

**2013 -- H 5788 SUBSTITUTE B**

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LC01450/SUB B  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2013**

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- HUMAN RESOURCE  
INVESTMENT COUNCIL

Introduced By: Representatives Cimini, Walsh, Tanzi, Tomasso, and Kazarian

Date Introduced: February 28, 2013

Referred To: House Labor

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 42-102-9 of the General Laws in Chapter 42-102 entitled "Rhode  
2 Island Human Resource Investment Council" is hereby amended to read as follows:

3           **42-102-9. Powers and duties of the Rhode Island human resource investment council**

4 **-- Employment and training systems in the state. --** (a) The council shall establish statewide  
5 policies, goals, and guidelines for the coordination of all employment and training programs and  
6 related services, and employment-related training programs within the state, including:

7           (1) The state department of labor and training programs sponsored under the Workforce  
8 Investment Act of 1998, Wagner-Peyser Act, 29 U.S.C. section 49 et seq., the Trade Act of 2002  
9 and any other employment-related educational program administered by the state department of  
10 labor and training;

11           (2) The state department of human services training programs sponsored under the  
12 Temporary Assistance to Needy Families, title IV of the Social Security Act; the Supplemental  
13 Nutrition Assistance Program Employment and Training Program; Vocational Rehabilitation Act  
14 of 1973 and any other employment and training and related services and employment-related  
15 educational programs administered by the state's department of human services;

16           (3) Employment and training programs sponsored under the Carl D. Perkins Vocational  
17 Education Act, 20 U.S.C. section 2301 et seq., the federal Adult Education Act, Title II of the  
18 Workforce Investment Act of 1998 and any other employment-related educational programs

1 administered by the board of governors for higher education, or the board of regents for  
2 elementary and secondary education; and

3 (4) All other employment and training and related services and employment-related  
4 educational programs either presently existing or hereinafter established which are administered  
5 by any state agencies, departments, or councils. Programs included within subdivisions (1) -- (4)  
6 of this subsection shall be referred herein collectively as "the coordinated programs system".  
7 Provided, however, that the responsibilities and duties of the board of governors for higher  
8 education or the board of regents for elementary and secondary education, as set forth in the  
9 general laws, shall not be abridged.

10 (b) With respect to plans for employment and training programs sponsored under the  
11 federal Carl D. Perkins Vocational Education Act, 20 U.S.C. section 2301 et seq., and any other  
12 employment-related educational programs administered by the boards of governors for higher  
13 education or the board of regents for elementary and secondary education, the council and  
14 applicable board shall establish a process for the development and preparation of all these plans;  
15 and the applicable board shall approve the plan subject to review and comment by the council.

16 (c) With respect to plans for the Temporary Assistance to Needy Families Program,  
17 SNAP Employment and Training Program, Vocational Rehabilitation Services and any other  
18 employment and training and related programs administered by the state's department of human  
19 services, the authority and responsibilities of the department as the single state agency under  
20 Titles IV-A, 42 U.S.C. sections 601 -- 617, and IV-F, 42 U.S.C. sections 681 -- 687 [repealed] of  
21 the federal Social Security Act shall not be abridged.

22 (d) The council shall review, comment on, or approve as appropriate all other plans for  
23 employment and training within the coordinated programs system. The council shall establish  
24 policies and performance goals for the coordinated programs system. These policies and goals  
25 shall include, but not be limited to:

- 26 (1) Establishing and communicating uniform policies;
- 27 (2) Gathering and distributing information from and to all agencies, departments, and  
28 councils within the coordinated programs system;
- 29 (3) Standardizing and coordinating program planning, budgeting, and funding processes;
- 30 (4) Recommending structural and procedural changes;
- 31 (5) Establishing performance goals and measurements for monitoring the effectiveness  
32 of members of the coordinated programs system;
- 33 (6) Reconciling diverse agency, departmental, or council goals and developing priorities  
34 among those goals; and

1 (7) Producing an annual Unified Workforce Development Expenditure and Program  
2 Report to be submitted to the General Assembly beginning January 1, 2011 and covering activity  
3 having taken place the preceding fiscal year ending June 30th. [Subsequent Unified Workforce  
4 Development Expenditure and Program Reports shall be submitted annually on November 15.](#)

5 The report shall include, at a minimum, expenditures by agencies for programs included in  
6 subdivisions 42-102-9(a)(1)(2)(3)(4), and shall show the number of individuals served by each  
7 program, including demographic information by gender, race and ethnicity; outcome information  
8 and such other information as may be determined by the Human Resource Investment Council,  
9 including, but not limited to, attainment of credentials.

10 (e) All state and local agencies, departments, or council or similar organizations within  
11 the coordinated programs system shall be required to provide the council with the information  
12 necessary to produce the Unified Workforce Development Expenditure and Program Report  
13 described in subdivision (7) and shall otherwise cooperate with the council in the council's  
14 exercise of its authority under subsections (b) -- (d).

15 (f) The council or a sub-committee or adjunct of the council shall assume all duties and  
16 responsibilities of the state job training coordination council required to be established pursuant  
17 to the federal Job Training Partnership Act, 29 U.S.C. section 1532 [repealed].

18 (g) In addition to the specific authority provided for herein, the council shall have all  
19 other authority necessary for effective coordination and implementation of the coordinated  
20 programs system.

21 (h) The council shall biennially develop an employment and training plan for the state to  
22 be submitted to the governor and the general assembly commencing March 15, 2012 and  
23 covering the subsequent two fiscal years. [Subsequent biennial plans shall be submitted on  
24 November 15.](#) The biennial plan shall outline goals and objectives of the coordinated programs  
25 system, major priorities needed for the next two (2) year period, and policies and requirements  
26 necessary to meet those priorities. The council shall provide a funding plan necessary to achieve  
27 system priorities and to serve the anticipated number of participants and shall identify the general  
28 revenue funds necessary to meet program needs, taking into account anticipated federal, private  
29 and other sources of funds. [The biennial plan shall incorporate the annual Unified Workforce  
30 Development Expenditure and Program Report in those years in which both reports are due.](#)

31 (i) The council shall develop and maintain a comprehensive inventory and analysis of  
32 workforce development activities in the state ~~no later than December 1, 2011~~ to support the  
33 biennial report in subsection 42-102-9(h). The analysis shall include, but not be limited to, an  
34 examination of the populations being served across the different employment and training and

1 adult education programs across the state, the number of participants being served by these  
2 programs, the type of services provided and the eligibility requirements of each of these  
3 programs. The analysis shall also identify the funding sources (all sources) used in these  
4 programs, the service providers within the state, as well as the range of services provided. The  
5 analysis shall also examine the employer role in workforce development activities, including, but  
6 not limited to, how employer needs are assessed, benefits employers receive for partnering with  
7 workforce development organizations, and the role employers play in development and training.

8 (j) The council shall establish and convene an advisory group to assist in the  
9 development of the analysis that consists of stakeholders and organizations with specific  
10 knowledge and expertise in the area of workforce development.

11 (k) All departments and agencies of the state shall furnish advice and information,  
12 documentary or otherwise to the council and its agents as is deemed necessary or desirable by the  
13 council to facilitate the purposes of the council as defined in subsection 42-109-9(i).

14 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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RELATING TO STATE AFFAIRS AND GOVERNMENT -- HUMAN RESOURCE  
INVESTMENT COUNCIL

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- 1           This act would amend the reporting requirements associated with the human resource
- 2 investment council.
- 3           This act would take effect upon passage.

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