

House Bill 1195

By: Representatives England of the 108<sup>th</sup>, Cox of the 102<sup>nd</sup>, Coan of the 101<sup>st</sup>, Pruett of the 144<sup>th</sup>, and Everson of the 106<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial  
2 relations, so as to create the Georgia Workforce Investment Board; to provide for definitions;  
3 to provide for the membership of said board; to provide for the board's powers, functions,  
4 and funding; to establish the Governor's Office of Workforce Development; to establish  
5 Georgia Work Ready; to provide for related matters; to provide for an effective date; to  
6 repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial relations,  
10 is amended by repealing Chapter 14, relating to the Governor's Employment and Training  
11 Council, and enacting a new Chapter 14 to read as follows:

12 "CHAPTER 14

13 34-14-1.

14 As used in this chapter, the term:

15 (1) 'Board' means the Georgia Workforce Investment Board.

16 (2) 'Director' means the executive director of the Governor's Office of Workforce  
17 Development.

18 (3) 'Federal law' means the Workforce Investment Act of 1988, Public Law 105-220.

19 (4) 'Georgia Work Ready' means the state's branded workforce development enterprise  
20 implemented by the Governor's Office of Workforce Development that links education  
21 and workforce development together and aligns to the economic development needs at  
22 the local, regional, and state levels.

23 34-14-2.

24 (a) Pursuant to the Workforce Investment Act of 1998, Public Law 105-220, there is  
25 created the Georgia Workforce Investment Board.

26 (b) The board shall consist of the following members:

27 (1) The Governor;

28 (2) The Commissioner of Labor;

29 (3) The commissioner of economic development;

30 (4) The commissioner of community affairs;

31 (5) The chancellor of the University System of Georgia;

32 (6) The commissioner of technical and adult education;

33 (7) The State School Superintendent;

34 (8) The commissioner of early care and learning;

35 (9) The commissioner of juvenile justice;

36 (10) The director of the Office of Planning and Budget;

37 (11) Twenty members of the business community, appointed by the Governor, who shall  
38 represent business as an owner or a high-level executive of a company that represents the  
39 employment opportunities in this state and who shall be nominated by a state business  
40 organization or trade association;

41 (12) Two municipal elected officials, appointed by the Governor, of which one shall also  
42 represent the business community;

43 (13) Two county elected officials, appointed by the Governor, of which one shall also  
44 represent the business community;

45 (14) One representative of an organization, appointed by the Governor, that has  
46 experience with youth activities;

47 (15) One representative of a workforce investment service delivery organization,  
48 appointed by the Governor;

49 (16) One representative of labor organizations nominated by the state labor federation,  
50 appointed by the Governor;

51 (17) Two members of the House of Representatives, appointed by the Speaker of the  
52 House; and

53 (18) Two members of the Senate, appointed by the Lieutenant Governor.

54 (c) The members of the board appointed by the Governor shall be representative of diverse  
55 regions of this state.

56 (d) The chairperson and vice chairperson of the board shall be elected by the members set  
57 forth in paragraph (11) of subsection (b) of this Code section.

58 (e) The members of the board shall serve for three-year terms and shall continue at the  
59 discretion of the Governor or the official who appointed such member.

60 (f) It shall be the duty of the Governor or the official who appointed such member to fill  
61 any vacancy. A position on the board shall be considered vacant on the date the term  
62 expires or when a member becomes ineligible, is removed, resigns, or dies. In the case of  
63 an appointment to fill a vacancy on the board, the replacement member's term shall begin  
64 on the date of concurrence by the Governor as to the member's replacement unless  
65 otherwise specified by the Governor and shall end on the date designated for the original  
66 appointment for which the replacement is selected.

67 (g) Appointed members of the board may be removed for cause by the Governor or the  
68 official who appointed such member. Such removal for cause shall be at the discretion of  
69 the Governor or appointing official or as otherwise prescribed by the board's bylaws.

70 (h) The board shall have such powers and duties as specified by the Governor and as  
71 provided by federal law, including, but not limited to, assisting the Governor in the  
72 development of an annual state workforce development strategic plan to be implemented  
73 through Georgia Work Ready, establishing performance standards and benchmarks,  
74 providing guidance on the strategic plans of local workforce investment boards,  
75 establishing local workforce investment areas, establishing one-stop development centers,  
76 developing allocation formulas for distribution of funds to local areas, and preparing an  
77 annual report for the United States secretary of labor.

