

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Commerce and Economic Development to which was  
3 referred House Bill No. 707 entitled “An act relating to revising the delivery  
4 and governance of the Vermont workforce system” respectfully reports that it  
5 has considered the same and recommends that the bill be amended by striking  
6 out all after the enacting clause and inserting in lieu thereof the following:

7 Sec. 1. 10 V.S.A. chapter 22A is amended to read:

8 CHAPTER 22A. WORKFORCE EDUCATION AND TRAINING

9 \* \* \*

10 § 541a. STATE WORKFORCE DEVELOPMENT BOARD

11 \* \* \*

12 (c) Membership. The Board shall consist of the Governor and the  
13 following members who are appointed by the Governor and serve at the  
14 Governor’s pleasure unless otherwise indicated, in conformance with the  
15 federal Workforce Innovation and Opportunity Act ~~and who serve at his or her~~  
16 ~~pleasure, unless otherwise indicated:~~ (WIOA), and who shall be selected from  
17 diverse backgrounds to represent the interests of ethnic and diverse  
18 communities and represent diverse regions of the State, including urban, rural,  
19 and suburban areas:

20 (1) ~~the Commissioner of Labor;~~

1           ~~(2) two members~~ one member of the Vermont House of Representatives,  
2 appointed by the Speaker of the House;

3           ~~(3)(2) two members~~ one member of the Vermont Senate, appointed by  
4 the Senate Committee on Committees;

5           ~~(4) the President of the University of Vermont;~~

6           ~~(5) the Chancellor of the Vermont State Colleges;~~

7           ~~(6) the President of the Vermont Student Assistance Corporation;~~

8           ~~(7) a representative of an independent Vermont college or university;~~

9           ~~(8) a director of a regional technical center;~~

10          ~~(9) a principal of a Vermont high school;~~

11          ~~(10) two representatives of labor organizations who have been~~  
12 ~~nominated by a State labor federation;~~

13          ~~(11)(3) two~~ four members that are core program representatives of  
14 ~~individuals and organizations who have experience with respect to youth~~  
15 ~~activities, as defined in 29 U.S.C. § 3102(71);, as follows:~~

16           (A) the Commissioner of Labor, or designee, for the Adult,  
17 Dislocated Worker, and Youth program and Wagner-Peyser;

18           (B) the Secretary of Education, or designee, for the Adult Education  
19 and Family Literacy Act program;

20           (C) the Secretary of Human Services, or designee, for the Vocational  
21 Rehabilitation program; and

1 (D) the Secretary of Commerce and Community Development or  
2 designee.

3 ~~(12)(4) two six~~ workforce representatives of individuals and  
4 organizations who have experience in the delivery of workforce investment  
5 activities, as defined in 29 U.S.C. § 3102(68);, as follows:

6 (A) two representatives from labor organizations operating in this  
7 State who are nominated by a State labor federation;

8 (B) one representative from a State registered apprenticeship  
9 program; and

10 (C) three representatives of organizations that have demonstrated  
11 experience and expertise in addressing the employment, training, or education  
12 needs of individuals with barriers to employment, which may include:

13 (i) organizations that serve veterans;

14 (ii) organizations that provide or support competitive, integrated  
15 employment for individuals with disabilities;

16 (iii) organizations that support the training or education needs of  
17 eligible youth as described in 20 CFR § 681.200, including representatives of  
18 organizations that serve out-of-school youth as described in 20 CFR § 681.210;  
19 and

20 (iv) organizations that connect volunteers in national or State  
21 service programs to the workforce.

