

Flynn
Sexton
Rittner

SSB- 1098
Small Business Economic
Development & Tourism
Succeeded by
SF/HF 281

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
WORKFORCE DEVELOPMENT
BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act concerning the workforce development department, by
2 providing for the establishment of a workforce development
3 corporation, expenses for members of the regional advisory
4 board to the workforce development board, authority to charge
5 fees for certain services of the department, and Iowa
6 conservation corps employee rights.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 84A.1C WORKFORCE DEVELOPMENT
2 CORPORATION.

3 1. NONPROFIT CORPORATION FOR RECEIVING AND DISBURSING
4 FUNDS. The Iowa workforce development board may organize a
5 corporation under the provisions of chapter 504A for the
6 purpose of receiving and disbursing funds from public or
7 private sources to be used to further workforce development in
8 this state and to accomplish the mission of the board.

9 2. INCORPORATORS. The incorporators of the corporation
10 organized pursuant to this section shall be the chairperson of
11 the Iowa workforce development board, the director of the
12 department of workforce development, and a member of the Iowa
13 workforce development board selected by the chairperson.

14 3. BOARD OF DIRECTORS. The board of directors of the
15 corporation organized pursuant to this section shall be the
16 members of the Iowa workforce development board or their
17 successors in office.

18 4. ACCEPTING GRANTS IN AID. The corporation organized
19 pursuant to this section may accept grants of money or
20 property from the federal government or any other source and
21 may upon its own order use its money, property, or other
22 resources for any of the purposes identified in section
23 84A.1B.

24 Sec. 2. Section 84A.4, subsection 3, Code 1999, is amended
25 to read as follows:

26 3. Section 84A.1A, subsections 2, 3, and 5, apply to the
27 members of a regional advisory board except that the board
28 shall meet if a majority of the members of the board, and not
29 five, file a written request with the chairperson for a
30 meeting. Members of a regional advisory board shall be
31 allowed their actual and necessary expenses incurred in the
32 performance of their duties. All expenses shall be paid from
33 appropriations for those purposes and the department is
34 subject to the budget requirements of chapter 8.

35 Sec. 3. Section 84A.5, Code 1999, is amended by adding the

1 following new subsection:

2 NEW SUBSECTION. 10. The director of the department may
 3 adopt rules pursuant to chapter 17A to charge and collect fees
 4 for enhanced or value-added services provided by the
 5 department which are not required by law to be provided by the
 6 department and are not generally available from the
 7 department. Fees shall not be charged to provide a free
 8 public labor exchange. Fees established by the director shall
 9 be based upon the costs of administering the service, with due
 10 regard to the anticipated time spent, and travel costs
 11 incurred, by personnel performing the service. The collection
 12 of fees authorized by this subsection shall be treated as
 13 repayment receipts as defined in section 8.2.

14 Sec. 4. Section 84A.7, Code 1999, is amended by adding the
15 following new subsection:

16 NEW SUBSECTION. 5. PARTICIPANT ELIGIBILITY.
 17 Notwithstanding any contrary provision of chapters 19A and 96,
 18 a person employed through an Iowa conservation corps program
 19 shall be exempt from merit system requirements and shall not
 20 be eligible to receive unemployment compensation benefits.

21 EXPLANATION

22 New Code section 84A.1C authorizes the workforce
 23 development board to establish a nonprofit corporation under
 24 the provisions of Code chapter 504A for the purpose of
 25 acquiring funds to be used to further the mission of workforce
 26 development and the board. The section provides for the
 27 incorporators of the corporation, the members of the
 28 corporation's board of directors, and the authority of the
 29 board to obtain and disburse funds in furtherance of the
 30 duties of the workforce development board.

31 Code section 84A.4, subsection 3, is amended to authorize
 32 the payment of expenses incurred by members of regional
 33 workforce development advisory boards.

34 Code section 84A.5 is amended to authorize the director of
 35 the department of workforce development to adopt rules

1 providing for the charging and collecting of fees on certain
2 services provided by the department that are not required to
3 be provided and are not generally available. The fees shall
4 be determined based upon personnel costs in providing the
5 service. Fees collected shall be treated as repayment
6 receipts as defined in section 8.2.

7 Code section 84A.7, concerning the Iowa conservation corps,
8 is amended to provide that persons employed through a program
9 of the corps are exempt from the merit system requirements of
10 Code chapter 19A and are not eligible to receive unemployment
11 compensation benefits under Code chapter 96.

