

HOUSE BILL NO. 631

INTRODUCED BY K. DUDIK, L. JONES, E. KERR-CARPENTER, R. LYNCH, M. RYAN, K. SULLIVAN

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A PILOT PROGRAM FOR PUBLIC-PRIVATE PARTNERSHIPS TO INCREASE SKILLS TRAINING IN TARGETED INDUSTRIES AND JOB-READINESS ASSISTANCE FOR TARGET POPULATIONS; PROVIDING RULEMAKING AUTHORITY; PROVIDING FOR A TRANSFER AND AN APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Short title. [Sections 1 through 7] may be cited as the "Montana Employment Advancement Right Now Program Act".

NEW SECTION. Section 2. Definitions. As used in [sections 1 through 7], the following definitions apply:

(1) "Credential" means a recognized:

(a) educational diploma;

(b) certificate or degree;

(c) occupational license;

(d) apprenticeship certificate;

(e) industry-recognized certification; or

(f) award for skills attainment and completion, issued by an approved training provider in the state or by a third-party credential provider recognized in rule by the department.

(2) "Department" means the department of labor and industry provided for in Title 2, chapter 15, part 17.

(3) "Family-sustaining wage" means a wage greater than the state's average weekly wage, as defined in 39-71-116, or greater than the current average weekly wage of the county in which the employees are to be principally employed, as provided in 39-11-202.

(4) "High-demand occupation" means an occupation that:

(a) has a significant presence within target industries;



- 1 (b) is in demand by employers in the state;
- 2 (c) involves trades or professions with identifiable skills; and
- 3 (d) pays or leads to payment of a family-sustaining wage.
- 4 (5) "Identifiable skill" means the attainment of proficiency in a specific work-related skill that is likely to
- 5 lead to future job advancement and improvement in the individual's earning potential.
- 6 (6) "Job-readiness assistance" means training or support to overcome individual barriers to finding a job
- 7 or maintaining a job in the form of:
- 8 (a) skills development provided by an approved training provider, including but not limited to occupational
- 9 skills development, preparing for an examination or other requirements to document equivalency of completion
- 10 of a secondary education, literacy advancement, financial stability coaching and services, and credit counseling;
- 11 and
- 12 (b) support for transportation and child care.
- 13 (7) "Program" or "Montana EARN program" means the Montana employment advancement right now
- 14 program.
- 15 (8) "Strategic industry partnership" means a collaboration that brings together a regional group as
- 16 described in [section 4] of participants involved in planning and implementing the program objectives listed in
- 17 [section 3].
- 18 (9) "Target industry" means a group of employers closely linked by a common product or service,
- 19 workforce skills, similar technologies, supply chains, or other economic ties.
- 20 (10) "Target population" means more than one individual identified by a strategic industry partnership as
- 21 being able to benefit from job-readiness assistance and obtain identifiable skills important for a high-demand
- 22 occupation.

23

24 **NEW SECTION. Section 3. Program objectives.** (1) The department of labor and industry shall

25 coordinate with the department of commerce, the office of public instruction, the board of education, the board

26 of regents, and other state agencies to:

- 27 (a) promote creation of strategic industry partnerships across the state, with an emphasis on addressing
- 28 areas of high poverty and high unemployment as identified by the U.S. bureau of the census;
- 29 (b) advance the skills of the state's workforce, particularly in high-demand occupations requiring
- 30 identifiable skills;

- 1 (c) determine opportunities for resource sharing; and
 2 (d) increase sustainable employment for residents of this state.

3 (2) IN ADDITION TO SEARCHING OUT NEW FUNDING RESOURCES FOR GRANTS AS PROVIDED IN [SECTION 7(3)],
 4 THE DEPARTMENT SHALL MINIMIZE PROGRAM EXPENSES BY COORDINATING WITH THE GOVERNOR'S OFFICE AND THE
 5 DEPARTMENTS LISTED IN SUBSECTION (1) OF THIS SECTION TO USE EXISTING RESOURCES TO IMPLEMENT THE MONTANA
 6 EARN PROGRAM.

7 ~~(2)~~(3) Strategic industry partnerships may form to:

- 8 (a) identify common workforce needs for high-demand occupations within a target industry and a target
 9 population;
 10 (b) plan, develop, and implement strategies to meet common workforce needs, address shortages
 11 determined for a specific region, and encourage entrepreneurship for high-demand occupations; and
 12 (c) apply to the department for grants to address strategic industry partnership objectives.

13
 14 NEW SECTION. Section 4. Strategic industry partnerships. (1) The members of a strategic industry
 15 partnership must include representatives of:

- 16 (a) a local government;
 17 (b) a local secondary school district, community college, or unit of the Montana university system; and
 18 (c) one or more target industries.

19 (2) The strategic industry partnership may include more participants as necessary.

20 (3) The strategic industry partnership shall identify in grant applications made under [section 5] any direct
 21 financial or in-kind contributions of members of the strategic industry partnership that may be used for matching
 22 funds for grants made through the Montana EARN program.

23
 24 NEW SECTION. Section 5. Montana EARN program grant requirements -- rulemaking. (1) (a)
 25 Montana EARN program grants must be submitted by a strategic industry partnership to the department. If more
 26 than one grant is submitted in a funding cycle, the department shall rank the proposals.