1           ~~(13) the lead State agency officials with responsibility for the programs~~  
2           ~~and activities carried out by one-stop partners, as described in 29 U.S.C. §~~  
3           ~~3151(b), or if no official has that responsibility, representatives in the State~~  
4           ~~with responsibility relating to these programs and activities;~~

5           ~~(14) the Commissioner of Economic Development;~~

6           ~~(15) the Secretary of Commerce and Community Development;~~

7           ~~(16) the Secretary of Human Services;~~

8           ~~(17) the Secretary of Education;~~

9           ~~(18) two individuals who have experience in, and can speak for, the~~  
10          ~~training needs of underemployed and unemployed Vermonters; and~~

11          (5) two elected local government officials who represent a **city or town**  
12          **within different regions of** the State; and

13          ~~(19)(6) a number of appointees sufficient to constitute a majority of the~~  
14          ~~Board 13 business representatives who:~~

15                 (A) are owners, chief executives, or operating officers of businesses,  
16          and **including nonprofits, or** other business executives ~~or employers~~ with  
17          optimum policymaking or hiring authority, with at least one member  
18          representing a small business as defined by the U.S. Small Business  
19          Administration;

20                 (B) represent businesses with employment opportunities that reflect  
21          in-demand sectors and employment opportunities in the State; and

1 (C) are appointed from among individuals nominated by State  
2 business organizations and business trade associations.

3 (d) Operation of Board.

4 (1) Executive Committee.

5 (A) Creation. There is created an Executive Committee that shall  
6 manage the affairs of the Board.

7 (B) Members. The members of the Executive Committee shall  
8 comprise the following:

9 (i) the Chair of the Board;

10 (ii) the Commissioner of Labor or designee;

11 (iii) the Secretary of Education or designee;

12 (iv) the Secretary of Human Services or designee;

13 (v) the Secretary Commerce and Community Development or  
14 designee;

15 (vi) two business representatives, appointed by the Chair of the  
16 Board, who serve on the Board; and

17 (vii) two workforce representatives, appointed by the Chair of the  
18 Board, who serve on the Board.

19 (C) Meetings. The Chair of the Board shall chair the Executive  
20 Committee. The Executive Committee shall meet at least once monthly and  
21 shall hold additional meetings upon call of the Chair.

1            (D) Duties. The Executive Committee shall have the following  
2            duties and responsibilities:

3                    (i) recommend to the Board changes to the Board’s rules or  
4            bylaws;

5                    (ii) establish one or more subcommittees as it determines  
6            necessary and appropriate to perform its work; and

7                    (iii) other duties as provided in the Board’s bylaws.

8            (2) Member representation.

9                    (A) A member of the State Board may send a designee ~~that~~ who  
10            meets the requirements of subdivision (B) of this subdivision ~~(1)~~(2) to any  
11            State Board meeting, who shall count toward a quorum and who shall be  
12            allowed to vote on behalf of the Board member for whom ~~he or she~~ the  
13            individual serves as a designee.

14                    (B) Members of the State Board or their designees who represent  
15            organizations, agencies, or other entities shall be individuals with optimum  
16            policymaking authority or relevant subject matter expertise within the  
17            organizations, agencies, or entities.

18                    ~~(C) The members of the Board shall represent diverse regions of the~~  
19            ~~State, including urban, rural, and suburban areas.~~

1           ~~(2)~~(3) Chair. The Governor shall select a chair for the Board from  
2           among the business representatives appointed pursuant to subdivision  
3           ~~(c)(18)~~(6) of this section.

4           ~~(3)~~(4) Meetings. The Board shall meet at least three times annually and  
5           shall hold additional meetings upon call of the Chair.

6           ~~(4)~~(5) Committees; work groups; ad hoc committees. The Chair, in  
7           consultation with the Commissioner of Labor, may:

8                   (A) assign one or more members or their designees to standing  
9                   committees, ad hoc committees, or work groups to carry out the work of the  
10                  Board; and

11                   (B) appoint one or more nonmembers of the Board to a standing  
12                  committee, ad hoc committee, or work group and determine whether the  
13                  individual serves as an advisory or voting member, provided that the number  
14                  of voting nonmembers on a standing committee shall not exceed the number of  
15                  Board members or their designees.

