completed the training
2 program.

3 (f) The following training programs are subject to the provisions of (d) and (e)
4 of this section:

5 (1) in the Department of Community and Regional Affairs or operated
6 by the department:

7 (A) One Stop Career Center;

8 (B) Job Training Partnership Act programs, assisting
9 communities in moving toward a self-sustainable economy and providing
10 training;

11 (C) state training and employment program (AS 23.15.620),
12 providing training and employment services for people who are unemployed or
13 likely to become unemployed, fostering new jobs, and increasing training
14 opportunities for workers severely affected by fluctuations in the state economy
15 or adversely affected by technology advances in the workplace;

16 (2) in the Department of Education or operated by the department:

17 (A) employment-related adult basic education;

18 (B) School-to-Work;

19 (C) vocational education and Tech Prep;

20 (D) Alaska Career Information System;

21 (E) high school completion project;

22 (F) Kotzebue Technical Center;

23 (G) Alaska Vocational Technical Center;

24 (3) in the Department of Health and Social Services: Alaska
25 Temporary Assistance Program (ATAP);

26 (4) in the Department of Labor:

27 (A) unemployment insurance grants provided under the federal
28 training relocation assistance program;

29 (B) Alaska works programs, assisting with the welfare-to-work
30 program;

31 (C) state training employment program, coordinated with the

1 Department of Community and Regional Affairs.

2 (g) The council shall assess the programs listed in this subsection and make
3 recommendations to the legislature in its report required under (b)(9) of this section
4 about whether to include one or more of these programs under the requirements of (f)
5 of this section:

6 (1) in the Department of Community and Regional Affairs or operated
7 by the department:

8 (A) local government assistance training and development,
9 including the rural utility business advisory program;

10 (B) energy operations, providing training in management and
11 administration of electric utilities and bulk fuel storage systems;

12 (2) in the Department of Corrections:

13 (A) Correctional Academy, training individuals applying for a
14 correctional officer position;

15 (B) inmate programs, providing vocational technical training and
16 education courses for inmates preparing to be released from a correctional
17 facility;

18 (C) correctional industries program, providing inmates with jobs
19 while they are incarcerated;

20 (3) in the Department of Environmental Conservation:

21 (A) remote maintenance worker program, providing training and
22 technical assistance to communities to keep drinking water and sewage disposal
23 systems running, and providing on-the-job training to local operators;

24 (B) water and wastewater operator training and assistance;

25 (C) federal drinking water operator training and certification;

26 (4) in the Department of Military and Veterans' Affairs: educational
27 benefits for members of the Alaska National Guard and the Alaska Naval Militia;

28 (5) in the Department of Public Safety:

29 (A) fire service training to maintain emergency training skills
30 for existing fire fighter staff and volunteers and individuals interested in
31 becoming fire fighters;

1 (B) Public Safety Training Academy, training trooper recruits;

2 (6) in the Department of Transportation and Public Facilities:

3 (A) engineer-in-training program, providing on-the-job training
4 for apprentice engineers to enable them to gain the experience necessary to be
5 certified;

6 (B) statewide transportation improvement program, offered by
7 the United States National Highway Institute;

8 (C) local technical assistance program, transferring technical
9 expertise to local governments;

10 (D) Native technical assistance program, transferring technical
11 expertise to Native governments;

12 (E) border technology exchange program, to coordinate highway
13 issues with the Yukon Territory;

14 (7) in the Department of Education: vocational rehabilitation client
15 services and special work projects;

16 (8) in the Department of Labor: employment services, including job
17 development, assisting individuals in finding employment, and assisting employed
18 individuals in finding other employment;

19 (9) in the Department of Administration: Alaska Professional
20 Development Institute, providing continuing education and training for employed
21 workers.

22 (h) The University of Alaska shall evaluate the performance of its training
23 programs using the standards set out in (e) of this section and shall provide a report
24 on the results to the council for inclusion in the council's annual report to the
25 legislature.

26 (i) The council shall review each program listed in (f) of this section to
27 determine whether it is in compliance with the standards set out in (d) and (e) of this
28 section. If the council finds that a program has failed to comply with the standards
29 set out in (d) and (e) of this section, it shall notify the program director of the failure.
30 If the program director fails to improve the performance of the program within a
31 reasonable time, the council shall notify the governor and the legislative budget and

1 audit committee that the program is out of compliance. A contract entered into by a
 2 state agency relating to a training program set out in (f) of this section must contain
 3 terms consistent with this section.

4 (j) A department that operates or contracts for a training program listed in (f)
 5 of this section shall pay to the council a management assessment fee not to exceed .75
 6 percent of the program's annual operating budget. The total amount received as
 7 management assessment fees may not exceed the council's authorized budget for the
 8 fiscal year. The council shall, by regulation, establish a method to determine annually
 9 the amount of the management assessment fee. If the amount the council expects to
 10 collect under this subsection exceeds the authorized budget of the council, the council
 11 shall reduce the percentages set out in this subsection so that the total amount of the
 12 fees collected approximately equals the authorized budget of the council for the fiscal
 13 year. The council shall adopt regulations under AS 44.62 (Administrative Procedure
 14 Act) necessary to administer this subsection.

15 (k) Upon the enactment of a new federal or state program relating to work
 16 force development, the council shall

17 (1) advise the governor and the legislature on whether the council
 18 should provide oversight for the new program under this section; and

19 (2) make recommendations necessary to streamline and coordinate state
 20 efforts to meet the guidelines of the new program.

21 (l) For purposes of this section, "program"

22 (1) does not refer to the overall activities of an individual institution
 23 or individual fields of study or courses that are not associated with programs for which
 24 the council has oversight responsibility;

25 (2) may include a certificate or associate degree course or a course that
 26 is not for credit, whether it is offered by a public or private institute or contracted for
 27 by the private sector, so long as it is related to employment.

28 * **Sec. 9.** Section 6, ch. 116, SLA 1996, is amended to read:

29 Sec. 6. AS 23.15.620, 23.15.625, 23.15.630, 23.15.635, 23.15.640, 23.15.645,
 30 23.15.651, and 23.15.660 are repealed June 30, **2002** [1998].

31 * **Sec. 10.** TRANSITION. Notwithstanding the requirement in AS 44.19.623, as amended

1 by sec. 4 of this Act, that the chair and the vice chair of the council be members of the
2 council appointed under AS 44.19.620(a)(5), a member who is serving as chair or vice chair
3 of the council on the day before the effective date of this Act may continue to serve in that
4 capacity until the expiration of the member's term of office. However, if the vice-chair is a
5 commissioner of a department of state government, the office becomes vacant on the effective
6 date of this Act and the council shall elect a vice chair who meets the requirements of
7 AS 44.19.623, as amended by sec. 4 of this Act.

8 * **Sec. 11.** This Act takes effect immediately under AS 01.10.070(c).