

House Study Bill 168 - Introduced

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

A BILL FOR

1 An Act relating to employment services programs administered
2 by the department of workforce development by modifying
3 the membership requirements of the Iowa workforce
4 development board and authorizing the department to carry
5 out unemployment insurance systems modernization, making
6 appropriations, and including effective date provisions.
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

IOWA WORKFORCE DEVELOPMENT BOARD

1
2
3 Section 1. Section 84A.1A, subsection 1, Code 2017, is
4 amended by striking the subsection and inserting in lieu
5 thereof the following:

6 1. An Iowa workforce development board is created,
7 consisting of thirty-three voting members and thirteen
8 nonvoting members.

9 a. The voting members of the Iowa workforce development
10 board shall include the following:

11 (1) The governor.

12 (2) One state senator appointed by the president of the
13 senate after consultation with the majority leader of the
14 senate, who shall serve a term as provided in section 69.16B.

15 (3) One state representative appointed by the speaker of the
16 house of representatives after consultation with the majority
17 leader of the house of representatives, who shall serve a term
18 as provided in section 69.16B.

19 (4) The director of the department of workforce development
20 or the director's designee.

21 (5) The director of the department of education or the
22 director's designee.

23 (6) The director of the department for the blind or the
24 director's designee.

25 (7) The administrator of the division of Iowa vocational
26 rehabilitation services of the department of education or the
27 administrator's designee.

28 (8) The following twenty-six members who shall be appointed
29 by the governor for staggered terms of four years beginning and
30 ending as provided in section 69.19, subject to confirmation
31 by the senate:

32 (a) Seventeen members who shall be representatives of
33 businesses in the state to whom each of the following applies:

34 (i) The members shall be owners of businesses, chief
35 executives or operating officers of businesses, or other

1 business executives or employers with optimum policymaking or
2 hiring authority, and may, in addition, be members of a local
3 workforce development board described in section 84A.4.

4 (ii) The members shall represent businesses, including
5 small businesses, or organizations representing businesses
6 described in this subparagraph (a), that provide employment
7 opportunities that, at a minimum, include high quality,
8 work-relevant training and development in in-demand industry
9 sectors or occupations in the state.

10 (iii) The members shall be appointed from among individuals
11 nominated by state business organizations and business trade
12 associations.

13 (b) Seven members who shall be representatives of the
14 workforce in the state and who shall include all of the
15 following:

16 (i) Four representatives of labor organizations who have
17 been nominated by state labor federations.

18 (ii) One representative of a joint labor-management
19 apprenticeship program in the state who shall be a member of
20 a labor organization or a training director. If such a joint
21 program does not exist in the state, the member shall instead
22 be a representative of an apprenticeship program in the state.

23 (iii) Two representatives of community-based organizations
24 that have demonstrated experience and expertise in addressing
25 the employment, training, or education needs of individuals
26 with barriers to employment as defined in the federal Workforce
27 Innovation and Opportunity Act, Pub. L. No. 113-128, §3(24),
28 including but not limited to organizations that serve veterans,
29 that provide or support competitive, integrated employment for
30 individuals with disabilities; or that serve eligible youth,
31 as defined in the federal Workforce Innovation and Opportunity
32 Act, Pub. L. No. 113-128, §3(18), including representatives of
33 organizations that serve out-of-school youth, as defined in the
34 federal Workforce Innovation and Opportunity Act, Pub. L. No.
35 113-128, §129(a)(1)(B).

1 (c) One city chief elected official, as defined in the
2 federal Workforce Innovation and Opportunity Act, Pub. L. No.
3 113-128, §3(9).

4 (d) One county chief elected official, as defined in the
5 federal Workforce Innovation and Opportunity Act, Pub. L. No.
6 113-128, §3(9).

7 b. The nonvoting members of the Iowa workforce development
8 board shall include the following:

9 (1) One state senator appointed by the minority leader of
10 the senate, who shall serve for a term as provided in section
11 69.16B.

