

HOUSE COMMITTEE AMENDMENTS

2015 Regular Session

Amendments proposed by House Committee on Labor and Industrial Relations to Original House Bill No. 741 by Representative Alfred Williams

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact" delete the remainder of the line and delete lines 3 through
3 10 in their entirety and insert the following:

4 "R.S. 17:2930(B), R.S. 23:6(9) through (11), 19, 20, 34(A), (C), (E) through (G), 71(C),
5 76(C)(1) and (11), 1853(B)(introductory paragraph) and (2), 1855, 1862(A)(introductory
6 paragraph), 2042(introductory paragraph), (1), and (3), 2043(A)(introductory paragraph),
7 (10), (11)(a) and (b)(xi), and (13)(a), and (D), 2044, 2046, 2061(introductory paragraph), (2)
8 and (3), 2063(A)(1) and (B), 2065(A)(4), (7), and (8), 2091(A)(introductory paragraph) and
9 (1), the heading of Part V of Chapter 14 of Title 23 of the Louisiana Revised Statutes of
10 1950, R.S. 23:2191, 2192(A) and (C), 2193(A), (B), and (D), 2194(A), 2195, 2196(A) and
11 (B), 2197(Section heading), 2199(D), 2200(A) and (B)(12) and (20), 2210(B) and (C), R.S.
12 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
13 1807(D); to enact R.S. 23:2199(D) and 2213; and to repeal Chapter 11-A of Title 23 of the
14 Louisiana Revised Statutes of 1950, comprised of R.S. 23:1801 through 1809, Chapter 11-B
15 of Title 23 of the Louisiana Revised Statutes of 1950, comprised of R.S. 23:1821 through
16 1832, Chapter 11-C of Title 23 of the Louisiana Revised Statutes of 1950, comprised of R.S.
17 23:1841 through 1846, Chapter 11-D of Title 23 of the Louisiana Revised Statutes of 1950,
18 comprised of R.S. 23:1851 through 1855, and Chapter 11-E of Title 23 of the Louisiana
19 Revised Statutes of 1950, comprised of R.S. 23:1861 through 1862, 2193(C), 2196(E), and
20 2043(A)(9), relative to workplace"

21 AMENDMENT NO. 2

22 On page 1, between lines 16 and 17, insert the following:

23 "Section 1. R.S. 17:2930(B) is hereby amended and reenacted to read as follows:
24 §2930. Collaboration with business and industry; coordination with
25 workforce needs
26 * * *
27 B. Every city, parish, and other local public school board shall convene
28 biannual public meetings with representatives of career and technical education
29 advisory committees, local workforce ~~investment~~ development boards, and colleges
30 and universities in their region to discuss regional workforce needs and the
31 educational, training, and work-based learning opportunities that should be provided
32 to students to meet both individual and workforce needs.
33 * * *"

34 AMENDMENT NO. 3

35 On page 1, delete lines 17 through 20 in their entirety and on page 2, delete lines 1 through
36 4 in their entirety and insert the following:

37 "Section 2. R.S. 23:6(9) through (11), 19, 20, 34(A), (C), (E) through (G), 71(C),
38 76(C)(1) and (11), 1853(B)(introductory paragraph) and (2), 1855, 1862(A)(introductory
39 paragraph), 2042(introductory paragraph), (1), and (3), 2043(A)(introductory paragraph),
40 (10), (11)(a) and (b)(xi), and (13)(a), and (D), 2044, 2046, 2061(introductory paragraph), (2),
41 and (3), 2063(A)(1) and (B), 2065(A)(4), (7), and (8), 2091(A)(introductory paragraph) and
42 (1), the heading of Part V of Chapter 14 of Title 23 of the Louisiana Revised Statutes of
43 1950, R.S. 23:2191, 2192(A) and (C), 2193(A), (B), and (D), 2194, 2195, 2196(A) and (B),

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1 2197(Section heading), 2199, 2200(A) and (B)(12) and (20), 2210(B) and (C) are hereby
2 amended and reenacted and R.S. 23:2199(D), and 2213 are hereby enacted to read as
3 follows:

4 §6. Powers and duties

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

7 * * *

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

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

12 (11) Provide training and professional development services for the office
13 of workforce development staff, local workforce investment development boards,
14 and the staff of those boards.

15 * * *

16 §19. Delegation of functions

17 The executive director shall, to the extent allowed under state or federal law,
18 delegate all or part of the administration of a program integrated pursuant to R.S.
19 23:17 that is eligible for ~~block grant~~ funding to a local workforce investment
20 development board in an area in which a board has been certified and a local plan
21 approved by the governor, or to another appropriate state or local entity in an area
22 in which a local workforce investment development board has not been certified and
23 a local plan approved by the governor.

