

HOUSE BILL No. 5901

April 16, 2002, Introduced by Reps. Ehardt, Pappageorge, Raczkowski and Birkholz and referred to the Committee on Employment Relations, Training and Safety.

A bill to establish a career development system in this state; to create a department of career development and to provide for its powers, duties, and administration; to create the Michigan workforce investment board; to create local workforce investment areas; to create local workforce investment boards; to create education advisory groups; to create the Michigan rehabilitation advisory council; and to create a 1-stop delivery system for career development services.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "career development delivery system act".

3 Sec. 2. As used in this act:

4 (a) "Chief elected official" means the individual designated
5 under an agreement described in section 117(c)(1)(B) of chapter 2

1 of subtitle B of title I of the workforce investment act of 1998,
2 Public Law 105-220, 29 U.S.C. 2832.

3 (b) "Department" means the department of career development
4 created in section 3.

5 (c) "Director" means the director of the department of
6 career development or his or her authorized representative.

7 (d) "Education advisory group" means an education advisory
8 group established under section 8.

9 (e) "Local workforce development board" or "local workforce
10 investment board" means either of the following:

11 (i) A workforce development board created under the former
12 job training partnership act, Public Law 97-300.

13 (ii) The board for a local workforce investment area that is
14 appointed by the chief elected official and certified by the gov-
15 ernor pursuant to section 117 of chapter 2 of subtitle B of title
16 I of the workforce investment act of 1998, Public Law 105-220, 29
17 U.S.C. 2832.

18 (f) "Local workforce investment area" means an area desig-
19 nated by the governor under section 5.

20 (g) "Michigan 1-stop delivery system" means the system
21 established for the delivery of career development programs and
22 services in accordance with section 121 of chapter 3 of subtitle
23 B of title I of the workforce investment act of 1998, Public Law
24 105-220, 29 U.S.C. 2841.

25 (h) "Michigan rehabilitation advisory council" means the
26 advisory council established in section 9.

1 (i) "Michigan works agency" means the agency designated by
2 the chief elected official and approved by the governor to
3 administer the portion of the Michigan works system for that
4 local workforce investment area.

5 (j) "Michigan workforce investment board" means the advisory
6 body created in section 4.

7 (k) "Michigan works system" means the local workforce
8 investment board and local administrative entities that receive
9 funds and administer the following workforce development
10 programs:

11 (i) Title I of the workforce investment act of 1998, Public
12 Law 105-220, 112 Stat. 939.

13 (ii) Wagner-Peyser act, chapter 49, 96 Stat. 1392, 29
14 U.S.C. 49 to 49c and 49d to 49l-2.

15 (iii) North American free trade agreement, section 221 of
16 subchapter A of chapter 2 of title II of the trade act of 1974,
17 Public Law 93-618, 19 U.S.C. 2271.

18 (iv) Trade adjustment assistance, section 221 of subchapter
19 A of chapter 2 of title II of the trade act of 1974, Public Law
20 93-618, 19 U.S.C. 2271.

21 (v) Welfare-to-work, section 403 (a) (5) of title IV of the
22 social security act, 42 U.S.C. 603.

23 (vi) Work first, section 57f of the social welfare act, 1939
24 PA 280, MCL 400.57f.

25 (vii) Food stamps employment and training services, section
26 6(d)(4) of the food stamp act of 1977, Public Law 88-525, 7
27 U.S.C. 2015.

1 (1) "Strategic plan" means a plan prepared by a local
2 workforce investment board with input from local representatives,
3 which has been approved by the department.

4 Sec. 3. (1) The department of career development is created
5 as a principal state department to develop and continuously
6 improve a system to provide career training, career education,
7 career planning, and career development services. The department
8 has the powers and duties provided under this act and otherwise
9 provided by law.

10 (2) The department shall be administered by a director who
11 shall be appointed by and serve at the pleasure of the governor.