12 (2) One state representative appointed by the minority
13 leader of the house of representatives, who shall serve for a
14 term as provided in section 69.16B.

15 (3) One president, or the president's designee, of the
16 university of northern Iowa, the university of Iowa, or Iowa
17 state university of science and technology, designated by the
18 state board of regents on a rotating basis.

19 (4) One president, or the president's designee, of an
20 independent Iowa college, appointed by the Iowa association of
21 independent colleges and universities.

22 (5) One president or president's designee, of a community
23 college, appointed by the Iowa association of community college
24 presidents.

25 (6) One representative of the economic development
26 authority, appointed by the director.

27 (7) One representative of the department on aging,
28 appointed by the director.

29 (8) One representative of the department of corrections,
30 appointed by the director.

31 (9) One representative of the department of human services,
32 appointed by the director.

33 (10) One representative of the United States department of
34 labor, office of apprenticeship.

35 (11) One representative from the largest statewide public

1 employees' organization representing state employees.

2 (12) One representative of a statewide labor organization
3 representing employees in the construction industry.

4 (13) One representative of a statewide labor organization
5 representing employees in the manufacturing industry.

6 c. The terms of members of the board described in paragraph
7 "a", subparagraph (8), shall be staggered so that the terms of
8 no more than nine members expire in a calendar year.

9 d. The members of the board shall represent diverse
10 geographic areas of the state, including urban, rural, and
11 suburban areas.

12 e. An individual shall not serve as a member of the board in
13 more than one capacity described in paragraph "a".

14 Sec. 2. Section 84A.1A, subsections 3 and 4, Code 2017, are
15 amended to read as follows:

16 ~~3. The workforce development board shall meet in May of each~~
17 ~~year for the purpose of electing one of its voting members as~~
18 ~~chairperson and one of its voting members as vice chairperson.~~
19 ~~However, the chairperson and the vice chairperson shall not~~
20 ~~be from the same political party. The governor shall select~~
21 ~~a chairperson for the workforce development board from among~~
22 ~~the members who are representatives of business described in~~
23 ~~subsection 1, paragraph "a", subparagraph (8), subparagraph~~
24 ~~division (a).~~ The workforce development board shall meet
25 at the call of the chairperson or when any five a majority
26 of voting members of the workforce development board file a
27 written request with the chairperson for a meeting. Written
28 notice of the time and place of each meeting shall be given to
29 each member of the workforce development board. A majority of
30 the voting members constitutes a quorum.

31 4. Members of the workforce development board, ~~the~~
32 ~~director of the department of workforce development,~~ and other
33 employees of the department of workforce development shall
34 be allowed their actual and necessary expenses incurred in
35 the performance of their duties. All expenses shall be paid

1 from appropriations for those purposes and the department of
2 workforce development is subject to the budget requirements of
3 chapter 8. Each member of the workforce development board may
4 also be eligible to receive compensation as provided in section
5 7E.6.

6 Sec. 3. INITIAL BOARD APPOINTMENTS — TRANSITION
7 PROVISIONS.

8 1. The governor shall appoint initial members of the Iowa
9 workforce development board described in section 84A.1A,
10 subsection 1, paragraph "a", subparagraph (8), as enacted by
11 this division of this Act, to terms of less than four years as
12 necessary to ensure that the terms of no more than nine members
13 expire in a calendar year.

14 2. The governor may appoint members serving on the Iowa
15 workforce development board prior to the effective date of this
16 division of this Act pursuant to section 84A.1A, subsection
17 1, paragraph "a", Code 2017, for membership on the board on
18 and after the effective date of this division of this Act if
19 such individuals continue to be eligible for membership on the
20 board pursuant to section 84A.1A, subsection 1, paragraph "a",
21 subparagraph (8), as enacted by this division of this Act.