78 (i) The board shall adopt bylaws to guide its proceedings.

79 (j) The board shall be funded as provided by this chapter and federal law.

80 (k) The board shall be attached to the Office of Planning and Budget for administrative  
81 purposes only.

82 (l) Each member of the board who is not otherwise a state officer or employee shall be  
83 authorized to receive reimbursement for reasonably necessary travel expenses incurred in  
84 the performance of his or her duties as a member of the board, provided that such funds are  
85 available. Should funds not be available for this purpose, such members shall serve  
86 without compensation. Each member of the board who is otherwise a state officer or  
87 employee shall be reimbursed by the agency of which he or she is an officer or employee  
88 for reasonably necessary travel expenses actually incurred in the performance of his or her  
89 duties as a member of the board. Except as otherwise provided in this subsection, members  
90 of the board shall receive no compensation for their services.

91 (m) The board shall be authorized to consult with and form committees with members and  
92 persons knowledgeable on the subject matter at issue in order to carry out effectively its  
93 duties. Such consultants shall serve without compensation but shall be reimbursed for  
94 travel and other reasonable and necessary expenses incurred while attending meetings of  
95 or on behalf of the board, provided such travel and other expenses are approved by the  
96 director.

97 (n) The Governor's Office of Workforce Development shall be authorized to employ and  
 98 contract with other individuals and organizations as needed to assist in executing the  
 99 board's responsibilities.

100 (o) All state departments, institutions, agencies, commissions, councils, authorities, boards,  
 101 bureaus, or other entities of the state shall provide all information and support as required  
 102 by the board to perform its duties.

103 34-14-3.

104 (a) There is established a coordinating council of the board, to be known as the  
 105 Coordinating Council of the Georgia Workforce Investment Board and to be composed of  
 106 the following members of the board:

- 107 (1) The Governor;
- 108 (2) The Commissioner of Labor;
- 109 (3) The commissioner of economic development;
- 110 (4) The commissioner of community affairs;
- 111 (5) The chancellor of the University System of Georgia;
- 112 (6) The commissioner of technical and adult education;
- 113 (7) The State School Superintendent;
- 114 (8) The commissioner of early care and learning;
- 115 (9) The commissioner of juvenile justice; and
- 116 (10) The director of the Office of Planning and Budget.

117 The Governor shall be the chairperson of the coordinating council, and the Commissioner  
 118 of Labor shall be the vice chairperson of the coordinating council.

119 (b) The coordinating council shall work with the board in assisting the Governor to  
 120 promote and implement state-wide workforce development strategies and shall provide  
 121 administrative support to the board in overseeing the implementation of the workforce  
 122 development system.

123 34-14-4.

124 (a) The Governor's Office of Workforce Development is hereby established to implement  
 125 state workforce development policy as directed by the Governor and to serve as staff to the  
 126 board.

127 (b) The Governor's Office of Workforce Development shall have an executive director  
 128 appointed by the Governor whose duties are to implement state-wide workforce  
 129 development policy as directed by the Governor, to serve as workforce development policy  
 130 advisor to the Governor, and to serve as executive director to the board.

131 (c) The Governor's Office of Workforce Development shall develop a budget for the  
132 Governor in consultation with the board.

133 (d) The Governor's Office of Workforce Development shall be attached to the Office of  
134 Planning and Budget for administrative purposes only.

135 34-14-5.

136 The annual allocation reserved for state-wide workforce activities and administration by  
137 federal law, with a minimum of 10.5 percent and up to a maximum of 15 percent of the  
138 amount set aside, known as the 'Governor's discretionary funds,' shall be reserved for use  
139 by the Governor to support state-wide workforce activities recommended by the board and  
140 within parameters set forth in Section 128 of the Workforce Investment Act of 1988, Public  
141 Law 105-220, and implemented through the creation of the Georgia Work Ready program."

142 **SECTION 2.**

143 This Act shall become effective upon its approval by the Governor or upon its becoming law  
144 without such approval.

145 **SECTION 3.**

146 All laws and parts of laws in conflict with this Act are repealed.