24 §20. State and local planning process; local workforce investment development
25 boards

26 The executive director shall design and implement a state and local planning
27 process for workforce training and services, including the certification of
28 business/career solution centers and the chartering of local workforce investment
29 development boards, provided through the programs under the jurisdiction of the
30 office of workforce development.

31 * * *

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

33 A. The commission shall provide to the local workforce development areas
34 in which local workforce investment development boards have been certified and
35 local plans approved by the governor, through a ~~block grant~~ formula allocation
36 process, funds available to the commission for workforce training and employment
37 services, unless superseded by federal law. Administrative costs ~~under~~ pursuant to
38 this Subsection may not exceed ten percent of the total amount of funds available to
39 the commission for block grants to carry out local workforce investment
40 development activities unless authorized by ~~federal~~ any other law, regulation, or
41 waiver.

42 * * *

43 C. In the case of funds that are allocated to this state or regions of this state
44 through the application of established formulas, the commission shall allocate
45 amounts across the state using the same formula that was used to provide the funds
46 to the state or that region unless an alternate formula is authorized pursuant to the
47 Workforce ~~Investment Act~~ Innovation and Opportunity Act of 2014, 29 U.S.C. 3101
48 et seq, related regulations, or the laws or regulations governing the particular funding
49 source.

50 * * *

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

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

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

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1 F. Unless required pursuant to Section 134(a)(2) of the Workforce
2 ~~Investment Act~~ Innovation and Opportunity Act of 2014, 29 U.S.C. 3101 et seq., or
3 unless superseded by other state or federal law, at least ~~eighty~~ eighty-five percent of
4 the funds available to the commission for adult and youth workforce training and
5 services and at least sixty percent for dislocated worker training and services in an
6 area shall be provided to the local workforce ~~investment~~ development board ~~under~~
7 pursuant to Subsection A of this Section, or in an area in which a local workforce
8 ~~investment~~ development board has not been certified and a local plan approved by
9 the governor, to the entity specified by the executive director ~~under~~ pursuant to
10 Subsection E of this Section.

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

19 * * *

20 §71. Legislative intent and public policy

21 * * *

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

27 * * *

28 §76. Forecasting

29 * * *

30 C.(1) For the purpose of projecting job growth and demand, the
31 Occupational Forecasting Conference is hereby established as a committee of the
32 council. The conference shall develop ~~such~~ official information ~~with respect to~~
33 regarding the statewide and regional workforce development needs of current, new,
34 and emerging industries as the council determines is necessary for both state and
35 regional workforce development system planning processes and state planning and
36 budgeting. ~~Such~~ The information, using quantitative and qualitative research
37 methods, shall include at least short-term and long-term forecasts of employment
38 demand for jobs by occupation and industry; entry and average wage forecasts for
39 those occupations; and estimates of the supply of trained and qualified individuals
40 available for employment in those occupations, with special focus upon those
41 occupations and industries which require high skills and have high entry wages and
42 previous experience wage levels. In the development of workforce estimates, the
43 conference shall use, to the fullest extent possible, local occupational and workforce
44 forecasts and estimates.

45 * * *

46 (11) A principal may invite a ~~participant to participate~~ participation in the
47 conference. ~~In such an event,~~ Before or during any session of the conference, a
48 participant shall, ~~at the request of any principal before or during any session of the~~
49 ~~conference,~~ develop alternative forecasts, collect and supply data, perform analyses,
50 or provide other information needed by the conference if asked to do so by the
51 principal. The conference shall consider information provided by participants in
52 developing its official information. However, ~~with regard to input regarding the~~
53 ~~state's eight regional labor market areas,~~ the council shall accept and take into
54 account information regarding the eight regional labor market areas from local
55 workforce ~~investment~~ development boards only when offered and presented to the
56 council jointly, as regional input, by all of the local boards within the region.
57 ~~Regional forecasting shall not take into account input from local boards that is not~~
58 ~~presented to the council jointly by all of the boards in a region.~~ Input from local
59 boards that is not presented jointly to the council will not be considered.