12 (3) The director may appoint 1 or more deputy directors and
13 other assistants and employees as necessary to carry out the
14 powers and duties of the department. A person to whom the direc-
15 tor has delegated decision making authority may perform a duty or
16 exercise a power conferred by law upon the department at the time
17 and to the extent the duty and power are delegated to that
18 person.

19 Sec. 4. (1) The Michigan workforce investment board, origi-
20 nally created in Executive Order No. 2002-5, is created within
21 the department.

22 (2) The Michigan workforce investment board shall advise the
23 governor and the director on matters related to career education
24 and career development.

25 (3) The Michigan workforce investment board has all of the
26 powers and duties provided in Executive Order No. 2002-5.

1 Sec. 5. Pursuant to section 116 of chapter 2 of subtitle B
2 of title I of the workforce investment act of 1998, Public Law
3 105-220, 29 U.S.C. 2831, the governor shall designate local work-
4 force investment areas within this state.

5 Sec. 6. (1) Pursuant to section 117 of chapter 2 of subti-
6 tle B of title I of the workforce investment act of 1998, Public
7 Law 105-220, 29 U.S.C. 2832, the chief elected official in each
8 local workforce investment area shall appoint and the governor
9 shall certify a local workforce investment board in each local
10 workforce investment area.

11 (2) A local workforce investment board shall do all of the
12 following:

13 (a) Operate in accordance with policies established by the
14 department.

15 (b) Set operating policies consistent with strategic plans
16 approved by the department for the portion of the Michigan works
17 system within the local workforce investment area.

18 (c) Certify to the department whether a local plan for fed-
19 erally and state funded career development programs submitted to
20 the department are consistent with a locally developed strategic
21 plan.

22 (d) Any other duties, functions, and responsibilities
23 required under the workforce investment act of 1998, Public Law
24 105-220, 112 Stat. 936, or otherwise provided by law.

25 Sec. 7. (1) Except as otherwise provided in subsection (2),
26 a local workforce investment board or a Michigan works agency
27 shall provide department funded services to program applicants

1 and participants only through service providers selected by a
2 competitive bidding process.

3 (2) A local workforce investment board or a Michigan works
4 agency may provide department funded services directly to program
5 applicants and participants if the governor determines after a
6 competitive bidding process that there is no other entity capable
7 of providing the required services at a reasonable cost.

8 Sec. 8. An education advisory group shall be established
9 and shall operate in each local workforce investment area. The
10 education advisory group shall be the education advisory group
11 described in section 68 of the state school aid act of 1979, 1979
12 PA 94, MCL 388.1668, including representation from postsecondary
13 institutions, including, but not limited to, community colleges,
14 4-year institutions, and research institutions.

15 Sec. 9. (1) The Michigan rehabilitation advisory council,
16 originally created in Executive Order No. 1994-20, and subse-
17 quently transferred to the department in Executive Reorganization
18 Order No. 1999-1, MCL 408.40, is established in the department in
19 accordance with title I of the rehabilitation act of 1973, Public
20 Law 93-112, 29 U.S.C. 720 to 732.

21 (2) The Michigan rehabilitation advisory council shall over-
22 see the department's operation of this state's plan for voca-
23 tional rehabilitation services.

24 (3) The Michigan rehabilitation advisory council has all of
25 the powers and duties provided in Executive Order No. 1994-20.

26 Sec. 10. (1) The department shall oversee the establishment
27 and operation by the local workforce investment boards of a

1 system of Michigan works 1-stop service centers throughout this
2 state, in accordance with section 121 of chapter 3 of subtitle B
3 of title I of the workforce investment act of 1998, Public
4 Law 105-220, 29 U.S.C. 2841.

5 (2) The department shall provide an integrated statewide
6 career guidance, labor market information, labor exchange, and
7 management information system that supports the Michigan works
8 1-stop service center system.

9 (3) In accordance with section 7 of article VIII of the
10 state constitution of 1963, this act shall not be construed to
11 diminish the supervision and control of community colleges by
12 locally elected boards of trustees and shall not limit community
13 colleges in the development of courses and curriculum.