16                                   \* \* \*

17           § 541c. EXECUTIVE DIRECTOR OF WORKFORCE EXPANSION AND  
18                                   DEVELOPMENT

19           (a) There shall be within the Executive Branch the position of Executive  
20           Director of Workforce Expansion and Development to manage and coordinate

1 the efforts of workforce development in the State and to perform other duties  
2 as directed by the Governor.

3 (b) The Office of the Executive Director of Workforce Expansion and  
4 Development shall have the administrative, legal, and technical support of the  
5 Department of Labor.

6 (c) The Executive Director shall report to and be under the general  
7 supervision of the Governor.

8 (d) The State Workforce Board shall, in coordination with the Department  
9 of Human Resources, set the minimum qualifications for the position of  
10 Executive Director of Workforce Expansion and Development.

11 (e) The Governor shall appoint the Executive Director with the advice and  
12 consent of the Senate, and the Executive Committee of the State Workforce  
13 Board may provide a list to the Governor of recommended candidates for  
14 Executive Director.

15 (f) The Executive Director shall be an exempt employee.

16 \* \* \*

17 Sec. 2. 2022 Acts and Resolves No. 183, Sec. 5a is amended to read:

18 Sec. 5a. REGIONAL WORKFORCE EXPANSION SYSTEM

19 \* \* \*

20 (c) System infrastructure. The Department shall make investments that  
21 improve and expand regional capacity to strengthen networks who assist



1 jobseekers, workers, and employers in connecting.

2 (1) The Department is authorized to create up to four classified, ~~two-~~  
3 ~~year~~ limited-service positions, with funding allocated to perform the work  
4 described in this section, who shall report to the Workforce Development  
5 Division and of whom:

6 \* \* \*

7 (e) Interim report. On or before ~~January 15, 2023~~ July 15, 2025, the  
8 Department shall provide a narrative update on the progress made in hiring  
9 staff, establishing interagency agreements, developing regional information  
10 exchange systems, and supporting State-level work to expand the labor force to  
11 the House and Senate committees of jurisdiction.

12 (f) Implementation. The Department of Labor shall begin implementing  
13 the Regional Workforce Expansion System on or before ~~July 1, 2022~~  
14 September 1, 2024.

15 Sec. 3. TASK FORCE TO STUDY DATA MANAGEMENT MODELS

16 (a) Creation. There is a task force created to study the proposed data  
17 management models provided to the Special Oversight Committee on  
18 Workforce Expansion and Development by the Public Consulting Group  
19 pursuant to 2022 Acts and Resolves No. 183, Sec. 5.

20 (b) Membership. The task force shall be composed of members selected by  
21 the Executive Director of the State Workforce Development Board and shall

1 include representatives from the Agency of Education, Agency of Human  
2 Services, Department of Human Resources, Agency of Digital Services,  
3 Department of Health, and any others as the Executive Director sees fit.

4 (c) Compensation.

5 (1) For attendance at meetings during adjournment of the General  
6 Assembly, a legislative member of the task force shall be entitled to per diem  
7 compensation and reimbursement of expenses pursuant to 2 V.S.A. § 23.

8 (2) Unless otherwise compensated by the member’s employer for  
9 performance of the member’s duties on the task force, a nonlegislative member  
10 of the Committee shall be entitled to per diem compensation and  
11 reimbursement of expenses as permitted under 32 V.S.A. § 1010.

12 (3) Payments to members of the task force authorized under this  
13 subsection shall be made from monies appropriated to the General Assembly.

14 (d) Duties and reporting. The task force shall meet as necessary to study  
15 the data management recommendations provided to the Special Oversight  
16 Committee on Workforce Expansion and Development by the Public  
17 Consulting Group pursuant to 2022 Acts and Resolves No. 183, Sec. 5. The  
18 task force shall provide a written report with its final recommendations on the  
19 appropriate data management model to the General Assembly on or before  
20 January 1, 2025.

1 **Sec. 4. WORKFORCE EDUCATION AND TRAINING LEADERSHIP**

2 **WORKING GROUP**

3 **(a) Creation.** There is created a working group to review and propose  
4 changes to the leadership and duties set forth in 10 V.S.A. § 540.