1 * * *"
 2 AMENDMENT NO. 4

3 On page 3, line 14, change "thirty-three" to "fifty-three"

4 AMENDMENT NO. 5

5 On page 3, delete lines 16 through 29 in their entirety and on page 4, delete lines 1 through
 6 10 in their entirety and insert the following:

7 " (10) ~~One member appointed by the governor who is a chief executive~~
 8 ~~officer of a community-based organization.~~ One member appointed by the governor
 9 who is a chief executive officer of a community-based organization"

10 AMENDMENT NO. 6

11 On page 4, line 11, change "Seventeen" to "Twenty-seven"

12 AMENDMENT NO. 7

13 On page 4, line 20, change "Seven" to "Fourteen"

14 AMENDMENT NO. 8

15 On page 4, between lines 22 and 23, insert the following:

16 * * *
 17 (13)(a) ~~Four~~ Eleven members representing organized labor appointed by the
 18 governor from among ~~six~~ nominees submitted by the Louisiana AFL-CIO including
 19 representatives of labor organizations and at least one member of a labor
 20 organization or a training director from a joint labor management registered
 21 apprenticeship program within the state. Following the initial ~~four~~ eleven
 22 appointments pursuant to R.S. 23:2046(A), any vacancies that occur for these ~~four~~
 23 positions shall be filled from a list of ~~three~~ nine nominees submitted by the Louisiana
 24 AFL-CIO.
 25 * * *"

26 AMENDMENT NO. 9

27 On page 5, line 8, change "eight" to "fourteen"

28 AMENDMENT NO. 10

29 On page 5, line 9, delete "nine" and insert "fourteen"

30 AMENDMENT NO. 11

31 On page 5, line 10, delete "nine" and insert "thirteen"

32 AMENDMENT NO. 12

33 On page 5, delete lines 16 through 18 in their entirety and insert the following:

34 "B. The term of a member serving on the council pursuant to R.S.
 35 23:2043(A)(1), (2), (3), (4), (5), (6), (7), (8), ~~(9)~~, and (14) shall be concurrent with
 36 his service in such official capacity.

37 * * *
 38 §2048. Removal of members

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

5 AMENDMENT NO. 13

6 On page 9, between lines 15 and 16, insert a set of asterisks "****"

7 AMENDMENT NO. 14

8 On page 9, delete lines 21 through 29 in their entirety and insert the following:

9 §2195. Certification of boards
10 ~~A. The commission shall charter boards that meet chartering requirements~~
11 ~~established by the commission, and each board shall be chartered no later than~~
12 ~~January 1, 2009, unless an extension is granted by the commission for good cause~~
13 ~~shown.~~
14 B. The governor shall certify a board on determining that the board's
15 composition is consistent with applicable federal and state laws and requirements.
16 The governor shall certify or deny certification not later than the thirtieth day
17 following the date that a certification request is submitted to the governor."

18 AMENDMENT NO. 15

19 On page 12, delete lines 9 through 11 in their entirety and insert the following:

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

25 AMENDMENT NO. 16

26 On page 13, between lines 3 and 4, insert the following:

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

29 AMENDMENT NO. 17

30 On page 13, delete lines 5 and 6 in their entirety, and insert the following:

31 "§2213. Conflict of laws
32 In the event of any conflict of the provisions of this Chapter with federal laws
33 or regulations, the federal laws and regulations shall prevail.

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

35 §261. Fatherhood first initiative; establishment
36 * * *
37 D. The membership of the council shall be appointed by the secretary and
38 shall include but not be limited to:
39 * * *
40 (7) One representative of a regional workforce investment development
41 board.

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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:

29 §1787. Incentives

30 * * *

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

36 * * *

37 §1807. Incentives

38 * * *

39 D. The department, in cooperation with the Louisiana Workforce
40 Commission, may enter into agreements with employers located in urban
41 revitalization zones under which the employers may receive Workforce ~~Investment~~
42 Innovation Opportunity Act funds, to the extent that these funds are received from
43 the federal government.

44 * * *

45 Section 7. Chapter 11-A of Title 23 of the Louisiana Revised Statutes of 1950,
46 comprised of R.S. 23:1801 through 1809, Chapter 11-B of Title 23 of the Louisiana Revised
47 Statutes of 1950, comprised of R.S. 23:1821 through 1832, Chapter 11-C of Title 23 of the
48 Louisiana Revised Statutes of 1950, comprised of R.S. 23:1841 through 1846, Chapter 11-D
49 of Title 23 of the Louisiana Revised Statutes of 1950, comprised of R.S. 23:1851 through
50 1855, and Chapter 11-E of Title 23 of the Louisiana Revised Statutes of 1950, comprised of
51 R.S. 23:1861 through 1862, and R.S. 23:2193(C), 2196(E), and 2043(A)(9) are hereby
52 repealed in their entirety."

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