

SECOND REGULAR SESSION

SENATE BILL NO. 1196

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR HENDERSON.

5629S.011

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 620.511, 620.512, and 620.513, RSMo, and to enact in lieu thereof four new sections relating to grants for certain workforce training programs.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 620.511, 620.512, and 620.513, RSMo,
2 are repealed and four new sections enacted in lieu thereof, to
3 be known as sections 620.511, 620.512, 620.513, and 620.514, to
4 read as follows:

620.511. 1. There is hereby established the "Missouri
2 Workforce Development Board", formerly known as the Missouri
3 workforce investment board, and hereinafter referred to as
4 "the board" in sections 620.511 to [620.513] **620.514**.

5 2. The purpose of the board is to provide workforce
6 investment activities, through statewide and local workforce
7 investment systems, that increase the employment, retention,
8 and earnings of participants, and increase occupational
9 skill attainment by participants, and, as a result, improve
10 the quality of the workforce, reduce welfare dependency, and
11 enhance the productivity and competitiveness of the state of
12 Missouri. The board shall be the state's advisory board
13 pertaining to workforce preparation policy.

14 3. The board shall meet the requirements of the
15 federal Workforce Innovation and Opportunity Act,
16 hereinafter referred to as the "WIOA", P.L. 113-128, as

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 amended. Should another federal law supplant the WIOA, all
18 references in sections 620.511 to [620.513] **620.514** to the
19 WIOA shall apply as well to the new federal law.

20 4. Composition of the board shall comply with the
21 WIOA. Board members appointed by the governor shall be
22 subject to the advice and consent of the senate. Consistent
23 with the requirements of the WIOA, the governor shall
24 designate one member of the board to be its chairperson.

25 5. Each member of the board shall serve for a term of
26 four years, subject to the pleasure of the governor, and
27 until a successor is duly appointed. In the event of a
28 vacancy on the board, the vacancy shall be filled in the
29 same manner as the original appointment and said replacement
30 shall serve the remainder of the original appointee's
31 unexpired term.

32 6. Of the members initially appointed to the WIOA,
33 formerly known as the WIA, board, one-fourth shall be
34 appointed for a term of four years, one-fourth shall be
35 appointed for a term of three years, one-fourth shall be
36 appointed for a term of two years, and one-fourth shall be
37 appointed for a term of one year.

38 7. WIOA board members shall receive no compensation,
39 but shall be reimbursed for all necessary expenses actually
40 incurred in the performance of their duties.

41 8. The department may include on its website a list of
42 the names of the members of the board, including the names
43 of members of local workforce development boards, along with
44 information on how to contact such boards.

620.512. 1. The board shall establish bylaws
2 governing its organization, operation, and procedure
3 consistent with sections 620.511 to [620.513] **620.514**, and
4 consistent with the WIOA.

5 2. The board shall meet at least four times each year
6 at the call of the chairperson.

7 3. In order to assure objective management and
8 oversight, the board shall not operate programs or provide
9 services directly to eligible participants, but shall exist
10 solely to plan, coordinate, and monitor the provisions of
11 such programs and services. A member of the board may not
12 vote on a matter under consideration by the board that
13 regards the provision of services by the member or by an
14 entity that the member represents or would provide direct
15 financial benefit to the member or the immediate family of
16 the member. A member of the board may not engage in any
17 other activity determined by the governor to constitute a
18 conflict of interest.

19 4. The composition and the roles and responsibilities
20 of the board membership may be amended to comply with any
21 succeeding federal or state legislative or regulatory
22 requirements governing workforce investment activities,
23 except that the procedure for such change shall be outlined
24 in state rules and regulations and adopted in the bylaws of
25 the board.

26 5. The department of economic development shall
27 provide professional, technical, and clerical staff for the
28 board.

29 6. The board may promulgate any rules and regulations
30 necessary to administer the provisions of sections 620.511
31 to **[620.513] 620.514**. Any rule or portion of a rule, as
32 that term is defined in section 536.010, that is created
33 under the authority delegated in this section shall become
34 effective only if it complies with and is subject to all of
35 the provisions of chapter 536 and, if applicable, section
36 536.028. This section and chapter 536 are nonseverable and

if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

620.513. 1. The board shall assist the governor with the functions described in Section 101(d) of the WIOA, 29 U.S.C. Section 311d, and any regulations issued pursuant to the WIOA.

2. The board shall submit an annual report of its activities to the governor, the speaker of the house of representatives, and the president pro tem of the senate no later than January thirty-first of each year.

3. Nothing in sections 620.511 to [620.513] **620.514** shall be construed to require or allow the board to assume or supersede the statutory authority granted to, or impose any duties or requirements on, the state coordinating board for higher education, the governing boards of the state's public colleges and universities, the state board of education, or any local educational agencies.

620.514. 1. For the purposes of this section, the following terms shall mean:

(1) "Eligible workforce training programs", programs that meet applicable requirements in Section 83002 of Pub. L. 119-21;

(2) "High-skill industry sectors or occupations", sectors or occupations requiring postsecondary education, experience, or training beyond a high school diploma;

(3) "High-wage industry sectors or occupations", sectors or occupations with earnings above one hundred fifty percent of the federal poverty level for individual earners;

12 (4) "In-demand industry sectors or occupations",
13 sectors or occupations identified in state, regional, or
14 local workforce development or labor market projections as
15 growing, emerging, or having projected shortages or hiring
16 demand.

17 2. The governor shall, in consultation with the board,
18 approve eligible workforce training programs for eligibility
19 for federal workforce Pell grants if they satisfy at least
20 one of the following criteria:

21 (1) The program prepares students for a high-skill
22 industry sector or occupation;

23 (2) The program prepares students for a high-wage
24 industry sector or occupation; or

25 (3) The program prepares students for an in-demand
26 industry sector or occupation.

27 3. The board shall:

28 (1) Establish by rule a process for institutions and
29 programs to apply for approval for workforce Pell grants and
30 to appeal denials;

31 (2) Coordinate approval of eligible workforce training
32 programs with other state and federal workforce programs,
33 including the Workforce Innovation and Opportunity Act under
34 29 U.S.C. Section 3101, et seq., and the Carl D. Perkins
35 Career and Technical Education Act under 20 U.S.C. Section
36 2301, et seq.; and

37 (3) Require eligible workforce training programs to
38 provide verifiable data, as determined by the board,
39 demonstrating program outcomes, including completion rates,
40 job placement rates, and earnings.

41 4. The provisions of this section shall be consistent
42 with applicable federal rules governing the workforce Pell
43 grant program established in Section 83002 of Pub. L. 119-

44 21. If any provision of this section is found to conflict
45 with federal law or regulation, the federal requirement
46 shall govern.

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