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January 1999

TO: Iowa General Assembly
State Capitol

FROM: Pat Sampson, Legislative Liaison *Pat Sampson*
Iowa Workforce Development

SUBJECT: Background Statement on legislation relating to Workforce Development
LSB # 1230

Thomas J. Vilsack
Governor

Sally J. Pederson
Lt. Governor

Deborah L. Dessert
Acting Director

Putting

Iowa

To Work

Section 1 allows the Iowa workforce development board to establish a corporation or foundation to further the mission of the board. The chairperson, another member of the board and the director of IWD are the individuals who are allowed to initiate the incorporation. The corporation can solicit donations and receive grants for activities related to the mission of the board that are not specifically provided by current federal or state funds. The state board will be able to further its mission in a more comprehensive way with foundation support. This foundation was designed similar to the Iowa development commission foundation.

Foundation funds can be used to:

- Serve populations, such as the working poor, that are not currently targeted for federal or state funding,
- Conduct pilot projects to test various program models,
- Collect conference registration fees and pay expenses for major statewide, regional or national conferences,
- Leverage funds from other foundations to support the board mission,
- Solicit private business to cover expenses not reimbursed by the state for promotional events,
- Respond to emergency situations immediately.

Section 2 authorizes expense reimbursement for the regional advisory boards (RABs) in each workforce development region. Funding from the state administrative surcharge will be used to reimburse the RABs for their expenses.

When the 15 regional advisory boards were established in 1996, funding was not provided to pay expenses. Some regions are large geographic areas and encompass at least ten counties. Each county is represented on a board and some members may be required to travel long distances to attend the meetings. Also, some members are low income and can not afford the time away from work and the travel costs. The responsibilities of the regional board members are substantial and expense reimbursement will allow the boards to retain the expertise of members and avoid turnover. The cost to reimburse the boards for actual and necessary expenses is \$60,300.

Section 3 authorizes the department to draft rules that establish and charge fees for enhanced services in which little or no federal or state appropriation is available.

Section 4 exempts participants of the conservation corps program from state merit system requirements and eligibility for unemployment benefits. Participants of the conservation corps program were exempt from these provisions until 1996 when the program was administered by the newly formed Iowa Workforce Development. The legislation establishing the department inadvertently removed the section containing this exemption. These exemptions were established because the program was designed to provide short-term work experience and career exploration rather than leading directly to permanent employment with the sponsoring agency.

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Des Moines, IA 50319-0209

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Substituted for HF 589
4-6-99
(P. 1052)

FILED MAR 3 1999

SENATE FILE 281
BY COMMITTEE ON SMALL BUSINESS,
ECONOMIC DEVELOPMENT AND
TOURISM

(SUCCESSOR TO SSB 1098)

Passed Senate, Date ^(P. 589) 3/15/99 Passed House, Date ^(P. 1052) 4/6/99
Vote: Ayes 46 Nays 0 Vote: Ayes 99 Nays 0
Approved April 14, 1999

A BILL FOR

1 An Act concerning the workforce development department, by
2 providing for the establishment of a workforce development
3 corporation, expenses for members of the regional advisory
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SF 281

1 Section 1. NEW SECTION. 84A.1C WORKFORCE DEVELOPMENT
2 CORPORATION.

3 1. NONPROFIT CORPORATION FOR RECEIVING AND DISBURSING
4 FUNDS. The Iowa workforce development board may organize a
5 corporation under the provisions of chapter 504A for the
6 purpose of receiving and disbursing funds from public or
7 private sources to be used to further workforce development in
8 this state and to accomplish the mission of the board.

9 2. INCORPORATORS. The incorporators of the corporation
10 organized pursuant to this section shall be the chairperson of
11 the Iowa workforce development board, the director of the
12 department of workforce development, and a member of the Iowa
13 workforce development board selected by the chairperson.

14 3. BOARD OF DIRECTORS. The board of directors of the
15 corporation organized pursuant to this section shall be the
16 members of the Iowa workforce development board or their
17 successors in office.

18 4. ACCEPTING GRANTS IN AID. The corporation organized
19 pursuant to this section may accept grants of money or
20 property from the federal government or any other source and
21 may upon its own order use its money, property, or other
22 resources for any of the purposes identified in section
23 84A.1B.

24 Sec. 2. Section 84A.4, subsection 3, Code 1999, is amended
25 to read as follows:

26 3. Section 84A.1A, subsections 2, 3, and 5, apply to the
27 members of a regional advisory board except that the board
28 shall meet if a majority of the members of the board, and not
29 five, file a written request with the chairperson for a
30 meeting. Members of a regional advisory board shall be
31 allowed their actual and necessary expenses incurred in the
32 performance of their duties. All expenses shall be paid from
33 appropriations for those purposes and the department is
34 subject to the budget requirements of chapter 8.

35 Sec. 3. Section 84A.5, Code 1999, is amended by adding the

1 following new subsection:

2 NEW SUBSECTION. 10. The director of the department may
3 adopt rules pursuant to chapter 17A to charge and collect fees
4 for enhanced or value-added services provided by the
5 department which are not required by law to be provided by the
6 department and are not generally available from the
7 department. Fees shall not be charged to provide a free
8 public labor exchange. Fees established by the director shall
9 be based upon the costs of administering the service, with due
10 regard to the anticipated time spent, and travel costs
11 incurred, by personnel performing the service. The collection
12 of fees authorized by this subsection shall be treated as
13 repayment receipts as defined in section 8.2.

