

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2585
103RD GENERAL ASSEMBLY

6007H.03C

JOSEPH ENGLER, Chief Clerk

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Section A. Sections 620.511, 620.512, and 620.513, RSMo, are repealed and four
2 new sections enacted in lieu thereof, to be known as sections 173.2570, 173.2571, 173.2572,
3 and 173.2573, to read as follows:

~~[620.511.]~~ **173.2570.** 1. There is hereby established the "Missouri Workforce
2 Development Board", formerly known as the Missouri workforce investment board, and
3 hereinafter referred to as "the board" in sections ~~[620.511 to 620.513]~~ **173.2570 to 173.2573.**

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

10 3. The board shall meet the requirements of the federal Workforce Innovation and
11 Opportunity Act, hereinafter referred to as the "WIOA", P.L. 113-128, as amended. Should
12 another federal law supplant the WIOA, all references in sections ~~[620.511 to 620.513]~~
13 **173.2570 to 173.2573** to the WIOA shall apply as well to the new federal law.

14 4. Composition of the board shall comply with the WIOA. Board members appointed
15 by the governor shall be subject to the advice and consent of the senate. Consistent with the
16 requirements of the WIOA, the governor shall designate one member of the board to be its
17 chairperson.

EXPLANATION — Matter enclosed in bold-faced brackets ~~[thus]~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

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

22 6. Of the members initially appointed to the WIOA, formerly known as the WIA,
23 board, one-fourth shall be appointed for a term of four years, one-fourth shall be appointed for
24 a term of three years, one-fourth shall be appointed for a term of two years, and one-fourth
25 shall be appointed for a term of one year.

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

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

~~[620.512.]~~ **173.2571.** 1. The board shall establish bylaws governing its organization,
2 operation, and procedure consistent with sections ~~[620.511 to 620.513]~~ **173.2570 to**
3 **173.2573**, and consistent with the WIOA.

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

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

13 4. The composition and the roles and responsibilities of the board membership may
14 be amended to comply with any succeeding federal or state legislative or regulatory
15 requirements governing workforce investment activities, except that the procedure for such
16 change shall be outlined in state rules and regulations and adopted in the bylaws of the board.

17 5. The department of ~~[economie]~~ **higher education and workforce** development,
18 **office of workforce development**, shall provide professional, technical, and clerical staff for
19 the board.

20 6. The board may promulgate any rules and regulations necessary to administer the
21 provisions of sections ~~[620.511 to 620.513]~~ **173.2570 to 173.2573**. Any rule or portion of a
22 rule, as that term is defined in section 536.010, that is created under the authority delegated in
23 this section shall become effective only if it complies with and is subject to all of the
24 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536

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

~~[620.513.]~~ **173.2572.** 1. The board shall assist the governor with the functions
2 described in Section 101(d) of the WIOA, 29 U.S.C. Section ~~[311d]~~ **3111(d)**, and any
3 regulations issued pursuant to the WIOA.

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

7 3. Nothing in sections ~~[620.511 to 620.513]~~ **173.2570 to 173.2573** shall be construed
8 to require or allow the board to assume or supersede the statutory authority granted to, or
9 impose any duties or requirements on, the state coordinating board for higher education, the
10 governing boards of the state's public colleges and universities, the state board of education,
11 or any local educational agencies.

173.2573. 1. For the purposes of this section, the following terms shall mean:

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

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

7 **(3) "High-wage industry sectors or occupations", industry sectors or**
8 **occupations identified as high wage by the department of higher education and**
9 **workforce development in consultation with the state workforce development board;**

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

13 2. The governor may, in consultation with the board, approve eligible workforce
14 training programs for participation in the federal workforce Pell Grant Program if they
15 satisfy the following criteria:

16 **(1) The program prepares students for a high-skill industry sector or**
17 **occupation;**

18 **(2) The program prepares students for a high-wage industry sector or**
19 **occupation;**

20 **(3) The program prepares students for an in-demand industry sector or**
21 **occupation; and**

22 **(4) The program satisfies other eligibility provisions requiring gubernatorial**
23 **approval by federal statute or regulation.**

24 **3. The board shall coordinate approval of eligible workforce training programs**
25 **with other state and federal workforce programs, including the Workforce Innovation**
26 **and Opportunity Act under 29 U.S.C. Section 3101 et seq., and the Carl D. Perkins**
27 **Career and Technical Education Act under 20 U.S.C. Section 2301 et seq.**

28 **4. The coordinating board for higher education shall:**

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

31 **(2) Require eligible workforce training programs to provide verifiable data, as**
32 **determined by the board, demonstrating program outcomes, including completion**
33 **rates, job placement rates, and earnings of individuals who have completed the**
34 **program.**

35 **5. The provisions of this section shall be consistent with applicable federal rules**
36 **governing the workforce Pell grant program established in Section 83002 of Pub. L. 119-**

37 **21. If any provision of this section is found to conflict with federal law or regulation, the**
38 **federal requirement shall govern.**

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