

SENATE No. 2059

Text of the Senate amendment (Senator Chang-Diaz) to the House Bill establishing a State Workforce Development Board (House, No. 3772).

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

1 SECTION 1. Section 45 of chapter 23G of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by striking out, in line 60, the word “investment” and
3 inserting in place thereof the following word:- development.

4 SECTION 2. Section 1 of chapter 23H of the General Laws, as so appearing, is hereby
5 amended by striking out, in line 12, the word “investment” and inserting in place thereof the
6 following word:- development.

7 SECTION 3. Said chapter 23H is hereby further amended by striking out section 7 , as so
8 appearing, and inserting in place thereof the following section:-

9 Section 7. (a) There shall be in the department but not subject to the department’s
10 jurisdiction, a state workforce development board.

11 (b) The board shall consist of: the governor or a designee; the secretary of labor and
12 workforce development or a designee; the secretary of housing and economic development or a
13 designee; the secretary of health and human services or a designee; the secretary of education or
14 a designee; 2 chief elected officials who shall be appointed by the governor from designated
15 local workforce development areas as defined by the federal Workforce Innovation and

16 Opportunity Act of 2014, Public Law 113-128; 17 persons to be appointed by the governor who
17 shall represent business and industry and who: (i) shall be owners of businesses, chief executives
18 or operating officers of businesses or other business executives or employers with optimum
19 policymaking or hiring authority; (ii) shall represent businesses, including small businesses, or
20 organizations representing businesses that provide employment opportunities that, at a minimum,
21 include high-quality, work-relevant training and development for in-demand industry sectors or
22 occupations in the commonwealth; and (iii) shall be nominated for appointment by
23 commonwealth business organizations and business trade associations in the commonwealth; 7
24 persons to be appointed by the governor who shall represent the workforce within the
25 commonwealth, including 2 representatives of labor organizations of whom 1 shall be nominated
26 by labor federations in the commonwealth and 1 shall be a representative of the National
27 Association of Government Employees; 1 representative of a labor organization or a training
28 director, from a joint labor-management apprenticeship program; and 4 representatives of
29 community-based organizations that have demonstrated experience and expertise in addressing
30 the employment, training or education needs of individuals facing barriers to employment or
31 experience and expertise in addressing the employment, training or education needs of youth,
32 including representatives of organizations that serve out-of-school youth.

33 (c) In addition to the members appointed under subsection (b), the board shall also
34 include: 1 member of the senate; 1 member of the house of representatives..

35 (d) The appointments made under subsection (b) shall include women, people of color,
36 veterans and persons with disabilities or representatives of industry or workforce associations
37 representative of their perspectives, in such proportion as these groups exist in the

38 commonwealth's population as periodically determined by the state secretary as the
39 commonwealth's chief census officer.

40 (e) No person shall serve as a member for more than 1 category on the board.

41 (f) The members of the board shall represent diverse geographic areas of the
42 commonwealth, including urban, rural and suburban areas.

43 (g) The members of the board shall serve 2-year terms at the pleasure of the governor
44 and shall serve without compensation.

45 (h) The governor shall select a member to chair the board from among the members
46 representing business and industry. The chair shall serve at the pleasure of the governor.

47 (i) The board shall adopt by-laws to govern its proceedings and shall carry out the
48 responsibilities required of it under the federal Workforce Innovation and Opportunity Act of
49 2014. The board shall provide assessments and recommendations to the governor, the workforce
50 skills cabinet, local workforce boards and other entities as needed regarding the effectiveness of
51 the public workforce development system in the commonwealth, shall assist in measuring the
52 effectiveness of this system and in pursuing its continuous improvement, shall develop
53 recommended strategies to promote the proportionate workforce participation of women, people
54 of color, veterans, and persons with disabilities across industry sectors in the commonwealth and
55 shall generally assist in meeting the regional workforce needs of the commonwealth. The board
56 shall seek to promote innovative and performance driven models for workforce development and
57 shall seek to maximize the effectiveness of the local workforce boards.

58 (j) The administrative staff of the board shall be supervised by and shall report to the
59 director of career services. The board may contract with the department of career services for
60 personnel services and other operating needs. The department of career services may promulgate
61 and carry out operational policies for the benefit of the board without requiring express board
62 approval. Notwithstanding any general or special law to the contrary, the commonwealth's other
63 departments, agencies, divisions, commissions, boards and bureaus may provide such
64 information and support as the board may require.

65 SECTION 4. Section 10 of said chapter 23H, as so appearing, is hereby amended by
66 striking out, in lines 1, 5, 6, 24, 25 and 30, the word "investment" and inserting in place thereof,
67 in each instance, the following word:- development.

68 SECTION 5. Section 11 of said chapter 23H, as so appearing, is hereby amended by
69 striking out, in line 100, the word "investment" and inserting in place thereof the following
70 word:- development.

71 SECTION 6. Section 2SSS of chapter 29 of the General Laws, as so appearing, is hereby
72 amended by striking out, in line 9, the word "investment" and inserting in place thereof the
73 following word:- development.

74 SECTION 7. Section 9 of chapter 419 of the acts of 2008 is hereby amended by striking
75 out subsection (a) and inserting in place thereof the following subsection:-

76 (a) There shall be an education and training collaborative to develop, in conjunction with
77 the Taunton Development Corporation, the regional education, training and skills alliance center.
78 The education collaborative shall be managed by a board of directors which shall consist of: the
79 presidents of Bridgewater State University, the Massachusetts Maritime Academy, Massasoit

80 Community College, Cape Cod Community College, Bristol Community College, Wheaton
81 College, the Massachusetts Federation of Teachers, the Massachusetts Teachers Association, the
82 Massachusetts AFL-CIO, the Taunton Area Chamber of Commerce, Inc. or their designees; the
83 chancellor of the University of Massachusetts at Dartmouth; the commissioner of developmental
84 services or a designee; and the executive director of the Southeastern Regional Planning &
85 Economic Development District or a designee. The board may, by majority vote, increase its
86 membership to include the presidents of other institutions of higher education, the
87 superintendents of comprehensive high schools and regional vocational technical schools
88 housing the main campus in southeastern Massachusetts or their designees. The board may, by
89 majority vote, increase its membership to include private sector industry partners; provided,
90 however, that the number of private sector industry board members shall not represent more than
91 49 per cent of the board. The board may, by majority vote, form an advisory committee.
92 Members of the board may vote according to the terms of the education collaborative agreement;
93 provided, however, that the land and property management of the center shall be the
94 responsibility of the Taunton Development Corporation.

95 SECTION 8. Said section 9 of said chapter 419 is hereby further amended by striking out
96 subsection (i) and inserting in place thereof the following subsection:-

97 (i) The education collaborative shall be considered a public entity and may sue and be
98 sued to the same extent as a city, town or regional school district. The education collaborative,
99 acting through its board of directors, may enter into contracts for the purchase of supplies,
100 materials and services including, but not limited to, services of a nonprofit to assist with the
101 powers and duties of the board as prescribed in the written agreement under subsection (b) and
102 for the purchase or leasing of land, buildings and equipment as considered necessary by the

103 board. For the purposes of this act, members of the nonprofit, whether created or contracted with
104 as prescribed in the written agreement under said subsection (b), shall not be considered state
105 employees.