22 3. The members serving on the Iowa workforce development
23 board prior to the effective date of this division of this Act
24 pursuant to section 84A.1A, subsection 1, paragraph "a", Code
25 2017, shall continue to constitute the membership of the board
26 until a meeting of the board is held at which a majority of
27 the voting members of the board appointed pursuant to section
28 84A.1A, subsection 1, paragraph "a", subparagraph (8), as
29 enacted by this division of this Act, are present.

30 Sec. 4. EFFECTIVE UPON ENACTMENT. This division of this
31 Act, being deemed of immediate importance, takes effect upon
32 enactment.

33 DIVISION II

34 UNEMPLOYMENT INSURANCE SYSTEMS MODERNIZATION

35 Sec. 5. 2016 Iowa Acts, chapter 1118, section 22, is amended

1 to read as follows:

2 SEC. 22. AUTHORIZATION TO ~~JOIN CONSORTIUM~~ USE FEDERAL
3 FUNDS. The department of workforce development is hereby
4 authorized to ~~join a consortium with the states of Idaho and~~
5 ~~Vermont for the purpose of modifying the Idaho unemployment~~
6 ~~benefit payment software system so that it can be used to~~
7 ~~pay unemployment insurance benefits by the state of Iowa~~ use
8 federal funds distributed to the department for the purpose of
9 unemployment insurance systems modernization.

10 Sec. 6. 2016 Iowa Acts, chapter 1118, section 23,
11 subsections 1 and 2, are amended to read as follows:

12 1. There is hereby appropriated out of funds made available
13 to the state of Iowa under section 903 of the Social Security
14 Act, as amended, the sum of one million seventy-six thousand
15 dollars, or so much thereof as may be necessary, to be used
16 under the direction of the department of workforce development,
17 for the purpose of ~~modifying the Idaho unemployment insurance~~
18 ~~benefit payment software system so that it can be used to~~
19 ~~pay unemployment insurance benefits by the state of Iowa~~
20 unemployment insurance systems modernization and for the
21 acquisition of programing, software, and equipment required
22 to provide an administrative ~~and payment~~ system for the Iowa
23 unemployment insurance program.

24 2. The funds hereby appropriated shall not be obligated
25 after the expiration of the two-year period beginning on ~~the~~
26 ~~date of the enactment of this section~~ July 1, 2017.

27 Sec. 7. 2016 Iowa Acts, chapter 1118, section 24, is amended
28 to read as follows:

29 SEC. 24. AUTHORIZATION OF USE OF FUNDS — UNEMPLOYMENT
30 ~~INSURANCE BENEFIT PAYMENT SOFTWARE SYSTEM~~ — SYSTEMS
31 MODERNIZATION.

32 1. Four million eight hundred twenty-five thousand dollars,
33 or so much thereof as may be necessary, of incentive payment
34 funds credited with respect to the Assistance for Unemployed
35 Workers and Struggling Families Act, Pub. L. No. 111-5,

1 Division B, Tit. II, §2003, as codified in 42 U.S.C. §1103,
2 as a special transfer made under section 903(g) of the Social
3 Security Act, may be used under the direction of the department
4 of workforce development for the purpose of ~~modifying the Idaho~~
5 ~~unemployment insurance benefit payment system so that it can~~
6 ~~be used to pay unemployment insurance benefits by the state of~~
7 Iowa unemployment insurance systems modernization and for the
8 acquisition of programing, software, and equipment required
9 to provide an administrative ~~and payment~~ system for the Iowa
10 unemployment insurance program.

11 2. The funds hereby authorized for use shall not be
12 obligated after the expiration of the two-year period beginning
13 ~~on the date of the enactment of this section~~ July 1, 2017.

14 Sec. 8. EFFECTIVE UPON ENACTMENT. This division of this
15 Act, being deemed of immediate importance, takes effect upon
16 enactment.

17 EXPLANATION

18 The inclusion of this explanation does not constitute agreement with
19 the explanation's substance by the members of the general assembly.