5 **(b) Membership.** The working group shall be composed of the following:

6 (1) the Executive Committee of the State Workforce Board;

7 (2) the Executive Director of Workforce Expansion and Development;

8 (3) the Commissioner of Labor or designee;

9 (4) the Secretary of Education or designee; and

10 (5) the Commissioner of Disabilities, Aging, and Independent Living or  
11 designee.

12 **(c) Meetings.**

13 (1) The Executive Director of Workforce Expansion and Development  
14 shall chair the working group and shall call the first meeting of the working  
15 group to occur on or before October 1, 2024.

16 (2) A majority of the membership shall constitute a quorum.

17 (3) The working group shall meet not more than eight times.

18 **(d) Powers and duties.** The working group shall review 10 V.S.A. § 540  
19 and engage with workforce development stakeholders to:

20 (1) evaluate the effectiveness of the current language in statute; and

1           (2) determine, due to changes in the State Workforce Board as set forth  
2           in this act, what changes should be made to the duties and responsibilities in  
3           the statute to ensure there is effective and comprehensive leadership in  
4           workforce education and training.

5           (e) Reporting.

6           (1) Progress report. The working group shall submit a written progress  
7           report to the House Committee on Commerce and Economic Development and  
8           the Senate Committee on Economic Development, Housing and General  
9           Affairs updating the committees on its progress on the work set forth in this  
10           section on or before April 1, 2025.

11           (2) Final report. The working group shall submit a written report to the  
12           House Committee on Commerce and Economic Development and the Senate  
13           Committee on Economic Development, Housing and General Affairs with its  
14           final recommendations based on the analysis conducted pursuant to this section  
15           on or before November 1, 2025.

16           (f) Compensation and reimbursement.

17           (1) For attendance at meetings during adjournment of the General  
18           Assembly, a legislative member of the working group serving in the member's  
19           capacity as a legislator shall be entitled to per diem compensation and  
20           reimbursement of expenses pursuant to 2 V.S.A. § 23 for not more than eight  
21           meetings.

1           (2) Unless otherwise compensated by the member's employer for  
2 performance of the member's duties on the working group, a nonlegislative  
3 member of the working group shall be entitled to per diem compensation and  
4 reimbursement of expenses as permitted under 32 V.S.A. § 1010.

5           (3) Payments to members of the working group authorized under this  
6 subsection shall be made from monies appropriated to the General Assembly.

7           (g) Expiration.

8           The working group shall cease to exist on December 31, 2025.

9           Sec. 5. STATE WORKFORCE BOARD TRANSITION PERIOD

10           (a) An appointing authority for the State Workforce Board pursuant to 10  
11 V.S.A. § 541(c) shall make all appointments as required to the Board on or  
12 before September 1, 2024.

13           (b) A member of the State Workforce Board on June 30, 2024, except for  
14 the Governor, and unless appointed or placed on the Board after the passage of  
15 this act pursuant to 10 V.S.A. § 541(c), shall cease being a member of the  
16 Board on July 1, 2024.

17           (c) Notwithstanding subsection (b) of this section, an appointing authority  
18 pursuant to 10 V.S.A. § 541(c) may reappoint the same individual as a member  
19 to the Board after passage of this act.

1        (d) Members of the Board appointed by the Governor shall serve initial  
2        staggered terms with 12 members serving three-year terms and 11 members  
3        serving two-year terms.

4        (e) The Governor shall appoint a chair of the Board pursuant to 10 V.S.A.  
5        § 541(d)(3) on or before August 1, 2024.

6        (f) The Board shall amend the Board’s WIOA Governance Document to  
7        align it pursuant to the terms of this act on or before February 1, 2025.

8        Sec. 6. EFFECTIVE DATE

9        This act shall take effect on July 1, 2024.

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(Committee vote: \_\_\_\_\_)

\_\_\_\_\_

Representative \_\_\_\_\_

FOR THE COMMITTEE