27 (b) The department shall award one or more grants based on the results of discussions with grant
 28 applicants and evidence of matching contributions as provided in [section 4].

29 (2) Montana EARN program grants:

- 30 (a) may be used to match federal funds;

1 (b) may require matching funds from the strategic industry partnership, as determined by the department
2 by rule; and

3 (c) may require that any intellectual property developed as a result of a program grant remain in the
4 public domain, to the extent practicable and consistent with federal and state law.

5 (3) Grants may be made by the department directly to a strategic industry partnership member that is
6 an entity recognized by the state, as defined by rule, for use by the strategic industry partnership in:

7 (a) planning;

8 (b) job-readiness assistance for members of a target population; and

9 (c) workforce training programs that result in a credential or an identifiable skill for a target population
10 intended to assist in finding or maintaining a job in a high-demand occupation in a target industry, consistent with
11 the strategic industry partnership's plan.

12 (4) Grants for the workforce training programs under the Montana EARN program may supplement
13 grants available under the primary sector business workforce training program provided for in Title 39, chapter
14 11, the incumbent worker training program provided for in Title 53, chapter 2, part 12, or grants for economic
15 development made by the department of commerce under Title 90.

16 (5) An application for a strategic industry partnership planning grant must include:

17 (a) the identities of members participating in the strategic industry partnership;

18 (b) a description of the target industry;

19 (c) a description of the target population;

20 (d) documented evidence of shortages over a sustained period in skilled employment within the target
21 industry selected by the strategic industry partnership;

22 (e) a description of specific high-demand occupations or sets of occupations within the target industry;

23 and

24 (f) specific job readiness assistance needed for the target population to participate in workforce training
25 programs.

26 (6) The department shall adopt rules to define:

27 (a) the entity eligible to receive a grant under this section;

28 (b) the amount that may be awarded to any one strategic industry partnership;

29 (c) the terms for program accountability, including terms for revoking grant awards or portions of grant
30 awards if the planning, assistance, or training is not provided or the department determines the grant is not

1 meeting program objectives; and

2 (d) reporting requirements, including timeframes, for Montana EARN program grants.

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4 **NEW SECTION. Section 6. Reporting.** The Montana EARN program is a pilot project that terminates
5 on June 30, 2021. The department shall provide a report prior to June 30, 2020, and within 6 months of the
6 program close to the governor and to the legislative council, as provided in 5-11-210, regarding the following:

7 (1) the criteria for grant awards, including the amount that may be awarded to any one strategic industry
8 partnership;

9 (2) the criteria for projected average wage, differentiated by whether the target population is in a high
10 unemployment and high poverty area or obtaining skills for a high-demand occupation;

11 (3) the projected demand for Montana EARN program grants and the amount granted for each applicant,
12 including average proposed wage for grants and the number of positions filled or created;

13 (4) the target populations of program grants;

14 (5) the target industries and other participants in strategic industry partnerships;

15 (6) the matching funds to be provided by participants in the strategic industry partnership;

16 (7) the type and number of high-demand occupations served by program grants;

17 (8) the amount of grants provided for job-readiness assistance; and

18 (9) recommendations for future grant programs involving strategic industry partnerships or a continuation
19 of the Montana EARN program.

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21 **NEW SECTION. Section 7. ~~State special~~ SPECIAL revenue account ACCOUNTS.** (1) There is a state
22 special revenue account for the department of labor and industry to use in carrying out the purposes of [sections
23 1 through 6] and this section.

24 ~~———~~(2) The fund must consist of:

25 (a) appropriations from the legislature; and

26 (b) monetary contributions received by the department from state; OR private; ~~or federal~~ entities
27 designated for the purposes of [sections 1 through 7].

28 (2) THERE IS A FEDERAL SPECIAL REVENUE ACCOUNT CONSISTING OF ALL FUNDS RECEIVED FROM FEDERAL
29 ENTITIES FOR THE DEPARTMENT OF LABOR AND INDUSTRY TO USE IN CARRYING OUT THE PURPOSES OF [SECTIONS 1
30 THROUGH 7].

1 (3) The department shall explore all relevant funding opportunities, including coordination and use of
 2 existing resources under Title 39, chapter 11, Title 53, chapter 2, and Title 90, and apply for funding from federal
 3 and other public sources as well as private grants or other private resources for the purposes of [sections 1
 4 through 7].

5
 6 NEW SECTION. Section 8. Transfer and appropriation. (1) By August 15, 2019, the state treasurer
 7 shall transfer \$45,000 from the general fund to the state special revenue account established in [section 7].

8 (2) There is appropriated \$45,000 for the biennium ending June 30, 2021, from the state special revenue
 9 account established in [section 7] for the use by the department of labor and industry for ~~implementing~~ PROVIDING
 10 GRANTS UNDER [sections 1 through 7].

11
 12 NEW SECTION. Section 9. Notification to tribal governments. The secretary of state shall send a
 13 copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell
 14 Chippewa tribe.

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 16 NEW SECTION. Section 10. Codification instruction. [Sections 1 through 7] are intended to be
 17 codified as an integral part of Title 39, chapter 11, and the provisions of Title 39, chapter 11, apply to [sections
 18 1 through 7].

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 20 NEW SECTION. Section 11. Effective date. [This act] is effective July 1, 2019.

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 22 NEW SECTION. Section 12. Termination. [This act] terminates June 30, 2021.

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