20 This bill relates to employment services programs
21 administered by the department of workforce development by
22 modifying the membership requirements of the Iowa workforce
23 development board and authorizing the department to carry out
24 unemployment insurance systems modernization.

25 DIVISION I — IOWA WORKFORCE DEVELOPMENT BOARD. This
26 division strikes Code language providing for the membership of
27 the Iowa workforce development board, including nine voting
28 members and 16 nonvoting members, and provides new membership
29 requirements. The division provides that the membership of the
30 board shall include 33 voting members and 13 nonvoting members.
31 Changes to the membership of the board are required by the
32 federal Workforce Innovation and Opportunity Act, Pub. L. No.
33 113-128.

34 The division provides that the voting members of the
35 board include the governor; a state senator appointed by the

1 president of the senate after consultation with the majority
2 leader of the senate; a state representative appointed by the
3 speaker of the house of representatives after consultation
4 with the majority leader of the house of representatives;
5 the directors of the departments of workforce development,
6 education, and for the blind or their designees; the
7 administrator of the division of Iowa vocational rehabilitation
8 services of the department of education or the administrator's
9 designee; 17 members who shall be representatives of businesses
10 in the state who must have certain specific qualifications;
11 seven members who shall be representatives of the workforce
12 in the state who must have certain specific qualifications;
13 and a chief city elected official and a chief county elected
14 official. The division specifies the 13 nonvoting members of
15 the board.

16 The division provides for terms of board members as
17 applicable. The division provides that the members of the
18 board shall represent diverse geographic areas of the state,
19 including urban, rural, and suburban areas. The division
20 prohibits individuals from serving as a member of the board in
21 more than one capacity as described in the division.

22 The division provides that the governor shall select a
23 chairperson for the board from among the members who are
24 representatives of business. The division provides that the
25 board shall meet if a majority of voting members file a written
26 request for a meeting.

27 The division requires the governor to appoint initial
28 members of the Iowa workforce development board described in
29 the division to terms of less than four years as necessary to
30 ensure that the terms of no more than nine members expire in a
31 calendar year.

32 The division permits the governor to appoint voting members
33 serving on the Iowa workforce development board prior to the
34 effective date of the division for membership on the board
35 on and after the effective date of the division if such

1 individuals continue to be eligible for membership on the
2 board.

3 The division provides that voting members serving on the
4 Iowa workforce development board prior to the effective date of
5 the division shall continue to constitute the membership of the
6 board until a meeting of the board is held at which a majority
7 of the voting members of the board appointed pursuant to the
8 division are present.

9 The division takes effect upon enactment.

10 DIVISION II — UNEMPLOYMENT INSURANCE SYSTEMS MODERNIZATION.

11 This division modifies language in 2016 Iowa Acts, Senate File
12 2313, division II, which authorized the department of workforce
13 development to join a consortium with the states of Idaho and
14 Vermont for the purpose of modifying the Idaho unemployment
15 benefit payment software system so that it could be used to
16 pay unemployment insurance benefits by the state of Iowa and
17 appropriated funds for that purpose.

18 The division strikes language referring to a consortium
19 of states and instead authorizes the department to carry out
20 unemployment insurance systems modernization. The division
21 provides that funds previously appropriated for purposes of the
22 consortium of states are instead appropriated for unemployment
23 insurance systems modernization. The funds appropriated are
24 \$1,076,000, or so much thereof as may be necessary, out of
25 funds made available to the state of Iowa under section 903 of
26 the federal Social Security Act, as amended, and \$4,825,000, or
27 so much thereof as may be necessary, of incentive payment funds
28 credited with respect to the Assistance for Unemployed Workers
29 and Struggling Families Act, Pub. L. No. 111-5, Division B,
30 Tit. II, §2003, as a special transfer made under section 903(g)
31 of the federal Social Security Act. The funds appropriated
32 and authorized for use by the division shall not be obligated
33 after the expiration of the two-year period beginning on July
34 1, 2017.

35 The division takes effect upon enactment.