



Legislative Council Staff

Research Note

Version: Final

Date: 10/6/2016

Bill Number

House Bill 16-1302

Sponsors

*Representatives Duran &
DelGrosso
Senator Newell*

Short Title

*Align With Workforce
Innovation & Opportunity Act*

Research Analyst

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Status

This research note reflects the final version of the bill, which became effective on May 19, 2016.

Summary

This bill changes the title of the "Colorado Workforce Investment Act" to the "Colorado Career Advancement Act" and aligns Colorado law with the federal "Workforce Innovation and Opportunity Act" of 2014. It also clarifies the roles of specific entities in workforce development programs and removes statutory requirements made inapplicable by the federal act, such as:

- the membership and function of local workforce development boards, including youth councils and rural consortium boards;
- the state workforce development plan and local plans for workforce investment areas;
- optional partners of workforce boards; and
- memoranda of understanding for one-stop operators.

Beginning on July 1, 2017, workforce boards must select and certify one-stop operators for local workforce development areas in accordance with federal law and local policy. If no qualified operator responds to the procurement process, local officials may designate an operator. The bill also allows counties to determine any expenditures of Temporary Assistance to Needy Families funds for the purpose of cash contributions to infrastructure of the one-stop delivery system or delivery contracts.

The bill clarifies that any county, municipality, city and county, or combination thereof, may

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petition the Governor, on an annual basis, to form a new workforce development area, provided that this area meets federal requirements. The bill removes automatic temporary and permanent designations for local governments meeting certain size requirements.

The Colorado Workforce Development Council (CWDC), in consultation with local government officials, is required to conduct a process to identify planning regions. It must also work in partnership with various stakeholders to convene a state-level work group to address branding, marketing, and outreach to the public about opportunities available in the workforce development areas throughout the state. The work group is required to convene no later than July 31, 2016. On or before January 15, 2017, the work group is required to make recommendations for adoption into the biannual state workforce plan.

The bill allows counties to use their allocation of federal Title III (Wagner-Peyser Act) moneys for the operation of workforce development programs.

Background

The federal Workforce Innovation and Opportunity Act (WIOA) was signed into law on July 22, 2014, and took effect on July 1, 2015. It superceded the Workforce Investment Act of 1988 and amended the Adult Education and Family Literacy Act, the Wagner-Peyser Act, and the Rehabilitation Act of 1973. The WIOA is designed to help job seekers access employment, education, training, and support services and to match employers with skilled workers.

The CWDC consists of about 45 members, including representatives from state agencies, the legislature, institutions of higher education, local governments, and various stakeholder groups, including organized labor, the business community, and community groups serving rural mental health, veterans, youth, and persons with disabilities.

House Action

House Business Affairs and Labor Committee (April 5, 2016). At the hearing, representatives from the CWDC, Colorado Department of Labor and Employment, Bell Policy Center, Weld County, and Colorado Counties, Inc. testified in support of the bill. The committee adopted amendments L.006, L.007, and L.008, and referred the bill to the House Committee of the Whole.

Amendment L.006 replaced the references to Colorado Counties, Inc. with the statewide association of county commissioners. Amendment L.007 renamed the short title of the act; added a definition of "student" for purposes of the act, added student data protection measures, added a requirement that the CWDC convene a work group to address branding, marketing, and outreach to the public about opportunities available in the work force development areas throughout the state; and revised the bill title. Amendment L.008 made technical changes related to references to one-stop operators.

House second reading (April 7, 2016). The House adopted the House Business Affairs and Labor Committee report and passed the bill on second reading.

House third reading (April 8, 2016). The House passed the bill, unamended, on third reading.

Senate Action

Senate Business, Labor, & Technology (April 27, 2016). At the hearing, representatives from the CWDC, Colorado Counties, Inc., Arapahoe-Douglas Works, Jefferson County, Weld County, Colorado Business Roundtable, Aurora Chamber, Upstate Colorado Economic Development, and the Bell Policy Center testified in support of the bill. A representative from Jefferson County Human Services responded to questions from the committee. The committee adopted amendment L.009, which allows rural consortium work force boards to delegate specific functions to sub-area boards, if they have been established, and referred the bill to the Senate Committee of the Whole.

Senate second reading (April 29, 2016). The Senate adopted the Senate Business, Labor, & Technology Committee report and passed the bill on second reading.

Senate third reading (May 2, 2016). The Senate passed the bill, unamended, on third reading.