14 Sec. 4. Section 84A.7, Code 1999, is amended by adding the
15 following new subsection:

16 NEW SUBSECTION. 5. PARTICIPANT ELIGIBILITY.
17 Notwithstanding any contrary provision of chapters 19A and 96,
18 a person employed through an Iowa conservation corps program
19 shall be exempt from merit system requirements and shall not
20 be eligible to receive unemployment compensation benefits.

21 EXPLANATION

22 New Code section 84A.1C authorizes the workforce
23 development board to establish a nonprofit corporation under
24 the provisions of Code chapter 504A for the purpose of
25 acquiring funds to be used to further the mission of workforce
26 development and the board. The section provides for the
27 incorporators of the corporation, the members of the
28 corporation's board of directors, and the authority of the
29 board to obtain and disburse funds in furtherance of the
30 duties of the workforce development board.

31 Code section 84A.4, subsection 3, is amended to authorize
32 the payment of expenses incurred by members of regional
33 workforce development advisory boards.

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35 the department of workforce development to adopt rules

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2 services provided by the department that are not required to
3 be provided and are not generally available. The fees shall
4 be determined based upon personnel costs in providing the
5 service. Fees collected shall be treated as repayment
6 receipts as defined in section 8.2.

7 Code section 84A.7, concerning the Iowa conservation corps,
8 is amended to provide that persons employed through a program
9 of the corps are exempt from the merit system requirements of
10 Code chapter 19A and are not eligible to receive unemployment
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AN ACT

CONCERNING THE WORKFORCE DEVELOPMENT DEPARTMENT, BY PROVIDING FOR THE ESTABLISHMENT OF A WORKFORCE DEVELOPMENT CORPORATION, EXPENSES FOR MEMBERS OF THE REGIONAL ADVISORY BOARD TO THE WORKFORCE DEVELOPMENT BOARD, AUTHORITY TO CHARGE FEES FOR CERTAIN SERVICES OF THE DEPARTMENT, AND IOWA CONSERVATION CORPS EMPLOYEE RIGHTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 84A.1C WORKFORCE DEVELOPMENT CORPORATION.

1. NONPROFIT CORPORATION FOR RECEIVING AND DISBURSING FUNDS. The Iowa workforce development board may organize a corporation under the provisions of chapter 504A for the purpose of receiving and disbursing funds from public or private sources to be used to further workforce development in this state and to accomplish the mission of the board.

2. INCORPORATORS. The incorporators of the corporation organized pursuant to this section shall be the chairperson of the Iowa workforce development board, the director of the department of workforce development, and a member of the Iowa workforce development board selected by the chairperson.

3. BOARD OF DIRECTORS. The board of directors of the corporation organized pursuant to this section shall be the members of the Iowa workforce development board or their successors in office.

4. ACCEPTING GRANTS IN AID. The corporation organized pursuant to this section may accept grants of money or property from the federal government or any other source and may upon its own order use its money, property, or other resources for any of the purposes identified in section 84A.1B.

Sec. 2. Section 84A.4, subsection 3, Code 1999, is amended to read as follows:

3. Section 84A.1A, subsections 2, 3, and 5, apply to the members of a regional advisory board except that the board shall meet if a majority of the members of the board, and not five, file a written request with the chairperson for a meeting. Members of a regional advisory board shall be allowed their actual and necessary expenses incurred in the performance of their duties. All expenses shall be paid from appropriations for those purposes and the department is subject to the budget requirements of chapter 8.

Sec. 3. Section 84A.5, Code 1999, is amended by adding the following new subsection:

NEW SUBSECTION. 10. The director of the department may adopt rules pursuant to chapter 17A to charge and collect fees for enhanced or value-added services provided by the department which are not required by law to be provided by the department and are not generally available from the department. Fees shall not be charged to provide a free public labor exchange. Fees established by the director shall be based upon the costs of administering the service, with due regard to the anticipated time spent, and travel costs incurred, by personnel performing the service. The collection of fees authorized by this subsection shall be treated as repayment receipts as defined in section 8.2.

Sec. 4. Section 84A.7, Code 1999, is amended by adding the following new subsection:

NEW SUBSECTION. 5. PARTICIPANT ELIGIBILITY. Notwithstanding any contrary provision of chapters 19A and 96,

Senate File 281, p. 3

a person employed through an Iowa conservation corps program shall be exempt from merit system requirements and shall not be eligible to receive unemployment compensation benefits.

MARY E. KRAMER
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 281, Seventy-eighth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved April 14, 1999

THOMAS J. VILSACK
Governor